

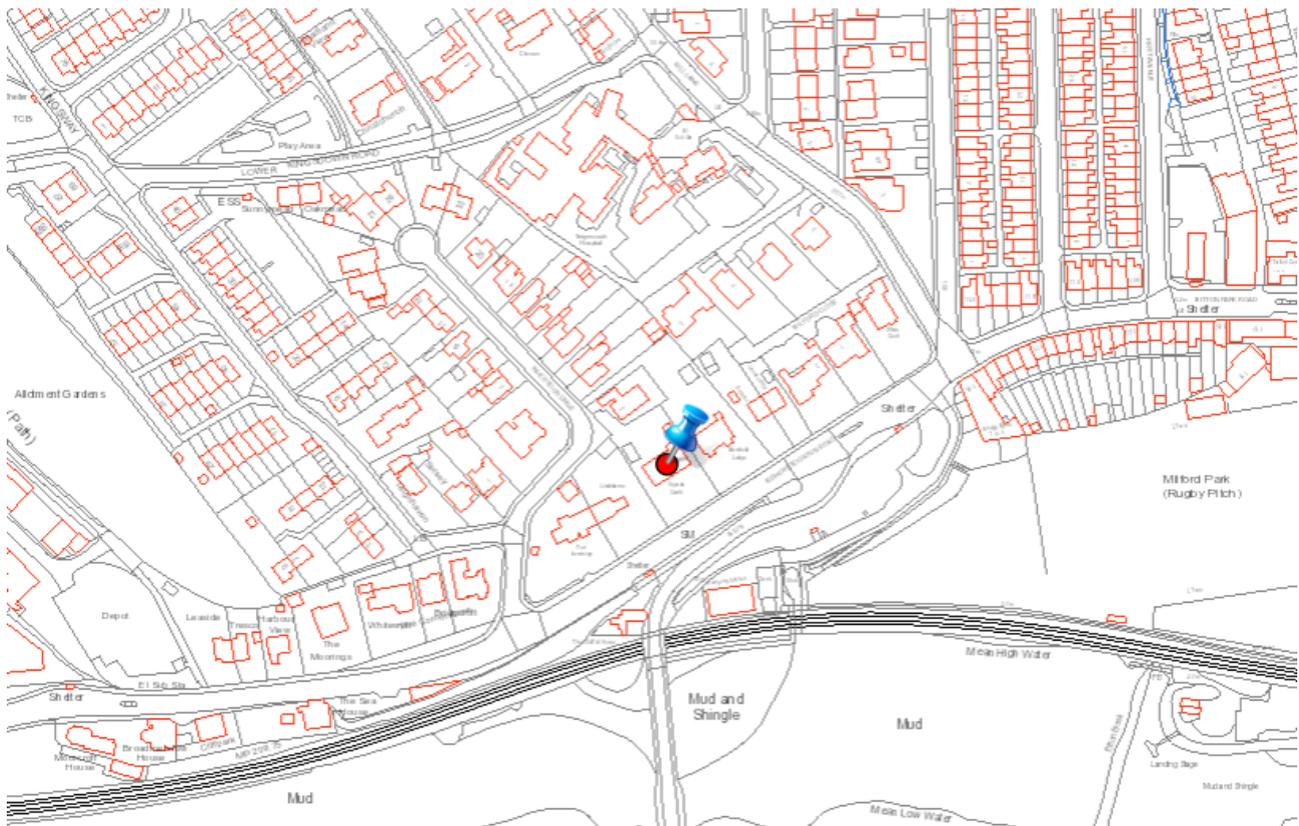
PLANNING COMMITTEE REPORT

23 June 2020

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	TEIGNMOUTH - 20/00675/FUL - Dryads Garth , Inverteign Drive - Demolition of existing dwelling and construction of replacement dwelling with garage, associated landscaping works and alterations vehicle access	
APPLICANT:	Mr & Mrs Boyne	
CASE OFFICER	Claire Boobier	
WARD MEMBERS:	Cllr David Cox Cllr Nina Jefferies	Teignmouth West
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=20/00675/FUL&MN	





**20/00675/FUL - Dryads Garth, Inverteign Drive,
Teignmouth, TQ14 9AF**

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1. REASON FOR REPORT

Teignmouth Town Council have requested this application be referred to Planning Committee for determination if officer recommendation is one of approval. The reason given for this request is that the proposed design is substantially at variance with neighbourhood.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to following conditions:

1. 3 year time limit for commencement;
2. Development to be carried out in accordance with the approved plans including climate emissions reduction measures set out in design and access statement;
3. The timber boarding to be installed on the property shall be the hereby approved iroko timber boarding which shall be left to naturally weather and shall not be painted or stained.;
4. Ecological report including safeguarding measures and installation of ecological enhancement measures shall be followed and on completion a bat consultant shall confirm that the ecological enhancement measures have been installed in accordance with the recommendations in the report;
5. On site parking and turning provision shall be provided prior to first occupation of the hereby approved dwelling and retained thereafter.

3. DESCRIPTION

Site Description and Proposal

- 3.1 Dryads Garth is a detached 2-storey dwelling situated above the A381 Bishopsteignton Road to the west side of Teignmouth.
- 3.2 The house is accessed directly off Inverteign Drive and forms part of a line of large detached houses of varying periods and contrasting architectural styles, set in substantial grounds, which sit opposite Shaldon Bridge.
- 3.3 The property has undergone a number of alterations and extensions since the original dwelling was built with the addition of a large flat roof dormer and balcony on the south elevation.
- 3.4 The existing house is of low architectural quality. However, it is in a key position at the approach to the town of Teignmouth and overlooking the River Teign.
- 3.5 The site slopes from north to south across its width with a final large drop down to the road.
- 3.6 The property sits in a particularly large plot with a detached garage and large areas of garden. Although the plot is large the vehicle access, parking and manoeuvring space are restricted.
- 3.7 Planning consent is sought for the demolition of the existing dwelling and construction of a replacement dwelling with garage, associated landscaping works and alterations to vehicle access.

- 3.8 The proposal is for a new two-storey detached dwelling of contemporary design with an upside-down layout. This arrangement enables the upper floor living space to take best advantage of the views and light and the additional height of the vaulted ceiling over whilst the lower floor bedrooms have improved privacy and will be cooler in summer helping with the energy efficiency of the building.
- 3.9 By utilising the sloping site and proposing to partially 'dig-in' the lower floor this provides for natural level access to the upper floor living area from the rear driveway and garden.
- 3.10 The upper ground floor level includes the kitchen, dining and living room as well as the garage and utility areas.
- 3.11 On the lower floor level is a workshop (built under the Garage) which has access through the garage and 4 bedrooms with associated en-suite and bathroom.
- 3.12 A generous amount of parking has been proposed to accommodate the applicants' vehicles and the garden area has been reduced to allow for this parking area. Part of the parking area is covered by a carport roof to provide some weather protection - the height of this roof is kept below the height of the boundary wall.
- 3.13 The proposed dwelling and the garage sit broadly on the same footprint as the existing. It is less deep about 1.0m wider on the principal frontage.
- 3.14 The existing vehicular access from Inverteign Drive is retained to the north west of the site. There will be more parking / manoeuvring space provided within the site which will address the current issues with very restricted manoeuvring space on site.

Principle of the Development/Sustainability

- 3.15 The site is located within the settlement limit of Teignmouth where there would be in principle support for development in this location including a replacement dwelling under Policies S1A, S1 and S21A of the Teignbridge Local Plan 2013-2033.

Impact on Listed buildings and Conservation Area

- 3.16 The site does not lie in a Conservation Area and is not a listed building. However, The Old Toll House on Shaldon Bridge and Shaldon Bridge itself to the south of the site are both Grade II listed.
- 3.17 Given that the planning application could affect the setting of listed buildings, in coming to this decision the Council must 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.
- 3.18 The existing property is visible from Shaldon Bridge. However, due to an intervening wall and vegetation is partially but not fully screened from the Old Toll House.

- 3.19 Whilst, of a contemporary design it is considered that the scale and massing of the proposal and material palette has been sensitively chosen to ensure that it sits comfortably within the landscape setting and would not harm wider views of the site from the listed Shaldon Bridge or the Toll House. It is not considered that the proposal would undermine or harm the setting of the listed bridge or Toll House.
- 3.20 No heritage objections are therefore raised to the proposal.

Impact on the character and visual amenity of area

- 3.21 The existing house is of unremarkable architectural quality and does little to enhance the visual amenity of the area.
- 3.22 The existing house is in a key position at the approach to the town of Teignmouth and in views across the Teign Estuary. Given its elevated prominent location, any change here will be noticeable both locally and from wider views across the estuary.
- 3.23 It is considered that the proposed redevelopment of this site offers the opportunity to achieve a better designed dwelling with a higher quality material palette to improve the visual amenity of the area as well as providing the opportunity to address the on-site vehicle manoeuvrability.
- 3.24 The application proposes a contemporary design with high quality materials proposed and is designed in a manner to take advantage of the available outlook.
- 3.25 There is no strong architectural style in the group of existing buildings that the application proposals would sit within.
- 3.26 Whilst a contemporary style, it is considered that the proposal will sit comfortably within its site. The material palette chosen for this development takes reference from other high quality new build contemporary style buildings that have been constructed in recent years around the Teign Estuary with similar materials all of which feature the type of natural timber boarding.

It is considered in the context of these other developments, on the other side of the Teign Estuary from the application site, in which the material palette proposed has been accepted in recent years the proposal for the application site should sit comfortably in views from within the wider landscape and would not appear out of character.

- 3.27 The scale and massing of the proposal takes its cues from the existing property and the heights of neighbouring properties to ensure that the building will sit comfortably with the adjacent properties, though the elevations having been sensitively designed to ensure they follow the pattern of the adjoining buildings and the ridge of the mono-pitch roof has been designed to sit significantly lower than the ridge height of the existing dual-pitched tiled roof and those of the adjoining buildings to ensure that the proposal will fit within the pattern of adjoining buildings whilst introducing a more contemporary style of design such as the introduction of the cladding, overhanging eaves, and brise-soleil and balcony to add interest to the building and break up the massing of the elevations.
- 3.28 It is considered that the proposals can be accommodated on the site without causing harm to the character and visual amenity of the area and will result in a

development which will add an interest and focal point on the approach to Teignmouth from the main road and from Shaldon.

- 3.29 Given the extent of cladding proposed to the first floor of the building, it is considered important to ensure a high quality product is used as this will be a particularly visible part of the development. It is considered necessary if minded to approve therefore to ensure that a natural product is used rather than composite plastic cladding product and therefore it is recommended that it be conditioned for the cladding to be the iroko natural timber cladding as applied for which should be left to weather to a silver grey to ensure that it will sit comfortably with its surroundings and not appear out of place.
- 3.30 With this condition in place it is concluded that the development can be accommodated on this site without harming the visual amenity of the area and it is considered that the design proposed will add visual interest to the approach to the town.

Impact on residential amenity of the occupiers of surrounding properties

- 3.31 The proposals would be sited comfortably on the plot with the dwelling aligned with the adjacent properties as a result the proposal is not assessed to result in harm to the residential amenity of neighbours in terms of being overbearing or resulting in loss of light, nor does it raise overlooking/loss or privacy concerns.
- 3.32 It is not therefore considered that the residential amenity of neighbours would be compromised by the proposed development.
- 3.33 Concern has been raised in the objection representation received from a neighbour with regard to the perceived antisocial aspects of this build - Noise pollution, dust and grime, parking and access. However, this would appear to relate to the construction phase of the proposal and it is not considered that it would be reasonable to refuse the dwelling on this temporary inconvenience whilst the existing dwelling is demolished and new proposals built. Long-term the changes to the access arrangements and ability to manoeuvre on site will improve parking and access to the site. Given that the application is for one dwelling it is not considered necessary given the scale of development to condition for a Construction Management Plan to be agreed prior to commencement of development to make this scheme acceptable.

Impact on ecology/biodiversity

- 3.34 The application site is within 10km of the Exe Estuary SPA and Dawlish Warren SAC and therefore would be subject to the requirements of the 2017 Conservation of Habitat and Species Regulations. More information about these regulations as they apply in this area can be found here <https://www.teignbridge.gov.uk/planning/biodiversity/exe-estuarydawlish-warren-habitat-mitigation/>.
- 3.35 However, in this case as the proposal is a one for one replacement and no additional dwellings are proposed it is concluded that the proposal will not have an increased recreational impact on the SPA and/or SAC than the existing dwelling. No Habitat Mitigation Contribution is therefore required in this case and the Local

Planning Authority as Competent Authority, is able to conclude that there will be no likely significant effect on the European site(s).

- 3.36 An ecological appraisal was undertaken and submitted with this application. This found no evidence of use of the existing buildings by bats or nesting birds. The proposal is therefore considered to be able to progress without harming ecology.
- 3.37 As a precautionary measure however the report recommends precautions to take during construction works in the unlikely event that bats or nesting birds are discovered during works and recommends as biodiversity enhancement measures as required by policy EN8 of the Teignbridge Local Plan and the NPPF the installation of bat and bird boxes. If minded to approve a condition is recommended to be applied to ensure that the precautionary measures are followed during construction and demolition works and to ensure that the ecological enhancement measures suggested in the report are provided in the interest of biodiversity protection and enhancement.
- 3.38 Subject to the recommended condition being applied, no ecological objections are raised to the application.

Flood Risk and Drainage Considerations

- 3.39 The site is in an elevated position and is not in a high risk flood zone (i.e. flood zone 2 or 3) in flood control terms it is therefore an appropriate site for residential development.
- 3.40 It is proposed that foul and surface water will be discharged by connection to the main sewer as is the case with the existing dwelling. As this is a one for one replacement it is not considered that this will put increased pressure on the existing system and therefore is deemed acceptable.

Climate Change Considerations

- 3.41 The Council has declared a climate change emergency and policies S7 and EN3 of the Teignbridge Local Plan seek to ensure that all new development contributes to reducing carbon emissions.
- 3.42 The new dwelling proposed in this application is proposed to be constructed of a high level of thermal efficiency (insulation and airtightness) and heating and hot water is proposed to be served by a low energy system combined with heat recovery ventilation. It is anticipated the house will achieve an 'A' EPC rating.
- 3.43 Integrated solar shading has been incorporated into the design to prevent excess solar gain in summer months whilst allowing beneficial warmth from the low elevation winter sun and the upside down layout will ensure that the living areas most used during the day can benefit from natural daylight minimising the need for lighting use.
- 3.44 Overall therefore the scheme would achieve a significant reduction in carbon emissions compared to the existing building as set out in the design and access statement. If minded to approve it is recommended that the design and access statement form an approved document to secure these measures.

- 3.45 It is proposed that materials arising from the demolition of the existing property will be recycled.

Parking and Highway Safety

- 3.46 Vehicular access to the property is to be via the existing drive entrance onto Inverteign Drive. It is proposed as shown on the site access plan submitted with this application that this will be altered to improve the alignment and to make the access more practical to improve manoeuvrability which is currently difficult.
- 3.47 Pedestrian access into the dwelling is to be altered with level access to the rear of the dwelling directly from the parking area and Garage without any steps –unlike the existing stepped arrangement. The existing steps leading to Bishopsteignton Road will be infilled.
- 3.48 A generous amount of parking provision is provided on site.
- 3.49 It is considered that there is adequate parking to serve the proposed development which it is recommended be secured by condition to be provided prior to first use of the new dwelling and it is considered that the alterations to the access will provide a safety improvement to the access making access/egress easier. It is also considered that the level access will improve accessibility for a range of occupiers/visitors to the property making it a more accessible home for all.

Conclusion

- 3.50 The principle of a dwelling in this location is supported by the Teignbridge Local Plan policies S1A, S1 and S21A.
- 3.51 Whilst design can sometime be considered subjective, Officers, having carefully considered the proposal, and can find no reason that could be sustained at appeal to recommend refusal of this application. It is considered the proposal represents a high quality design which fits context of the site and accords with policy S2 which seeks to ensure that new development integrates well within its surroundings.
- 3.52 Officer recommendation is therefore one of conditional approval.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S7 Carbon Emission Targets

S21A (Settlement Limits)

EN3 Carbon Reduction Plans

EN5 (Heritage Assets)

EN8 (Biodiversity Protection and Enhancement)

EN9 (Important Habitats and Features)

EN10 (European Wildlife Sites)

EN11 (Legally Protected and Priority Species)

National Planning Policy Framework

National Planning Practice Guidance

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

5. **CONSULTEES**

Devon County Council Highways:

Recommend that the Standing Advice issued to Teignbridge District Council is used to assess the highway impacts.

6. **REPRESENTATIONS**

Eight letters of support, one comment and one objection received during the consultation period for this application.

The letters of support all offer their support for the proposal and several make further comments as detailed below:

- I would like to support this proposal on the grounds that it is lovely to see a local couple hoping to stay in their home town in a house designed by a local architect, built by a local builder etc.;
- The actual design of the house although modern mirrors some of the newer builds in Shaldon and therefore will be very much in keeping;
- An excellent design that enhances that area;
- Mr and Mrs Boyne were both born in Teignmouth and building a new, architect designed home, for them to live in, to carry on their family heritage of living and working in Teignmouth can only be a good thing;
- Looks like a lovely proposal, a great improvement on current property.

The comment received is as follows:

- Totally approve of houses which need to work in our current climate of change, sustainability is so important, this modern design can transform this home to run economically and efficiently which is a high priority and looking to the future. This design will sit beautifully in its position looking out to sea.

The objection received from the occupier of the property known as 'Fort Inverteign' is as follows:

- Serious concerns about the antisocial aspects of this build. Noise pollution, dust and grime, parking and access.

7. **TOWN / PARISH COUNCIL'S COMMENTS**

Teignmouth Town Council:

Category B if Planning Officer is minded to approve

8. **COMMUNITY INFRASTRUCTURE LEVY**

The proposed gross internal area is 394.14. 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 200 sq m. The CIL liability for this development is £33,913.57. This is based on 194.14 net m²

additional floorspace at £125 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.

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