

**Application Number**

P/2015/0148

**Site Address**Land Adjacent 51 Longmead Road  
Paignton  
Devon  
TQ3 1AX**Case Officer**

Mr Alexis Moran

**Ward**

Preston

**Description**

Change of use from highway to residential (public footway and protected trees to remain) to increase size of garden at 51 Longmead Road

**Executive Summary/Key Outcomes**

The application site relates to a strip of land adjacent to 51 Longmead Road, Paignton which is approximately 7 metres wide and 30 metres long. At present the land is highways land and the application proposes to change the use of this to residential in order to extend the garden of 51 Longmead Road.

The application is required to be seen by the Development Management Committee as the applicant is related to a member of staff employed within Spatial Planning, Torbay Council.

The proposal to change the use of the strip of highways land to a residential use would not have a detrimental impact on the character and appearance of the streetscene. Access to the footpath which links Longmead Road and Windmill Lane would not be affected.

The site is currently public land. As such it allows members of the public to pass the site and the neighbouring property 53 Longmead Road. The change of use of the land to private ownership as part of 51 Longmead Road will not cause any loss of privacy or amenity to the occupiers of neighbouring properties.

The proposal is therefore deemed to comply with policies BES & BE1 of the saved adopted Torbay Local Plan 1995-2011.

**Recommendation**

Approval.

**Statutory Determination Period**

The statutory determination date for this application is 15.04.2015

**Site Details**

The application seeks permission for a change of use of this strip of land from highways land to residential in order for 51 Longmead Road to enlarge its

garden. The new boundary treatment is proposed to be a wall which is to be a maximum of 2 metres in height along the side elevation and a maximum of 1 metre high along the front boundary.

### **Detailed Proposals**

The application seeks permission for a change of use of this strip of land from highways land to residential in order for 51 Longmead Road to enlarge its garden.

This application is required to be determined by Development Management Committee as the applicant is related to a member of staff from the Spatial Planning service.

### **Summary Of Consultation Responses**

Highways - The Highway land would be required to go through a "stopping up" period as the adopted Highway is maintainable at public expense, and as a Highway perspective this council will still need to maintain access over the footpath and maintain the Highway apparatus (gully).

### **Summary Of Representations**

None.

### **Relevant Planning History**

None.

### **Key Issues/Material Considerations**

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

The proposal to change the use of the strip of highways land to a residential use in order to extend the garden of 51 Longmead Road would not have a detrimental impact on the character and appearance of the street scene. The proposal would not affect access to the footpath which links Longmead Road and Windmill Lane.

The site is currently public land as such it allows members of the public to pass the site and the neighbour at 53 Longmead Road. The change of use of the land to residential use, in private ownership, as part of 51 Longmead Road will not cause any loss of privacy or amenity to the occupiers of neighbouring properties.

### **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.

**Relevant Policies**

BES - Built environment strategy

BE1 - Design of new development