

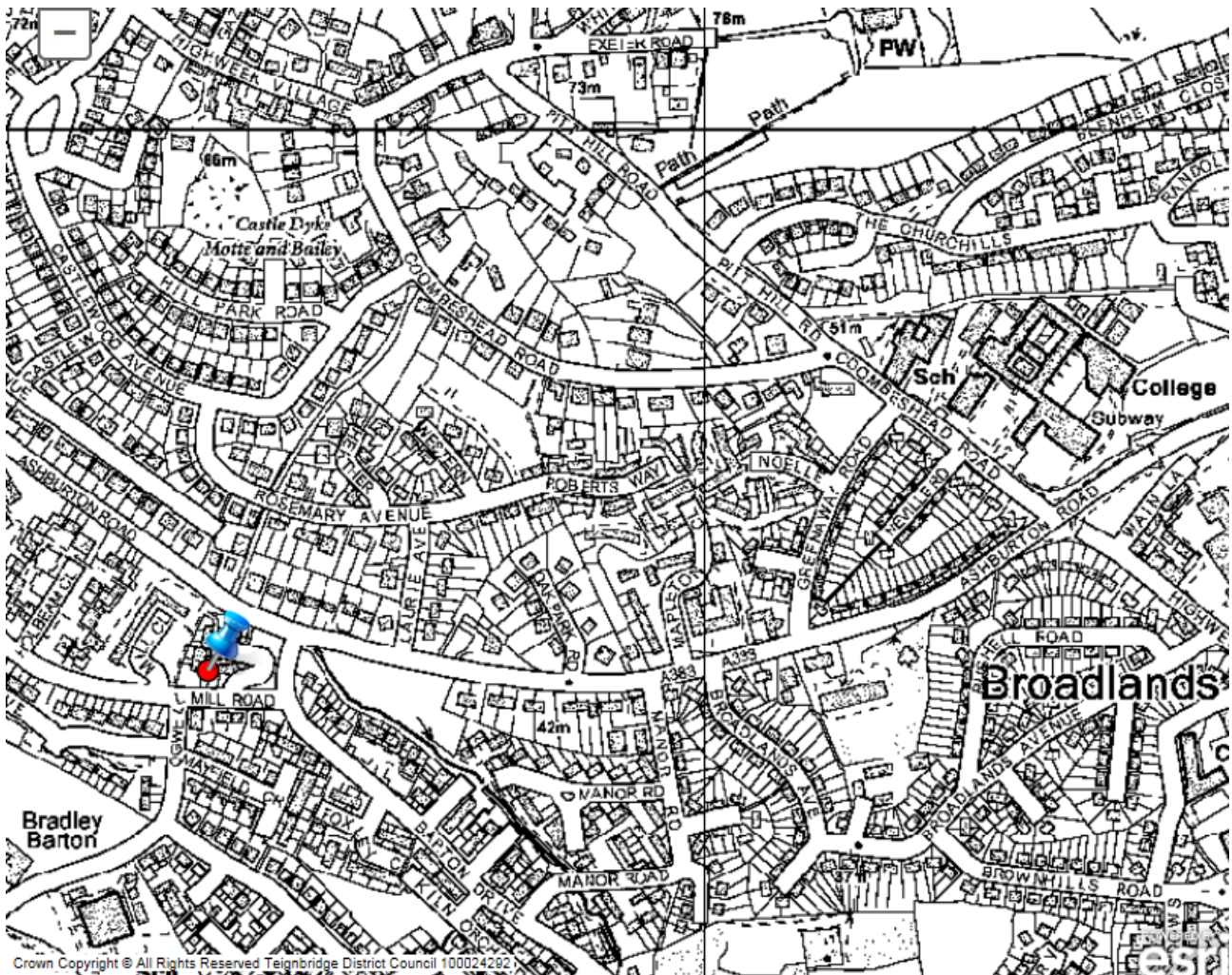
PLANNING COMMITTEE REPORT

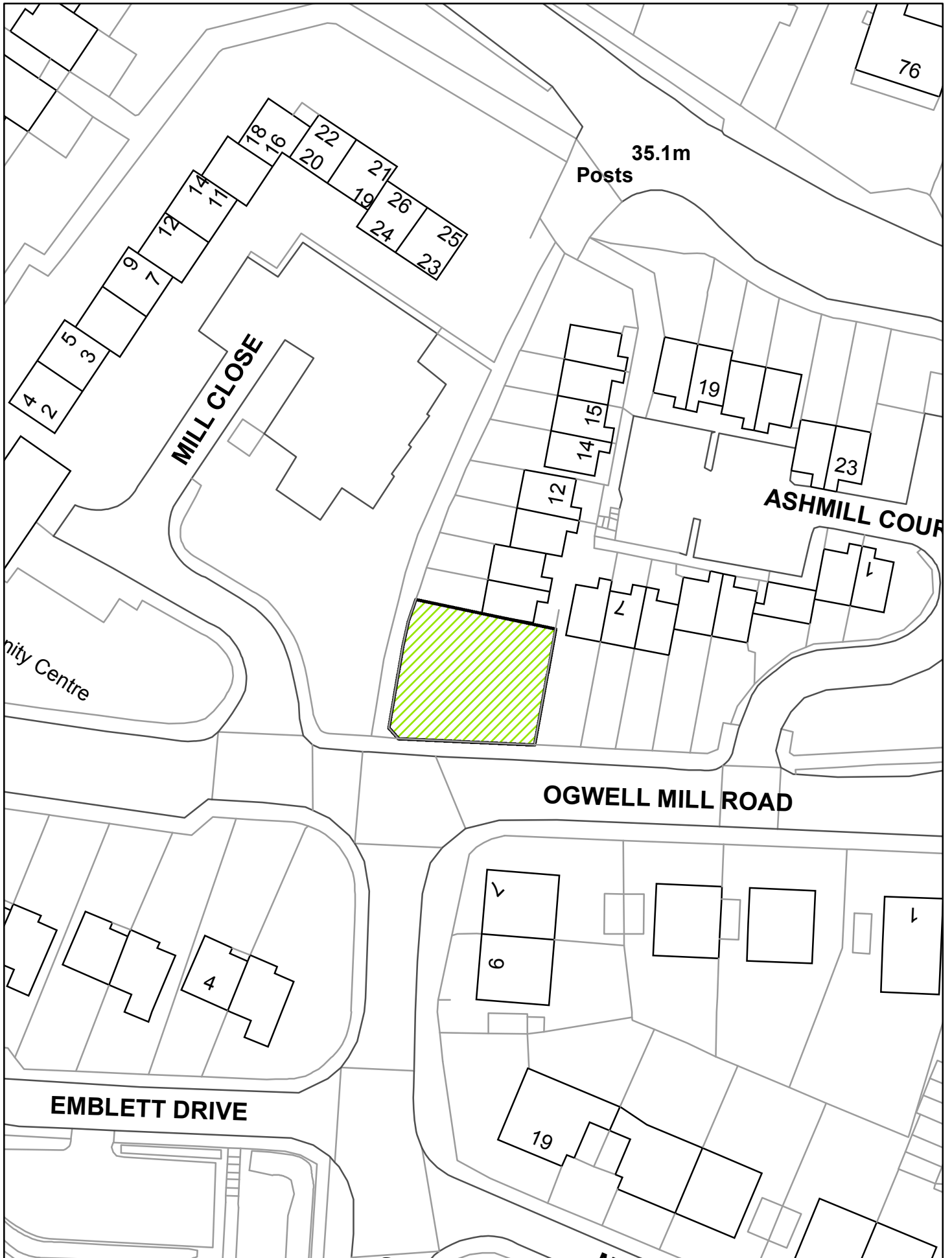
3 JULY 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 18/00465/FUL - 8 Ashmill Court - Bungalow in the grounds of 8 Ashmill Court including associated garden, parking and vehicular access	
APPLICANT:	Mr S Eyles	
CASE OFFICER	Eve Somerville	
WARD MEMBERS:	Councillor Hocking Councillor Bullivant	Bradley
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/00465/FUL&MN	





1. REASON FOR REPORT

Councillor Hocking has requested that this application be determined at Committee for the following reasons:

1. Overdevelopment of site
2. Impact of development on neighbours, namely No. 10 Ashmill Court
3. Loss of amenities now and in the future of Nos. 8 and 9 Ashmill Court
4. Access into and out of the proposed development

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard three year time limit for commencement
2. Development to be carried out in accordance with the approved plans
3. Any glazing in kitchen door on north elevation to be obscure
4. Removal of Permitted Development Rights
5. Parking space to be retained for the parking of vehicles
6. Drainage to be built according to the submitted details
7. Landscaping plan for the amenity area

3. DESCRIPTION

- 3.1 The subject site is a plot of land that sits between numbers 8 and 9 Ashmill Court and Ogwell Mill Road. The site is approximately 286.44m² in area, with the dwelling taking 93.41m² of the overall footprint. The site slopes from south west to north east, with the road level sitting at the similar height to the most southern extent of the site, which is bounded by timber fencing. The proposed dwelling is to be set back from the building line of properties 9 and 10 Ashmill Court by some 5.5 metres and it would be 3.6 metres from the southern elevation of 9 Ashmill Court.
- 3.2 The site forms part of the wider area known as Ashmill Court which is comprised of residential properties being built around a communal courtyard, and each property fronts onto the courtyard.
- 3.3 The nearest neighbouring properties to the site are number 9 Ashmill Court to the north, and 8 Ashmill Court to the east. The property to the north (number 9) directly abuts the application site. Due to the topography of the area, this distance can feel more or less depending on the location of measurement. The neighbouring plots at numbers 8 and 9 are some 109.43m² and 66.43m² in area respectively.
- 3.4 The surrounding architecture varies, ranging from two storey detached properties to single storey with both modern and traditional styles, although predominantly modern.
- 3.5 Access to the site is taken from Ogwell Mill Road which is a 30 m.p.h. road, which provides access to multiple existing residential sites.

The Proposal

- 3.6 The application seeks permission for one single storey residential property, with associated garden space, off-street parking and access from Ogwell Mill Road.

- 3.7 The property is to be 5 metres in height, 12 metres in width and 7.8 metres in depth. The floor level of the dwelling would be up to 2.7 metres below the existing site level and amenity space for the owners/ occupiers would also be provided at the reduced level. The dwelling would have a hipped roof, over rendered elevations and white upvc fenestration inclusive of a dormer window to the west elevation (rear) of the property.
- 3.8 Off-street parking would be provided to the east of the site for two vehicles. The parking area would be accessed from Ogwel Mill Road and would therefore be some 2.5 - 3 metres above the proposed ground level of the dwelling with associated steps. The parking is to be bounded by galvanized steel railing, with the wider timber boundary being retained. Garden space is to be provided at the bottom of the steps by two rectangular grassed areas.
- 3.9 Drainage is to be provided through the use of the public sewer system. Water run-off is to be directed to a single pre-cast concrete ring chamber to the north east extent of the site, by the amenity area. The proposed pre-cast concrete rings are to use existing drainage as currently used by numbers 8 and 9 Ashmill Court. The pre-cast ring system is to be constructed behind the new retaining wall.

3.10 History of the Site

16/02437/FUL - Two dwellings in the grounds of 8/9 Ashmill Court - Withdrawn

17/00910/FUL - Dwelling in the grounds of 8/9 Ashmill Court – Refused for the following reason:

Insufficient detail has been submitted in relation to the attenuation tank/retaining wall design to confirm the impact upon the existing properties and drainage of the site. The application is therefore considered to be contrary to Policies S1A (Presumption in favour of Sustainable Development), S1 (Sustainable Development Criteria), S2 (Quality Design) and WE8 (Boundary Treatments) of the Teignbridge Local Plan 2013-2033; National Planning Policy Framework and National Planning Practice Guidance.

The site has been subject to a pre-application discussion. Officers have acknowledged there is in principle support for the proposed dwelling, although, there have been concerns about the outlook for the occupiers of the proposed dwelling due to the property being sunk down within a concrete basin.

The Applicant/Agent has worked with the Authority to amend their proposals from two houses to the subject proposal. The previous drainage reason for refusal has been addressed.

Impact upon neighbouring amenity

- 3.11 As advised above the nearest neighbours are numbers 8 and 9 Ashmill Court, but a wider area has been assessed due to the topography of the land and situation of the proposed dwellinghouse.
- 3.12 The distance from the front elevation of the proposed dwelling to the rear elevations of properties in 4 – 8 Ashmill Court ranges from approximately 10 metres to 31 metres.

- 3.13 The proposed dwelling is to be set down from the existing ground levels by up to 2.7 metres, with the parking allocation being 2.5 - 3 metres above the finished floor level of the dwelling.
- 3.14 Due to the distance, reduced site levels, and location of the raised off-street parking, the proposed dwelling will have limited visibility to neighbouring properties to the east (numbers 8 – 4 Ashmill Court). There would be some impact on the properties to the north (9 and 10 Ashmill Court), but the reduced floor level, the separation distance, the single storey eaves height and the hipped roof mean that the loss of light will not be of a significance that would justify refusal. The eaves height of the proposed dwelling would be similar to that of no. 9, so the dwelling would not have an overbearing nature. Only one door is proposed in the northern elevation and any glazing element in this door could be obscure glazed to prevent overlooking.
- 3.15 The proposed dwelling is not considered to be overdevelopment of the site as the land within the red line exceeds the plot areas of the surrounding properties, as demonstrated above. Thus the design and scale of the proposed development is considered to be appropriate and will not cause a detrimental impact on the amenity of the immediate area. The proposed development is therefore considered to be in accordance with Policy S1(e) of the Teignbridge Local Plan.
- 3.16 Comments received from neighbouring residents have been taken into consideration. A site visit has been carried out, and particular attention has been paid to the impact the proposed dwelling would have upon neighbouring amenity.

Impact on the wider area

- 3.17 The site occupies a corner plot and in an existing elevated position, therefore, careful consideration has been given to the impact the proposed would have upon streetscene and wider area.
- 3.18 The wider area is characterised by residential development, with the architectural design being predominantly modern and typical of a densely-populated residential area. The proposed design is also standard with a hipped roof over rendered elevations and white upvc fenestration, as can be seen within the wider area.
- 3.19 Thus the design of the proposed dwelling will be in keeping with the existing development. Being single storey and modest by way of design and scale it will not be a prominent feature in the street scene. All materials are specified to match those in the existing properties in Ashmill Court.
- 3.20 A street elevation has been provided by the Agent to show that only a small part of ridge of the roof of the dwelling would protrude above the fenceline on the Ogwel Mill Road frontage.
- 3.21 The design and scale of the proposed development is therefore considered to be appropriate and will not cause a significant impact on the appearance or character of the immediate or wider area. The proposed development is therefore considered to be in accordance with Policy S2.

- 3.22 The previous application was only refused on drainage grounds. As can be seen from the Council's Drainage Engineer's consultation reply below, this issue has now been overcome.

Conclusion

- 3.23 The proposal would not significantly affect the amenities of neighbouring occupiers or the character and visual amenities of the locality. The previous concerns regarding drainage have been overcome. The proposal is therefore considered to represent an appropriate form of development and the balance of considerations weigh in favour of granting planning permission. There is therefore a recommendation to approve subject to conditions.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S14 (Newton Abbot)

S21A (Settlement Limits)

EN4 (Flood Risk)

Newton Abbot Neighbourhood Plan

NANDP2 (Quality Design)

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Devon County Council (Highways) - Use Standing Advice

Drainage Engineers 3 May 2018 - Further to my comments regarding the above application about the drainage strategy, I have spoken to our Structural Engineer and there is no objection to the proposed retaining walls provided they are built in accordance to the engineer's specification. However we would like to clarify that the proposed attenuation tank has been designed to accommodate the bearings pressures from the retaining wall due to its proximity to them.

Drainage Engineers 28 March 2018 - The applicant has provided an appropriate drainage strategy as shown in the Teign Consult drainage statement (Ref. 4365598, dated 27 March 2018).

As such we have no further objection to the proposals.

6. REPRESENTATIONS

The application has been advertised by way of site notice on 23 March 2018.

Neighbours notified:

9 Ashmill Court

10 Ashmill Court
16 Ashmill Court
Kellinch Farm
55 Cedars Road
12 Ashmill Court
6 Ashmill Court
3 Ogwell Mill Road
8 Ashmill Road
7 Ogwell Mill Road
18 Mayfield Crescent
14 Ashmill Court
4 Ashmill Court

Nine letters of objection have been received raising the following planning issues:

1. Concern about parking and traffic impact
2. Overdevelopment of the site
3. Out of keeping with the area
4. Overlooking
5. Excess pressure on traffic
6. Potential to cause landslip and flooding
7. Noise and disturbance

7. TOWN COUNCIL'S COMMENTS

The Committee recommended refusal on the grounds of overdevelopment; overlooking; the adverse visual effect on the street scene; and access to car parking.

8. COMMUNITY INFRASTRUCTURE LEVY

The proposed gross internal area is 93.41m². The existing gross internal area in lawful use for a continuous period of at least six months within the three years immediately preceding this grant of planning permission is 0m². The CIL liability for this development is £8,590.59. This is based on 93.41 net m² at £70 per m² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

9. 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.

Business Manager – Strategic Place