



Tree Tops Planning

Independent Planning Consultancy

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PLANNING SUPPORT STATEMENT

PROPOSED REPLACEMENT GARAGE WITH HOME OFFICE ABOVE – LAND REAR OF 99 CLOVELLY ROAD, BIDEFORD, DEVON EX39 3DF

1.0 Introduction

1.1 This Planning Statement has been prepared by Tree Tops Planning on behalf of Mr and Mrs Bryant – the applicants - to accompany a household planning application for the erection of a replacement garage with home office above.

2.0 Site and Surroundings

2.1 The site forms the rear of 99 Clovelly Road which forms one of a terrace of properties. All of these properties have garages or parking spaces to the rear and all have a vehicular access from Clovelly Road. No.99 already has a small single garage on the site.

2.2 The site is a terraced property so is bordered by properties to the north and south. The land to the rear of the site are allotments.

3.0 Proposal

3.1 The application seeks planning permission for a replacement garage. The existing garage measures 3.6m x 5.7m with a ridge height of 3.35m with the new garage measuring 5.6m x 5.7m with a ridge height of 5m. Materials would be rendered walls with fibre-cement boarding and a slate roof. There would be a single garage door and an external set of steps accessing the home office above.

Pre-Application Query

3.2 A pre-application query was made to the Council – Ref: FPEH/0975/2021 dated 23rd December 2021. The Planning Officer, Sarah Boyle raised no objections in principle to the proposal.

4.0 Planning Policies

4.1 The Development Plan comprises the North Devon and Torridge Local Plan (NDTLP) which was adopted on the 29th October 2018. The key policies in the NDTLP which are relevant to this proposal are as follows:

4.2 Policy DM01: Amenity Considerations

Development will be supported where:

- (a) it would not significantly harm the amenities of any neighbouring occupiers or uses; and
- (b) the intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

4.3 Policy DM04: Design Principles

(1) Good design seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of new development. It seeks not just to manage land use but support the creation of successful places and respond to the challenges of climate change. Development proposals need to have regard to the following design principles:

- (a) are appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood;
- (b) reinforce the key characteristics and special qualities of the area in which the development is proposed;
- (c) are accessible to all, flexible to adaptation and innovative;
- (d) contribute positively to local distinctiveness, historic environment and sense of place;
- (e) create inclusive environments that are legible, connected and facilitate the ease of movement and permeability through the site, allowing everyone to easily understand and find their way around;
- (f) retain and integrate existing landscape features and biodiversity to enhance networks and promote diversity and distinctiveness of the surrounding area;
- (g) provide public and private spaces that are well designed, safe, attractive and complement the built form, designed to minimise anti-social and criminal behaviour;
- (h) provide safe and appropriate highway access and incorporate adequate well-integrated car parking, pedestrian and cycle routes and facilities;
- (i) ensure the amenities of existing and future neighbouring occupiers are safeguarded;
- (j) incorporate appropriate infrastructure to enable connection to fast ICT networks;
- (k) optimise the efficient use of land, and provide well-designed adaptable street patterns and minimise functionless open spaces;
- (l) create and sustain an appropriate mix of uses and support local facilities and transport networks;
- (m) consider opportunities for public art; and
- (n) provide effective water management including Sustainable Drainage Systems, water efficiency measures and the reuse of rainwater.

4.4 Policy DM25: Residential Extensions and Ancillary Development

(1) The extension of a residential dwelling and other ancillary development, beyond that enabled through permitted development, will be supported subject to:

- (a) the form, scale, setting and design of the proposal respecting existing development, its context, setting and surroundings;
- (b) adequate residential amenity space and parking provision being maintained; and
- (c) there being no significant adverse impact on the amenity of the occupants of neighbouring properties.

5.0 Principle of Development

5.1 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

5.2 Policy DM25 of the NDTLP refers to extensions/outbuildings and states that the form, scale, setting and design of any development should respect its surroundings. In this case, the proposal seeks a replacement garage some 1.7m higher than the existing garage with a slightly larger footprint. The use would be for domestic purposes only. No objections were expressed in the pre-application query. It is therefore considered to comply with Policy DM25 of the NDTLP.

6.0 Privacy/Amenities

6.1 Policy DM01 of the NDTLP confirms that development will be supported where it would not harm the amenities of neighbouring occupiers or uses, or result in harm to the future occupiers of the development from existing or allocated uses.

6.2 The proposal would have no adverse impact on the privacy or amenities of the occupiers of the neighbouring dwellings with no overlooking, overshadowing or loss of privacy. It is considered that the proposal accords with Policy DM01 of the NDTLP

7.0 Design

7.1 The design of the garage is a typical domestic construction, matching the existing garage on the site. The structure is considered to be an acceptable garage in this rear garden with a design and appearance which respects its domestic location. Accordingly it is considered that the proposal would comply with Policy DM04 of the TDLP.

8.0 Ecology

8.1 Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced by Policy DM08 of the NDTLP which require development to maintain or where possible enhance biodiversity and mitigate the potential loss of habitats.

8.2 This proposal includes the demolition of the existing garage; however it is used daily by the applicants. There is no evidence of bats or birds, which is not unexpected in this urban area. A short Ecology Report has been submitted addressing this issue.

8.3 A wildlife trigger list has been submitted which does not raise any issues with regard to biodiversity, Accordingly the proposal is considered to accord with the statutory requirements as set out above.

9.0 Consideration

9.1 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

9.2 The application seeks a replacement garage to enable a home office to be added on the first floor. There would be no adverse impact on neighbours. The proposal is therefore considered to comply with the policies of the North Devon and Torridge Local Plan and the aims and objectives of the National Planning Policy Framework.

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