

Planning Committee Report

Chairman: Cllr. Mike Haines

Date	22 November 2022
Case Officer	James Joubert
Location	5 Woodland Avenue Teignmouth Devon TQ14 8UU
Proposal	Demolish and replace single garage, ground and first floor extension, loft conversion, porch extension, addition of a pool, and internal configuration
Applicant	Ms L Roff
Ward	Teignmouth East
Member(s)	Cllr Robert Phipps, Cllr Sylvia Russell
Reference	21/01851/HOU



[Online Details and Documents](#)

RECOMMENDATION: Recommendation Pending

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1. REASON FOR REPORT

This application has been brought to Planning Committee for determination by Dawlish Town Council as per their comments on the application below.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Development to commence within 3 years.
2. Development to be carried out in accordance with the approved drawings.
3. Undertake precautions and recommendations of the ecology report including enhancements.
4. Installation and commissioning of Carbon Reduction measures

3. DESCRIPTION

- 3.1. The application site is a dwelling located on the Woodland Avenue, Teignmouth. The plot is approximately 0.8ha in size.
- 3.2. Woodland Avenue is positioned to the north west of the house and entry to the property is from the west for both vehicles and pedestrians.
- 3.3. Woodland Avenue is a single two-lane carriageway which is unclassified.
- 3.4. The site is located on a slope which slopes down from the north to the south. There is approximately a 7m height differential between the highest and lowest points of the site.
- 3.5. The distance from the existing dwelling on the site to the railway line and coast edge is 180m and 200m respectively.
- 3.6. The property is surrounded by residential developments in all directions which have been built over a number of years with the most recent built in the early 2010s.

4. APPLICATION PROPOSAL

- 4.1. The development will comprise the following:
 - Demolition of the existing wooden garage.
 - Addition of an extension (ground and first floor) on the north elevation with an increase in roof height to form a pitched roof for an additional roof space (loft conversion).
 - Removal of existing chimneys from the east and west elevations.
 - Inclusion of a garage into extension.
 - Reworking of south elevation to include:
 - Large basement doors to existing room.
 - Extension of existing ground floor room to form large room.
 - New deck/porch forward of existing deck and building elevation.
 - Addition of juliet balconies to existing first floor windows.

- Addition of large roof lights.
- A new pool to the south of the dwelling.
- Internal reconfiguration.

5. KEY CONSIDERATIONS

5.1. The application seeks full planning permission for demolition and replacement of a single garage, ground and first floor extension, loft conversion, deck/porch extension, addition of a pool, and internal configuration. The key issues in the consideration of the application are:

- Impact of the development upon the character and visual amenity of the area;
- Impact on the residential amenity of the occupiers of surrounding properties;
- Drainage;
- Impact on railway infrastructure; and
- Ecological impact of the proposal; and
- Energy efficiency and climate impact.

Impact upon the character and visual amenity of the area

5.2. Policy S1 (Sustainable Development Criteria) requires proposals to maintain or enhance the character and appearance of settlements and street scenes. Policy S2 (Quality Development) requires development to utilise high quality design by responding to the characteristics of the site, its wider context and surrounding area by making the most effective use of the site, integrating with and, where possible, enhancing the character of the adjoining built environment.

5.3. The site lies within a suburban setting on a steep sloping hillside in northern Teignmouth, near to the A379 (Teignmouth Road). The surrounding dwellings are predominantly detached two storey and single storey dwellings of varying ages. There is a largely regular type of development style observed in the area with some scattered developments. The predominant building materials are painted render exteriors and roof tiles. The adjoining properties of the dwelling are two to three storey (including basements) with the dwelling to south being a single storey bungalow.

5.4. Woodland Avenue is a typical residential street with dwellings located along both sides of the road. The dwellings on the southern side of the road sit largely at the same height as the subject site, only varying as one moves further to the west and higher as one moves east and north. The dwellings to the north of the dwelling all sit higher than the site. The existing dwelling lies largely level with the road.

5.5. From observation, there are some side and rear extensions on dwellings within the street. The proposed ground and first floor extension on the north elevation contains a similar, albeit widened, profile to the current roof and those seen in the street. The alteration to the west elevation to include the garage and entrance way is complementary to the existing dwelling. The extension to the ground floor is minor and not considered to be harmful to the existing dwelling and wider area. On balance, it is considered that the proposal would be in character with its surroundings.

5.6. The proposed materials are to match the existing dwelling. These materials replicate those seen in the immediate area.

5.7. Taking into account the provisions of Policy S1 and S2, whilst substantial when compared to the existing dwelling, the addition of the extensions, roof change and addition of windows and decking is not out-of-scale with the surroundings and it is not considered that it will lead to overdevelopment of the large site.

Impact on the residential amenity of the occupiers of surrounding properties

5.8. Policy S1 requires proposals to consider the impact on residential amenity, particularly privacy, security, outlook and natural light.

5.9. Policy WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments) is of key relevance to this proposal and states:

To ensure existing dwellings can be adapted and improved while complementing the character of existing residential areas and protecting the living conditions of neighbours, minor developments within residential curtilages such as extensions, outbuildings, other means of enclosure and renewable energy installations will be permitted if:

- c) the **scale is appropriate** to the existing building and would not:
 - i. **overdevelop the site** or result in the provision of insufficient amenity space
 - ii. result in the **undue loss of outlook or light to habitable rooms** of neighbouring properties
 - iii. **reduce the level of privacy** enjoyed by neighbouring properties
 - iv. have a **dominant or overbearing impact** on neighbouring properties or the street-scene
- d) there is no net loss of any trees, hedgerows or other key features (e.g. stone boundary walls) which contribute to the character and amenities of the property and/or area; and
- f) it can be demonstrated that the proposals are in a location that will not affect the integrity of the South Hams SAC.

[Emphasis added]

5.10. Each of these criteria will be considered in turn.

5.11. The question of appropriate scale and overdevelopment of the site was reviewed and it was considered that, in the context of the surrounding area, and given the plot size, overdevelopment would not occur. The site is considered easily able to accommodate the proposed development whilst keeping sufficient amenity space for its inhabitants.

5.12. The objection made by the Town Council in this regard has been considered, however, as mentioned previously the site is easily capable of accommodating the proposed development without overdeveloping the site and impacting the amenity of the property.

5.13. The question of undue loss of outlook or light of habitable rooms was reviewed and it was considered that it would not result in an undue loss of outlook

or light to habitable rooms to any property as a result of the orientation and disposition of dwellings as well as separation distances. It is not considered likely that the development would have a material impact on the outlook of any of the immediate and nearby neighbouring properties. The nearby neighbouring properties to the north and south are a considerable distance from the dwelling (approximately 30 – 50m away respectively). The development is not likely to lead to an unacceptable loss of light for 3 Woodland Avenue, the immediately adjoining neighbour. However, some loss of light may be experienced at 3 Woodland Avenue, potentially during late afternoons and early evenings, it is considered that it would be limited to the rear garden of said property and not of a materially higher level than that currently experienced.

5.14. The proposed decking and windows included in the application are considered to have a negligible impact on overlooking and privacy. It is noted that several of the windows located on the eastern elevation of the dwelling are in situ. The proposed roof light on the eastern elevation is located at 1.7m above final floor level. It is not considered that these windows would lead to an unacceptable level of overlooking towards 3 Woodlands Avenue. Existing adjoining properties are largely two storeys in height and a degree of inter visibility/ overlooking would be expected in this area. The remaining windows of the dwelling are either in situ or altered proposed windows such as those on the north elevation and are not considered to lead to an unacceptable level of overlooking. The addition of a substantial level of windows, doors and juliet balconies on the southern elevation although allowing for a high level of outlook would likely not lead to an unacceptable level of overlooking nor privacy concern. The proposed decking will sit at the same level as the existing deck albeit set forward. From the site visit carried out it was not easily possible to view into neighbouring properties and it is considered the setting of the deck further forward would make this more difficult. It is therefore considered that the development is acceptable in this regard and this would not constitute a reason for refusal.

5.15. The proposed additions and extensions to the dwelling do lead to a minor increase in height in some sections of the dwelling such as the north elevation. However, is not considered to lead to any material harm. This is due to the topography of the site and its relationship to neighbour dwellings. Due to the intervening distance between the dwelling and the southern neighbour of approximately 50m it is not considered that the dwelling would be overbearing. The dwelling is further not considered to be overbearing on either 3 or 9 Woodland Avenue due to its existing relationship with said properties. 3 Woodland Avenue lies in close proximity to the application dwelling and the additions to the dwelling would not add an unacceptable level of massing to offset the current relationship in a negative manner. 9 Woodland Avenue lies approximately 25m away from the application dwelling and therefore the additions to the dwelling are not likely to adversely affect this property.

Drainage

5.16. The proposed development does not contain information regarding site drainage or mitigation measures. However, from an assessment of the scheme and a site visit, there is a minimal addition to the level of hardstanding surrounding the site. The vehicle parking area which is in situ is not proposed to be expanded. The other hardstanding indicated in the scheme which surrounds the dwelling is also largely in situ. The only noticeable addition of hardstanding will be located

around the proposed pool. The area of hard standing surrounding the pool as well as the pool would *likely* benefit from Permitted Development Rights as accorded by the General Permitted Development Order, 2015.

5.17. Although not provided within the application, it is considered that existing rain water goods would be satisfactory and able to accommodate any increase in water flow experienced on the dwelling and wider site.

5.18. It was not considered necessary to consult TDC drainage for this application and where no demonstrable differences are proposed on site in terms of drainage.

Impact on railway infrastructure

5.19. The dwelling is situated approximately 100m from the edge of land under the ownership of Network Rail and a further 180m from the railway track (Exeter to Newton Abbot). We are not required to consult Network Rail on applications this separated from the Railway, nor of this nature.

5.20. It is considered that the development will not have an impact on the railway line and the intervening developments are considered relevant in this regard.

Impact of the proposal on biodiversity

5.21. A preliminary ecological survey and bat emergence survey was submitted with the application.

5.22. The preliminary ecological survey found no evidence of bats and noted that the dwelling offers a low potential roost habitat. A single further emergence survey was recommended with regard to bats to determine likely presence or absence. No further survey effort was required for barn owls or nesting birds.

5.23. The bat emergence survey found no bats were emergent from the building and there is currently no evidence of bat roosting at the site. Only low levels of common pipistrelle were recorded passing the site. Due to the current absence of bats, no mitigation is deemed necessary, however, enhancements were provided for biodiversity net gain. Recommendations and mitigations have been provided in the report in section 7. These recommendations and enhancement will be secured through condition to ensure that, should bats be identified, protection measures are in place.

5.24. The application is therefore considered to satisfy the Local Plan, subject to the condition being applied.

Energy efficiency and climate impact

5.25. The applicant has indicated that they will be installing:

- an ASHP
- Solar Panels
- An EV charging point

These measures combined with the renewed fabric of the property are likely to lead to significant operational carbon reductions and their commissioning will be conditioned.

6. POLICY DOCUMENTS

6.1. Teignbridge Local Plan 2013-2033

S1A Presumption in Favour of Sustainable Development
S1 Sustainable Development Criteria
S2 Quality Development
S7 Carbon Emissions Targets
WE8 Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments
EN3 Carbon Reduction Plans
EN8 Biodiversity Protection and Enhancement
EN11 Legally Protected and Priority Species

6.2. National Planning Policy Framework

6.3. National Planning Practice Guidance

7. CONSULTEES

No consultation responses were sought for this application.

8. REPRESENTATIONS

No representations were made for this applications.

9. TOWN/ PARISH COUNCIL'S COMMENTS

Dawlish Town Council – decision taken by parish planning committee on 16 September 2021.

Resolved that this Council recommends Refusal of this application on the grounds of:

- Overdevelopment of a narrow site;
- Substantial increase of hard standing areas and lack of water run-off mitigation measures;
- The proximity to the cliff edge and critical railway section;
- A lack of consultation with Network Rail;
- A lack of consultation with South West Water; and
- A lack of a detailed drainage report for the proposed development.

10. COMMUNITY INFRASTRUCTURE LEVY

Chose from options below and insert/delete as necessary:

- This development is not liable for CIL because:
 - It is less than 100m² of new build and does not result in the creation of a dwelling.

11. 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.

12. CARBON/ CLIMATE IMPACT

As a householder application, an informative will be added to any permission granted, encouraging the use of sustainable construction techniques.

11. 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