

PLANNING COMMITTEE REPORT

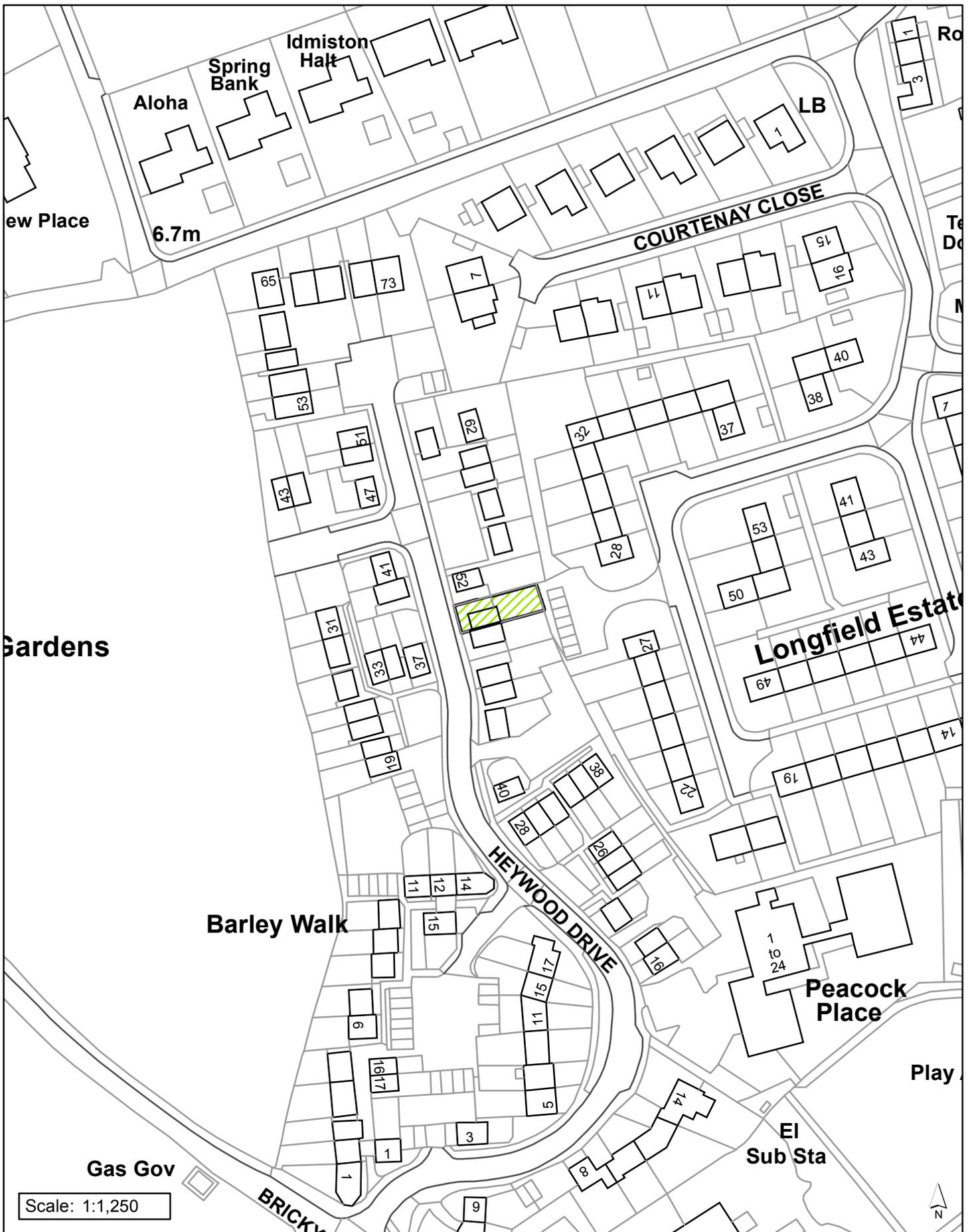
16 April 2019

CHAIRMAN: Cllr Dennis Smith



| | | |
|---------------------------------------|---|------------------------------|
| APPLICATION FOR CONSIDERATION: | STARCROSS - 19/00049/FUL - 50 Heywood Drive - Two storey side extension | |
| APPLICANT: | Mrs Rayner and Mr Hodgson-Baylis | |
| CASE OFFICER | Claire Boobier | |
| WARD MEMBERS: | Councillor Connett | Kenton With Starcross |
| VIEW PLANNING FILE: | https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/00049/FUL&MN | |





19/00049/FUL - 50 Heywood Drive, Starcross, EX6 8SD



Based upon Ordnance Survey Material with Permission of Ordnance Survey on behalf of the controller of Her Majesty's stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Teignbridge District Council 100024292

1. REASON FOR REPORT

Councillor Connett has requested that this application be referred to Planning Committee for determination if the Case Officer recommendation is one of approval. The reason stated for this request relates to concerns that the size and scale of the proposal will be over-dominant in relation to the neighbouring property and street scene. A shortened off-road parking space could lead to additional on-street parking and concerns about loss of light and privacy to the occupiers of the neighbouring property.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to conditions:

1. Standard 3 year time limit for commencement;
2. Development to be carried out in accordance with approved plans;
3. Matching materials.

3. DESCRIPTION

Site and Proposal

- 3.1 The application relates to a semi-detached property located within the settlement of Starcross.
- 3.2 Planning consent is sought for a two storey side extension to the property.

Principle of Development

- 3.3 The application relates to an extension to an existing dwellinghouse and is therefore in principle supported by Policy WE8 (Domestic Extensions Curtilage Buildings and Boundary Treatments) of the Teignbridge Local Plan 2013-2033 subject to the proposed extension being compliant with the criteria as set out in this policy and with the policies of the Teignbridge Local Plan taken as a whole.

Residential Amenity Considerations

- 3.4 Concern has been raised in the representations received on behalf of the occupier of no. 52 Heywood Drive that the proposal would result in an overbearing impact and be overwhelming on no. 52; would result in overshadowing to its garden and result in loss of light and warmth to this property due to the position of the extension in relation to the first floor side elevation window in no. 52 and its location in relation to the conservatory at no. 52. Concern has also been raised that the windows in the west elevation would result in overlooking and loss of privacy to the occupiers of no. 52.
- 3.5 In response the agent for this application has submitted a sunlight assessment to seek to demonstrate the existing situation and how the proposal would impact on light to no. 52.
- 3.6 Having visited no. 52 this property has a first floor window in its side elevation which is sited above the stairs, this provides some light to the downstairs living room in no. 52 as a result of the open nature of the staircase in the property, which

allows light to filter down into the living room. This living room is also served by light through the conservatory erected to the rear of this property which is fully glazed.

- 3.7 Had this first floor window been sited in a habitable room or had it been the only light source to the living room it is considered that a loss of light argument could be made. However, as the window provides a secondary light source for the living room and the main light source for the living room is glazing to the rear of the property which has been partially compromised by the erection of a conservatory at no. 52, it is considered that an argument for loss of light to this habitable room would be difficult to justify particularly given that the sunlight analysis conducted does not suggest a significant level of light loss as a result of the extension. Therefore, on balance, whilst it is considered the proposal will cause some loss of light to no. 52, Officers cannot conclude that it would cause a significant loss of light to the living room or conservatory off the living room to justify a refusal on this ground. Furthermore, it is not considered that the associated loss of heat concern could be justified and an argument on either loss of light or heat grounds sustained at appeal in this case.
- 3.8 The relationship between no. 50 and no. 52 with no. 50 being sited beyond the rear of no. 52 in part results in the existing property appearing dominant when viewed from the garden and conservatory of no. 52. Whilst the proposal would bring the extension closer to the boundary with no. 52, it is not considered that it would significantly alter this existing relationship to an extent that a refusal on the extension being overbearing on no. 52 could be justified particularly given the revision in height of the extension during the course of the consideration of this application.
- 3.9 Concern has been raised about overlooking and loss of privacy to the garden of no. 52 from the windows proposed to the west. There is existing potential to overlook the rear garden of no. 52 from the existing first floor window in no. 50. Whilst the proposal would introduce an additional window closer to the boundary with no. 52; this window is not assessed to significantly increase the potential for overlooking to the garden of no. 52 above that which is currently possible. Furthermore, boundary treatment would prevent the ground floor window from causing overlooking/loss of privacy. A refusal on overlooking/loss of privacy is therefore not considered to be justified in this case.
- 3.10 Furthermore, as any first floor window in the side elevation would need to be obscure glazed and fixed shut unless above 1.7 metres from the floor level of the room in which it is sited to be permitted development, it is not considered necessary to add a condition to prevent a window being inserted in the side elevation of the extension as this would be controlled in any event by permitted development allowances. Any clear glazed window or openable window that did not meet the above restrictions would require the benefit of planning consent, the impact of which could be considered at time of application.
- 3.11 As the window to the front would face the street it is not considered that this window, which has been reduced in size during the course of the application, would raise overlooking concerns.
- 3.12 Overall, on balance, it is not considered that a refusal on residential amenity grounds could be justified in this case.

Design Considerations

- 3.13 During the consideration of this application revisions have been made to the design of the proposal to make sure that the extension appears subservient to the host property; this has been achieved by stepping the extension down from the roof ridge and setting it back from the front of the host property. Revisions have also been made to the fenestration treatment including reducing the size and style of the front elevation window so that it matches the existing on the front elevation of the host property; the eaves of the extension have also been lowered to match those of the host property, and alterations have been made to the style and size of the windows proposed for the rear elevation of the extension to ensure that these are compatible with the existing first floor window on the rear elevation of the host property.
- 3.14 It is considered that the revisions made result in an extension that in design terms is compatible with the host property, both in style and materials, and the revised design will ensure that the extension reads as a subservient addition to the property. Furthermore, it is considered that the revisions made will ensure that the proposed extension would not appear out of character with the street scene as required by Policy S2 (Quality Development) of the Teignbridge Local Plan 2013-2033.
- 3.15 The design of the extension is therefore considered to be acceptable. If minded to approve this application a condition is recommended to ensure that the materials used for the extension match those of the existing property.

Highway Safety and Parking Provision

- 3.16 Concern has been raised that the proposal would reduce the parking space for no. 50 resulting in parking over the pavement or increased on-street parking as a result of the proposed extension.
- 3.17 The proposal does not create an additional planning unit at this site and does not result in the loss of the existing off-street parking provision to the side of the host property which is shown to be retained.
- 3.18 Devon County Council Highways Authority have been consulted and have advised that the parking space to be retained meets Manual for Streets guidance for a recommended parking size and that this proposal will not have a severe impact on the highway.
- 3.19 There is therefore no highway safety objection to the proposal and the parking provision provided is considered adequate to serve the enlarged dwelling house.

Other Matters

- 3.20 Concern has been raised in the representations received that the proposal could set a precedent for similar extensions, and that an alternative option would be to hip the roof rather than have the gable proposed.
- 3.21 Whilst there are always alternative options, Members must consider only whether the extension as proposed in this application is acceptable in determining the current application.

- 3.22 Furthermore, the granting of consent for the proposed development would not set a precedent for other two-storey extensions on the street as each application needs to be considered on a site-by-site basis and on its own merits. Therefore, granting consent for an extension to this property does not mean that a two storey extension to a different property would be acceptable.
- 3.23 Concern has also been raised about ongoing maintenance, however this is not a material planning consideration in the determination of this application.
- 3.24 Concern has also been raised about the loss of the side gate to no. 50 and potential this may cause for bins to be stored to the front of the property rather than behind the side gate with the loss of this access point and the impact this would have on the street scene. The existing provision of side access does not necessarily mean that the occupier would chose to keep their bins in their rear garden and therefore the loss of this access and potential for bins to be stored to the front cannot be a material consideration in the determination of this application given that there is no known requirement for the occupier to currently store their bins behind the side gate by way of planning condition or other legal agreement.

Conclusion

- 3.25 Whilst the concern raised by the occupier of no. 52 is recognized, it is not considered that the proposal would result in significant loss of light or an unacceptable overbearing impact to an extent that would justify a refusal of planning consent that could be sustained at appeal. The Officer recommendation is therefore, on balance, 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)

S21 (Villages)

S21A (Settlement Limits)

WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments)

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Devon County Council Highways - This proposal will be accessed off an unclassified highway within a residential development.

I have been asked for my observations on this application due to parking concerns.

The applicant has submitted a drawing P050. Block Plan which shows the existing parking space will remain and the dimensions of this parking space will be 2.4

metres x 4.2 metres which is the size suggested within the guidance of Manual for Streets. Therefore, this proposal will not have a severe impact on the highway.

6. REPRESENTATIONS

Three objection representations have been received on behalf of the occupiers of 52 Heywood Drive (the adjacent property). These raise the following summarised concerns/objections (see case file for full representations):

1. The proposal would have an overbearing impact on no. 52;
2. The west side windows would result in overlooking and loss of privacy to no. 52;
3. The proposal would result in loss of light and heat to no. 52 due to the position of the extension blocking light to the south window in the property which provides light to the living room and would also block light to the conservatory;
4. The proposal would result in overshadowing to the garden of no. 52;
5. Concern that there would be upkeep difficulties for no. 50 because of the position of the extension on the boundary which would require access to no. 52;
6. Proposed extension contravenes Policy WE8 of the Teignbridge Local Plan;
7. Extension will restrict off-road parking space of no. 50 which will cause over-pavement protrusion or more on-street parking;
8. Concern proposal does away with direct access to the back of no. 50 via the side gate and that refuse bins, if kept to the front, could degrade street-scene;
9. Other applications for extensions on this street have been contested with similar reasons to these objections, and one was completed reworked;
10. Proposal could set a precedent for overdevelopment that would change the character of the settlement;
11. The effect of this large extension will detract from the qualities enjoyed by the occupiers of no. 52 – light, sunshine, warmth and openness;
12. Proposal contravenes local and national planning policy in respect of loss of outlook and light to habitable rooms and will have an overbearing impact on those living in its shadow;
13. It will appear overwhelming at the back, side and front, and inconsistent with the aesthetic of the street;
14. Proposal is inappropriate for such a modest house and is inconsiderate towards neighbours;
15. No similar south-side planning application has been permitted in Starcross.
16. Whilst the revisions made to pull the extension back and reduce its height are an improvement it is considered that the proposal will still affect the interior and back of no. 52;
17. A hip roof rather than a gable would make the extension less unacceptable as transpired at no. 51 to reduce the impact on no. 53 (06/06068/FUL).

7. PARISH COUNCIL'S COMMENTS

Starcross Parish Council has noted the objection from the neighbouring property. However, the Parish agreed not to formally comment on the application on the grounds that members do not have the required expertise to comment on the objections raised.

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.

Business Manager – Strategic Place