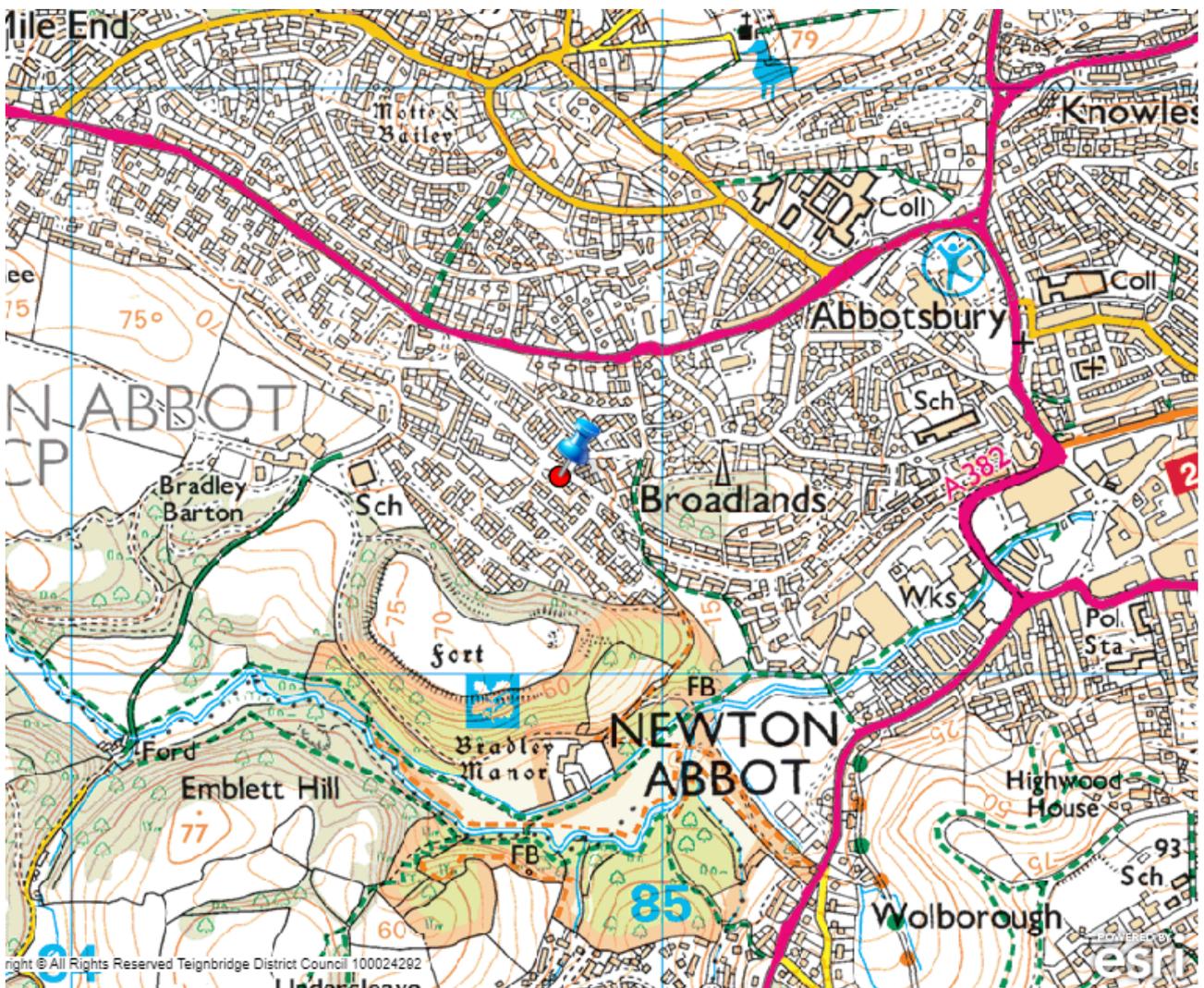


PLANNING COMMITTEE REPORT

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 21/00846/FUL - 4 Kiln Orchard, Newton Abbot - Erection of a dwelling with parking facilities	
APPLICANT:	Mr T Furze	
CASE OFFICER	Jennifer Joule	
WARD MEMBERS:	Cllr Philip Bullivant Cllr Mike Hocking	Bradley
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=21/00846/FUL&MN	





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1. REASON FOR REPORT

1.1 This application has been called to Committee by Cllr Hocking for the following reasons:

- 1) Over development of the site.
- 2) Loss of amenities for the original dwelling – outdoor space by 60%, garage and parking.
- 3) Adverse effect on the street scene.

2. RECOMMENDATION

2.1 The application is recommended for approval subject to the following conditions:

1. Standard three year time limit.
2. Subject to development in accordance with the submitted plans.
3. Provision for biodiversity net gain through the installation of bird and bat boxes within the new dwelling.
4. Provision of electric vehicle charging point in accordance with Policy 2 NANDP.
5. Boundary treatments to be submitted / levels details / refuse storage
6. Limited PD restrictions on proposed and host property

3. DESCRIPTION

Site Description

- 3.1 4 Kiln Orchard is a semi-detached house with a garage within the Broadlands area of Newton Abbot.
- 3.2 The existing house forms the eastern end of a terrace of 5 dwellings all of a similar appearance and size. To the east of the site is a row of six garages, with this site encompassing the westernmost garage on the row.
- 3.3 Kiln Orchard is the highway to the front of the dwelling. There is a strip of on-street parking immediately to the front of the site and extending along the row of garages to the east.
- 3.4 Barton Drive is the highway to the rear of the dwelling. Barton Drive also has a dedicated area of on-street parking immediately to the rear of the site.

Proposal

- 3.5 It is proposed to demolish the garage and erect a new dwelling in its place. The dwelling will have two bedrooms and replicate the appearance of the others on the terrace but with the benefit of a slightly larger rear bedroom and living room to the rear, lending the proposed dwelling an 'L' shape. There is a window on the host dwelling that will be lost.

- 3.6 The garden of no. 4 will be reduced to the area immediately to the north of the dwelling, which replicates the arrangement of no.s 2 and 3. The new dwelling will benefit from a slightly larger rear garden extending to the east of the new house and behind the existing garages (in separate ownership).
- 3.7 The new dwelling will meet the Nationally Described Space Standards and will benefit from one car parking space to the front. The existing dwelling will lose its garage and car parking space and will be required to park any cars either to the front or rear of the dwelling within the existing dedicated on-street parking.

Key Planning Considerations

- 3.8 It is considered that the key matters relevant to the determination of this planning application are:
- Design and impact on the street scene;
 - Impact on residential amenity for the proposed and existing dwellings; and,
 - Highway safety.

3.9 Design and Impact on the Street Scene

Concern has been raised with the external appearance of the dwelling and its visual impact on the street scene.

The Case Officer shared these concerns with the proposal as originally submitted. The design of the front and rear elevations appeared out-of-keeping with the wider terrace and immediate neighbourhood owing to the narrow width of the windows and lack of horizontal cladding to the front elevation.

The Case Officer sought amendments to the proposal to ensure the new dwelling would replicate the appearance of the others within the terrace. With these amendments it is now considered that the dwelling will appear as a natural addition to the terrace and assimilate effectively within the street scene.

From the front, the new dwelling will be stepped back from no. 4 and align with the position of the existing garage. It will therefore match the existing stepped design of the terrace. This has the added benefit of facilitating the delivery / maintenance of an off street parking place. The materials, size and form of the proposal will match the existing street scene.

From the rear, when viewed from Barton Drive, the proposal will match the window size, general scale and form of the existing terrace but will appear slightly wider than its neighbours. This change was made to ensure the new dwelling could meet the Nationally Described Space Standards. The design of the rear of the dwelling is considered sufficiently similar to the existing terrace to be in-keeping with the neighbourhood and appropriate for the street scene.

The proposal is therefore considered in accordance with Policy S2 and a successful response to the site's context.

3.10 Impact on Residential Amenity

No. 4 Kiln Orchard, the existing or host dwelling, will remain as is but will lose the eastern part of its garden, its garage and off-street parking space. It will retain a smaller garden commensurate in size with the gardens of no.s 2 and 3 Kiln Orchard.

The proposal does not contain any side elevation windows other than at ground floor level.

It is not expected that there will be any adverse impact on no. 4 or other neighbours from the perspective of amenity where it relates to natural light, overlooking/privacy or security. The proposal is therefore considered in accordance with Policy S1.

Whilst it is recognized that no. 4 will lose some of its rear garden space and garage, a garden will remain which is of a very similar size to the neighbouring dwellings to the west, and is therefore considered an appropriate and acceptable level of private outdoor space for no.4. This is however considered to be at the margins of acceptable amenity space and therefore a condition is proposed to remove permitted development rights for boundary treatments and rear extensions for both the existing and proposed dwellings.

Number 4 currently benefits from a rear access gate that could be utilised for maneuvering refuse bins. No details have been provided for boundary treatments for the proposed new dwelling and hence these details are proposed to be required by condition.

3.11 Highway Safety

Teignbridge District Council does not have specific parking standards and so it is necessary to consider applications against the relevant policies of the Local Plan as well as any other material considerations.

Road safety and congestion are the key policy tests within Policy S1 and the NPPF refers to highway safety as the key test at paragraph 111.

The new dwelling will benefit from one car parking space which is considered acceptable for a modest-sized, two bedroom house. On-street parking immediately in front of this space will also be available.

The existing dwelling, no. 4, will lose its off-street parking but will retain the ability to use the on-street parking immediately to the front and rear of the site. The front garden is of insufficient length to accommodate an off street parking space. On-street parking is common in urban areas and is not considered an unsafe arrangement.

No. 4 is a two-bedroom property and is likely to similarly generate the need for one or two new cars. When undertaking a site visit the Case Officer observed that there were spare on-street parking spaces available and it was possible to park in very close proximity to the site.

It is therefore considered that the additional demand for on-street parking which is likely to be generated by the proposal could be safely accommodated within the local highway and does not amount to a reason for refusal of the application.

Conclusion

- 3.12 Newton Abbot is recognised as a sustainable and suitable location for new housing development. This proposal is considered a successful response to the site which will assimilate well in to the built environment and make effective use of the plot. It is therefore not considered overdevelopment and is recommended for approval subject to the above conditions.

4. POLICY DOCUMENTS

- 4.1 The following relevant policies have been considered as part of assessing the proposed development:

Teignbridge Local Plan 2013-2033

S1A Presumption in Favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S23 Neighbourhood Plans

S14 Newton Abbot

EN8 to 11 Biodiversity Protection and Enhancement

Newton Abbot Neighbourhood Plan

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

- 5.1. Devon County Council Highways Officer recommended the use of the Highways Standing Advice.
- 5.2 No other consultation responses were sought.

6. REPRESENTATIONS

- 6.1 One letter of representation has been received objecting to the proposal and stating that 'the area is already over developed.'

7. TOWN / PARISH COUNCIL'S COMMENTS

- 7.1 The Committee recommended refusal on the grounds of over development, adverse affect on the street scene and loss of amenity.

8. COMMUNITY INFRASTRUCTURE LEVY

- 8.1 The proposed gross internal area is 75.3sq.m. 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 29.6sq.m. The CIL liability for this development is £4,457.18. This is based on 45.7 net m² at £70 per m² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

9. ENVIRONMENTAL IMPACT ASSESSMENT

9.1 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. CARBON/ CLIMATE IMPACT

10.1 It is considered likely that the overall carbon/climate impact of this proposal will be low due to the small scale nature of the proposal. An informative encouraging the use of lower carbon construction and technologies will be applied and a condition is included requiring the provision of EV charging for the new dwelling.

11. HUMAN RIGHTS ACT

11.1 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