

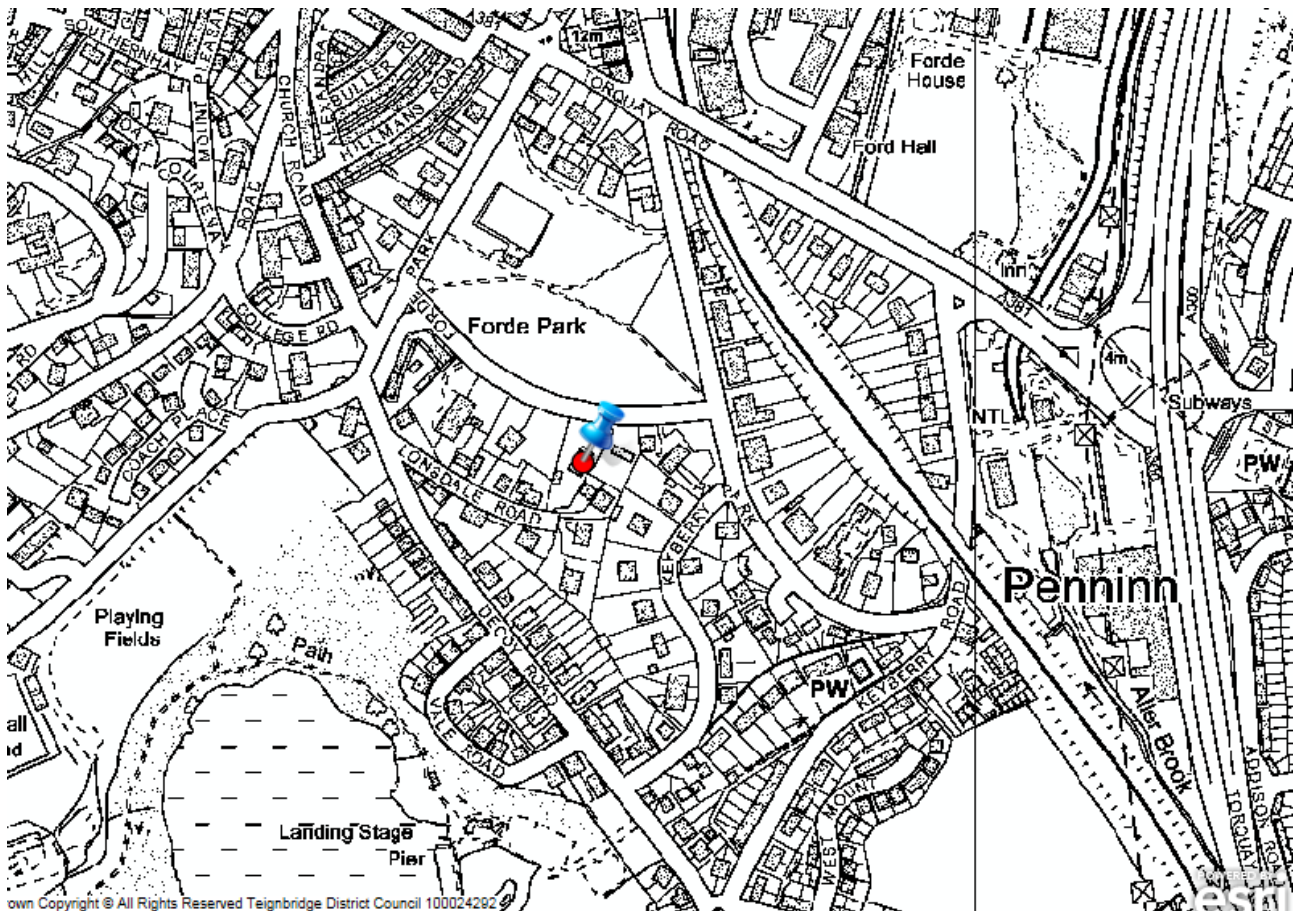
# PLANNING COMMITTEE REPORT

## Tuesday 18 December 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>NEWTON ABBOT - 18/01785/REM - 9 Forde Park - Approval of details for a dwelling (approval sought for layout, scale, appearance, access and landscaping)</b>	
<b>APPLICANT:</b>	<b>Ms B Stone-Parker</b>	
<b>CASE OFFICER</b>	<b>Anna Mooney</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Pilkington Councillor Jones</b>	<b>College</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/01785/REM&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/01785/REM&amp;MN</a>	





## **1. REASON FOR REPORT**

Councillor Pilkington has requested Committee determination because he is concerned that the means of access to this development is via Lonsdale Road.

## **2. RECOMMENDATION**

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with approved plans
3. Parking to be provided and retained
4. Restricted Permitted Development Rights
5. Obscure glazing to first floor (bathroom) window in west elevation and top hung
6. Obscure glazing to first floor (bathroom) window in north elevation and top hung
7. Sample stone panel
8. Sample or details of all external material
9. Drainage proceed in accordance with submitted details
10. Demolition works in accordance with Ecological Survey (Outline condition 5)
11. Notwithstanding Ecological Survey (received 8 November 2018) bird and bat boxes located as shown on Drawing PL3 Rev B.

## **3. DESCRIPTION**

- 3.1 The application site falls within the settlement limit for Newton Abbot, as depicted on the Teignbridge Local Plan 2013-2033 Proposals Map.
- 3.2 The application seeks approval of details for a dwelling (approval sought for layout, scale, appearance, access and landscaping) following already granted outline permission 17/01809/OUT.
- 3.3 The current proposal provides a dwelling with rendered elevations and natural slate roof to reflect the local character. It also includes retention and enhancement of the front boundary to Lonsdale Road, with additional stone boundary walling and a native hedge boundary to the north of the site to complement the original host dwelling, 9 Forde Park.
- 3.4 There is considerable planning history on the application site for permission for a single dwelling with access onto Lonsdale Road. This includes 09/01791/FUL and the renewal of this permission under 12/01476/FUL. The principle has therefore been established for some time.
- 3.5 The key issues in the consideration of this application for approval of reserved matters relate to:
  - Impact on the character and appearance of the Conservation Area
  - The effect of the proposal on residential amenity
  - Ecology/biodiversity
  - Highway safety
  - Drainage

The issue of principle is not a consideration at this time.

## Impact upon the character and appearance of the Conservation Area

- 3.7 The site is located within the Newton Abbot Conservation Area. Having regard to its statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the planning department to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Where harm to the character or appearance of the Conservation Area is identified the Council must give this considerable importance and weight.
- 3.8 Policy EN5 (Heritage Assets) of the Teignbridge Local Plan 2013–2033 states that:
- To protect and enhance the area's heritage, consideration of development proposals will take account of the significance, character, setting and local distinctiveness of any affected heritage asset, including Scheduled Monuments, Listed Buildings, Conservation Areas, Historic Parks and Gardens, other archaeological sites and other assets on the Register of Local Assets, particularly those of national importance.
- Development should respect and draw inspiration from the local historic environment responding positively to the character and distinctiveness of the area, important historic features, their settings and street patterns. Where appropriate development should include proposals for enhancement of the historic environment including key views and actions identified in Conservation Area Character Appraisals and Management Plans.
- 3.9 The original host dwelling, 9 Forde Park, presents within the Conservation Area predominantly from the north side into Forde Park. To the rear (south) dwellings located in Lonsdale Road display a mixed pattern of development, with many of the dwellings to the north side of the road having been constructed in the original rear gardens of dwellings fronting Forde Park to the north.
- 3.10 Lonsdale Road is characterised by a variety of design styles and ages, with many of the more recent dwellings located to the north side of the road. A unifying element between the properties is that many have rendered elevations and stone boundary walls. The proposed dwelling, which is fairly traditional in appearance, is two storey, as are neighbouring dwellings to the east and west sides, and is set within a similar plot size. The proposed dwelling will have rendered elevations, a natural slate roof and improved stone boundary frontage in keeping with the predominant material palette in the area.
- 3.11 The front boundary enclosure is to be maintained with timber entrance gates, a new pier to match the existing pier (in stone with brick quoins) and adjacent new stone boundary walling (replacing existing timber fencing) to the east of the entrance gates. Native hedging to the north of the site will provide boundary screening to the north to ensure that the proposal preserves and enhances the appearance of the Conservation Area when viewed from the original host dwelling, 9 Forde Park, to the north.
- 3.12 It is therefore considered that the proposals preserve the character and appearance of a conservation area as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy EN5 of the Teignbridge Local Plan.

### Residential amenity

- 3.13 To the front (south) the proposed dwelling is not considered to give rise to any unacceptable overlooking as this elevation fronts on to Lonsdale Road.
- 3.14 To the rear one roof light and two first floor windows are proposed, serving a bathroom and two bedrooms. The roof light is to be set 1.7 metres above finished floor level to prevent unacceptable overlooking. The bathroom window is to be obscure glazed and top hung (this will be conditioned) to prevent unacceptable overlooking.
- 3.15 It is acknowledged that the remaining bedroom window could give rise to an element of overlooking to first floor windows in the former host dwelling, 9 Forde Park. Within 9 Forde Park the two first floor windows in the south elevation serve a bathroom and kitchen. However, as this window is set to the west side of the rear elevation and the first floor windows in 9 Forde Park are to the east, this window is not considered to give rise to an unacceptable level of overlooking to the former host dwelling.
- 3.16 To the west elevation there is one small first floor bathroom window. This window is to be obscure glazed and top hung (this will be conditioned) to prevent unacceptable overlooking. With the benefit of obscure glazing/top hanging this window, which looks towards the rear garden of the neighboring dwelling, is not considered to give rise to any unacceptable overlooking.
- 3.17 Following concern that the most southerly first floor window to the east elevation will give rise to some overlooking to the neighbouring dwelling, this window has been removed. One first floor window remains to the east elevation. This window will face the windowless upper elevation of the neighbouring dwelling and is not considered to give rise to any unacceptable overlooking.
- 3.18 The proposed dwelling, which is located on a site of similar size to several of the neighbouring dwellings and is detached, is not considered to be overbearing to any neighbouring dwellings.
- 3.19 A condition to restrict permitted development is proposed to safeguard future residential amenity.

### Ecology/biodiversity

- 3.20 Following initial comments from the Biodiversity Officer, a revised Landscape Plan, Landscape Management Plan and Planting Schedule and details of bird and bat boxes have been received. The positioning of bird and bat boxes are as shown on Drawing PL3 Rev B received on 28 November 2018). The Biodiversity Officer is now satisfied that the proposals ensure that there is no net loss of biodiversity.

### Highway safety

- 3.21 Devon County Highways standing advice requires private drives to have adequate provision for parking and turning. The proposal allows for vehicle turning within the site and includes off-road parking for two vehicles which is considered to be adequate provision.

- 3.22 Whilst the application dwelling has no visibility splay to Lonsdale Road, this is in common with many of the existing dwellings on this road. As the limited size of Lonsdale Road requires slow traffic movement the proposals are not considered to give rise to any additional highway safety issues. There are no Highways or access reasons for refusal.

#### Drainage

- 3.23 Following receipt of the Foul and Surface Water Drainage Report on 23 October 2018, Teignbridge Drainage Engineers have confirmed that they are satisfied with the drainage proposed (this will be conditioned as requested by Teignbridge Drainage Engineers). This satisfies condition 7 of outline approval 17/01809/OUT requiring a scheme of foul and surface water disposal.

#### Other Matters

- 3.24 Incorrect elevation orientation on Drawing PL3 has been corrected by the submission of Drawing PL3 Rev B showing the correct orientation.
- 3.25 A construction plan has not been conditioned for previous approvals for a dwelling on the site and is not considered appropriate for the current application given the nature of the proposal as a single new dwelling.

#### Summary and conclusion

- 3.26 The Planning Act, the National Planning Policy Framework (NPPF) and Policy S1A of the Teignbridge Local Plan require that applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 3.27 The proposed dwelling is considered to be in keeping with the character of the Conservation Area with no adverse impact on the amenity of the occupiers of neighbouring dwellings.
- 3.28 It is therefore recommended that the proposals should be approved subject to the recommended conditions.

## **4. POLICY DOCUMENTS**

#### Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)  
S1 (Sustainable Development Criteria)  
S2 (Quality Development)  
EN5 (Heritage Assets)

#### Planning (Listed Buildings and Conservation Areas) Act 1990

#### National Planning Policy Framework

#### National Planning Practice Guidance

## 5. CONSULTEES

Devon County Highways - Standing Advice.

Teignbridge Biodiversity Officer 5 November 2018 - Additional and revised information is needed. Condition 5 from the Outline permission must still apply.

Details of bird and bat boxes required.

Revised lawn mix required and revised Landscape Management Plan.

Teignbridge Biodiversity Officer 28 November 2018 - The revised landscape plan and the bat and bird box information are acceptable.

Teignbridge Drainage Engineers - The development shall proceed in accordance with the submitted AquaTech Foul and Surface Water Drainage Strategy Report - reference AT2307, dated 23 October 2018.

As part of the Building Regulations Approval, Devon Building Control shall ensure that the proposed drainage serving this development complies with Building Regulation Document H and Infiltration testing with BRE 365 (2016).

## 6. REPRESENTATIONS

18 letters of objection raising the following points:

1. Proposal is contrary to Government planning policy
2. Proposal is detrimental to the quality, character and amenity of the area
3. Unsympathetic to the character of the Conservation Area
4. Inadequate parking and access
5. Will give rise to increase in traffic in area and parking issues
6. Lonsdale Road is not suitable for access
7. Proposed dwelling is too large for the site
8. Overlooking to neighbour (no address given)
9. Overlooking to 6 Lonsdale Road
10. Materials proposed for the gate piers are not in keeping with area
11. Overlooking to 9 Forde Park
12. Concern that condition 7 (foul and surface water disposal) on outline application 17/01809/OUT has not been met
13. Construction plan requested to address access for large vehicles and waste disposal
14. Overlooking to 7 Lonsdale Road

## 7. TOWN COUNCIL'S COMMENTS

The Committee recommends refusal on the grounds of highways issues where it was noted that the criteria within Devon County Council advice had not been met.

## 8. COMMUNITY INFRASTRUCTURE LEVY

The proposed gross internal area is 209.31m<sup>2</sup>. 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 0.00 m<sup>2</sup>. The CIL liability for this development is £19,249.51. This is based on 209.31 net m<sup>2</sup> at £70 per m<sup>2</sup>

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.

**Business Manager – Strategic Place**