

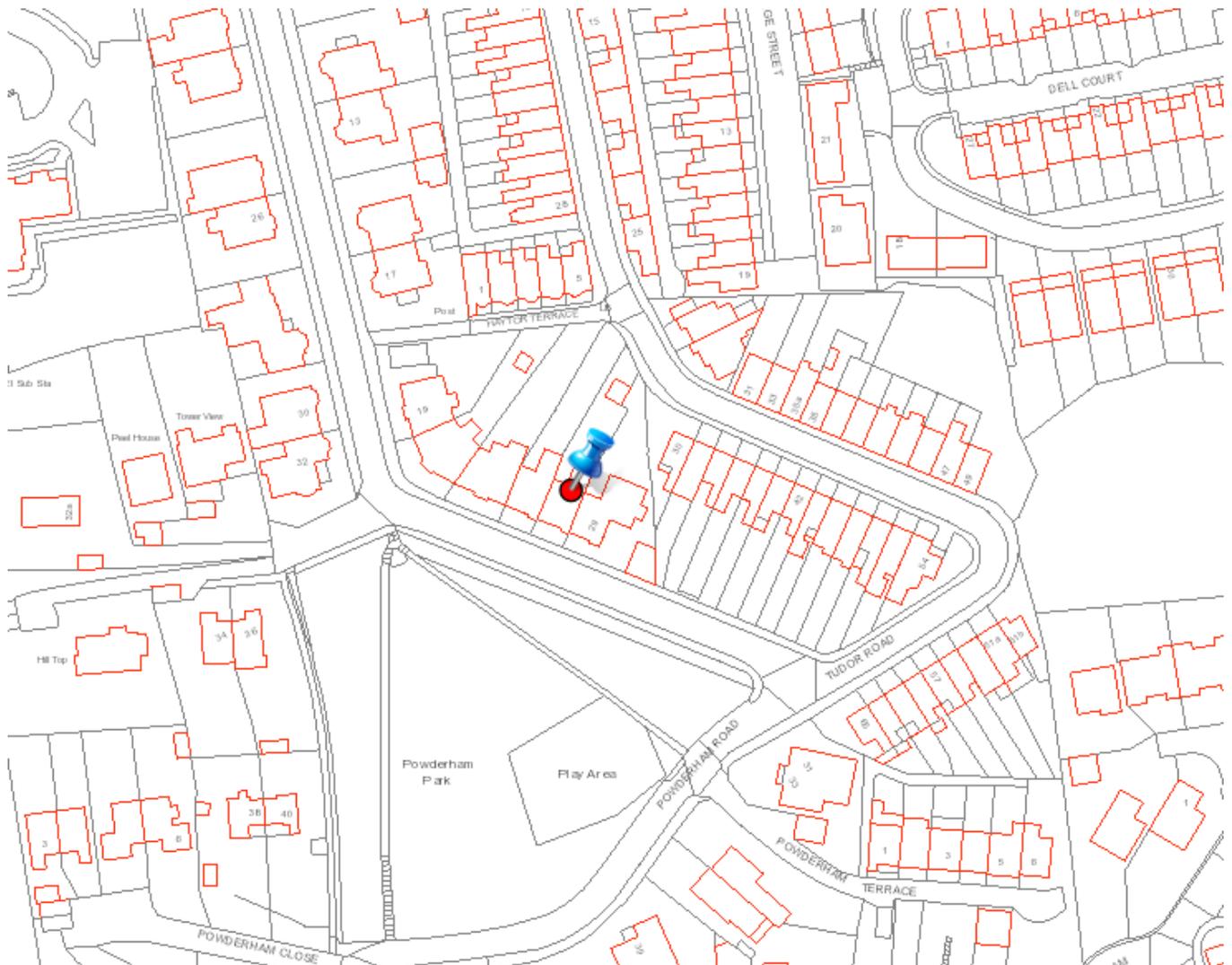
# PLANNING COMMITTEE REPORT

19 JANUARY 2020

CHAIRMAN: Cllr Mike Haines



<b>APPLICATION FOR CONSIDERATION:</b>	<b>NEWTON ABBOT - 20/02097/HOU - 27 Powderham Road, Newton Abbot</b> <b>- First floor balcony to rear of the property, change existing window to French style door</b>	
<b>APPLICANT:</b>	<b>Mr N Preston</b>	
<b>CASE OFFICER</b>	<b>Jennifer Joule</b>	
<b>WARD MEMBERS:</b>	<b>Cllr Janet Bradford</b> <b>Cllr Liam Mullone</b>	<b>College</b>
<b>VIEW PLANNING FILE:</b>	<a href="#">Planning application details - Teignbridge District Council</a>	





Scale: 1:500

**20/02097/HOU - 27 Powderham Road, Newton Abbot  
TQ12 1EU**



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## **1. REASON FOR REPORT**

This application has been brought to Committee as a member of the applicant's family works for Teignbridge District Council.

## **2. RECOMMENDATION**

PERMISSION BE GRANTED subject to the following conditions:

1. Development to take place within 3 years.
2. Development to be carried out in accordance with the approved drawings.

## **3. SITE DESCRIPTION**

- 3.1 The application site is to the rear elevation of 27 Powderham Road, Newton Abbot.
- 3.2 27 Powderham Road is a terraced house over three storeys. It is located on a hillside, with dwellings to the east being set slightly higher, and dwellings to the west slightly lower.
- 3.3 The dwelling has a typical 'L' shape, in-keeping with other properties along the terrace. It is proposed to locate the French-style doors and balcony on the rear elevation which extends in to the garden.
- 3.4 At present the window is a white UPVC double-glazed window. Beneath the proposed location for the balcony is a lean-to wood store.

## **4.0 APPLICATION PROPOSAL**

- 4.1 The application proposes the erection of a balcony at first floor level to the rear of the property. To access the balcony, it is proposed to replace an existing window at first floor level with French-style doors.
- 4.2 The balcony will be at a height of 2.7m and be positioned just above the existing lean-to wood store.
- 4.3 The balcony is proposed to project out from the house by 2.1m and have a width of 3m. The balcony will project out by the same distance as the wood store beneath.
- 4.4 The balcony will be edged with glazed panels.
- 4.5 The French-style doors are proposed to be 2.3m in height and 1.2m wide. This is 20cm wider, and will extend 60cm below, the existing window.

## **6.0 KEY CONSIDERATIONS**

- 6.1 The key issues in the consideration of this application are:

- Impact of the development upon the character and visual amenity of the area; and,
- Impact on the residential amenity of the occupiers of surrounding properties.

#### Impact upon the character and visual amenity of the area

- 6.2 Policy S1 (Sustainable Development Criteria) requires proposals to maintain or enhance the character and appearance of settlements and street scenes. Policy S2 (Quality Development) requires development to utilise high quality design by responding to the characteristics of the site, its wider context and surrounding area by making the most effective use of the site, integrating with and, where possible, enhancing the character of the adjoining built environment.
- 6.3 The existing rear of the property, and those of the adjacent dwellings, retain the broad characteristics of Victorian terraced houses. The dwellings have generous proportions, retain the typical 'L' shape in plan, where an extension projects in to the rear garden, have pitched roofs and large sash-style or bay windows.
- 6.4 However, many modern features have been introduced to the rear of the terrace such that the historic features of the dwellings have been eroded. The windows are now double-glazed in an almost exclusively white UPVC-style, there is plastic guttering/down pipes, at no.29 there is a wooden balcony and sliding French-style doors at first level, and rooflights have been installed.
- 6.5 The cumulative impact of these changes is that the rear of the terrace is now a mixture of Victorian and more modern design features.
- 6.6 As a result, it is considered that the balcony, although modern in design, will not appear out-of-keeping with the terrace or the broader area.
- 6.7 Below the existing window there exists a small area of white plastic, where the French-style doors are proposed. It is considered that the removal of this feature will enhance the appearance of the rear of the dwelling. If undertaken in isolation, the change from a window to a door in this location would not by itself require planning permission.
- 6.8 Taking in to account the provisions of Policy S1 and S2, the size of the proposed balcony is not considered out-of-scale with the surroundings or out-of-character as a result of its design.
- 6.9 In terms of impact upon the character and visual amenity of the area, the proposal is therefore considered in-keeping with its surroundings and in accordance with Policies S1 and S2.

#### Impact on the residential amenity of the occupiers of surrounding properties

- 6.10 Policy S1 requires proposals to consider the impact on residential amenity, particularly privacy, security, outlook and natural light.

- 6.11 Policy WE8 (Domestic Extensions) requires proposals to consider the scale, impact on outlook or light, privacy and whether a dominant or overbearing impact will occur as a result of the proposal.
- 6.12 In terms of scale, the balcony will be very similar in size to the existing wood store beneath it. It is therefore clear that the proposal will not be overly large or protrude unduly from the rear elevation. It is considered an appropriate size for the existing property. Additionally, it is not considered that it will be overbearing or dominate the rear appearance of the dwelling, as it will be made of glass, and its base will sit just above the existing wood store which protrudes from the dwelling.
- 6.13 No impact on security, outlook or light is anticipated as a result of the proposal.
- 6.14 Regarding overlooking and privacy, which is often the key consideration in applications for balconies, it is important to consider the characteristics of the existing dwellings.
- 6.15 The rear gardens of Powderham Road have a remarkably open feel. The walls between the dwellings are unusually low and the gardens are long and extend down to Tudor Road. There is a high level of overlooking both between the properties and the rear gardens, and between the gardens themselves, with very little existing privacy within any of the rear gardens.
- 6.16 This proposal will result in a small increase in the capacity for overlooking in to neighbours' gardens. Yet, there already exists a number of large windows within the rear elevations of the houses, as well as a first floor balcony and French-style windows to no.29, which afford an existing high degree of overlooking. In light of the existing open character to the rear of this terrace, these proposed changes do not give rise to any concern due to loss of privacy or overlooking.
- 6.18 There are no concerns with overlooking of properties on Tudor Road and Haytor Terrace due to the intervening distance between the dwellings and because the balcony will face only the front of these dwellings, rather than into their rear gardens.

### Conclusion

- 6.19 The application seeks full planning permission for the erection of a balcony and French-style doors at first floor level.
- 6.20 The application has been assessed against the relevant planning policy context and is considered to be acceptable subject to conditions.
- 6.21 Impact on privacy and overlooking are the key area of concern for this application. In this case there already exists a remarkably high level of overlooking between the dwellings and the gardens to the rear of the terrace. The gardens are open and visible to all three floors of the dwellings facing them, and are open to one another due to the low intervening walls. As a result, no material impact on issues of privacy

or overlooking to the rear of Powderham Road or Tudor Road will occur as a result of the proposal.

## **7. POLICY DOCUMENTS**

### Teignbridge Local Plan 2013-2033

S1A Presumption in Favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

WE8 Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments

National Planning Policy Framework

National Planning Practice Guidance

## **8. CONSULTEES**

No consultation responses for this application were sought.

## **9. REPRESENTATIONS**

No representations were submitted.

## **10. TOWN / PARISH COUNCIL'S COMMENTS**

The Town Council have no objection to the proposal.

## **11. COMMUNITY INFRASTRUCTURE LEVY**

This development is not liable for CIL because it is less than 100m<sup>2</sup> of new build that does not result in the creation of a dwelling.

## **12. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development

## **13. HUMAN RIGHTS ACT**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.