

PLANNING COMMITTEE REPORT

21 January 2020

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	KINGSTEIGNTON - 19/00698/FUL - 15 Mill End, Kingsteignton - Two storey extension and detached replacement garage	
APPLICANT:	Mr & Mrs J Avery	
CASE OFFICER	Peter Thomas	
WARD MEMBERS:	Cllr Bill Thorne Cllr Dave Rollason	Kingsteignton West
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/00698/FUL&MN	





19/00698/FUL - 15 Mill End, Kingsteignton, TQ12 3TW



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1. REASON FOR REPORT

The applicant is a member of staff

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard time limit
2. Works in accordance with approved plans
3. Works carried out in accordance with the tree protection details and measures
4. Garage to be ancillary to the main dwelling

3. DESCRIPTION

The Site

- 3.1 The application site forms the end property of a row of terraces which step down progressively to the site which is within a residential area. To the side of the property is a garden area which contains a tree which is the subject of a tree preservation order.

The Application

- 3.2 The application seeks permission for the construction of a two storey side extension, and the construction of a detached garage within the side garden.

Principle of the development/sustainability

- 3.3 The application site is located within the Kingsteignton settlement limit as depicted in the Teignbridge Local Plan 2013-2033. Policies S1A, S1, S21A and WE8 of the Local Plan are permissive of extensions and alterations to existing residential properties, subject to policy criteria being met. Thus, the principle of development can be acceptable, subject to compliance with policy.

Impact upon the character and visual amenity of the area

- 3.4 The proposed two storey extension would be set at the same ridge height of the existing dwelling, but given its position at the end of the terrace and its location within the corner of the site together with its otherwise modest scale, it is not considered the proposal would result in any visual harm and would not overly dominate the property. The proposed garage would be located within the garden area and present its side to an area of communal parking. Although wide, it would be single storey within a large garden area, and read in the context of the existing property. It is considered that the proposal would not result in a significantly harmful impact upon the character or appearance of the surrounding area. The proposed development is therefore in accordance with Policy WE8.

- 3.5 Impact on residential amenity of surrounding properties

Given the position of the extension at the end of the terrace, it is not considered the proposal would result in any harmful overbearing. Windows would face to the north where there are no residential properties, and to the west into the cul de sac. The set away distance and position of these properties are such that there is not

considered to be any adverse overlooking. A single window would serve a shower room on the eastern side of the proposal and would face over a parking area. With regards to the proposed garage, due to its position set adjacent the side garden, ancillary nature and distance to neighbouring properties, it is considered the proposal would not result in any harmful overbearing. It is therefore considered that the proposed development would not result in any significantly harmful impacts upon the amenity of the occupiers of surrounding properties and the proposal would comply with Policy WE8.

3.6 Impact on trees

The application has been accompanied by an arboricultural method due to the proximity of the proposal in relation to the protected tree. It is proposed that ground screws are used to reduce ingress into the remaining root protection area. The Council's tree officer has been consulted and does not raise an objection subject to the tree protection details being made an approved plan.

Impact on ecology/biodiversity

- 3.6 The application has been accompanied by a Preliminary Roost and Nest Assessment by a licenced Ecologist. The survey concludes that the structures are considered to have no or negligible bat roost value and no bird nests were recorded. In terms of its impact on bats and nesting birds the proposal is therefore acceptable.

4. **POLICY DOCUMENTS**

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S2 (Quality Development)

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

S21A (Settlement Limits)

National Planning Policy Framework

National Planning Practice Guidance

5. **CONSULTEES**

Arboricultural Officer – 22nd October 2019

The site is dominated by a mature oak tree located within the curtilage of the application address. The root protection area of the trees was compromised several years ago when the property and adjacent car parking area were constructed.

Despite the above the tree has continued to develop.

The proposal to extend the footprint of the existing garage to create a side extension, and the construction of a replacement garage and new drive will result in significant ingress into the remaining unaffected root protection area of the tree.

The application is supported by an Arboricultural Impact Assessment that is somewhat generic and fails to address the application in detail, namely the

extension of the existing garage footprint, and the accumulative effect of the proposed and historic development within the root protection area of tree.

Owing to the potential adverse effect upon the long-term health of the tree there is an Arboricultural objection to the proposal.

Response – 23rd December 2019

Provided the tree related documents and plans are made approved drawings there are no Arboricultural objections to the proposal.

South West Water

There is a public sewer in the vicinity. South West Water will need to know about any building work over or within 3 metres of a public sewer or lateral drain

6. REPRESENTATIONS

Site notice erected. No representations have been received.

7. TOWN COUNCIL COMMENTS

No objection

8. COMMUNITY INFRASTRUCTURE LEVY

This development is not liable for CIL because it is less than 100m² of new build that does not result in the creation of a dwelling.

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.

10. 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.

Business Manager – Strategic Place