

Application Number

P/2013/1152

Site Address

Plot Adj. Roundham House
Roundham Road,
Paignton
TQ4 6ER

Case Officer

Carly Perkins

Ward

Roundham With Hyde

Description

Proposed new dwelling to include new fence and gate to northern boundary of site

Executive Summary/Key Outcomes

The application is for the construction of a dwelling within a domestic garden. The site lies within the Roundham and Paignton Harbour Conservation Area. Vehicular access is via an existing driveway through the grounds of Roundham House and pedestrian access can be achieved via an existing pedestrian gate from Roundham Road.

The proposal is considered acceptable in this location and without serious detriment to residential amenity of neighbouring occupiers or the character or appearance of the Conservation Area or wider locality. This is subject to conditions and the payment of section 106 contributions.

Recommendation

Conditional Approval; subject to the prior submission of surface water drainage details and payment of 106 contributions / signing of the 106 agreement within 3 months of the date of this committee meeting.

Statutory Determination Period

8 weeks, the determination date was 7 January 2014, the application is time expired due to the requirement for a Site Review Meeting and thereafter a committee determination.

Site Details

The application site forms part of a larger plot currently occupied by a building divided into several residential flats. The application site has been separated from the rest of the site by stone walls and timber fencing. The existing site would have at some point been used as garden land in association with Roundham House, however the site appears to have been disused for some time and is now fairly overgrown.

Detailed Proposals

The proposal is to formally separate the application site from the rest of the plot and erect a dwelling with associated residential curtilage. The dwelling is to be cut into the site with the front elevation facing south. Vehicular access is via the existing vehicular access from Belle Vue Road and pedestrian access is via an existing gateway off Roundham Road. The proposal also includes the provision of gates to the northern boundary to allow vehicular access to the site.

Summary Of Consultation Responses

Conservation Officer: Verbally raised no objection.

Drainage Engineer: Sustainable drainage systems for dealing with surface water run off from the development should be investigated. If surface water is to be drained via soakaways then the developer must carry out trial holes and infiltration tests at the locations of the proposed soakaways. These infiltration tests are required to confirm that the ground conditions are suitable for soakaways and in addition the infiltration rate will be used to design the required soakaways. The design for these soakaways should be carried out in accordance with BRE Digest 365. This design should be submitted showing that the proposed soakaways have been designed to cater for the critical 1 in 100 year storm event plus an allowance for climate change.

Highways Officer: No objection.

Building Control: A ground investigation report should be provided to support the foundation design, consideration needs to be given to the unprotected areas of timber boarding clad to the external elevations to satisfy diagram 22 of B4 of approved document B volume 1 of the building regulations 2010, full radon protection required, surface water drainage should discharge to soakaways, full compliance with part M required and proposal requires a full plans building regulation application.

Summary Of Representations

6 representations have been received of which 5 were objections. Issues raised:

- Impact on view generally and as a result of proximity
- Concerns regarding access
- Impact on value of property as a result of proximity
- Impact on amenity as a result of additional traffic on driveway
- Impact on parking
- Impact on privacy

In line with the Site Review Meeting Protocol, a meeting took place on 19.12.2013 and following this meeting it was agreed with Councillor Brooksbank that the application be considered by the Development Management Committee.

These representations have been reproduced and sent electronically for Members consideration.

Relevant Planning History

P/1989/0964 Alterations and extensions to form additional 8 flats (as amended by plans dated 14th July 1989 and 27th September 1989) APPROVED 09.10.1989

It is noted that during the site review meeting several attendees stated that a previous planning application for a dwelling in this location was refused. A site history search has been carried out and no record of any planning application for a dwelling here has been found.

Key Issues/Material Considerations

The relevant considerations are the standard of the internal environment for potential occupiers, parking provision, the impact of the proposals on neighbouring residential amenity and the impact of the development on the character and appearance of the Roundham and Paignton Harbour Conservation Area

Character and Appearance:

The proposed dwelling includes timber cladding, slate, render and natural stone which are considered to be an appropriate mix of materials for this locality. The design reflects the proposals previously approved at the adjacent site, 17 Roundham Road.

Views from outside the site are limited to those from Roundham Road, the wall to the southern boundary is to be retained and along with an existing hedgerow will further limit views of the proposal. It is noted that the application site falls within Roundham and Paignton Harbour Conservation Area and due to the proposals limited visibility and appropriate design the proposal is considered to preserve the character and appearance of the Conservation Area. The design has been verbally discussed with the Conservation Officer and no objections have been raised. A condition requiring the submission of materials prior to the commencement of the development has been recommended in the interests of the visual amenity and to ensure that the proposal will preserve the character and appearance of the Conservation Area.

Residential Amenity:

The proposed application is bounded by an existing wall and timber fence limiting views out of the site. In addition due to the change in landform, the height of the dwelling is limited at the point closest to residential dwellings at Roundham House. Due to the distance between the proposed dwelling and any neighbouring dwellings, together with the change in land levels the proposal is not considered to result in any serious detriment to residential amenity by reason of loss of light or by reason of being unduly dominant.

Proposed windows to the side and rear are to be obscure glazed and a condition has been included to this affect. The windows to the front of the property are located sufficient distance from those opposite not to result in any serious detriment to residential amenity by reason of loss of privacy. Representations regarding the proximity of the dwelling to the adjacent garden are noted however in light of the level changes and the separation distance which is maintained at 2m, the proximity is not considered to result in any serious detriment to residential amenity by reason of loss of light or by reason of being unduly dominant or overbearing.

Representations regarding the impact of additional traffic using the existing driveway are also noted. The proposal is for one additional dwelling and as this is an existing driveway already used by vehicle traffic which will be travelling at reasonably slow speeds there is not considered to be significantly greater impact to residential amenity as result of this one additional dwelling.

It is noted that two new properties are proposed to the west of the site within the ground of 17 Roundham Road. These properties are located along the shared boundary with the application site and have two roof lights facing the site. Due to the position and angle of the these rooflights, the proposed dwelling is not considered to result in any serious detriment to the residential amenity of the future occupiers of these dwellings by reason of loss of light or by reason of being unduly dominant or overbearing.

Private Amenity Space:

The size of the proposed dwelling is considered proportionate to the size of the plot and the level of the private amenity space available to the future occupiers of the proposed dwelling is considered acceptable.

Highway Safety and Parking Provision:

In line with the comments from the Highways Officer, the vehicular access will be via an existing access point and therefore there is not considered to be significantly greater impact to highway safety as a result of this one additional dwelling.

Representations have been received about the impact on parking as a result of the proposed development. The application at Roundham House to create 7 additional flats, application reference P/1989/0964 provided 13 parking spaces, 5 spaces were provided to the front of the building and another 8 spaces were provided to the rear in the arrangement shown on drawing number 1325/4 that has been submitted as part of this application. The proposed dwelling would not affect the parking spaces for Roundham House. Whilst the residents of Roundham House may use the existing hardstanding beyond these spaces identified on drawing number 1325/4 as parking, this has not been safeguarded

through any planning permission and so would not constitute a reason to refuse the application.

In terms of the parking associated with the proposed dwelling, the proposal includes two parking spaces which is sufficient. However these spaces are 4.6m by 2.4m which would fall short of the recommended size where gates have been provided. These gates are required to open inwards and therefore a length of 6m is required and in order to provide pedestrian access the width of the spaces should be increased to 3.2m. Full details of hard and soft landscaping has not been provided in the application submission and therefore it is considered appropriate to include a condition requiring full details prior to the commencement of the development. A further condition requiring the retention of parking facilities has also been recommended. Representations about rights over the land and individual deeds have been noted but are civil issues and not planning considerations.

Landscaping:

The information submitted with the application in terms of proposed landscaping is limited. It is assumed that due to the presently unmanaged nature of the site, some pruning may be required to existing hedgerows. In the interests of visual amenity a condition has been included requiring details of hard and soft landscaping (to include boundary treatments), prior to the commencement of development, to be submitted and approved by the Local Planning Authority.

Drainage:

It is proposed that surface water drainage be dealt with via soakaways and/or main sewers. As no detailed information has been submitted in line with comments from the Council's Drainage Engineer it is recommended that prior to the approval of the application details of surface water drainage are submitted to the Local Planning Authority to ensure an adequate form of drainage can be achieved.

Conditions:

In addition to the conditions noted above regarding landscaping, materials and parking it is also recommended to include a condition relating to the removal of permitted development rights. Whilst at present the proposed dwelling is considered acceptable the inclusion of extensions to the rear and sides of the development may result in a detrimental impact to the appearance of the locality, residential amenity by reason of proximity to boundaries or an undue loss of private amenity space and therefore it is considered necessary to ensure that any additions to the dwelling are subject to planning consideration.

S106/CIL -

As part of the application process the proposal has been assessed against the Council's adopted Planning Contributions and Affordable Housing Supplementary

Planning Document and subsequent updates ('the SPD'). This requires all appropriate developments to mitigate any adverse impacts they may have, individually and collectively, on the community infrastructure of Torbay. In addition, the application has been assessed against the adopted Council Report 'Third Party Contributions towards the South Devon Link Road', which seeks contributions towards funding the South Devon Link Road (SDLR) where new development impacts on, or contributes to the need for the SDLR.

The following contribution is required, based on the type and size of the development proposed:

FINANCIAL CONTRIBUTION:

Waste Management	£ 50.00
Sustainable Transport	£2,527.25
Education (in Paignton only)	£1,057.25
Lifelong Learning - Libraries	£ 227.25
Greenspace and Recreation (where no onsite public open space)	£2,187.25
South Devon Link Road (subtracted from sustainable development contributions)	£ 731.00

TOTAL FOR DEVELOPMENT (including 5% admin charge)	£7,119.00
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Total for development with 5% early payment discount (including 5% admin charge)	£6,763.05
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Conclusions

The proposal is considered acceptable in this location and without serious detriment to residential amenity of neighbouring occupiers or the character or appearance of the Conservation Area or wider locality. It is noted in the letter from the agent that the applicant intends to pay the required planning contribution via an upfront payment.

Condition(s)/Reason(s)

01. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development of the types described in Classes A, B, C, D, E, F and G of Part 1 and Classes A and C of Part 2 of Schedule 2 (which includes enlargement, improvement or other

alteration, porches, sheds, greenhouses, huts, oil storage tanks, fences and walls) shall be constructed (other than hereby permitted, or unless the prior written consent of the Local Planning Authority has been obtained).

Reason: To ensure that the character and appearance of the locality are protected and to avoid overdevelopment in the interests of local amenity in accordance with policy H9 of the Torbay Local Plan 1995-2011

02. Details of soft landscape works shall include retention of any existing trees and hedges, finished levels, planting plans, tree pit design, planting specification and post planting maintenance including watering and replacement of losses. The hard landscape works shall include means of enclosure and boundary and surface treatments. All works shall be carried out in accordance with the approved details and the implementation plan and thereafter maintained in accordance with the approved management plan.

Reason: To secure a landscape scheme that will complement the development in the interests of visual amenity in accordance with H9 of the Torbay Local Plan 1995-2011.

03. Parking facilities shall be provided and thereafter permanently retained for the parking of vehicles in accordance with the details to be submitted and approved in writing by the Local Planning Authority prior to the occupation of the dwelling.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with policy T25 of the Torbay Local Plan 1995-2011.

04. Prior to the occupation of the dwelling the windows in the north and east elevation shall be fitted with level 4 obscure glazing. Such windows shall be fixed unless opening parts are located higher than 1.7m above finished floor level or they are fitted with a 100mm opening restrictor. The windows shall thereafter be permanently retained in that condition.

Reason: In the interests of adjoining amenity in accordance with policy H9 of the Torbay Local Plan 1995-2011.

05. The development shall not commence until samples of all the materials to be used in the construction of the external surfaces of the building 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: To ensure the development will harmonise visually with the character and appearance of the site and its surroundings in accordance with policy BES, BE1 and BE5 of the Torbay Local Plan 1995-2011.

Relevant Policies

- BE1 Design of new development
- BE5 Policy in conservation areas
- H9 Layout, and design and community aspects
- EPS Environmental protection strategy
- T25 Car parking in new development
- NPPF National Planning Policy Framework
- BES Built environment strategy