

Application Number

P/2013/0524

Site Address

Chiseldon House
Chiseldon Hill
Brixham
Devon
TQ5 9QS

Case Officer

Mrs Helen Addison

Ward

St Marys With Summercombe

Description

Detached Dwelling with Garage
Detached Annexe to Existing Dwelling

Executive Summary/Key Outcomes

The application is for the construction of a detached dwelling and new garage to serve it, and for a detached two bedroom annex. There is concern that due to the siting and size of the annex it would be detrimental to the appearance and character of the area and as such would fail to comply with Policy H9 of the Torbay Local Plan 1995-2011 and Para.64 of the NPPF which requires development to be of good design and to improve the character and quality of an area.

Recommendation

Refusal (see end of report for reason)

Statutory Determination Period

The eight week target date for the application is 13th July 2013. The decision should be issued within the target determination period.

Site Details

The application site relates to a detached two storey house situated on the east side of Chiseldon Hill opposite the junction with Golden Close. Chiseldon house is finished in render with a slate roof. There is a stone wall along the boundary

with Chiseldon Hill. The property is visible in the street scene. Chiseldon Hill slopes in a southerly direction adjacent to the site. To the south of the site are properties in Upton Hill Road. There are also residential properties to the north, east and west. The ground levels on the site slope both from south to north by approx. 3.5 metres and from west to east by a similar amount. There is no specific designation relating to the site in the Torbay Local Plan 1995-2011.

Detailed Proposals

The application is submitted in full for the construction of a detached dwelling, a detached two bedroom annex and a single garage on the site. In addition it is proposed to move the position of the driveway within the site.

The proposed dwelling would be sited on the northern side and slightly to the rear of the existing dwelling. It would comprise a lounge, kitchen dining room, utility room and study at ground floor level and four bedrooms with three bathrooms at first floor level. In order to construct this dwelling it would be necessary to demolish the existing garage on the site. Due to the changing ground levels on the site the proposed dwelling would have a lower floor level than Chiseldon House. The ridge level of the proposed dwelling would be 1.6m lower than the ridge level of Chiseldon House. The footprint of the dwelling would follow the site boundary and would have a cranked section at the rear. The proposed materials would be rendered walls, white upvc windows and doors and a natural slate roof.

In front of the proposed dwelling a single garage to serve the dwelling is proposed. It is proposed to alter Chiseldon House to provide an integral garage at ground floor level.

A separate detached single storey annex is proposed to the east of Chiseldon House on the site of the existing swimming pool. This would have a pitched roof over. Materials would be rendered walls, white upvc windows and doors and a natural slate roof.

The proposal also involves moving the entrance to the site to the south and providing visibility splays of 13m in both a north and south direction.

Three trees in the rear curtilage are proposed to be felled.

Summary Of Consultation Responses

Brixham Town Council Recommends refusal on the grounds of overdevelopment, loss of privacy and access issues, especially the visibility splay of the entrance.

Highways Seeks additional improvements to visibility to the south of the site. Requests a S106 contribution of £417.50

Arboricultural Officer The scheme is suitable for approval on arboricultural merit subject to conditions requiring submission of a detailed landscaping plan and tree protection plan.

Summary Of Representations

Two letters of objection that raise the following issues;

- Loss of privacy
- Overbearing effect
- Overdevelopment of the site
- Annex would not be physically linked to main dwelling
- The proposal would cause flooding in the area

These representations have been sent electronically for Members consideration.

Relevant Planning History

- 2005/1550 Alterations, ground and first floor extensions approved 7.10.05
2000/0244 Alterations and erection of first floor bedroom extension approved
5.6.00
1997/0682 Erection of conservatory approved 3.7.97

Key Issues/Material Considerations

The main issues to be considered are the principle of constructing the proposed development on the site, the impact on the visual amenity of the area, highways, impact on the amenity of adjoining occupiers and landscape.

This application has been included on the agenda because a positive pre application response has been given by the Council to the development. However on mature reflection following a significant period between the earlier discussions and the submission of the application, there are concerns about the proposed development, particularly the proposed annex. In this case, therefore, it is appropriate for the application to be considered by the Development

Management Committee.

Principle and Planning Policy -

The size of the curtilage of the application site is considerably larger than that of the majority of nearby properties. In principle the subdivision of the curtilage would not be harmful to the amenity of the area and would result in a form of development that would be similar to the established character of the area. This would be consistent with Policy H9 in the Torbay Local Plan 1995-2011 which requires new residential development to take account of the defining characteristics of the existing environment.

The siting of the proposed 2-storey dwelling would be adjacent to 4 The Drive and in this location would relate to the established layout of buildings in the area. As such the principle of siting a dwelling in this location is considered to be acceptable. However, there are some concerns that given the cranked nature of the footprint and the number of blank facades to avoid overlooking, the siting and size are not ideal in relation to the relationship of buildings.

The proposed annex would be sited forward of the existing dwelling. It would be set back a similar distance from Chiseldon Hill as the adjoining property to the south at 17 Upton Hill Road. Although the siting would reflect the location of 17 Upton Hill Road there is concern that the proposal would fail to be consistent with Policy H9 in the Torbay Local Plan 1995-2011, which requires new development to respect the existing environment and where possible enhance it.

The proposed annex would project in front of Chiseldon House and, when combined with the existing and proposed dwelling houses, would result in an uncoordinated layout of buildings that would detract from the appearance of the area. The annex building would have an adverse effect on the setting of Chiseldon house by reason of its siting, height and size. The position of the adjoining dwelling in Upton Hill Road would not justify the siting of the annex in this location. There is a difference between the proposed annex and dwellings in Upton Hill Road in that Upton Hill Road is a planned layout of buildings of similar scale and plot size, whereas the application site has a characteristic of a larger dwelling house in a more spacious setting.

It could be acceptable to construct a smaller ancillary building such as a garage on the site of the proposed annex but, because of the size of the annex and its appearance as a separate detached dwelling it is considered that it would be detrimental to the visual amenity of the area and would detract from the setting of

Chiseldon House.

The proposed annex would be a separate detached building that would not have a physical link to Chiseldon House. It appears that it would also have its own car parking space. In the design and access statement the applicant has advised that the annex is proposed for family members to live in with a degree of independence. In order to control the use of the annex as ancillary accommodation it would be necessary to control this by means of a S106 agreement. However even with a legal agreement there is concern that in the future there would be pressure for the annex to be used as a separate dwelling house. The gross floor area of the annex would be 57m² and this would be of an adequate size for a dwelling.

Highways -

The proposal involves moving the vehicular access to the site and realigning the boundary walls to improve the visibility at the junction with Chiseldon Hill. The highway engineer has advised that he considers the visibility should be improved further by reducing the height of the boundary walls to 600mm and removing a fence panel on the return section of the boundary wall. A S106 contribution would be required towards sustainable transport.

Impact on the amenity of adjoining occupiers -

An objection has been received to the height and relationship of the proposed dwelling and new garage with the adjoining property at No. 4 The Drive. In order to improve this relationship of buildings it would be possible to site the garage off of the boundary with between the two properties. As the proposed dwelling would be adjacent to the side of the adjoining property it is considered that the relationship would not be overbearing. The neighbour has raised concern about overlooking of their garden. There would be an obscure glazed and first floor bedroom window in the west elevation of the proposed dwelling that would result in visibility over the adjoining garden. It would be difficult to argue that this relationship would be sufficiently harmful to justify refusal on this ground.

Notwithstanding concerns about the relationship of buildings and the cumulative impact of the whole proposed development, the 2-storey dwelling has been designed to protect neighbouring living conditions and this is seen to be successful to an acceptable degree.

Landscape -

The proposal involves the felling of three trees in the rear garden of Chiseldon

House. The Arboricultural Officer has advised that these trees are not protected by a Tree Preservation Order or designation of a Conservation Area and it would be reasonable for them to be felled. He has requested submission of a landscaping plan to enable replacement planting.

S106/CIL -

In accordance with the Council's SPD Planning Contributions and Affordable Housing the following contributions for the proposed dwelling would be required to off set the effect of the development on existing infrastructure;

Waste Management	£ 50.00
Sustainable Transport	£3354.00
Lifelong Learning	£ 213.00
Greenspace and Recreation	£2113.00
South Devon Link Road	£ 770.00
5% admin charge	£ 325.00
Total	<u>£6825.00</u>

If this payment was made upfront by a Unilateral Undertaking it would be reduced to £6484.00.

No contribution would be payable for the annex as it would be used ancillary to the main dwelling and not as a separate dwelling house.

Conclusions

In conclusion, the proposal is for the construction of a detached dwelling and a detached annex on the site. The proposed dwelling would be situated to the rear of Chiseldon House. The adjoining property has raised concerns about an overbearing relationship from the dwelling and new garage and loss of privacy. The dwelling has been designed to protect adjacent living conditions and as such is cranked and has a number of blank facades. The proposal also includes construction of a two bedroom detached annex on the site that is intended to be used ancillary to the main dwelling. There is concern about the effect of this building on the visual amenity of the area. The driveway to the site would be moved to the south to improve visibility, although the highway engineer has requested further revisions to make it acceptable.

In conclusion, by reason of the size of the proposed annex and its siting in a position that would be physically separate to Chiseldon House, it is considered that the proposed development would result in a poor layout of buildings that would fail to respect the established character and form of development in the locality and would be harmful to visual amenity.

Condition(s)/Reason(s)

01. The siting, large size and scale of the proposed annex would result in a visually dominant form of development in relation to the existing dwelling, which would alter the character and setting of the property to an unacceptable degree. As such the proposal would be contrary to Policy H9 in the Torbay Local Plan 1995-2011 which seeks to encourage a high level of layout and design and ensure that new development takes account of the defining characteristics of the existing environment and where possible enhances it, and paras.61 and 64 of the NPPF that seek high quality design in new development that integrates into the built and historic environment.

Relevant Policies

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