

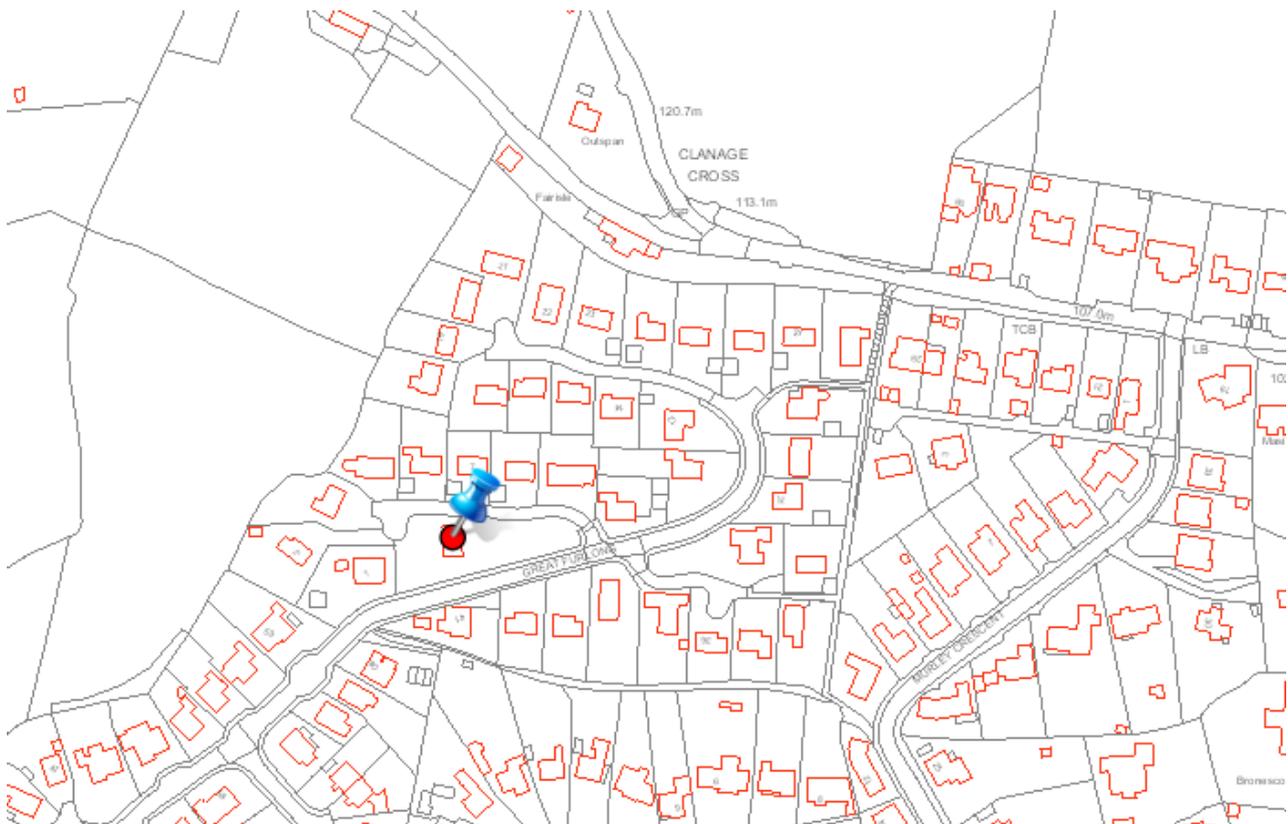
PLANNING COMMITTEE REPORT

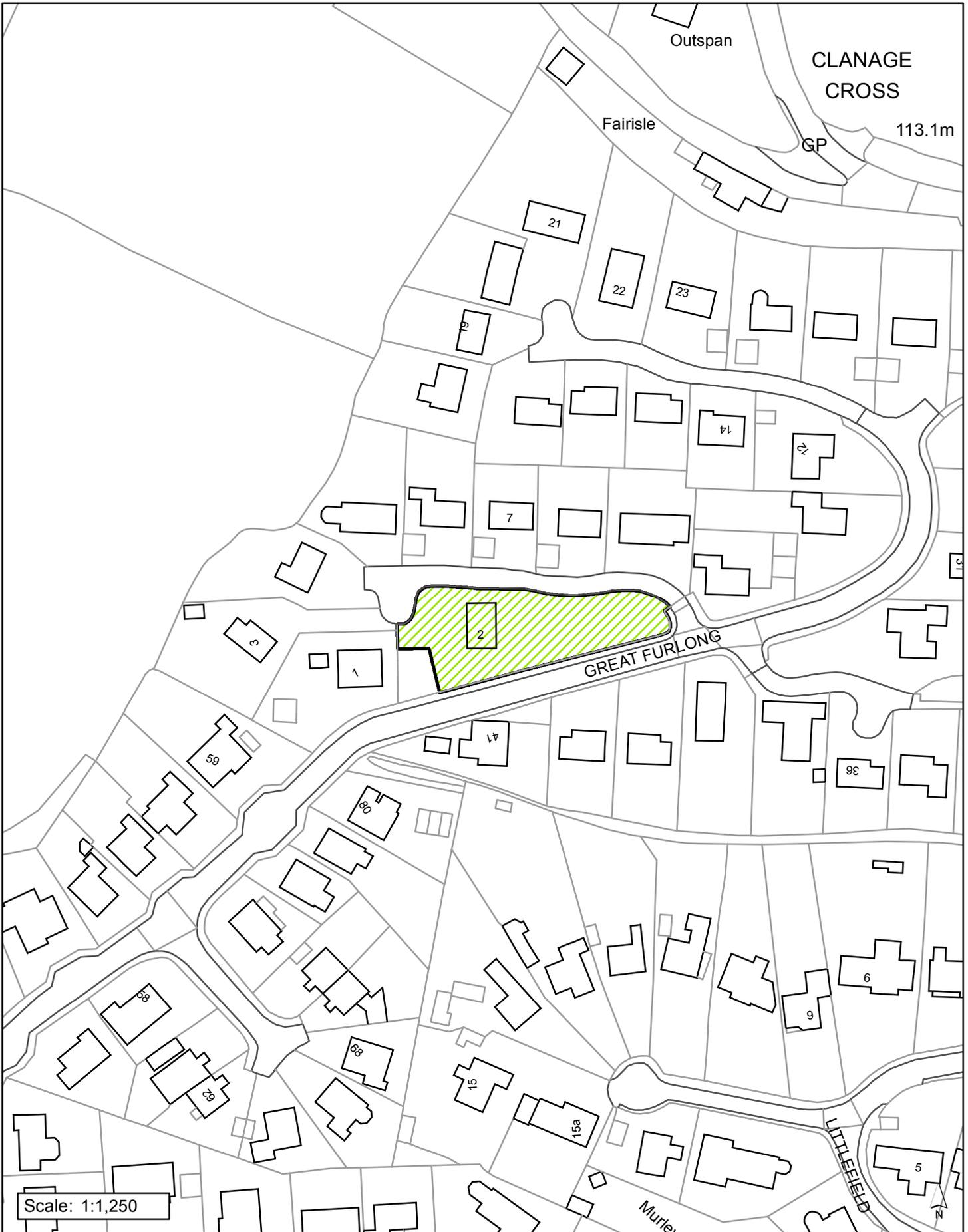
23 June 2020

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	BISHOPSTEIGNTON - 19/01984/FUL - 2 Great Furlong, Bishopsteignton - Single storey side extensions, detached garage and provision of new steps to relocated front door (revised scheme)	
APPLICANT:	Mr P Urmson	
CASE OFFICER	Claire Boobier	
WARD MEMBERS:	Cllr Andrew MacGregor	Bishopsteignton
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01984/FUL&MN	





19/01984/FUL - 2 Great Furlong, Bishopsteignton, TQ14 9TU



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1. REASON FOR REPORT

Cllr MacGregor has requested that this case be referred to Planning Committee if officer recommendation is approval. The reasons given for this request are:

1. Visual Amenity
2. Design, appearance and materials contrary to previous approval;
3. Proposal in Development Plan BCS5 – To ensure the development is not intrusive, overbearing, and sympathetic to natural and built features in the landscape.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to following conditions:

1. Accord with approved plans;
2. Existing roofing materials for as built extension and garage to be removed and replaced with roof tiles of a matching colour and size to the host property within 6 months of the date of consent;
3. The recommendations and safeguarding measures given in the Bat and Bird Assessment shall be followed, including precautions to prevent threat of harm during construction works.

3. DESCRIPTION

Site Description and Proposal

- 3.1 2 Great Furlong is a detached residential property within the settlement limit of Bishopsteignton within a largely open plot and is located in a prominent position within the housing estate.
- 3.2 The site is not in the designated Undeveloped Coast.
- 3.3 Planning consent was granted for single storey side extensions and a detached garage under consent 18/00549/FUL and works commenced.
- 3.4 However, following a Planning Enforcement investigation it was found that the dimensions of the built detached garage was not in accordance with the approved plans granted under 18/00549/FUL.
- 3.5 This revised application seeks consent for a revision to the approved garage to reflect the dimensions of the garage as built at the site.
- 3.6 The approved single-storey extension to the east of the property remains as previously approved under 18/00549/FUL. However, the revised proposal omits the kitchen extension previously approved to the west elevation of the property which the applicant no longer wishes to progress due to difficulties in constructing this element of their original proposal.
- 3.7 Other changes to the scheme from that approved under 18/00549/FUL include a reduction in the patio area extension; the installation of side wall strengthening columns to garage; deletion of proposed steps in front of new front door location and removal of stairwell window and installation instead of roof light.

Principle of the development/sustainability

- 3.8 The site falls within the Bishopsteignton settlement limits and is for an extension to the east of the property with a new detached garage located to the west and a relocation of the access into the property to the north of the property.
- 3.9 The principle of the development within settlement limits is acceptable under policies S1A, S1 and WE8 of the Local Plan providing that the proposal is consistent with the other provisions and policies of the Teignbridge Local Plan 2013-2033 and the principle of a detached garage and extensions to this property has been accepted previously at this site by the grant of consent 18/00549/FUL which granted consent for extensions to the east and west of the property and a detached garage.
- 3.10 This revised application is submitted as the garage built does not accord with the approved plans in dimensions or materials neither do the roofing materials for the extension to the east accord with the approved plans. This application is also made to omit the approved extension to the west from the scheme and to make some minor changes to the previously approved scheme as set out in paragraph 3.7 above.

Impact upon setting of listed buildings and the character and appearance of the Conservation Area

- 3.11 The site is not located in a conservation area and there are no listed buildings surrounding the site that would be adversely impacted by the development proposed in this application.

Design and impact upon the character and visual amenity of the area

- 3.12 The properties on Great Furlong have a positive relationship with each other and with the street scene which is overall pleasant.
- 3.13 The Housing Estate consists of generally low density development with every dwelling afforded a view towards the Teign Estuary.
- 3.14 Whilst, there is some variation in Great Furlong, overall, the street has a pleasant and unified appearance – the street scene hangs together well and is cohesive.
- 3.15 Consent 18/00549/FUL granted consent for a detached garage to the west which was more compatible with the detached garages in the street than a previous application for an integrated garage under application reference: 17/01860/FUL, albeit the proportions of the proposal and singular garage door approved were different to the proportions of other garages doors in the area which tend to have double doors. On balance, however, the proportions and design of the approved garage was deemed to be acceptable and conditions were imposed to ensure that the materials matched the host property as indicated on the plans and as was the case with neighbouring garages which have a consistent material palette.
- 3.16 However, the Council was notified that the garage being built at 2 Great Furlong did not accord with the approved plans the dimensions of the garage differed from that

proposed and the materials used did not match the host property as secured by condition.

- 3.17 This revised application seeks consent for a different scale garage than that previously approved and for the garage to have support columns to its side elevations. Though it is noted that the revised plans does not seek consent for the alternative materials used for the garage from that previously approved. The revised plans contain an annotation for materials to match the host property. Therefore, if approved the applicant would need to vary the materials used to ensure that they accord with the host property as currently particular the size and colour of the roof tiles is at odds with the host property as highlighted in a number of contribution comments received to this application and would not match the host property as would be required by the submitted plan if made an approved document.
- 3.18 It was concluded in the consideration of application 18/00549/FUL that whilst the garage proposed in this earlier application was not an exact replica of the original design of garages on the Estate, it was concluded that it would not be justified to refuse this marginally larger garage as its alternative proportions and single door would have a negligible impact on the street scene.
- 3.19 Having considered the garage as now constructed at the site and as retrospective consent is sought in this application whilst the dimensions have changed from that previously proposed and the introduction of the strengthening columns to the side elevations of the garage do not reflect the uninterrupted side elevations of neighbouring garages, on balance, it is not considered that substantial harm has been caused from the enlarged garage and introduction of these strengthening columns on the street scene to justify a refusal on the basis of this alternative construction. Whilst, larger than that previously approved it is not considered that the enlarged garage results in an overdevelopment of the site when seen in wider views of the site on approach particularly given the omission in this application of the previously proposed extension which would have sat adjacent to the garage but which is no longer being constructed as set out in the supporting documentation with this application.
- 3.20 However, the most jarring aspect on the street scene of the as built garage is the difference in the roofing material used for the garage compared with the host property which makes the garage stand out as a new addition to the property and at odds with the street scene when viewed in wider views on approach to the site as well as when viewed from the turning head adjacent to the garage in Great Furlong. The material palette in the street scene is consistent and this is one of the positive characteristics of the street.
- 3.21 If the garage roofing material matched that of the host property as previously conditioned and proposed in the previous application it is considered that the visual impact of the proposal would be greatly reduced.
- 3.22 Referring to the submitted revised plans it is noted that the submitted drawing has an annotation that states 'new double garage with roof tiles to match existing property' to achieve this the installed roof tiles would need to be removed and replaced with roof tiles to match the existing property which have roof tiles of a different colour and size than those installed on the garage.

- 3.23 With this commitment as indicated on the approved plans which would form an approved document if minded to approve and with the replacement of the existing garage roof tiles with those to match the host property being conditioned to be replaced/installed within 6 months of any consent being granted it is concluded that with this proposed alteration to the 'as built' garage the proposal will better assimilate with the property and street and with this change to the as built materials being secured by condition so that it can be enforced if not completed within the set timeframe, on balance, the dimensional changes to the garage as shown on the submitted plans are deemed acceptable on visual amenity grounds.
- 3.24 This revised application also shows the extension to the east elevation previously approved under consent 18/00549/FUL with an annotation that the 'new extension roof tiles to match existing'. The roof tiles as installed do not match the existing property and again because of this difference in materials the extension stands out as a new addition to the property and fails to integrate with the host property or street scene as is the case with the garage. It is therefore recommended again, that as the plan for the extension will be an approved document that this alternative roofing tile be secured by condition for the tiles on the roof to be replaced with tiles to match the host property within 6 months of any consent being granted in order to make the scheme acceptable and for the development to not harm the visual amenity of the area.
- 3.25 No objection is proposed on design or visual amenity grounds to the other changes to the plans as set out in paragraph 3.7 of this report namely the reduction in the patio area extension; deletion of previously proposed and approved steps in front of new front door location and removal of stairwell window and installation instead of a roof light to provide a light source.
- 3.26 Whilst, as with the previous application (18/00549/FUL) the proposed introduction of a garage and extension is not deemed to enhance the character of the area given that the host property is particularly prominent due to its elevated position which makes it clearly visible from the surrounding area and given that the host dwelling already stands out as an anomaly within the street scene due to its orientation and design it is considered that the proposals will further emphasise its uniqueness in an otherwise unified estate, it is considered that with the suggested alteration to the roofing material installed the revisions to the previously approved scheme are deemed acceptable and the proposal with this revision secured is considered to accord with policy S2 of the Local Plan.

Impact on residential amenity of surrounding properties

- 3.27 Concern has been raised in the representations received that the proposal will impact on outlook from some properties on Great Furlong. Whilst this concern is noted, this is not a matter on which a planning refusal could be based.
- 3.28 Concern has also been raised in the representations received with regard to the proposals being overbearing particularly the garage and dominating the skyline. Whilst due to the elevated position of the site the proposals will be clearly visible from the surrounding area it is not concluded that the proposals due their siting have an overbearing impact or result in loss of light to neighbouring occupiers to warrant a refusal on residential amenity grounds. Furthermore, the omission of the kitchen extension reduces the bulk of the proposal to the west of the host property.

- 3.29 The proposed extension to the east, whilst altering the outlook from no.7 Great Furlong, is on balance assessed as not resulting in an overbearing impact or loss of light to this property to the north to an extent that would justify a refusal of planning consent given the separation distance between properties and elevated position of 7 Great Furlong. The proposed glazing to this extension is not assessed to result in an unacceptable level of overlooking/loss of privacy to neighbours given the separation distances involved and that the majority of windows are located to the south and east of the extension where there is the greatest separation distance to neighbours.
- 3.30 Whilst the rooflights to the property and garage may offer the perception of overlooking, given their height and distance to neighbours it is not considered that these would offer the opportunity for an unacceptable level of overlooking/loss of privacy to neighbours.
- 3.31 The plans also show the relocation of the entrance door to the north of the property which was approved under 18/00549/FUL and the omission of steps previously proposed to this elevation. Whilst, this clearly alters the relationship of the property with the street it is not considered that this alteration would adversely harm the street scene given that the majority of properties to the north, other than the application property, have road frontage access to their properties.
- 3.32 Concern has also been raised with regard to some lights installed on the south side elevation of the garage. Whilst, this concern is noted the installation of lights does not require the benefit of planning permission and therefore it is outside of the planning authority's control unless it could be demonstrated that to have lighting in this location would impact on foraging routes of bats in which case a condition could reasonably be imposed to prevent lighting being installed unless first agreed by the Planning Authority. However, in this case the Local Planning Authority has no such evidence and therefore it would be unreasonable to prevent lighting by way of condition in this case.
- 3.33 Overall, on balance, it is not assessed that a refusal on residential amenity grounds could be justified or that an argument for refusal on residential amenity grounds could be sustained at appeal.

Impact on ecology/biodiversity

- 3.34 An ecology report has been submitted with this application; this found no signs of use by bats or birds.
- 3.35 However, the report does recommend a precautionary approach and sets out recommendations in the event that bats are discovered at the site. If minded to grant consent for the proposed development it would be recommended that a condition be applied for the recommendations in the ecology report to be followed. Whilst, it could be argued that the works for the garage are largely complete and therefore this condition may no longer be required as to comply with the plans it will require the existing roofing material for the extension and the garage to be removed and replaced it is considered reasonable to impose as a precaution this condition to ensure that in the unlikely event that bats have accessed the building under the roof tiles of the new extension or garage roof they are not harmed by the removal of the existing tiles.

- 3.36 Subject to the above condition being applied it is not considered that the proposal would have an adverse impact on biodiversity.

Land drainage/flood risk

- 3.37 The site is located in flood zone 1 where highly vulnerable uses such as residential accommodation would be directed towards.
- 3.38 No objection is therefore raised on flood risk grounds.

Highway safety

- 3.39 Having discussed the application with DCC Highways they have verbally advised that they would have no objection to the garage being located in the proposed location or to the lack of space in front of the garage for parking identified by a response received in the consideration of the previous application 18/00549/FUL for a garage at this site.
- 3.40 Whilst the proposal would result in an extra exit onto the turning head, which some responses received from residents in the consideration of the previous application (18/00549/FUL) raised concern with, there is no highway safety objection to the proposal.

Bishopsteignton Neighbourhood Development Plan

- 3.41 In the adopted Neighbourhood Development Plan for Bishopsteignton 2013-2033, policy BSC5 states that "...Particular attention will be given to the need to protect the views identified on Maps M1 & M2 and ensure development is not intrusive and relates sympathetically to natural and built features in the landscape."
- 3.42 One of the representations received for the previous application at this site (18/00549/FUL) suggested that the proposed development fails to meet this policy due to the extension to the east impacting on views from 7 Great Furlong over the Teign Estuary and that the development proposed would have an adverse impact on the environment contrary to this policy. However, if you refer to maps M1 & M2 the views this policy is seeking to protect are not private views from existing dwellings but rather the view as you come into the village above Great Furlong and views down Fore Street and glimpsed views through properties off Fore Street. The proposed development would therefore, contrary to the representation received, not undermine the objective of policy BSC5 to protect the views identified on Map M1 nor would it have an adverse impact on the heritage assets identified in Map M2.
- 3.43 With regard to the revised scheme having an adverse impact on the environment and not complying with the requirement of policy BSC5 for the development to 'relate sympathetically to the built features in the landscape'. The dwelling at 2 Great Furlong, due to the sloping nature of the site, is already of a different design to the surrounding Great Furlong properties and has a much larger plot size than its neighbours. This therefore offers more scope to extend the property than would be feasible for the neighbouring properties. Whilst its material palette is compatible with properties on the Estate, its scale and massing, position and design already make it stand out as a unique property in the Estate. It is considered that the proposed extension to the east would not relate unsympathetically to the host dwelling. Whilst it is recognised that the garage takes a different shape and form

and has a single door rather than the double doors found on a number of surrounding garages, it is not considered that this is justification to refuse consent for the garage which will, due to its location, not be read against any of the neighbouring garages in terms of its fenestration as it fronts the end of the cul-de-sac. Rather it will be the detached nature of the structure that will be most visible from public vantage points, which is compatible with some of the properties in the Estate with a mixture of integrated and detached garages within the wider context.

- 3.44 It is not considered that a refusal could be justified on the basis of policy BSC5 given the design of the proposed revised scheme, the difference in style and scale and massing of the host property compared with its neighbours and given that no protected views in the neighbourhood plan would be adversely impacted.

Conclusion

- 3.45 For the reasons set out above, on balance, the Officer recommendation is one of conditional approval.
- 3.46 It is not considered necessary to impose a time limit condition for commencement of works since the works are largely complete prior to this application being made.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S21A Settlement Limits

S23 Neighbourhood Plans

WE8 Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN11 Legally Protected and Priority Species

Bishopsteignton Neighbourhood Plan

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

None

6. REPRESENTATIONS

Ten letters of objection and two comments received.

Some of the representations received in objection and comment are from the same contributors and contributions have been received from or on behalf of 1 Great Furlong, 6 Great Furlong, 7 Great Furlong and 38 Great Furlong.

The letters of objection raise the following summarised concerns (see case file for full representations):

- Concerns with the accuracy of the revised plans submitted;
- Concern what would be allowed under permitted development has been factually misrepresented by the supporting documentation;
- Garage as built is overbearing and out of character in street scene for residents to the north;
- Garage contains features and materials out of keeping with rest of development;
- The roof tiles used on garage and extension are out of keeping with area and clash with original dwelling in colour and size;
- Proposal contrary to Neighbourhood Plan policy BSC5;
- A precedent was set with another neighbour having to reduce their ridge line this should apply here;
- This site has had a number of applications and proposal has not been built in accordance with approved consent. Concerns were raised with inaccuracy of plans in previous applications and when proposal under construction leading to this current application;
- Garage is prominent feature on skyline not in keeping with locality;
- 2 Great Furlong is the most visible house in the Great Furlong/Grange Park area, possibly the most visible house in the whole village. As such the requirement to meet street scene and palette requirements is of high priority;
- Roof windows approved with obscure glass have been fitted with clear glass no explanation why;
- There are three lights on the side of the garage facing south which illuminate valley why no restriction;
- No justification for raising the roof;
- The design, location, finish and size of the garage result in poor quality development that is out of character with the street scene;
- Approval of this application would contradict rejection of 17/01860/FUL;
- The roof tiles and wall finish used on garages in area are still available online so applicant has chosen to introduce different materials;
- The conditions on the original consent with regard to building in accordance with plans and agreeing materials if not using matching materials have been ignored;
- The lack of harmony between the design of the extension and host building is vastly at odds with both the character of the host building, and the prevailing characteristics of other buildings on the estate. As such it appears incongruous, causing harm to the character and appearance of the street scene.

The comment representations received were from the same contributor and provide the following (see case file for full representations):

- A photograph looking down on the built garage;
- A letter of correction advising of an error in part of the wording of the contributors' previous objection letter.

7. TOWN / PARISH COUNCIL'S COMMENTS

Bishopsteignton Parish Council (Comments dated 18 February 2020):

Bishopsteignton Parish Council wish to repeat the comments made at its last meeting, 03.02.20, as follows [dated 10 February 2020 in minutes provided to Teignbridge District Council]:

Bishopsteignton Parish Council appreciate this is a retrospective application but have concerns with the overbearing nature of this development and the implications for potential future developments in the vicinity. They wish to draw the delegated officer's attention to Bishopsteignton Neighbourhood Development Plan policy BSC5: '...ensure development is not intrusive and relates sympathetically to natural and built features in the landscape.'

They would have preferred to see construction materials to be more in keeping and a better match with others used locally.

They feel the garage has an overbearing visual impact especially, particularly on approach from Grange Park. They would welcome the condition of an alternation to change the outside lighting for less intrusive impact.

Bishopsteignton Parish Council understand there is a request for the decision to be taken by the TDC Planning Committee should the planning officer be inclined to approve and grant permission. They wholly support this category B request.

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Bishopsteignton Parish Council understand there is a request for the decision to be taken by the TDC Planning Committee should the planning officer be inclined to approve and grant permission. They wholly support this category B request.

Bishopsteignton Parish Council (Comments dated 19 November 2019):

Bishopsteignton Town Council have concerns that the building is not accurately represented by the retrospective plans which have been submitted under this new application; in particular the ridge height of the garage.

It is also concerning that building materials and finishes used in this development do not match those of existing, neighbouring properties as indicated in the conditional grant of planning permission 18/00549/FUL dated 11.05.18 which states under condition 3:

Unless matching materials are used, samples of all the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their initial use. Development shall be carried out in accordance with the approved details.

REASON: In the interest of visual amenity and to ensure the development will harmonise visually with the character and appearance of the site and its surroundings.

Please confirm this practice was carried out and examples of the materials used were provided for approval; in particular the roof tiles (garage roof), rendering style (garage) and the roof light windows should be obscured (garage roof) as the version which have been used are not in keeping with neighbouring properties or as approved/expected in the previous application for which permission was granted. Bishopsteignton Parish Council strongly recommend a site visit is conducted by both the delegated planning officer and the relevant case officer from planning enforcement before a decision is finalised.

Case Officer Note: No request was made to discharge the condition to use alternative materials to matching materials.

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