

**Application Number**

P/2011/0932

**Site Address**5A Bay View Steps  
King Street  
Brixham  
Devon  
TQ5 9TH**Case Officer**

Mrs Helen Addison

**Ward**

Berry Head With Furzeham

**Description**

Formation of new residential unit number 5A over 4 & 5 Bay View Steps; rear of Kings House, King Street

**Executive Summary/Key Outcomes**

The application is to raise the height of the roof of the building and for an extension to form a two bedroom flat. The site is within the Town Centre. Further information is required to assess the impact on the character of the Conservation Area and in respect of access for emergency vehicles. Subject to the receipt of satisfactory additional information and a S106 contribution, the proposal would constitute an acceptable form of development in this location.

**Recommendation**

Committee Site Visit; Subject to the receipt of satisfactory further information, and signing of a S106 Legal Agreement in terms acceptable to the Executive Head of Spatial Planning within 6 months of the date of this committee meeting; conditional approval (conditions are at the end of the report).

**Site Details**

The application site relates to a detached property situated on the north side of Bay View Steps. The site is steeply sloping and the property responds to the changes in ground levels by having a lower ground floor with a single storey appearance towards North View Road. The elevation facing Bay View Steps is rendered with other elevations being finished in natural stone. It is currently in use as two flats. There is no car parking to serve the property.

The surrounding area is predominantly in residential use. In the Torbay Local Plan 1995-2011 the site is designated as being within the Brixham Town Conservation Area, Brixham Town Centre and identified as Harbourside and waterfront regeneration.

**Detailed Proposals**

The application is to raise the roof of the existing building and for a single storey extension towards North View Road to form an additional unit of accommodation. The proposed new flat would comprise two bedrooms, two bathrooms and an open plan lounge, dining room and kitchen. The proposal includes replacing existing critical windows with timber sliding sash windows in the entire building. The roof of the building would be covered with Delabole slates. An extensive glazed window would be formed at second floor level facing the harbour. The agent advises that to reduce the size of the roof hipped ends are proposed. The existing chimney stack would be demolished.

Access to the proposed new flat would be from Bay View Steps. In the design and access statement it is advised that the new flat would be for a member of the family.

### **Summary Of Consultation Responses**

*Highways:* No objection as site is within designated Town Centre Zone in the

Torbay Local Plan 1995-2011.

*Fire Service:* Consultation response awaited.

### **Summary Of Representations**

Letters of objection have been received and are reproduced at Page B.200. The following issues are raised;

North View Road is very narrow, can be difficulties with access for emergency vehicles.

Will add to parking problems in North View Road as there is no parking provision in King Street

Impact of further structural works

Will be contravention of Conservation Area

Contractors vehicles would cause chaos

Can an attachment be made to prevent use as a holiday rental?

Garden area should be sacrificed to provide parking

Refuse vehicles are unable to negotiate the roads and use canvas sacks to remove rubbish.

### **Relevant Planning History**

1994/0163: Construction of car hardstanding refused 5.4.94  
1993/1309: Construction of car hardstanding refused 30.11.93

### **Key Issues/Material Considerations**

The main issues are the principle of forming an additional unit of accommodation in this location, the impact of the proposal on the appearance and character of the Conservation Area, and highways.

### **Principle and Planning Policy -**

Policy H2 in the Torbay Local Plan 1995-2011 sets out a number of criteria for new dwellings on unidentified sites. These criteria include reusing urban land, maximisation of densities (especially in central locations with good accessibility) and the promotion of good design. Policy H3 supports the provision of additional residential accommodation within Town Centres. The application site is close to the town centre and is linked by Bay View Steps. The principle of making effective use of an existing site close to the town centre would be consistent with the objectives of Policies H2 and H3.

Policy BE5 in the Torbay Local Plan 1995-2011 requires new development to preserve or enhance the appearance or character of the area. The existing building is visible in views across the site from the harbour and also from North View Road. The proposed development includes an enhancement to the overall appearance of the building through the replacement of existing windows with timber sash windows and the provision of a delabole slate roof, which would be a good quality slate. These proposals would enhance the overall appearance of the building.

The proposal would also involve an increase in height of the roof by 1 metre which would increase its prominence. The agent has been asked to provide additional information in the form of a photo montage about the impact of the development on views across the site. It is noted that the level of the property is significantly lower than North View Road and that the property is partly screened by an existing stone wall.

Local residents have raised concerns about the impact of the proposal on the highway, particularly in North View Road. There is no parking proposed to serve the new flat. Concern has been expressed about the method of construction, access for emergency vehicles, and the impact of an additional dwelling on an already congested road. In this location a condition could be imposed on the grant of planning permission requiring submission and approval of the method of construction which could address deliveries of materials, parking of contractors etc so that this could be agreed with the Local Planning Authority in advance of any development.

In the Torbay Local Plan 1995-2011 the site is designated as being within the

Town Centre. The highway engineer has advised that for this reason he has no objection to the proposal. In the light of this designation it would be difficult to defend a reason for refusal of planning permission on the grounds of lack of parking. The fire service has been consulted on access for emergency vehicles and their response is awaited.

**S106/CIL -**

The following contributions would be required to off-set the impact of the proposal;

Waste management	£ 50
Sustainable Transport	£2350
Lifelong learning	£ 300
Greenspace	£2050

**TOTAL £4750**

**Conclusions**

In conclusion, the proposal would result in the provision of an additional dwelling on the site. Further clarification is required from the architect on the impact of the proposal in views across the site, and in respect of access for Emergency Services. Subject satisfactory responses to these issues the proposal would result in a sensitively designed improvement to the appearance of the building that would preserve and enhance the appearance and character of this part of the Brixham Town Conservation Area.

**Condition(s)/Reason(s)**

01. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason; In the interests of visual amenity in accordance with Policy BE1 of the Torbay Local Plan 1995-2011.

02. The development hereby approved shall not commence until sections and elevations to a scale of not less than 1:20, indicating the following details, have been submitted to and approved by the Local Planning Authority:

- (i) eaves overhang;
- (ii) rain water goods;
- (iii) reveals to window/door openings;
- (iv) sub cills;
- (v) glazing bars.

The building shall not be occupied until it has been completed in accordance with these details.

Reason: To ensure that the architectural detailing of the development is completed to a satisfactory standard in accordance with Policy BE1 of the Torbay Local Plan 1995-2011.

03. The new sash windows shown on the approved plan shall be installed before the use of the flat hereby approved commences in accordance with the plans approved by condition 2 and thereafter retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of the visual amenity of the area, in accordance with Policy BE1 of the Torbay Local Plan 1995-2011.

04. No development shall take place until a method statement for the construction of the development hereby approved has been submitted to and approved by the Local Planning Authority. The statement shall provide details of the management of material deliveries and where they will be stored, the times of construction on the site, and the management of parking provision for contractors working on the site. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy T25 of the Torbay Local Plan 1995-2011.

**Relevant Policies**

- H2 New housing on unidentified sites
- H3 Residential accommodation in town centre
- H9 Layout, and design and community aspects
- H10 Housing densities
- BES Built environment strategy
- BE1 Design of new development
- BE5 Policy in conservation areas
- TU1 Harbourside and waterfront regeneration
- T2 Transport hierarchy