

Application Number

P/2016/1059

Site Address

Site Of Former Berry Head Garage
Berry Head Road
Brixham
TQ5 9AA

Case Officer

Mr Alexis Moran

Ward

Berry Head With Furzeham

Description

Demolition of concrete hardstanding and construction of four dwellings with parking. Variation of Condition P1 on original application P/2015/0705 and replacement with new plans to include a 400mm increase in the ridge height of Plot 1 and to extend its external end wall by 1500mm.

Executive Summary/Key Outcomes

The site is the former Berry Head Garage which has frontages to both Berry Head Road and Heath Road and is located on the south side of Berry Head Road opposite the Mooring Reach development. The site is surrounded by residential properties and is within the Brixham Town Conservation Area. The adjoining properties to the south-west in Ranscombe Court, Heath Road are Grade II Listed Buildings.

The application seeks permission to vary condition P1 of P/2015/0705 which granted permission to demolish the concrete hardstanding on the site and to construct four dwellings with parking under. The proposal for consideration is for a 400mm increase in the ridge height of Plot 1 and to extend its external end wall by 1500mm. The proposal affects the elevation of the building that will face towards Berry Head Road.

The proposal would result in an increase in the height of the development by 400mm over a span of 1500mm, which is not considered to cause a significant impact on the character of the previously approved development building or demonstrably reduce the previously designed spacious character of the roofscape.

Although the proposed development would extend forward of the building line of 15 - 21 Berry Head Road, given its recessed location in the street scene it is not considered that this would be highly obvious and would not result in having a detrimental impact on the grain or character of the street scene in the area.

It is considered that the proposed development would retain the character of the original design when viewed from the streetscene from Berry Head Road. The shape of the stone clad cock and hen parapeted column on the principal part of

the elevation acts to fill the awkward space at the front of the site and creates a visual link between the two sets of existing buildings on Berry Head Road as originally intended.

The proposed extension at second floor level is considered to have an acceptable impact on the setting of the adjacent Listed Buildings which are located on Heath Road. The relatively small increase in height of plot 1 and the distance from the Listed Buildings would mean that that the impact would be minimal and not significant enough to cause harm to the setting of the Listed Buildings. The proposal is considered to comply with Policy HE1 of the Torbay Local Plan 2012-2030.

Bearing these points in mind the proposal is considered to conserve and enhance the distinctive character of the conservation area. The proposal would retain the same high quality architectural detail and use of a sensitive palette of materials as the previously approved scheme P/2015/0705.

Although the extension to the end wall of Plot 1 would result in a bulkier development at roof level than that previously approved, it is considered to be of a scale that would have a nominal impact on the residential amenity of the neighbouring properties through overlooking, overdominance and loss of light, particularly when combined with the existing approval (P/2015/0705).

The proposal is therefore considered to comply with the requirements of Policies DE1, DE3 HE1 & SS10 of the Torbay Local Plan 2012-2030.

Recommendation

Approval with conditions yet to be discharged from P/2015/0705 applied.

Site Details

The site is the former Berry Head Garage with frontages to both Berry Head Road and Heath Road. There is a considerable drop in levels from Heath Road to Berry Head Road. It is on the south side of Berry Head Road opposite the Mooring Reach development. The site is surrounded by residential properties and is within the Conservation Area. The adjoining properties in Ranscombe Court, Heath Road are Grade II Listed Buildings.

Detailed Proposals

The application seeks permission to vary condition P1 of P/2015/0705 which granted permission to demolish the concrete hardstanding on the site and to construct four dwellings with parking under. The variation of condition 1 the subject of this application consists of a minor material amendment to the originally approved plan to include a 400mm increase in the ridge height of Plot 1 and to extend its external end wall by 1500mm.

Summary Of Consultation Responses

Brixham Town Council - comments not received.

Senior Historic Environment Officer - has raised concerns with regards to the proposal as the 'filling-in' of the cut back on plot 1 and the much longer roof line unbalances the design and impinges upon the parapeted stone block where spatial differentiation on the north and east sides requires a good separation - as achieved in the original design. Equally the recession that exists makes it easier to appreciate the qualities of No. 15 Berry Head Road and the group of five in which it sits. The extension of the roof and end wall of plot 1 towards the road, as requested in this application will just exacerbate the dominance of a block that is already a storey higher than its peers either side to the north.

Summary Of Representations

Nine letters of objection have been received. The points raised in the objections are as follows:

- o Loss of light
- o Out of keeping with the street scene and conservation area
- o Drainage
- o Overlooking
- o Overdevelopment
- o Impact on Listed Buildings.

Relevant Planning History

P/2015/0705 - Demolition of concrete hardstanding and construction of four dwellings with parking under. Approved 18.02.2016

P/2010/0902 - Extend time limit - Demolition of structures and erection of 5 town houses and 1 maisonette with car parking and vehicular/pedestrian access. Approved 01.11.2010

P/2005/1381 - Demolition of structure and erection of 5 town houses and 1 Maisonette with car parking and vehicular/pedestrian access - approved by DMC 26.09.2005

Key Issues/Material Considerations

The principle of four units of residential accommodation in this location was deemed to be acceptable by the granting of permission P/2015/0705 (approved 18.02.2016).

The key issues to consider in relation to the proposed variation of condition application are whether the amendment to the original scheme for the extension at second floor level to increase in the ridge height of Plot 1 by 400mm and to extend its external end wall by 1500mm would:

- o affect the character and appearance of the area and the original development

- o affect the residential amenity of adjoining residents.

Affect on the character and appearance of the area and the original development.

The increase in the height of the development, at 400mm over a 1500mm span, is not considered to be of a scale that would cause a significant impact on the character of the building or demonstrably reduce the previously designed spacious character of the roofscape.

The approved cock and hen capped stone clad wall sits outside of the end wall extension proposed under this variation of condition application. Although this may conflict with previously approved design where there was a distinct separation resulting from the different use of materials, the part of the development in question it is not considered to be highly or widely visible.

The extension to the roof and end wall of plot 1 results in the building line of the development being pulled out in line with the bay windows of 15 - 21 Berry Head Road and thereby partially exceeding the building line of this group of properties. However the building line of properties 13-3 Berry Head Road is some 10m in front of the building line of 15-21 Berry Head Road. Bearing this in mind the increase in the size of the development at second floor level is not considered to have significant impact on the neighbouring properties through an increase in overdominance given the juxtaposition of the site with the differing building lines and its recessed location in the street scene.

It is considered that the character of the original design is retained when viewed from the street scene from Berry Head Road. The shape of the cock and hen parapeted column on the principal part of the elevation acts to fill the awkward space at the front of the site and creates a visual link between the two sets of existing buildings on Berry Head Road as originally intended.

The proposed extension at second floor level is considered to have an acceptable impact on the setting of the adjacent Listed Buildings which are located on Heath Road. The relatively small increase in height of plot 1 and the distance from the Listed Buildings would mean that that the impact would be minimal and not significant enough to cause harm to the setting of the Listed Buildings. Therefore the proposal is deemed to comply with Policy HE1 of the Torbay Local Plan 2012-2030.

Overall the proposal is considered to conserve and enhance the distinctive character of the conservation area. The proposal is considered to retain the same high quality architectural detail and use of a sensitive palette of materials as the previously approved scheme P/2015/0705. The proposed extension to the roof and the extension to the end wall of Plot 1 is therefore deemed to comply with Policies SS10 and DE1 of the Torbay Local Plan 2012-2030 and complies with paragraphs 131-134 of the NPPF.

Affect on the residential amenity of adjoining residents.

The proposed extension to the previously approved application omits an area of the roof terrace and a window which would reduce the possibility of overlooking into the rear of the adjacent properties in Berry Head Road and Ranscombe Road.

Although the extension to the end wall of Plot 1 would result in a bulkier development at roof level than that previously approved, it is considered to be of a scale that would have a nominal impact on the residential amenity of the neighbouring properties through overdominance and loss of light, particularly when combined with the existing approval (P/2015/0705).

The proposal is therefore considered to comply with the requirements of Policy DE3 with regards to neighbour amenity of the Torbay Local Plan 2012-2030.

Conclusions

When considering the issues assessed above the proposed variation of condition P1 of P/2015/0705 would 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. Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority:
 1. An intrusive site investigation scheme, based on the submitted Phase 1 Report to be carried out to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
 2. The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 3. A verification report providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that there is no risk from land contamination in accordance with Policy ER3 of the Torbay Local Plan 2012-2030 and beyond

02. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, no development of the types mentioned in Part 1, classes A - H inclusive, Part 2 Class A & B and Part 14 classes A-O inclusive, of that Order shall be carried out without the prior consent of the Local Planning Authority.

Reason: To ensure that any future changes to the buildings or development within the grounds preserves the visual amenities of the conservation area in accordance with policy SS10 of the Torbay Local Plan 2012-2030 and beyond.

03. The car parking areas and garages shown on the approved plans shall be provided and made available for use for the units to which they relate, prior to their first occupation/use. The car parking areas and garages shall be kept permanently available for parking purposes to serve the development.

Reason: To ensure that adequate off street parking is provided in accordance with Policy TA3 of the Torbay Local Plan 2012-2030 and beyond.

04. The bin store and cycle store shown on the approved plans shall be provided and made available for use prior to their first occupation of the development, unless otherwise approved by the Local Planning Authority. The bin store and cycle store areas shall be kept permanently available for parking purposes to serve the development.

Reason: To ensure an appropriate form of development and in accordance with Policies DE1 & TA3 of the Torbay Local Plan 2012-2030 and beyond.

05. Prior to the occupation of the development and notwithstanding the approved plans, details of an obscure glazed screen measuring 1.7m in height to be located on the west side boundary of the second floor terrace shall be submitted to the Council for approval. Before the first use of the first floor terrace, the approved privacy screens shall be fitted. The screens shall be permanently retained in that condition thereafter.

Reason: To protect residential amenity and the privacy of neighbouring properties; and in accordance with the requirements of policies DE1 & DE3 of the Torbay Local Plan 2012-2030 and beyond

06. Prior to the first occupation or use of the development hereby permitted, a detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including all boundary treatments. Where applicable, it shall specify tree and plant species and methods of planting. The hard landscaping shall be constructed as approved prior to the occupation/use of the development. The soft landscaping shall be planted in the first planting season following the occupation/use of the development or completion of the development, whichever is the sooner, or in earlier planting seasons wherever practicable, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the amenities of the area and in accordance with Policy DE3 of the Torbay Local Plan 2012-2030 and beyond.

07. Prior to the commencement of development details of surface water drainage design shall be submitted to the Local Planning Authority for approval. These details shall demonstrate that the surface water discharge rate from the site to the systems is limited to Greenfield run off rate for the 1 in 10 year storm event with attenuation designed so as there is no risk of flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus 30% for climate change (where the Greenfield run-off rate for the site is below 1.5l/sec a discharge rate of 1.5l/sec will be acceptable). The approved design shall be installed prior to the first occupation of the development and retained as such at all time thereafter.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with policy ER1 of the Torbay Local Plan 2012-2030 and paragraph 103 of the NPPF.

Relevant Policies

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