

PLANNING COMMITTEE REPORT

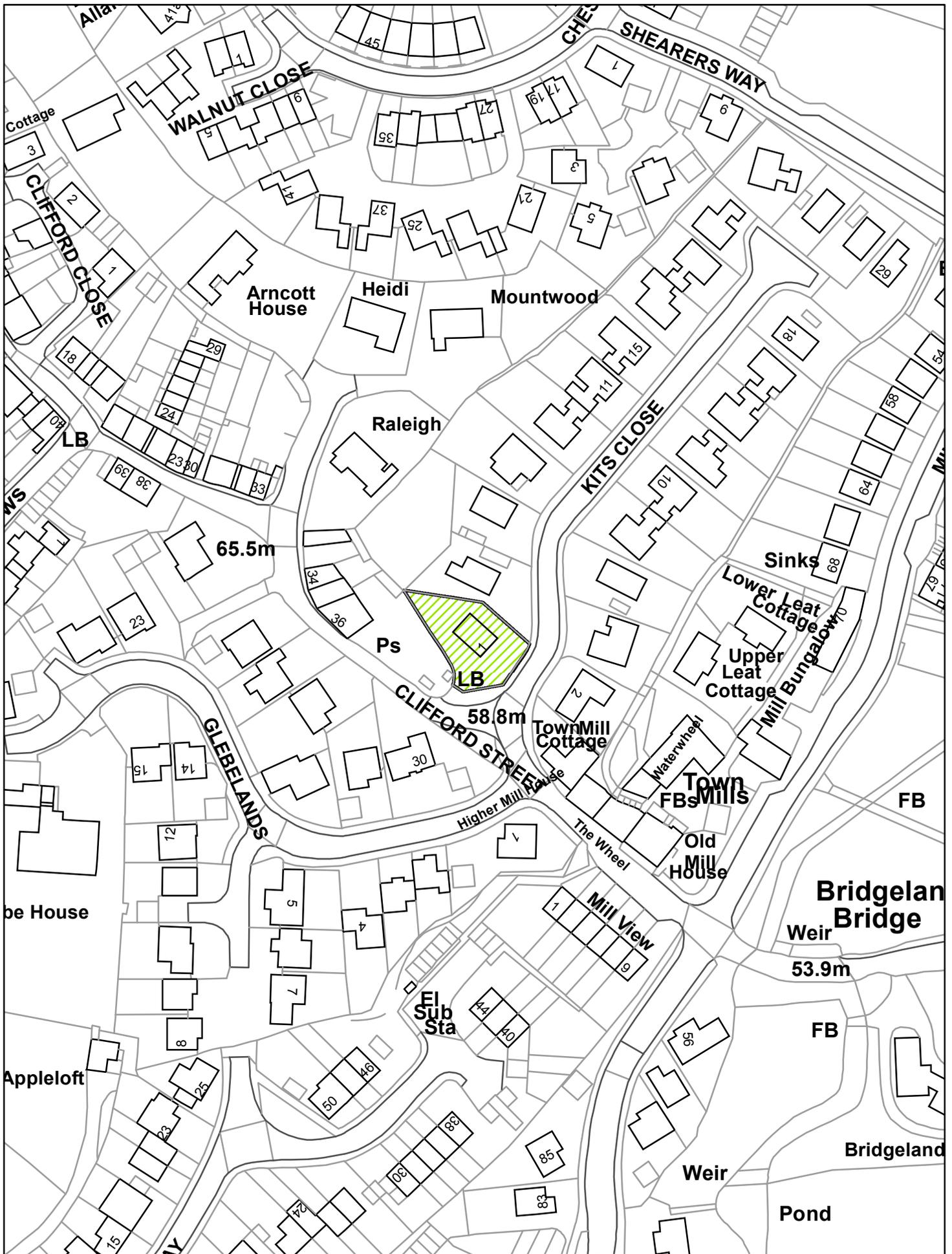
Tuesday 22 January 2019

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	CHUDLEIGH - 18/01497/FUL - 1 Kits Close - Single storey rear extension, two storey side extension and raising of roof to form additional accommodation with dormer and roof lights	
APPLICANT:	Mr E Howe	
CASE OFFICER	Claire Boobier	
WARD MEMBERS:	Councillor Evans Councillor Keeling	Chudleigh
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/01497/FUL&MN	





1. REASON FOR REPORT

Councillor Keeling has requested that this application be referred to Planning Committee for determination if the Case Officer is recommending approval. The reasons given are:

1. Overdevelopment;
2. Detrimental to the amenities of neighbours;
3. Not in keeping with the street scene;
4. Scale and height is not representative of the existing 1960s dwellings.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement of development;
2. Development to be carried out in accordance with approved plans.

3. DESCRIPTION

Site Description, Planning History and Proposal

- 3.1 The application site is located on the north-west corner of Kits Close, adjacent to where Clifford Street becomes a Conservation Area. The site is visible from approaches to Clifford Street and Kits Close, and along the full length of Kits Close.
- 3.2 The site is located within the settlement limits of Chudleigh and consists of a detached bungalow with a ground level set approximately 1 metre above the level of the pavement.
- 3.3 Kits Close is predominantly bungalows, a few of which have dormers to provide first floor accommodation.
- 3.4 Planning consent has previously been granted under consent 15/03468/FUL for the single storey bungalow to be extended to the north east with a gable/pitched room to provide a garage at ground floor level with the whole resultant roof space being converted and extended through the use of two pitched roof dormers to provide first floor accommodation. Above the garage rooflights were also approved facing south-east and one facing north-west.
- 3.5 This application seeks planning consent for a single storey rear extension, two storey side extension and raising of roof to form additional accommodation with dormer and roof lights.
- 3.6 This application is a revised application to the approved scheme under application reference 15/03468/FUL. The revisions compared to the previous approval are raising the roof ridge of the main bungalow from 5.7 metres to 6.1 metres and includes a flat roof single storey extension to the north-west elevation.

Principle of Development

- 3.7 The property is located with the settlement of Chudleigh where Policies S21A and S21 of the Teignbridge Local Plan support limited development in principle provided that it is consistent with the provisions and policies of the Local Plan.
- 3.8 Furthermore, Policy WE8 of the Teignbridge Local Plan supports extensions to existing residential properties such as the application property to enable them to be adapted and improved in principle subject to the design and materials being complementary to the existing building, the proposal not resulting in a dominant or overbearing impact on the street scene, and the proposal not resulting in harm to residential amenity of neighbours or a net loss in any trees, hedgerows or other key features or parking provision.

Impact upon Setting of Listed Buildings, the Character and Appearance of the Conservation Area and the Character and Visual Amenity of the Area

- 3.9 The site is located in a prominent location adjacent to the Chudleigh Conservation Area. The building known as The Wheel on Clifford Street (the adjacent road) is also Grade II listed, as is Bridgeland Bridge on Clifford Street.
- 3.10 In coming to this decision the Council must therefore be mindful of the duty as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building, its setting and features of special architectural or historic interest which it possesses, and have given it considerable importance and weight in the planning balance and as the site is located adjacent to the Chudleigh Conservation Area the Council must be mindful of the duty as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area, and have given it importance and weight in the planning balance.
- 3.11 Since the application submission negotiations have taken place with the applicant and revised plans have been submitted. The originally submitted design included raising the ridge over the main part of the bungalow from 5.7 metres to 6.5 metres. Under the amended scheme the ridge is proposed to be raised to 6.1 metres. The gable roofs over the two dormer windows on the west elevation have also been lowered by a comparable amount.
- 3.12 In relation to the side projection on the north-east elevation it was also proposed to raise this by the same amount as the main ridge, i.e. to 6.5 metres. However, the applicant has now agreed to not raise this roof and it will remain at 5 metres which is the same height as approved in the previous application for extensions to this property (application reference: 15/03468/FUL).
- 3.13 Given the amendments made during the course of the consideration of this application it is considered that the difference between this amended scheme and the previous approval (application reference 15/03468/FUL) in terms of both appearance and proposed increase in height are not sufficiently material to warrant a refusal of this revised planning application as it is not considered that the height difference or other alterations proposed in this application compared with the previously application would adversely impact on the character and appearance of the street-scene or the adjacent Conservation Area.

- 3.14 It is not considered that the proposals would detract from the adjacent Conservation Area given the scale of the proposed works and the materials proposed which would be in keeping with the existing bungalow.
- 3.15 It is considered that the dormer windows being located on the south-west elevation only will ensure that they have a limited impact on the Conservation Area due to the intervening built form of the adjacent dwelling and limited intervisibility and will on this side of the property be less dominant in the street scene.
- 3.16 The revised scale of proposals is considered to be compatible in scale and form with the existing property and the proposed material palette is also assessed to be consistent with the existing property.
- 3.17 The listed buildings/structures on Clifford Street are of sufficient distance from the application site to ensure that the proposals would not harm the setting of these listed buildings.
- 3.18 There are no objections therefore to the proposal on heritage grounds.
- 3.19 Furthermore, the scale of the proposal is such that it is not considered that the proposed works would have an overbearing or dominant impact on the street scene or result in an overdevelopment of this site particularly given the now-reduced height proposed in the revisions received during the course of the consideration of this application. The proposal is therefore assessed to not adversely impact on the character and visual amenity of the area.

Impact on Residential Amenity of Surrounding Properties

- 3.20 Concern has been raised in representations received that the proposal would cause overlooking, loss of privacy to the occupiers and overshadowing to 3 Kits Close (the immediate neighbour) and 2 Kits Close (on the opposite side of the road). Concern has also been raised that due to the proximity of the proposal to the boundary with 3 Kits Close it would be overbearing on 3 Kits Close and other neighbouring properties and that the proposal represents an overdevelopment of the site.
- 3.21 There would be no accessible windows in the roof slope on the north-west/north-east elevations as the rooflights are positioned above a stairwell, or at a height in the extension itself, therefore there would be no overlooking of 3 Kits Close and 2 Kits Close is at a sufficient distance from the property across the road that the proposals would not result in an unacceptable level of overlooking/loss of privacy to the occupiers of this property or other neighbouring properties.
- 3.22 The location of the host dwelling forward on its plot, and forward of its neighbours, acts to further minimise the prospect of additional overlooking being created from any of the upper floor windows.
- 3.23 The main window on the west-facing side of number 3 is set far enough back from the proposed enlargement of the property to benefit from sunlight from the west and light over the top of the extension. The forward-facing window is in the south elevation and therefore suffers no loss of light or outlook.

- 3.24 The increase in roof height from 5.7 metres to 6.1 metres is not considered to be of a sufficient height increase to cause overshadowing or loss of light to neighbours.
- 3.25 Furthermore, the additional flat roof extension to the north-west elevation compared with the previously-approved scheme, given its scale and massing, is not assessed to result in an overbearing impact or loss of light to the occupiers of the neighbouring property. The flat roof design also minimizes the potential for impact on the neighbour.
- 3.26 Whilst a number of enlargements are proposed to the property in combination it is not assessed, given the size of the plot, that the proposed works could be concluded to result in an overdevelopment of the site.
- 3.27 In summation, it is considered that, as a result of the revisions made during the course of the application, the proposals do not adversely impact on the residential amenity of neighbouring occupiers.

Impact on Ecology/Biodiversity

- 3.28 An assessment for bats and breeding birds was undertaken and submitted with this application and during this assessment neither bats nor breeding birds were noted to be present. It is therefore considered that the works can proceed without adversely impacting protected species.
- 3.29 No ecological objections are therefore raised to the proposed development.

Highway Safety and Parking Provision

- 3.30 The existing property has concrete hardstanding to its side and rear. The proposal would result in the loss of the hardstanding to the rear and a reduction in hardstanding to the side of the property. However, it does make provision for a single garage as part of the scheme.
- 3.31 Concern has been raised in a representation received about the loss of the hardstanding and impact on on-street parking.
- 3.32 The proposal whilst showing a reduction in on-site hardstanding that could be used for parking does have sufficient space for 2 vehicles, one in the garage and one on the concrete hardstanding to remain which is considered adequate provision for a dwelling of this size.
- 3.33 The proposal makes no alterations to access to the site from the highway and therefore it is not considered that the proposal raises any highway safety concerns.

Conclusion

- 3.34 It is considered that the revisions to the application namely the increase in height from 5.7 metres to 6.1 metres of the main bungalow ridge height and the introduction of a flat roofed single storey extension to the north-west elevation compared with the previously-approved scheme under consent reference 15/03468/FUL are acceptable and would not have an adverse impact on residential amenity, the character of the area or the adjacent Conservation Area and would not harm the setting of listed buildings on Clifford Street.

3.35 Conditional approval is therefore recommended.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S21 (Villages)

S21A (Settlement Limits)

WE8 (Domestic Extension, Ancillary Domestic Curtilage Buildings and Boundary Treatments)

EN5 (Heritage Assets)

National Planning Policy Framework

National Planning Practice Guidance

Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

5. CONSULTEES

Design & Heritage – Listed Buildings and Conservation - I have no observation to make at this stage. If you have concerns about the impact on the setting of the Conservation Area or the Grade II listed Town Mill, please feel free to discuss with me.

6. REPRESENTATIONS

Twenty letters of objection have been received raising the following summarised concerns (see case file for full representations):

1. Proposal would have a detrimental impact on the Conservation Area;
2. Proposal would have a negative effect on the Grade II listed Town Mill;
3. Would convert bungalow into house in a town where bungalows are in short supply and needed;
4. Proposal would have an adverse impact on the visual appearance of the area;
5. Proposal would be far too close to the next door property and would have an overbearing effect on that and other nearby properties in Kits Close;
6. Proposal would set a precedent for further overdevelopment of Kits Close, building close to boundary with neighbour, loss of privacy and rights;
7. Proposal creates an imposing property out of keeping with the rest of the Close;
8. None of the existing properties have extended the original roof line;
9. Proposal extends almost to the boundary fence of 3 Kits Close and as the height of the bungalow is to be extended this will dwarf and overshadow 3 Kits Close and will overshadow 2 Kits Close opposite;
10. Proposed extension is much too large in size;
11. Proposal will overlook property next door and deprive them of their privacy;
12. Proposal not in keeping with other properties in Kits Close;
13. There will be considerable reduction in level of off-street parking (hardstanding) currently enjoyed by this property which could exacerbate on-street parking and hinder access to the Close by emergency, refuse, removal and delivery vehicles.

7. TOWN COUNCIL'S COMMENTS

Object to the application for the following reasons:

1. Kits Close consists wholly of single storey properties so this proposed development would be wholly out of keeping with the street scene in an area that is immediately adjacent to the Conservation Area. Whilst other properties in Kits Close have been extended none of them have increased the roof height of their properties;
2. The proposed extension will be overbearing on neighbouring properties and will lead to a loss of privacy and amenity. It particularly impacts on 3 Kits Close where one of the extensions proposed extends right up to the shared boundary, creating a situation where there will be less than 6 feet separating the two properties;
3. The proposed multiple extensions will be over-bearing and also constitute over-development of the site.

8. COMMUNITY INFRASTRUCTURE LEVY

The proposed gross internal area is 179.34. 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 62.81. The CIL liability for this development is £19,137.25. This is based on 116.53 net m² at £125 per m² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL. The applicant may be able to apply for a self-build exemption for this.

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