

Application Number

P/2014/0237

Site Address

Meldon
Dartmouth Road
Brixham
Devon
TQ5 0LB

Case Officer

Mr Alexis Moran

Ward

Churston With Galmpton

Description

Construction of 2 x 3 bedroom 2-storey bungalows (Re Submission of P/2014/0110)

Recommendation

Site Visit; Conditional Approval; Subject to completion of a S106 legal agreement, outline planning permission be granted with conditions as set out at the end of the report. The s106 to be completed and signed within 3 months of the date of this committee meeting or the application shall be refused for reasons of the lack of a s106 agreement.

Site Details

The site is situated within the curtilage of Meldon, a large detached property situated on the west side of Dartmouth Road, Brixham.

Detailed Proposals

The application seeks permission in outline for the construction of 2 bungalows with rooms in the roof. The application is to determine the suitability of;

- Access
- Layout
- Number of dwellings and footprint
- Ridge heights

Summary Of Consultation Responses

Highways Officer: No objection

Arboricultural Officer: No objection

Drainage Officer: A condition should be added to ensure details of infiltration tests and soakaway design are submitted

Natural England: No objection

Summary Of Representations

At the stage of writing this report two letters of objection have been received in relation to this application. The letters raise the following material planning

considerations;

- Out of keeping
- Loss of residential amenity
- Loss of privacy
- Loss of trees
- Drainage
- Over dominant

Given the officer's views and the representations made, the planning officer has negotiated a scheme which includes the reorientation of Plot 2 and moving it away from the boundary and removing the rear gable. In addition, Plot 1 has also been moved off of the boundary with 3 Manor Vale Road. These revisions have resulted in substantive improvements in the relationship between the existing and proposed dwellings. These representations have been copied and sent electronically for Members consideration.

Relevant Planning History

P/2014/0110	Construction of 3 no. three bedroom, two storey (room in roof) bungalows with associated driveways, gardens and amended access from Dartmouth Road - Withdrawn 18.03.2014
DE/2013/0370	Erection of 2 new dwellings- Officer support was given to the scheme 28.10.2013
P/1991/1536	Erection Of Two Detached Dwellings With Access Onto Dartmouth Road (In Outline) (As Revised By Plans Received 4Th February, 1992) - Approved 21.12.1994
P/1991/0718	Erection Of Two Detached Dwellings (In Outline) (As Revised By Plans Dated 30Th July 1991)- Refused 04.09.1991
P/1988/1224	Erection Of 2 Bungalows And Alterations To Access To Dartmouth Road (I N Outline)- Approved 08.02.1989

Key Issues/Material Considerations

As the application is in outline the appearance of the bungalows does not need to be addressed at this time. It is the principle, layout and scale of the development on the site that should be considered under this application.

The main issues to consider at outline stage are:

1. Principle of the development within the UPLA
2. Impact on highways - access
3. Impact on neighbouring living conditions

1. Principle

i) The site is located within a large plot and adjacent to the existing Meldon bungalow. There is sufficient space to provide two additional bungalows of the scale proposed in this application. From certain viewpoints in Manor Bend the ridge lines of the proposed bungalows are likely to be visible. However their addition to the streetscene is acceptable. The height of the proposed bungalows is to be no higher than the existing Meldon bungalow and they have been sited off of the boundaries and orientated in such a way as to minimise their impact on the streetscene from Manor Bend to the rear.

iii) It is considered that the layout, scale and number of dwellings is suitable in this location and would not result in an overdevelopment of the land or have a significant impact on the character and appearance of the streetscene. The plot sizes will be of an appropriate scale considering the locality.

2. Impact on Highways

i) The existing access to the highway is to be altered in order to provide a 2.4m x 70m visibility splay. This would satisfy the requirements of the Highways Officer and would provide an improvement to the existing access that serves Meldon. Consequently there is no highways objection to the scheme.

3. Impact on neighbouring living conditions

i) In relation to the impact on the neighbours it is considered that due to the difference in topography, the addition of the bungalow to "plot 2" was likely to have a degree of impact on nos. 1 & 3 Manor Bend prior to the submission of the revised plans. The revised orientation and siting limits this impact by setting the new dwelling further away from the boundary and through the removal of the rear gable. The removal of this gable leaves the outlook onto a single storey dwelling with its roof sloping away from the neighbour. It is therefore not considered that there would be unsatisfactory relationship between the buildings.

ii) The revised location of "Plot 1" is considered to have an acceptable impact on the residential amenity of the occupiers of 3 Manor Bend and will be well shielded by the existing boundary trees. Here the property has been moved even further from the boundary with No. 3 Manor Bend.

iii) The design of the bungalows is to be determined at Reserved Matters stage and it will be necessary to minimise the potential for overlooking from windows and rooflights.

S106/CIL -

Section 106 contributions in accordance with the SPD "Planning Contributions and Affordable Housing: Priorities and Delivery" would be required for the following;

Sustainable Transport
Waste Management
Education
Lifelong Learning
Greenspace and Recreation
South Devon Link Road

The actual level of contributions would be dependent on the size of the dwellings. However given the size at outline it is envisaged that each unit would require a contribution of £8,568.00.

This will be secured by means of a s106 legal agreement, which is to be completed and signed within 3 months of the date of this committee.

Conclusions

The proposed development is considered to be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations.

Condition(s)/Reason(s)

01. Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:(i) appearance (including materials for all external hard-surfaced areas);(ii) landscaping (including boundary treatment and all means of enclosure; b) The reserved matters shall be carried out as approved. c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced

Reason: To ensure that adequate information is available about the detailed nature of the proposals and in accordance with the objectives of Policies BES, BE1, BE2, H9 and H10 of the Saved Adopted Torbay Local Plan 1995-2011.

02. None of the dwellings shall be occupied until all of the car parking spaces and access thereto shown on the approved plans have been provided and made available for use. The car parking spaces shall be kept permanently available for parking and access purposes thereafter, and shall be clearly marked as being designated to individual dwellings and/or visitors parking.

Reason: To ensure that adequate off-street parking and access thereto is provided and kept permanently available for use, in accordance with saved Policies T25 and T26 of the Adopted Torbay Local Plan 1995-2011, and in the interests of highway safety and in order to protect the residential amenities of the neighbourhood.

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 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 to accord with policies H10, BE1 and BE2 of the Torbay Local plan (1995 - 2011).

04. No development shall take place until the following information has been submitted to and approved in writing by the Local Planning Authority: (1) Evidence that trial holes and infiltration tests have been carried out on the site to confirm whether the ground is suitable for a soakaway(s). Trial holes and infiltration tests must be carried out in accordance with Building Research Establishment Digest 365. In addition, evidence demonstrating that the use of a soakaway(s) at this location will not result in an increased risk of flooding to surrounding buildings, roads and land. This should take into consideration re-emergence of surface water onto surrounding properties after it has soaked away. In the event that the evidence submitted under (1) above demonstrates that the ground conditions are suitable for a soakaway(s) and will not result in an increased risk of flooding to surrounding buildings, roads and land: (2) Detailed design of the soakaway(s) in accordance with Building Research Establishment Digest 365, including how it has been sized and designed to cater for the 1 in 100 year critical rainfall event plus an allowance for climate change.(3) Details of the surface water drainage system connecting the new building to the soakaway(s), which must be designed to cater for the 1 in 100 year critical rainfall event plus an allowance for climate change. In the event that the evidence submitted under (1) above demonstrates that the ground conditions are not suitable for a soakaway(s) or will result in an increased risk of flooding to surrounding buildings, roads and land: (4) Evidence of how surface water will be dealt with in order not to increase the risk of flooding to surrounding buildings, roads and land. None of the dwellings shall be occupied until the approved surface water drainage system has been completed as approved and it shall be continually maintained thereafter.

Reason: In the interests to adapting to climate change and managing flood risk, and in order to accord with saved Policy EPS of the Adopted Torbay Local Plan 1995-2011 and paragraph 103 of the NPPF.

05. No development shall take place until drawings of the bin store(s) and details for the removal of waste likely to be generated by the development are submitted to and approved in writing by the Local Planning Authority. The bin store(s) shall be constructed in accordance with the approved drawings prior to the occupation of any of the dwellings. The details for the removal of waste likely to be generated by the development shall be implemented as approved prior to the occupation of any of the

dwellings and maintained thereafter in accordance with the approved details.

Reason: To ensure appropriate facilities are provided for the storage and removal of waste likely to be generated by the development, including recycling, in accordance with saved Policy W7 of the Adopted Torbay Local Plan 1995-2011.

06. No development shall take place until drawings of the cycle store(s) are submitted to and approved in writing by the Local Planning Authority. Notwithstanding the drawings listed under Condition P1, provision shall be made for the storage of 2 bicycles per property. The cycle store(s) shall be constructed in accordance with the approved drawings prior to the occupation of any of the dwellings.

Reason: To encourage and facilitate cycling in accordance with saved Policy T2 of the Adopted Torbay Local Plan 1995-2011 and Section 4 of the NPPF.

Relevant Policies

- HS Housing Strategy
- H9 Layout, and design and community aspects
- H10 Housing densities
- BES Built environment strategy
- BE1 Design of new development
- BE2 Landscaping and design
- LS Landscape strategy