

**P/2011/0575/PA**

**Watcombe Ward**

**Barton Service Reservoir, Junction Of Great Hill Road And Overdale Close, Torquay Dwelling**

### **Site Details**

The site contains an existing reservoir on the junction of Great Hill Road and Overdale Close. There are current ongoing works at the site in preparation for redevelopment. The site is within a Traffic Management Zone and Great Hill Road forms part of the District Distributor Road Network.

### **Relevant Planning History**

- P/2008/0880 Demolition of reservoir, formation of 1 no 2 storey three bedroom dwelling and attached garage with parking, turning area and vehicle pedestrian access onto Great Hill Road – WITHDRAWN – 28.07.2008
- P/2008/1324 Demolition of reservoir; formation of 1 no single storey three bedroom dwelling with internal garage with parking and turning area with vehicular/pedestrian access onto Great Hill Road – PERMITTED – 27.09.2008

### **Relevant Policies**

Saved Adopted Torbay Local Plan 1995-2011

- HS Housing Strategy
- H2 New Housing on Unidentified Sites
- H9 Layout, Design and Community Aspects
- H10 Housing Densities
- BES Built Environment Strategy
- BE1 Design of New Development
- TS Land Use Transportation Strategy
- T1 Development Accessibility
- T19 District Distributor Road Network
- T24 Traffic Management Zones
- T25 Car Parking in New Development
- T26 Access from Development on to the Highway

PPS1 Delivering Sustainable Development

PPS3 Housing

PPG13Transport

### **Proposals**

The proposal seeks to redevelop the site for residential use. The existing walls of the reservoir will be maintained and the single storey property will be constructed on that base. The accommodation would comprise of two bedrooms (one en-suite); bathroom; kitchen/family room and separate lounge. High level windows are proposed for the North elevation and for the lounge on the East elevation. A raised terrace will be included along the South elevation and a shed is proposed to the North East of the building. Two external parking spaces will be provided. The highway access would be onto Great Hill Road.

This is essentially a revision to the approved plans P/2008/1324.

The revised scheme has a finished floor level 1.5 metres higher than the previous proposal.

The previous scheme sought consent for the removal of the reservoir and construction of a single storey dwelling with some accommodation in the roof space. The key differences are the shape of the dwelling, proximity to boundaries and overall heights.

## **Consultations**

Highways – Advice remains as per the previous application. As the access remains as per previously approved the highways department raises no objection.

Other advice provided during the last application is also considered to remain relevant to this application.

This includes advice regarding the supply of water and the drainage situation as well as potential contamination. However, confirmation was sought on this matter from environmental health as further information was supplied with this application that was not submitted in the previous. It was confirmed, though, that the advice remained the same and that for this reason the conditions should be transferred as they remain relevant and necessary.

## **Representations**

Five letters of representation have been received and are reproduced at Page T.202.

The issues raised are:

- Highway safety
- Dominant and overpowering
- Imposing due to height and topography
- Effect on aesthetics of area
- Landscaping and external finishes
- Details of security fence
- Grass verge damage
- Overlooking/privacy
- Overbearing, particularly on Overdale Close

## **Key Issues/Material Considerations**

There will be no accommodation created in the roof space. There will be an access into the 'basement' for storage purposes but as confirmed by the agent this is not intended to be used as habitable space. The property has a rectangular form with the shorter elevation facing Great Hill Road and the longer, side, elevation facing Overdale Close.

The key issues in the consideration of this application are (1) the principle of development, (2) visual impact of the proposed dwelling, (3) affects on the amenity of neighbours and (4) highway safety.

(1) An application was submitted and approved on this site in 2008 for a single storey dwelling. As such the principle for development has been set. The site is similar in scale to those around, particularly in relation to those on Great Hill Road.

(2) The approved application is for a dwelling with has various shapes and heights thereby adding character. This dwelling though does not conform to the same appearance. Instead it is rectangular in design with a half hipped roof. The "short-side" of the property faces towards Great Hill Road. Whilst there is not as much activity with the design of the building to that previously considered it is similar to many others in the area.

A security fence is proposed around the site following the completion of development. A similar enclosure was proposed on the approved scheme. There are no details on the approved plan in relation to the height of the fence, confirmation is being sought from the agent on that matter. However it is indicted that it will be a timber. It is not considered entirely appropriate to have a high level fence around the entire site, especially the front. If the details can not be clarified before the meeting a condition is proposed.

In response to a further concern raised in the representation regarding the external finishes, it is indicated on the plans that all walls will be rendered and painted accordingly.

(3) Previously due to the high level ground floor windows and relationship on the side with the flat roof extension of the neighbour there were no amenity concerns. In this case there are also high level windows proposed on the side elevation. These therefore raise no concerns for neighbour amenity on that side. In considering the property at the rear the revised proposal is 3.7 metres further from the boundary – now at 5.2 metres. The window, relating to a bedroom, will be increased in size to that of a standard window. Adjacent to that will be another high level window relating to the lounge. Given the distances involved, whilst it is recognised that it will be higher than the neighbour behind on Overdale Close, it is not deemed to significantly impact on the levels of privacy currently enjoyed by those occupants. A street survey plan has been requested from the agent, this should help to demonstrate that. The side elevation of the neighbouring property also has a garage, further separating the two dwellings.

Overlooking aside there is a further consideration for the overall height of the building and if this would have an affect of an overbearing impact on the neighbouring occupiers. Having assessed the heights of the previous approval and this scheme it is not considered that there are any greater impacts and that therefore it remains acceptable. The maximum height to ridge will be reduced overall, however, much of the previous approved dwelling was set at a lower level. The eaves of this proposal, due to the increased finished floor level and amended design will be 1.3 metres higher. This is not considered to have a significant impact on the neighbours and in particular their amenity.

(4) In respect of Highway Safety the highways department have raised no concerns. The access has remained as previously considered and approved. There is sufficient parking and onsite turning for at least two vehicles. As such, and with the access considered by the highways officers, these aspects are deemed to be in accordance with the planning policies.

Planning Contributions – In accordance with the Planning Contributions and Affordable Housing Supplementary Planning Document and recent update the application will attract a necessary planning contribution to mitigate against the impacts of the development. In this case the contribution sought was for £5540.00. A letter has been sent to the agent requesting the contribution and offering, as per the policy, as 5% reduction if paid as an upfront contribution. In response the agent has confirmed an agreement, in a letter dated 6 July 2011, to pay the reduced contribution of £5260.00 as requested. The contribution will be sought before the issue of the decision.

**Sustainability** – Re-use of a brown field site for residential purposes.

**Crime and Disorder** – No relevant considerations

**Disability Issues** – No relevant considerations

### **Conclusions**

The proposal is considered to be in accordance with the local planning policies as set out within the Saved Adopted Torbay Local Plan 1995-2011. It will provide for an acceptable re-use of an otherwise redundant site in a residential area. For these reasons, as considered above, the application recommended for approval.

There are considered to be appropriate and necessary conditions in order to ensure a satisfactory form of development. These have been included with the recommendation.

Given the level of representation to the proposed development it is necessary to refer it to the Development Management Committee.

### **Recommendation:**

Conditional Approval

## Condition(s):

01. Prior to the commencement of the development hereby approved an investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The findings must be submitted in report form to, and approved in writing by the Local Planning Authority. The report of the findings must include the following:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human Health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - adjoining land
  - groundwaters and surface waters
  - ecological systems
  - archaeological sites and ancient monuments
- (iii) an appraisal of remedial options and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.'

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to be controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbour and other offsite receptors, in accordance with Policy EP7 of the Saved Adopted Torbay Local Plan 1995 – 2011.

02. Prior to the commencement of the development hereby approved a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and the remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to be controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbour and other offsite receptors. In accordance with policy EP7 of the Saved Adopted Torbay Local Plan 1995 – 2011.

03. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development other than that required to carry out the remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of the commencement of the remediation scheme works. Following completion of measures identified on the approved remediation scheme a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to be controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbour and other offsite receptors. In accordance with policy EP7 of the Saved Adopted Torbay Local Plan 1995 – 2011.

04. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2 and must be submitted to and approved in writing by the Local Planning Authority. Following the completion of measures identified in the approved remediation scheme a verification report must be prepared in accordance with condition 3. This must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to be controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbour and other offsite receptors. In accordance with policy EP7 of the Saved Adopted Torbay Local Plan 1995 – 2011.

05. Prior to the first use of the development hereby approved the parking and turning areas shown on the approved plans shall be laid out in accordance with said plan. The parking and turning areas shall remain available for the purposes of parking and turning vehicles thereafter, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that there is adequate off street parking and turning available, in the interests of highway safety and in accordance with policies T25 and T26 of the Saved Adopted Torbay Local Plan 1995 – 2011.

06. Prior to the commencement of the development hereby approved details of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. It shall be completed in accordance with the approved details prior to the first occupation of the dwelling hereby approved.

Reason: In the interests of the visual amenities of the locality, in accordance with policy BE1 of the Saved Adopted Torbay Local Plan 1995 – 2011.

07. Prior to the first occupation of the dwelling hereby approved, a plan to show appropriate siting and storage facility for recycling and waste shall be submitted to and approved by the local planning authority. After approval of such facilities it shall be maintained as such thereafter, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure there are adequate bin storage facilities, in accordance with policy W7 of the Saved Adopted Torbay Local Plan 1995 – 2011.

08. Prior to the first occupation of the dwelling hereby approved, the highway verge between the site and road shall have been landscaped in accordance with a scheme of landscaping which shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to prevent parking within the visibility splay. In accordance with Policies BES and T26 of the Saved Adopted Torbay Local Plan 1995-2011.

09. Prior to first occupation of the dwelling hereby approved, a plan to show appropriate cycle storage facilities for the dwelling shall be submitted to and approved by the Local Planning Authority. This shall then at all times thereafter be maintained and kept available for use by the occupants and visitors unless otherwise approved in writing by the Local Planning Authority

Reason: To improve the use of sustainable transportation and ease the vehicular traffic movements to and from the site in accordance with policy T2 of the Saved Adopted Torbay Local Plan 1995-2011.

**Informatives:**

01. The proposal was considered against housing, built environment and transport policies of the Saved Adopted Torbay Local Plan 1995-2011. In the opinion of the Local Planning Authority it is not in conflict with the policies as no harm is caused to the character or appearance of the area and there is also no detrimental effect on the amenity of the neighbouring occupiers. The dwelling makes a positive re-use of a brownfield site in a residential area.

02. Please be advised that South West Water will only allow foul drainage to be connected to the public foul or combined sewer. As no separate public surface water sewer is available, they request investigations are carried out to remove the surface water using a SUDS/soakaway system. Details of the means of disposal must be submitted to South West Water for prior approval. The use of soakaways will require satisfactory percolation tests to have been undertaken. If soakaways are not a viable option please contact South West Water on (01392) 443189 or [devplan@southwestwater.co.uk](mailto:devplan@southwestwater.co.uk)

03. In accordance with the provisions of the Planning Contributions and Affordable Housing Supplementary Planning Document a contribution to mitigate the impacts of the development was sought. The sum of £5260.00 was contributed as an upfront payment.