

Application Number

P/2013/0166

Site Address45 Winsu Avenue
Paignton
Devon
TQ3 1QE**Case Officer**

Mr Alistair Wagstaff

Ward

Clifton With Maidenway

Description

Demolition of existing house and construction of 2 new detached houses with integral garages with vehicular and pedestrian access

Executive Summary/Key Outcomes

Permission is sought for the demolition of one large detached property and creation of two detached properties. The new properties will have a three storey elevation fronting the road with two storeys over an integral garage. The frontage design is a modern take on a traditional housing style.

The key issues to consider in relation to this application are the impact it would have on the character and appearance of the streetscene and the amenity and privacy enjoyed by the occupiers of neighbouring properties.

When comparing the proposal in terms of plot sizes to those in the surrounding area it will not result in plot widths out of keeping with others in the street.

In relation to the impact on the street scene, Winsu Avenue contains a wide variety of house types and designs with different architectural styles. The development would introduce a three storey form of development to the street. The height of the dwellings is however in line with the stepping up of ridge lines of houses along this part of the street. While it is clear that the proposed development would alter the established streetscene, on balance, and taking in to account the variety of dwelling types and styles, it is not deemed to have a detrimental impact on the streetscene.

Due to the design of the proposed dwellings it is considered that on balance their addition would not have a significant impact on the privacy and amenity of neighbouring properties, to the extent to warrant the refusal of the application.

As such the proposal is recommended for conditional approval.

Recommendation

Site Visit; Conditional Approval; subject to the completion of a s106 legal

agreement or upfront payment of the 106 contribution within 3 months of the date of this decision. In the event that the 106 is not completed within 3 months, the application is to be refused for reasons of the lack of a s106 agreement.

Statutory Determination Period

8 Weeks 16th April

Site Details

This is large plot on the south side of Winsu Avenue, currently occupied by one dwelling. The site slopes down from north to south.

Detailed Proposals

Demolition of one large detached property, subdivision of the plot and creation of two detached properties. The new properties will have a three storey elevation fronting the road, two storeys over an integral garage. The frontage elevations design is a modern take on a traditional housing style.

The rear of the property has a lower ground floor level taking advantage of the topography of the site which extends out 4.5m beyond the rear elevation. There are a further three storeys above with a ground floor balcony inset from the building edge with a privacy screen on the sides of the balconies.

Summary Of Consultation Responses

Torbay Council's Natural Environment Services Contribution could be used towards improvements to Shorton Valley Woods to include access and path improvements. However it would be preferable to use the contribution towards 3 doorstep playgrounds within 1km of site which would benefit from improvements to equipment.

Highway Highways raise no objections to the application, but request an SPD contribution of £3,610 (in line with the table found in Appendix 1 of Planning Contributions and Affordable Housing SPD Update 3) based on the creation of two new residential units and applying mitigation for the existing property.

This contribution will support the provision and enhancement of bus stop infrastructure on Shorton Road, in the vicinity of the site.

This request accords with the Local Authority policy document aiming to improve sustainable transport opportunities and enabling travel by sustainable modes, particularly for short journeys

At least one secure cycle parking space should be available for each dwelling.

Summary Of Representations

20 objections have been received the key points include;

Noise
Town cramming
Garden grabbing
Over Development
Privacy and Outlook
Traffic and access
Impact on streetscene (height of properties)
Not in-keeping with local area (three storey)
Overbearing impact
Extent of extension to rear
Loss of light
Over looking
Set president for future redevelopment
Appear 4 story from rear
Lack local distinctiveness
Scale and massing
Topographical incongruity
Drawing accuracy
Not compliant with NPPF, Local Plan, and Urban Design Guide.

Relevant Planning History

None directly relevant beyond pre app DE/2012/0065, which has resulted in this application.

Key Issues/Material Considerations

Principle of the development

The site is large in comparison to others in the near vicinity. Its subdivision will result in 2 smaller plot widths. However it will not result in plot widths out of keeping with others in the street and surrounding area. The new properties are large in scale, however they maintain a degree of separation between the neighbouring properties and each other. The dwellings are also set within an extensive plot which will provide ample amenity space for each unit.

A number of the representations have asserted that the development would constitute an over development of the site. However in view of the size of the existing plot, the layout of the development and the limited impact on the streetscene, it is considered that the development would not constitute over development of the site.

Streetscene/ Design

In relation to the impact on the street scene, Winsu Avenue contains a wide variety of house types and designs with different architectural styles. A number of the properties have been subject to extensions since their original

construction. There are clear examples along Winsu Avenue where new infill development has already successfully integrated with the street scene. Visually the proposed dwellings are modern in style, and well designed, so while different to the existing unit, they offer a more appropriate addition to other infill's visible in the street. Pre-application discussions resulted in there has been a reduction in the ridge heights of the dwellings. This brings their height in line with the stepping up of ridge lines of houses along this part of the street before the established pattern reverts to that of bungalows.

The development would introduce a three storey form of development to the street which at present consists of only two storey properties and bungalows. This point has featured in a large number of representations as being out of character with the area and the street scene. While it is clear that the proposed development would alter the established streetscene in this regard, the consideration is whether this change is so significant that it would warrant the refusal of the application.

On balance and taking into account the variety of dwelling types and styles it is not considered that the three storey element would warrant the refusal of the application. Furthermore the quality of design and the enhancement introduced through the proposed landscaping lead to the conclusions that the proposal is as an appropriate addition in the street scene. The stepping of the units and their ridge heights fits with the prevailing ridge heights of properties either side of the development.

In relation to design of the two dwellings a significant number of representations have been received identifying that they are out of character with the area. It is clear there is a difference in architectural style. However, there are a wide variety of types and style of properties in the streetscene, with no consistent appearance of development. The proposed dwellings are of a modern design, but resemble a traditional form of housing design. Furthermore, the principles of prevailing heights, plot widths, urban grain and urban form are preserved in the submitted scheme.

Paragraph 60 of the NPPF states that authorities 'should not attempt to impose architectural styles of particular tastes and they should concentrate on guiding overall scale, density, massing, height, landscape, layout, materials and access'. Given this clear policy statement and the proposed submission, it is considered that the design is acceptable on its individual merits in this case.

Parking and Access

The proposed development provides ample parking provision with a large garage and driveway, providing parking for each unit in line with the requirements of Policy T25. Due to the size of the garage area, ample space is also available for cycling storage. The accesses proposed are appropriate to their location and raise no concern over highway safety.

Impact on residential amenity

The two dwellings proposed provide a high quality of residential amenity to future occupiers with an extensive internal area and ample external amenity space. There will be a limited impact on living conditions in neighbouring properties and the impacts are individually considered below.

The potential for increased overlooking/ loss of privacy to properties on the north side of Winsu Avenue has been assessed the principle feature window (third floor) would offer the most extensive opportunity for overlooking. However it is shown as obscure glazed (condition recommended). The other windows on the third floor are a small port hole window onto a bathroom and a velux roof light over the stair well. Consequently there will be no material loss of privacy or increased overlooking.

Furthermore the relationship, between buildings across the highway, is no more significant than that present in many residential streets. While the outlook would be altered, the resultant new relationship is not deemed to be an unduly negative one nor does it raise concern in relation to overlooking. As such this relationship is considered acceptable.

The properties to the rear of the site on Southfield Avenue will have the most extensive element of the proposed scheme facing their properties, with a new four storey elevation replacing the existing two storey elevation. Visually this will be a substantive change. However, the closest extent of the proposed new dwellings (the lower ground floor) is over 36 m from the boundary and in the region of 60 m from property to property. There is also existing boundary landscaping which is proposed to be enhanced by the landscaping plan submitted with the application. On balance due to the distance between the properties and the landscaping provided the resultant relationship is deemed appropriate.

In relation to the neighbouring properties, the design of the new properties provides no openings in the side elevations ensuring that there is no overlooking to either side. Likewise the proposed balcony areas have been in-set from the edge of the properties with privacy screens provided to limit the overlooking from the balcony area (condition to retain included). As such the relationship between properties is an acceptable one.

The two proposed dwellings extend to the rear, beyond the rear building line of the existing property, with a depth of the proposed dwellings of 10m and with an addition of a sub-ground floor extending a further 4.5m.

The impact of this is has been assessed in relation, particular, to 43 and 47 Winsu Avenue. Representations have been received concerning this relationship from both neighbours. Negotiations have resulted in the design of the properties

being handed to ensure the lowest elevation of each property abuts the neighbour. A reduction in the overall development height has also been secured and the rear outward extent of the proposed dwelling has been reduced.

A strong landscaping treatment to the boundaries has also been introduced with a mix beech hedge introduced along the side of the proposed lower ground floor, reducing its impact. As a result of these alterations the impact of the proposed development on the residential amenity of the neighbours is considered acceptable. The resultant relationship is also similar to others in the streetscene including that between 49 and 51 and 31A Shorton Road and 43 Winsu Avenue.

Landscaping

A detailed landscaping scheme has been submitted, helping the proposal blend into the street scene, where the majority of the properties have well established boundary vegetation. Equally, given the increase in depth of the properties, the enhanced boundary planting to the rear of the new dwellings helps reduce the resultant impact of the development on the neighbours and also helps ensure the relationship between the two new properties is a suitable one.

S106/CIL -

Following consultation with the relevant consultees and the calculation of 106 contribution, the following 106 contribution is required.

Developer Contribution type	Contribution
Waste	£ 50
Sustainable Transport	£2,640*
Education	£1,660
Life Long Learning	£ 470
Greenspace and Recreation	£2,370
South Devon Link Road	£ 970
Total for additional1 dwelling	£8,160
Reduced figure for upfront payment(-5%)	£7,752
%5 Administration fee (£388)=	£8,140
<u>Total contribution required</u>	<u>£8,140</u>

* The Sustainable transport contribution has been reduced to facilitate the South Devon Link Road contribution

Conclusions

The application for the siting of two dwellings is considered to be appropriate having regard to all national and local planning policies and all other relevant material considerations.

The dwellings will fit within the prevailing context in terms of ridge height, plot-width, plot position and urban grain. The design, whilst modern, is appropriate to the varied context and the impact on neighbouring occupiers is limited by virtue of the height and depth of the plots and the proposed landscaping.

Condition(s)/Reason(s)

01. Before the first occupation of the buildings hereby permitted the privacy screens on the east and west sides of the balcony area shall be, installed in accordance with the plans hereby approved and be fitted with obscured glazing to, or to the equivalent of, or to a level in excess of Pilkington Level 5. The privacy screens shall be permanently retained in that condition thereafter.

Reason: To protect residential amenity and the privacy of neighbouring properties; and in accordance with the requirements of policies BES, BE1 and H9 of the saved adopted Torbay Local Plan 1995-2011.

02. Before the first occupation of the buildings hereby permitted the third floor windows on the front elevation shall be fitted with obscured glazing to, or to the equivalent of, or to a level in excess of Pilkington Level 3. The windows shall be permanently retained in that condition thereafter.

Reason: To protect residential amenity and the privacy of neighbouring properties; and in accordance with the requirements of policies BES, B1 and H9 of the saved adopted Torbay Local Plan 1995-2011.

03. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area and in accordance with the objectives of policies BS1 and H9 of the Saved Adopted Torbay Local Plan 1995-2011.

Relevant Policies

- BES Built environment strategy
- BE1 Design of new development
- H2 New housing on unidentified sites
- H9 Layout, and design and community aspects
- T25 Car parking in new development