

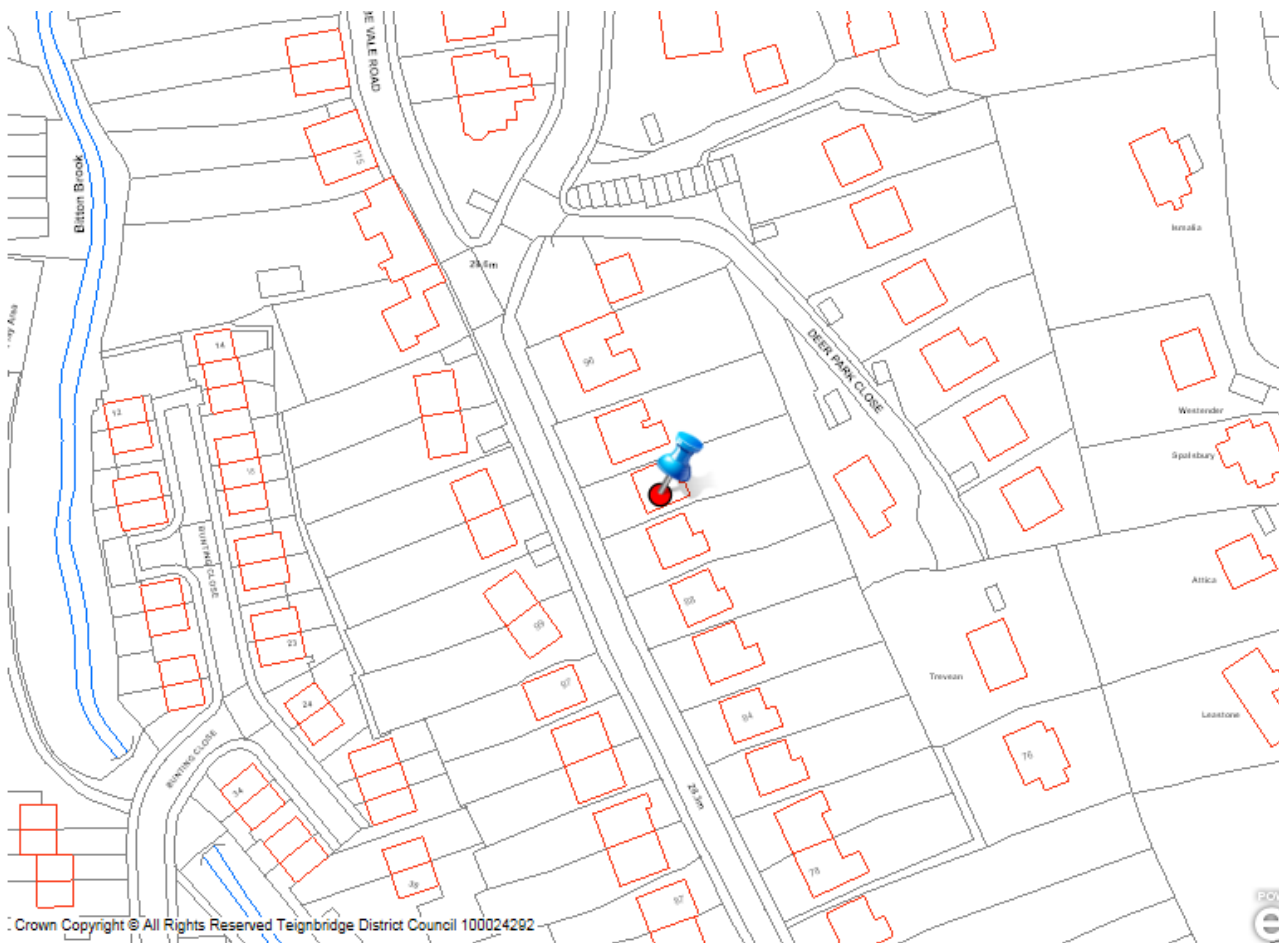
PLANNING COMMITTEE REPORT

25 September 2018

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	TEIGNMOUTH - 18/01420/FUL - 92 Coombe Vale Road - Creation of parking area in front garden	
APPLICANT:	Mr D Pitt	
CASE OFFICER	Estelle Smith	
WARD MEMBERS:	Councillor Eden Councillor Orme	Teignmouth Central
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/01420/FUL&MN	





1. REASON FOR REPORT

Councillor Eden requested Committee consideration if the Case Officer is recommending refusal for the following reasons:

Parking in the area is a huge problem and off-road car parking is needed on Coombe Vale Road. While an argument about the street scene was originally made by the Town Council, I recommend a wider perspective be brought to bear now by the officer particularly since other houses in the street have parking areas and there is a precedent in the area for what is proposed.

2. RECOMMENDATION

PERMISSION BE REFUSED for the following reason:

The proposed parking area, excavation work, retaining walls, planting walls, hand rail and the removal of the existing roadside wall would not be in keeping with or sympathetic to the character of the street and consequently would detract from the visual qualities of the area, contrary to Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development), S2 (Quality Development) and WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments) of the Teignbridge Local Plan 2013-2033 and to the advice contained in the National Planning Policy Framework July 2018 and the National Planning Practice Guidance

3. DESCRIPTION

- 3.1 92 Coombe Vale Road is a detached dwelling within a predominantly residential area in the settlement of Teignmouth.
- 3.2 The property, like the neighbouring properties on either side, sits high up above Coombe Vale Road and does not benefit from any vehicular access or on-site parking. The front garden is also perched up above the road level and is supported by a red brick retaining wall, which also features along much of the road length.
- 3.3 The proposal is to form an on-site parking area via the excavation and removal of much of the front garden area, the construction of a brick-faced retaining wall between 2.5 and 3.0 metres in height at the back of the parking space, new concrete steps to the north of the site, a steel balustrade on top of the rear retaining wall, and walls on the southern and northern sides of the parking area with planting above. The surfacing would be permeable brick paved.
- 3.4 The scheme submitted is similar to four previous applications at this site, all of which were refused. Two of those refusals were dismissed on appeal by the Planning Inspectorate. This planning history is set out in the following paragraphs:
- 3.5 05/00484/FUL - Excavation of front garden to form parking area, refused 12 April 2005, for the following reason:

The proposed parking area and excavation work is contrary to Policies H14 and C39 of the Teignbridge Local Plan and Policy SDP8 of the Teignbridge Local Plan First Review Initial Deposit Version because the removal of this attractive

wall frontage and the design, siting and appearance of the retaining wall and hardstanding would have a dominant effect on the character and appearance of the street scene to the detriment of the visual amenities of the area.

- 3.6 A subsequent appeal was dismissed. The Inspector stated that the main issue was the effect of the proposed parking area on the character and appearance of the area. In arriving at his decision the Inspector made the following comments:

“Coombe Vale Road is characterised principally by detached and semi-detached dwellings, which from the road, on the west side the ground floors are set below road level whilst the east side the dwellings are elevated well above the road behind sloping front gardens. The road is flanked on both sides by a brick wall some 1.5 metres high with pedestrian accesses to the dwellings. This wall and the elevated gardens along the east side of the road make a significant contribution to the appearance of the street scene.

On the western side of this road this wall has been breached through the provision of a number of garages and off-street parking places. These have eroded the visual qualities of the area.

The eastern side of the road is largely free from such developments. It exhibits a unity of design and layout. The development proposal would not reflect this design context or provide an environment in keeping with the overall character of the area. The removal of a large area of front garden and the loss of 9 metres of the roadside brick wall would detract from the visual qualities of the area. I do not consider that the use of alternative facing materials would overcome this issue.

Planning Policy Statement 1 (PPS1) indicates that design should be appropriate in its context, and should take the opportunities available for improving the character of an area and the way it functions. I do not consider that the development proposed would satisfy these requirements

I acknowledge that on-street parking in the vicinity of the site is difficult and that the development proposed would ease such difficulties for the appellant and his visitors. However, such considerations are insufficient to justify the harm which I have identified.

I have considered the representations by the appellant in respect of similar parking arrangements provided elsewhere in the vicinity. However, although consistency is desirable, each proposal must be dealt with primarily on its own merits and I have done so in this case. In any event, whilst I do not know the full circumstances of those other accesses, I note the Council's comments that the two parking facilities on the east side of Coombe Vale Road were completed without the need for planning permission or permitted prior to the adoption of current design policies of the Local Plan

Neither these, nor any of the other matters raised, are of such significance as to outweigh the considerations which have led to my conclusion on the main issue, which is based on the particular circumstances of the appeal site and the development proposed.”

3.7 Although this application was determined under the previous Local Plan, the subsequent applications detailed below were considered under the current Teignbridge Local Plan 2013–2033.

3.8 14/01001/FUL - Excavation of front garden to form a parking area with retaining wall, refused 29 May 2014 for the following reasons:

The proposed parking area, excavation work, retaining walls, railings and the removal of the existing roadside wall would not be in keeping with or sympathetic to the character of the street and consequently would detract from the visual qualities of the area, contrary to Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development), S2 (Quality Development) and WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments) of the Teignbridge Local Plan 2013-2033 and to the advice contained in the National Planning Policy Framework and the National Planning Practice Guidance; and,

The use of a tarmacadam surfacing for the parking area and a lack of an on-site sustainable drainage system would be likely to lead to an increase in surface water run-off which would increase the risks of surface water flooding elsewhere, contrary to Policies S1 (Sustainable Development), S2 (Quality Development) and EN4 (Flood Risk) of the Teignbridge Local Plan 2013-2033 and to the advice contained in the National Planning Policy Framework and the National Planning Practice Guidance.

3.9 14/02217/FUL - Creation of parking area in front, refused 15 September 2016, for the following reason:

The proposed parking area, excavation work, retaining walls, railings and the removal of the existing roadside wall would not be in keeping with or sympathetic to the character of the street and consequently would detract from the visual qualities of the area, contrary to Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development), S2 (Quality Development) and WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments) of the Teignbridge Local Plan 2013-2033 and to the advice contained in the National Planning Policy Framework and the National Planning Practice Guidance.

3.10 A subsequent appeal was again dismissed. The Inspector stated that the main issue was the effect of the proposal on the character and appearance of Coombe Vale Road. He commented as follows:

“The Council’s concern is that the proposed parking area, excavation work, retaining walls and the removal of the existing roadside wall would not be in keeping with, or sympathetic to, the road. As a consequence, the development would detract from the visual qualities of the area, contrary to the Council’s policies.

I saw on my visit that the appeal property is towards the end of a number of dwellings on the eastern side of Coombe Vale Road that have a roadside wall and elevated front gardens. Although, as the appellant points out, there are three breaches of this wall including the construction of a garage at No. 88 just

a short distance away, I also saw that the essential character of this side of the road remains one of the pleasing greenery of the elevated front gardens.

I consider that the appeal scheme with the hard surfacing of the parking areas, substantial retaining walls and steel balustrades would form a marked change of appearance to the front of the property that would be to the detriment of the street scene. No. 96 next door but one already has high retaining walls and steel railings and in my view this illustrates how the visual impact of the scheme in this appeal would be unsympathetic to the pleasing character and appearance of the rest of this side of Coombe Vale Road to the south east.

The appellant has referred to numerous examples of the removal of stretches of the wall and the provision of frontage parking for dwellings on the other side of the road. However as the houses on this side do not have elevated front gardens, I do not consider that those parking areas and breaches of the wall have the same effect on visual amenity as now proposed.

I acknowledge that there are parking problems in Coombe Vale Road and that the provision of two off-road spaces at No. 92 would make some contribution to easing this, as well as being more convenient for the appellant. I also recognise that the materials for the hardstanding and walls have been changed to be more appropriate. However although I have taken both these factors and the letters and petition of support for the scheme into account, it does not change my view that the harm to the character and appearance of Coombe Vale Road would be unacceptable.

As a result of this harm there would be conflict with Policies S1A, S1, S2 and WE8 of the Teignbridge Local Plan 2013-2033 and Government policy in Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012."

- 3.11 16/03286/FUL - Formation of parking bay to front, refused 13 February 2017 for the following reason:

The proposed parking area, excavation work, retaining walls, planting wall, hand rail and the removal of the existing roadside wall would not be in keeping with or sympathetic to the character of the street and consequently would detract from the visual qualities of the area, contrary to Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development), S2 (Quality Development) and WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments) of the Teignbridge Local Plan 2013-2033 and to the advice contained in the National Planning Policy Framework and the National Planning Practice Guidance.

- 3.12 It should be noticed that whilst the National Planning Policy Framework (NPPF) has been updated, the revised document (July 2018) still emphasises a requirement for good design at Paragraph 124:

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

3.13 Paragraph 127 of the NPPF states that:

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and,

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.14 Paragraph 130 states that “*permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*”.

3.15 The proposal is fundamentally similar to the four previously refused schemes. It is not considered that the current proposal overcomes the previous reasons for refusal or the comments made by the Inspectors in the two subsequent appeal decisions. The proposals would be harmful to the appearance and character of the area. This harm would not be outweighed by the small increase in available off-street parking. It is therefore considered that the application should be refused, as there has been no significant change in local or national policy to justify a different decision this time.

4. 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 2018

National Planning Practice Guidance

5. CONSULTTEES

Devon County Council (Highways) - Recommend that the Standing Advice issued to Teignbridge District Council is used to assess the highway impacts.

Wales and West Utilities - Gas pipes owned by other licenced gas transporters and also privately owned may be present in this area. The applicant must not build over any of their plant or enclose their apparatus. Should the planning application be approved then Wales and West Utilities require the promoter of these works to contact them directly to discuss their requirements in detail. Should diversion works be required these will be fully chargeable.

6. REPRESENTATIONS

One letter of comment was received raising the following points:

1. Provides much needed valuable parking spaces along Coombe Vale Road and Deer Park
2. Will keep the road safe
3. Is opposite many dropped down kerbs and existing off-road parking spaces
4. Means that no valuable parking spaces will be lost
5. Additional parking spaces gained on both sides of the road if application is granted
6. The design and thought in the plans are in keeping with the road scene, despite other pull-ins and off-road parking spaces already existing

One letter of support was received raising the following points:

1. Off-road car parking is much needed on Coombe Vale Road
2. Trying to park and drop small grandchildren is an accident waiting to happen
3. The road is a rat run for cars trying to cut out the main road traffic jams
4. Hope the application will be looked on favourably

7. TOWN COUNCIL'S COMMENTS

The Committee has refused similar applications in the past as they would compromise the street scene on Coombe Vale Road. The Committee opposes this application and defers any decision to the Teignbridge planning officer

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

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.