

Proposed Design - Pre-Application Feedback

A Pre-Application enquiry (23//0032/PREAPP) of an earlier design iteration which had a larger footprint on site and was closer to its boundaries was submitted on 11/04/23. The present proposals have responded to each of the feedback points noted below. The key changes have also been shown in annotation on the layout diagram on page 29.

Part 1 of feedback received by email on 02/08/23:

Constraints relating to the site include:

- Trees, including a protected tree reference 09/0017/TPO
- A public right of way to the East - Beer Footpath 17
- East Devon AONB
- Beer Quarries and Caves SAC Bat Consultation area. In relation to this the site lies within the Landscape Connectivity Zones and Sustenance Zones of several bat species.

Relevant Local Plan (LP) Strategies and Policies include:

- Strategy 6 (Development within Built Up Area Boundaries)
- Strategy 27 (Development at the small Towns and Larger Villages)
- Strategy 38 (Sustainable Design and Construction)
- Strategy 39 (Renewable and Low Carbon Energy Projects)
- Strategy 46 (Landscape Conservation and Enhancement and AONBs)
- Strategy 48 (Local Distinctiveness in the Built Environment)
- D1 (Design and Local Distinctiveness)
- D2 (Landscape Requirements)
- D3 (Trees and Development Sites)
- D6 (Locations without Access to Natural Gas)
- EN5 (Wildlife Habitats and Features)
- H6 (Replacement of Existing Dwellings in the Countryside)
- TC2 (Accessibility of New Development)
- TC4 (Footpaths Bridleways and Cycleways)
- TC7 (Adequacy of Road Network and Site Access)
- TC9 (Parking Provision in New Development)
- EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)
- EN22 (Surface Run-Off Implications of New Development)

Relevant Policies of the (made) Beer Neighbourhood Plan (NP) include:

- Policy NE1 (Development and the Natural Environment)
- Policy NE5 (Rights of Way and Other Access (footpaths, bridleways and cycleways))
- Policy HBE2 (High Quality Design)
- Policy HBE4 (Renewable and Low Carbon Energy)
- Policy TP2 (Car Parking)
- Policy TP4 (Accessibility)

Please find links below to the East Devon Local Plan and the Beer Neighbourhood Plan, where the full wording of each of the policies listed above is available.

<https://eastdevon.gov.uk/planning/planning-policy/local-plan-2013-2031/>
http://www.beerparishcouncil.org.uk/_UserFiles/Files/Community/Neighbourhood%20Plan/Beer%20Draft%20Plan%20v12FINAL2019AD.pdf

The advice below should be read in conjunction with these policies.

The content of the Beer Village Design Statement is also a material consideration. It is available via this link: <https://eastdevon.gov.uk/media/252249/beer-village-design-statement.pdf>

Please note there is no longer a Structure plan for Devon.

Principle

The proposal is acceptable in principle in accordance with Strategy 6 of the East Devon Local Plan, given that the site lies within the built up area boundary of Beer as defined in the East Devon Villages Plan.

1. Travel, highway safety and parking

No issues were raised in relation to need to travel or highway safety. Provided that space for parking at least 2 cars would be available within the site the proposal would be acceptable in relation to parking.

2. Amenity of the proposed dwelling

The proposed dwelling would be acceptable in relation to its internal space, its outlook and access to open space. Provision for cycle and bin storage should be shown within the plans submitted with any application made in order to accord with LP Policy D1.

3. Trees

A tree survey was requested. The surveys should recommend any measures required to protect high quality trees.

4. Public Right of Way

Provided that the proposal is of suitable design and scale, no harmful impact would be considered likely to arise on PRoW.

5. Biodiversity

A biodiversity survey was required in relation to the demolition of the existing building and the site's location within the Bat Consultation Area as indicated in the Beer Quarry & Caves Special Area of Conservation (SAC) Habitats Regulations. 27

6. Design and Materials

Setting aside considerations of mass, scale and impacts on neighbouring amenity, the orientation and arrangement of the building forms is considered to harmonise with the general pattern of surrounding development.

Some elements of the design were felt unclear, for example, the form of the roofs of the 2 link-building elements. A simple flat or mono pitched roof would be preferred to a hipped roof form, for these elements.

It is also unclear whether the openings within the southern chimney are windows and the purpose of these features should be explained.

The eaves of the gabled buildings appear clipped and flush with the main building. It is unclear if this is intended to be part of the design (and if so, how it would allow rainwater to be dealt with). It is suggested that if the clipped eaves are to be part of the design, then this should be referenced in a supporting Design Statement.

With regard to materials, the use of a stone, similar to that traditionally used in Beer, for most of the walls and the use of clay tiles for the roof of the larger gabled block would accord with the guidance within the Beer Village Design Statement.

Whilst the use of timber for walls is not supported by that Design Statement, given that it would be used on a small proportion of the main building at a low level, and that its use within the garage is likely to be limited and well screened from external view, it is not considered that it would harm local distinctiveness.

In order to be considered acceptable, the use of zinc roofing on the 2 smaller gabled buildings and the links between buildings should be justified within a Design Statement, as this is not a traditional roof material within the area.

Proposed Design - Pre-Application Feedback

Part 2 of feedback received by email on 22/08/23:

Addendum to email of 02/08/23

Strategy 48 should be added to the list of relevant Strategies of the East Devon Local Plan.

Due to the location of the site within the consultation zone of the Beer Quarries and Caves Special Area of Conservation (SAC), if the proposal would increase illumination of a hedge or tree line or entail removal of all or part of the same, this could result in an impact on the Beer Quarries and Caves SAC and a shadow Habitats Regulations Assessment (HRA) would need to be provided.

Amenity

7. Overlooking

Clarification was sought over the potential for impacts on the privacy of neighbouring dwellings in relation to overlooking into dwellings and private areas of gardens. Clarification/information was sought on window positions and the terrace/balcony, site levels and between existing and proposed.

Comparison was sought between the existing windows/terraces and those proposed in this regard.

Requested drawings:

- A survey drawing showing the floor levels of the existing building and existing surrounding decking/terrace areas and ground levels;
- A scaled site plan of the proposed dwelling which includes (e.g. in colour) the footprint of the existing dwelling, for comparison purposes;
- An indication of which windows of the proposed dwelling will be obscure glazed;
- Scaled elevation plans of the proposed dwelling which include an indication of its floor and terrace levels (e.g. with dashed lines and including the absolute level figure) and which have the elevations of the existing dwelling superimposed on them (e.g. in colour) including its floor levels and the position of its windows and decking/terrace areas, for comparison purposes;
- A section approximately north-south through the proposed dwelling showing existing and proposed ground and floor levels, existing and proposed window levels, the heights of boundary treatments and the outlines of neighbouring dwellings (as far as this is possible);
- A section approximately north-south through the garden terrace area, showing existing and proposed ground levels and the height of boundary treatments;
- A sections approximately east-west through both blocks of the proposed dwelling showing existing and proposed ground and floor levels, window levels, heights of boundary treatments, the level of the proposed ground floor terrace and garden terrace and the road level;
- A plan showing the positions of the sections.

8. Daylight/sunlight

As the proposed 2-storey dwelling would be located close to the southern side of Bera Watch and would have a different form and footprint to the existing dwelling, a comparison for sunlight/daylight reaching that dwelling and its garden was requested.

9. Overbearing

The two buildings close to the boundary with Bera Watch, was felt to have the potential to be overbearing and hence consideration was sought for this to be set back.

10. Outlook of neighbouring dwellings

Sections east-west showing the relationship with the outlook of Bali Hai and Crabtree were requested.

11. Massing and scale

It was noted that the proposed development would involve the replacement of a chalet bungalow with a three storey dwelling partly set into the ground. The site occupies a hillside position and is visible from many surrounding viewpoints and the proposed dwelling would be higher than the neighbouring dwellings to the north and south. Hence further clarification was sought over the scale and massing relative to neighbouring property in long views and of the absolute height relative to neighbours.

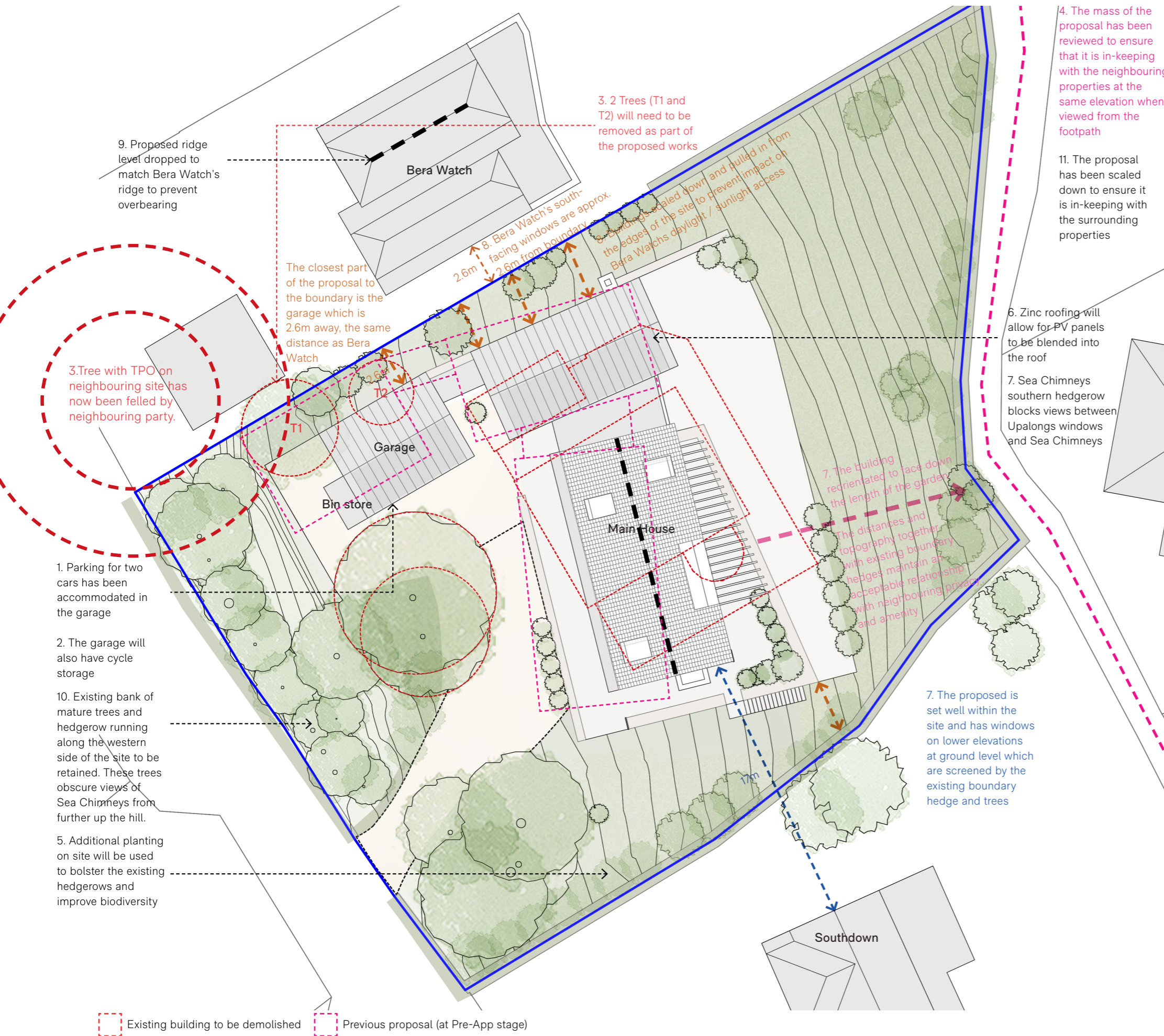
Overall Conclusion

A replacement dwelling at this site would be acceptable in principle, however there are several issues which would need to be addressed. Any application made would need to demonstrate that 2 parking spaces would be available and that provision for cycle storage would be made.

A supporting design statement should be provided to justify the materials proposed and clarify the design elements. A tree survey by a qualified arboricultural consultant would need to be provided, accompanied by details of measures to protect high quality trees. A biodiversity survey would also be required, together with details of any necessary mitigation or compensation measures to address identified impacts.

Further information on the scale and massing of the proposed replacement to show it would relate well to its context. This should also show any impact on the privacy of neighbouring dwellings. Consideration was required of sunlight/daylight and the relationship to Bera Watch. The outlook of Bali Hai and Crabtree also needs to be shown in sections.

Proposed Design - Pre-Application Response



4. The mass of the proposal has been reviewed to ensure that it is in-keeping with the neighbouring properties at the same elevation when viewed from the footpath

11. The proposal has been scaled down to ensure it is in-keeping with the surrounding properties

6. Zinc roofing will allow for PV panels to be blended into the roof

7. Sea Chimneys southern hedgerow blocks views between Upalongs windows and Sea Chimneys

7. The building reorientated to face down the length of the garden
The distances and topography together with existing boundary hedges maintain an acceptable relationship with neighbouring privacy and amenity

7. The proposed is set well within the site and has windows on lower elevations at ground level which are screened by the existing boundary hedge and trees

Following the Pre-Application response the proposal has been changed in line with the feedback received.

1. Travel, highway safety and parking (Pre-Application Response)

Parking for 2 cars has been accommodated in the garage as part of the proposal.

2. Amenity of the proposed dwelling (Pre-Application Response)

Provision for cycle storage has been included inside the proposed garage. A separate bin store is proposed to the rear of the garage.

3. Trees (Pre-Application Response)

Please find the tree survey included as part of this application. The tree with the TPO (09/0017/TPO) on the neighbouring Bera Watch site has now been felled by the neighbouring party. In response to the pre-application feedback the proposed garage has been moved away from the sites boundary to give the trees and planting running along the sites boundaries more space. The existing bank of mature trees on the Western edge of the site has also been retained. The proposal will require the removal of T2 and T3 on the sites Northern boundary. A hedgerow will be planted here instead to ensure that privacy and screening between Sea Chimneys and Bera Watch is maintained. A further two poor-quality trees next to the driveway may be lost as part of the proposed works, if these are lost they will be replaced by two higher-quality trees of a similar scale. Additional planting on site will also help to increase the sites biodiversity levels.



Footpath running along eastern edge of the garden to remain as existing

Diagram showing proposal from the bottom of the garden



Tall hedgerow blocks view of Sea Chimneys from the footpath when viewed from the bottom of the site



Access point to Southdown Road to remain as existing

Diagram showing the proposal from the street



Sea Chimneys site entrance

4. Public Right of Way (Pre-Application Response)

The proposal will be visible from certain points along the footpath that runs along the eastern edge of the site. The design and scale of the proposal has been reviewed to ensure it is in-keeping with the neighbouring properties at the same elevation. The proposed ridge height matches that of Bera Watch. The proposal will be in keeping with its neighbouring properties when viewed from the PRoW. Sea Chimneys will not be visible from the PRoW when it reaches the bottom of the site. The tall perimeter hedgerow, which is to be retained at its existing height blocks views of the proposal from this section.

5. Biodiversity (Pre-Application Response)

Please find the Ecological Impact Assessment submitted as part of this application. Additional planting has been proposed to help increase the biodiversity levels on site, with a potential gain of 0.09 habitat units (a 19.79% net gain) and a gain of 0.15 hedgerow units (96.24% net gain). Despite the site being in the Beer Quarries and Caves SAC Bat Consultation area, the ecology survey found no evidence of bats on site or emerging from the buildings, concluding that it is unlikely that bats are present or would be affected by the proposals. Regardless of this, the proposal is careful to respect the sites position within the Beer Caves and Quarry SAC. A lighting assessment is being prepared to ensure the proposal does not increase illuminance of any bat foraging or commuting routes. Please refer to the attached Ecological Impact Assessment for more information.



Existing bank of mature trees on the Western border of the site to be retained



Two of the trees to be removed as part of the proposed works



Southdowns north-facing window overlooking Sea Chimneys site



Bera Watches south-facing windows facing on to boundary fence



Proposed view from the driveway



Clipped eaves is a traditional detail that can be seen in Beer

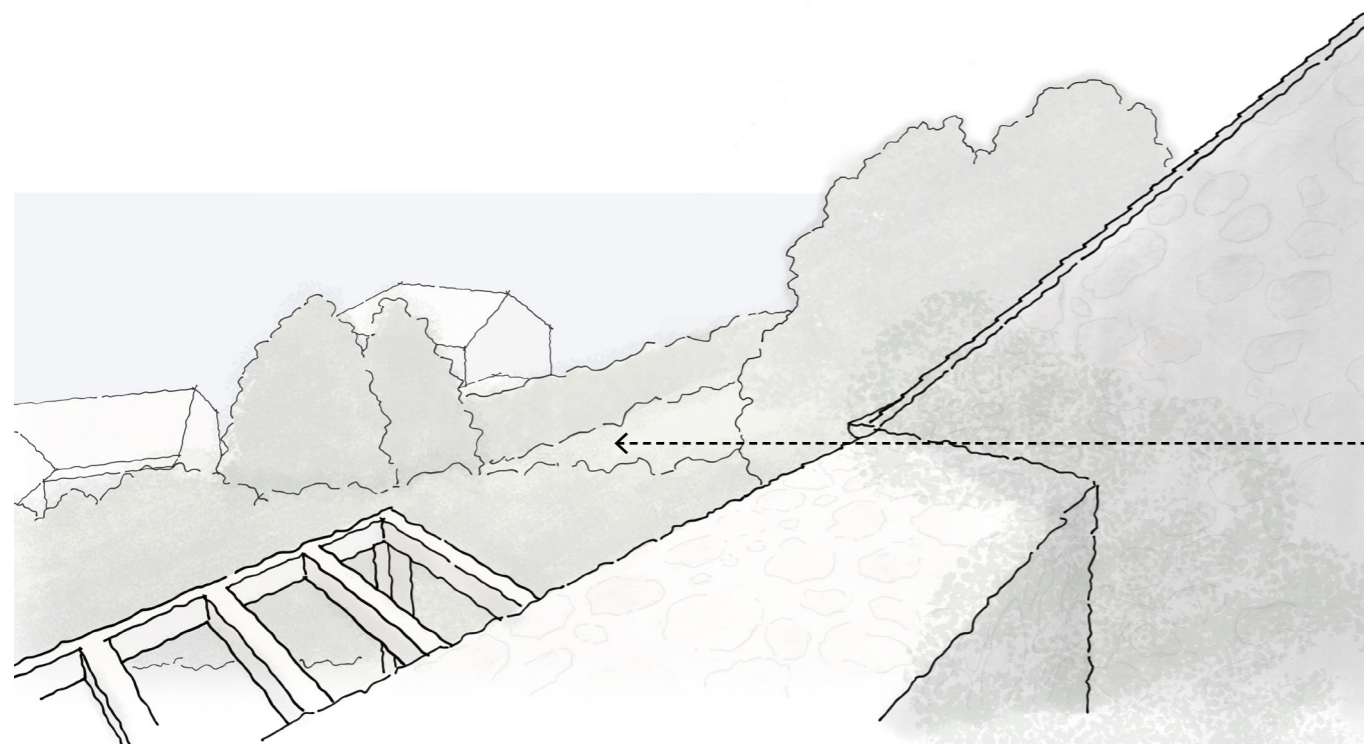


PV panels blended into metal roofing

6. Design & Materials (Pre-Application Response)

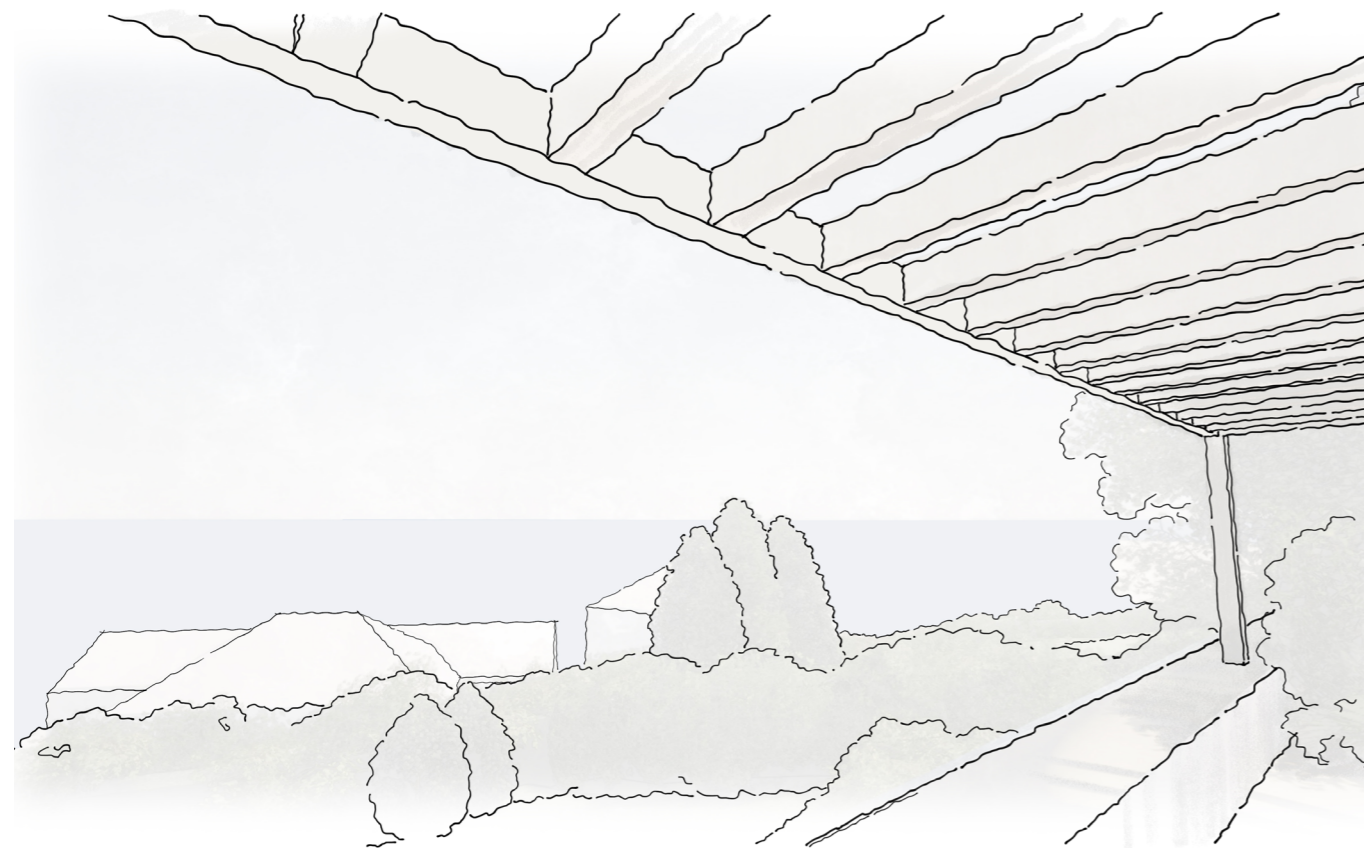
The form of the roofs of the two link-building elements will be simple flat roof links. These are proposed as having zinc roofs along with the 2 smaller gabled forms. The 2 smaller gabled roofs will have PV panels incorporated on them, by using zinc it is possible to better blend these PV panels into the roof (please see example opposite). With the sites position near the top of the hill, the zinc used on the flat roof elements will hardly be visible. The openings in the southern chimney are windows, these have been placed here as the chimney will be used to accommodate reading nooks on the ground and first floor.

The proposal incorporates clipped eaves, a traditional detail which has previously been used in Beer, please see example opposite. This detail will have a very small tile overhang, tight up against this will be placed the gutter and downpipes which will deal with the rainwater.



Sketch view from first floor balcony

Only a small part of the lower end of Southdown's garden will be visible. The neighbours gardens will remain private.



Sketch view from ground floor terrace



View of Upalong from existing garden terrace

7. Overlooking (Pre-Application Response)

The proposals have been carefully designed to avoid any increase in overlooking from the present situation. The proposal leaves space around the sites boundaries and is orientated to look down the length of the garden. The level of the ground floor is below that of the existing house and garden terrace. Additional planting has been incorporated on the south-eastern corner of the proposed ground floor garden terrace, to enhance privacy. The tall hedge on the eastern boundary of the site will be retained to maintain present relationships and ensure any overlooking into gardens further down the hill will be prevented.

The proposed garden level terrace has been excavated into the existing slope of the garden, meaning that the potential for overlooking from this point is less than existing. Only one small obscured window (from a shower room) is proposed to the northern elevation so as to prevent any overlooking of Bera Watch.

The height of the ground floor windows on the proposed Southern Elevation are in-keeping with those on existing building. Increased planting along the sites southern boundary will enhance privacy but is not essential given the topography, existing boundary hedge and trees and the orientation. The only neighbouring window that is located within 20m of the proposals windows is Southdowns first floor north-facing bedroom window (approx. 17m away), which currently overlooks the Sea Chimneys site and is substantially screened by the present hedge. Views between this window and the proposals ground floor south-facing windows will be carefully prevented by bolstering the existing planting along the sites boundaries.

The roof slope framing the first floor balcony restricts any views from the interior of any of the neighbouring sites (please see sketch visualisation opposite). With the reorientation of the proposal the views when out on the first floor balcony are now also limited by the slope of the hill and the tall hedges running around the sites boundary. The only neighbouring garden to be visible from this viewpoint is the bottom end of Southdowns garden (please see sketch visualisation opposite) which is an area of shrubs and hedging.