

Application Number

P/2011/0550

Site AddressSite Adjacent 4 Greenover Road
Brixham
Devon
TQ5 9LY**Case Officer**

Mrs Alison Read

Ward

St Marys With Summercombe

Description

Formation of 2 semi detached dwelling houses with vehicle access on site adjacent to 4 Greenover Road (affects the setting of a listed building)

Executive Summary/Key Outcomes

This application seeks to erect a pair of semi-detached houses on a vacant site which is in close proximity to the Higher Brixham Conservation Area and a listed building (No 3 Dashpers). A planning contribution of £10,520 has been paid ("up front" payment). There are no highway objections to the proposal.

Recommendation

Committee site visit; Conditional approval

Site Details

The site is a vacant plot of land to the south eastern side of 4 Greenover Road. The last use is stated to be as a builder's yard. There is an existing vehicular access to the north western side of the frontage over which there appears to be a right of way to 4 Greenover Road (which is in separate ownership). The rear gardens of properties fronting Dashpers are to the southern boundary of the site with a stone wall on the boundary. These properties are at a lower level as the land slopes down to the south. One of these properties, No 3 Dashpers, is a Grade II listed building and as such part of this boundary wall is likely to be listed. The land is not within but on the edge of the Higher Brixham Conservation Area (conservation area boundary along part of southern boundary of site). The land has an irregular shape with a width of approximately 24 metres along the front of the site and narrows towards the rear (approx. 12 metres along rear boundary). The depth of the site is approximately 37-40 metres (varies). There have been previous pre-application enquiries, the most recent for a different scheme with two tandem bungalows. (See History)

Detailed Proposals

The proposed scheme is to erect a pair of 2-storey 3-bed pitched, hipped roofed semi-detached houses on the site, with vehicular access to the north western side of the frontage. In order to provide visibility it is proposed to demolish the existing stone boundary wall and re-erect it to a minimum height of 2.5 metres set back approximately 2.4 metres within the site. Revised plans have been requested to retain part of the existing front boundary wall (up to a maximum height of 0.6 metre) with a raised area of hard landscaping or bed with very low planting behind.

The plans show parking to the front of the dwellings (revised plans requested as parking spaces were not accessible in original plans) as well as some grass lawned garden areas to the front, side and rear. The building would be approximately a metre (stated to be 1.2 m in Design and Access Statement) off the wall to the southern boundary at the closest point. A section through the new dwelling and the wall has been requested. The existing stone walls are to be retained to the southern side and western rear boundaries and maximum 2 metre high timber fences are proposed to the

northern side boundary with 4 Greenover Road and between the properties (condition should be added to ensure that the fences would be no lower than 2 metres in the interests of neighbouring amenity).

The ridge height is shown to be 8.8 metres high above ground level and the eaves 5.3 metres high. The ground floor levels are indicated to be 340 mm above the finished ground level, which coincides with the existing ground level to the southern side of the site.

The materials for the walls are stated to be in traditional wet roughcast render with a white lime wash finish to match local finishes (e.g. 4 Greenover Road) with red brick facing trim around the windows, doorways and facing to cill height on the front elevation. The windows and doors would be in white PVC, the gutters and downpipes in black PVC. The roof would be in red clay tiles to match those used on adjacent dwellings (and not natural grey slate as on application form as clarified with agent).

The arrangement and number of parking spaces is to be altered in revised plans. Adequate access, parking and turning is to be provided. The access issue for the neighbouring property (4 Greenover Road which has a joint access arrangement) is also to be clarified or resolved in revised plans.

Summary Of Consultation Responses

Highways: The access to this development is acceptable to highways taking into consideration the accesses in the vicinity. The parking layout seems to be unworkable, however, I feel that there is sufficient space to get a satisfactory layout and therefore highways would raise no objection.

Strategic Transport Comments:

Reasoning:

Residential area near bus route for town (17) & (22/24) Kingswear to Brixham Town Centre.

Need to promote use of public transport in Brixham to reduce car trips, and hence cut congestion & pollution

S106 Contribution required towards improving bus services in Brixham.

Apply SPD

Covered, secure cycle parking for 1 bike per dwelling. If propose use garage, garage must be large enough to access bikes easily with car inside

Community Support & Funding Officer (open space, parks): SPD for Open Space and Recreation would be used at St Marys Park. It would be used on park infrastructure, benches, play equipment or similar.

Summary Of Representations

Objections; Summary of reasons for objection:

- 1) Highway safety; busy road, proposed access dangerous with lack of visibility; disruption during building works
- 2) Overlooking/loss of privacy
- 3) Overbearing impact of 2-storey dwellings
- 4) Loss of ecological habitat; possible presence of protected species
- 5) Loss of wall on edge of conservation area
- 6) Application for bungalow refused in 1978 on highway grounds
- 7) Trees and shrubs on site have been removed
- 8) Concern about damage to wall on southern boundary and that it is to be retained
- 9) TPO'd tree in adjacent curtilage (4 Greenover Road)

N.B. Arboricultural officer has confirmed that there are no current TPO'd trees on this site.

Relevant Planning History

ZP/2006/1215 Residential development Refusal advised 18.01.07.

ZP/2011/0054 2 single storey dwellings on land adjacent to 4 Greenover Road. Split decision advised 07.04.2011.

Curtilage of No. 25 Greenover Road:

P/2008/0783/PA Dwelling with vehicular/pedestrian access (revised scheme) Approved 18.06.08.

Key Issues/Material Considerations

Principle and Planning Policy -

Impact on the street scene, conservation area and adjacent listed building; The site is not within a conservation area but is on the edge/in close proximity to the Higher Brixham Conservation Area and there is a Grade II listed building, 3 Dashpers to the southern side of the site.

Whilst the partial demolition of the stone boundary wall fronting the road is not ideal a higher section of wall is to be rebuilt, set back within the site. Revised plans have been requested to revise the arrangement to ensure that a raised planting area would be created between the walls in order to prevent the parking of vehicles in a lay by arrangement to the front of the rebuilt high wall, which would be detrimental to the visual amenity of the street scene as well as highway safety. As a similar arrangement was approved further along the road at a development site adjacent to No 25 Greenover Road (P/2008/0783/PA See History) it is considered unreasonable to refuse the application if a similar arrangement is shown in suitably revised plans.

The wall on the southern boundary which is a party wall and partially encloses the rear curtilage of an adjacent listed building (No. 3 Dashpers) is to be retained as existing. A section has been requested through the new houses and the wall to ensure that the relationship with the wall is satisfactory.

The siting, scale and design of the properties is considered to be acceptable in the street scene and with regard to the proximity to the adjacent conservation area and a nearby listed building. It is not considered to be contrary to the objectives of relevant Local Plan policies.

Impact on neighbouring residential amenity; The dwellings are to be quite well set off neighbouring residential properties and as such are not considered to be sufficiently detrimental in terms of overbearing impact, loss of light or outlook to warrant a refusal. With regard impact on privacy or overlooking there is a difference in levels with the properties fronting Dashpers to the south side which are at a lower level, as the land slopes down to the south and the existing wall on the boundary should adequately screen the ground floor windows which face the rear of these properties and the outlook from the application site is mainly over the roofs of these properties. The upper floor windows to the side elevation are all to be in fixed obscure glazing (revised plans requested).

With regard the impact on the properties to the north side, in particular 4 Greenover Road, a condition can be added to ensure that the fence on the side boundary should be no lower than 2 metres in height which should screen the ground floor windows of the development and the upper floor windows to the side elevation are to be in fixed obscure glazing (revised plans requested) and an appropriate fixed obscure glazing condition should be added.

Climate change -

The proposal is considered to be sustainable in that it is making good use of vacant under used land. An appropriate planning contribution to mitigate the impact of the development on the local environment, community and economy has also been submitted. The surface water is to be discharged to soakaways. The hard surfacing to the frontage is to be changed to a permeable material (revised plans requested).

Environmental Enhancement -

A letter of objection alleges the presence of slow worms (*Anguis fragilis*) which are a protected species and the site is also within the foraging zone of the horseshoe bat. As such it is considered to be appropriate to add a condition requiring a Phase 1 Habitat Survey to be submitted prior to the clearance or development of the land and that the recommendations are acted upon. Landscaping of the site is also to be clarified and appropriate conditions added as required.

Accessibility -

Highway safety; There are no highway objections to the proposal. The existing wall is to be demolished to a height of 0.6 metre in order to provide adequate visibility in the interests of highway safety (with a high wall to be rebuilt set back within the site) and an area of hard landscaping or a planting area (with very low ground cover plants or flowers only such that visibility would not be obscured by vegetation) created to ensure that a lay by is not created, in the interests of highway safety as well as the visual amenity of the street scene. A similar arrangement was approved at a development site for a new dwelling adjacent to 25 Greenover Road (P/2008/0783). Adequate parking (to be reduced to 3 spaces, which is acceptable) and turning facilities are to be provided within the curtilage(s). Also secure cycle parking is to be indicated. (Revised plans requested).

S106/CIL -

The appropriate planning contribution towards sustainable transport, waste management, lifelong learning and greenspace and recreation has been submitted as an up-front payment.

Conclusions

The proposal is considered to be an acceptable and sustainable form of development. Having regard to applicable national and local planning policies and having taken all relevant material considerations into account it is considered that planning permission should be granted subject to suitable conditions.

Condition(s)/Reason(s)

01. The development shall not be used or occupied until the revised front boundary wall arrangement has been completed in accordance with the details shown on the approved revised plans. The area between the outer 600mm high wall and the inner 2500mm high wall fronting Greenover Road shall not exceed 600mm in height at any point and this area shall remain hard landscape at all times with no vegetation, other than very low ground cover plants or flowers, allowed to grow up and obscure visibility from and of emerging vehicles.

Reason: To ensure that a safe vehicular access and adequate visibility is maintained at all times in accordance with policy T26 of the saved adopted Torbay Local Plan (1995-2011).

02. The development shall not be used or occupied until the revised vehicular access, parking and turning arrangement shown on the approved revised plans has been provided and made available for use. The areas shall be kept permanently available for parking and turning purposes to serve the development.

Reason: To ensure that adequate and safe vehicular access, off-street parking and turning is provided in the interests of highway safety in accordance with the objectives of Policies T25 and T26 of the saved adopted Torbay Local Plan 1995-2011

03. No clearance of the site or commencement of development (whichever is the sooner) shall take place until a Phase 1 Habitat Survey or Report has been carried out by a competent professional and submitted to the Local Planning Authority. Any recommendations or mitigating measures found to be required as a result of the proposal shall be put in place in accordance with a programme that shall be agreed in writing with the L.P.A.

Reason: In the interests of protecting any protected species and to ensure that any mitigating measures are put in place in accordance with European legislation, The Countryside and Wildlife Act and policies NCS (Nature Conservation Strategy) and NC5 (Protected Species) of the saved adopted Torbay Local Plan 1995 – 2011.

04. The windows at first floor level to the side elevations shall have high level fixed obscure glazing (e.g. Pilkington level 4 or 5 or equivalent) installed and retained as such at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of privacy in accordance with the objectives of Policy H9 of the saved adopted Torbay Local Plan 1995-2011.

05. The development hereby approved shall not be used or occupied until the boundary fences have been provided and retained as such at all times and notwithstanding the approved plans the fences shall be a minimum of 2 metres in height, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of privacy and amenity in accordance with the objectives of Policy H9 of the saved adopted Torbay Local Plan 1995-2011.

Relevant Policies

HS	Housing Strategy
H2	New housing on unidentified sites
H9	Layout, and design and community aspects
H10	Housing densities
BES	Built environment strategy
BE1	Design of new development
BE2	Landscaping and design
BE5	Policy in conservation areas
BE6	Development affecting listed buildings
CF6	Community infrastructure contributions
W7	Development and waste recycling facilities
NCS	Nature conservation strategy
NC5	Protected species
T25	Car parking in new development
T26	Access from development on to the highway
URBAN	Urban Design Guide
LDD6	Affordable Housing Contributions