

**Application Number**

P/2016/0933

**Site Address**42 Whidborne Avenue  
Torquay  
TQ1 2PQ**Case Officer**

Mr Robert Pierce

**Ward**

Wellswood

**Description**

Demolition of dwelling and proposed replacement dwelling shown as 42A (in outline)

**Executive Summary/Key Outcomes**

This is an application for outline planning permission which along with a concurrent planning application for full planning permission seeks the demolition of the existing dwelling and its attached double garage and their replacement with two detached dwellings within a sub-divided plot (42 and 42a). Applications for each of these dwellings have been submitted separately. This application is submitted in outline. The original submission was for details of access, layout and scale to be agreed at this stage, but this has since been revised to access only being agreed at outline stage. Details of layout, scale, landscaping and appearance are reserved.

Vehicular access to the site would be from the existing access.

The principle of residential development in this location is considered acceptable and in accordance with policy H1 of the Torbay Local Plan 2012-2030. There are no planning grounds to resist demolition of the existing dwelling. The subdivision of the plot into two would not result in material detriment the character or appearance of the locality. A sensitively designed dwelling on this site would not harm the residential amenity of adjoining occupiers. As such the proposal is consistent with Policies DE1 (Design) and DE3 (Development Amenity) of the Torbay Local Plan 2012-30.

Due to the site being within the Critical Drainage Area as designated by the Environment Agency details of the surface water drainage strategy are required to be submitted prior to planning permission being granted, as set out in Policy ER2. This information is awaited.

A considerable number of objections to the proposed development have been received.

**Recommendation**

Conditional Approval (conditions at end of report) - Subject to the submission of

the design of a surface water drainage system that will not result in any increased risk of flooding to properties or land adjacent to the proposed development for the critical 1 in 100 year storm event plus 30% for climate change to be agreed by the Executive Head of Business Services.

### **Statutory Determination Period**

22nd October 2016 Extension of time agreed.

### **Site Details**

The site forms the eastern half of a plot that is currently occupied by a predominantly single-storey dwelling which has a limited amount of accommodation included at first floor within its roof form which has a distinctive 'eye - brow' dormer to the front. The site has a broad street frontage with two existing vehicular driveways. The characteristic form of buildings along this suburban street is for them to be wide-fronted with their main roof pitches orientated parallel to the highway and smaller secondary gabled features presenting perpendicularly to the street.

Whidborne Avenue is sloping here and No. 42 occupies a position that is slightly before a small summit in the street is reached (which occurs further to the west). The plots along this side of Whidborne Avenue have far reaching views to the rear and their roof line is clearly visible from certain locations on the other side of Ilsham Valley, in particular from Kent's Cavern and the lower end of Higher Warberry Road.

### **Detailed Proposals**

The application is for outline planning permission which seeks approval for the principle of developing plot 42a. The applicant has revised the submission to details of access to be agreed at this stage only. Layout, scale, appearance and landscaping would be agreed at reserved matters stage. To assist the understanding of the proposal, a Design Guide was submitted which set out the design parameters for any subsequent reserved matters application for the development of plot no 42A and its relationship with the proposed dwelling on Plot 42. There was officer concern about the proposed layout and scale of the dwelling indicated in this document and therefore the application has been changed so that these issues can be addressed at reserved matters stage.

The access into the site would utilise the existing vehicular and pedestrian opening onto Whidborne Avenue. In terms of layout, the Design Guide and submitted plans indicate that there would be a gap between the two properties with the party boundary being defined by a proposed griselinia hedge.

### **Summary Of Consultation Responses**

Highways Engineer: No objections subject to details of the design and calculations of the wall that has been built alongside the public footpath to the side and rear of the property.

South West Water: No objection

Drainage Engineer: There are no details of the proposed location or design for the soakaway. The developer must carry out trial holes and infiltration tests in accordance with BRE 365 at the location and invert level of the proposed soakaway. These infiltration tests are required in order to confirm that the ground conditions are suitable for a soakaway and in addition the infiltration rates will be used to design the required soakaway. At each trial hole three tests must be carried out with the lowest test used in the design of the soakaway.

### **Summary Of Representations**

2 letters in support

32 representations objecting

Main issues raised:

- Impact on local area
- High density of the site
- Design will date quickly
- Impact on open aspect
- Increase in vehicular movements to and from the site
- Loss privacy from balconies
- Will alter the skyline
- Visual appearance of the new boundary wall
- Out of character with the area
- Will set a precedent for multiple builds
- Impact on immediate neighbour (No 40) -loss of light, noise from the terrace.
- Closure of gap.

### **Relevant Planning History**

P/2016/0932 - Dwelling in Plot 42 - concurrent Detailed application.

The following application relates to a nearby site and is considered relevant to this decision.

P/2012/0896 - Formation of two dwellings - 2 Whidborne Close - Approved 29.07.2013.

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

#### **General Principle and Planning Policy -**

The plot has an established residential use and sits within a wider residential estate that is mostly comprised of single dwellings set in defined uniform plots some of which have already been sub-divided and redeveloped including the scheme for two modern houses currently under construction at 2 Whidborne Close. The sub division of the plot maintains the residential use of the site, which

is commensurate with the established use and local character and which makes the best use of the built up area by providing an additional family home. It is noted that this plot is wider than plots to the east and its subdivision is not considered to have an adverse impact on the character of the area. As such the principle of subdivision of the plot would be consistent with the objective in Policy DE1 of respecting the local character.

### **Visual Impact -**

The layout, scale, and appearance of the proposed dwelling are reserved matters and not for consideration as part of this application.

There is a linear form of development along Whidborne Avenue. There would be sufficient room on the application site for a dwelling that reflects the established grain and form of development in the area to be provided.

As a result it is not considered that the proposed new dwelling will be visually prominent within the street scene.

The rear of the the properties along Whidborne Avenue are visible from distant views from across Ilsham Valley. Providing the proposed dwelling would be lower than the ridge height of the existing property it is not considered that it will be visually prominent within this row of houses.

As such the proposal would accord with Policy DE1 (Design) of the Torbay Local Plan 2012-30.

### **Residential Layout -**

There would be sufficient space on the site for a detached dwelling to provide adequate parking and outdoor amenity space which would offer an acceptable residential environment for future occupants. As such it would be consistent with Policy DE3 (Development Amenity) in the Torbay Local Plan 2012-2030.

### **Neighbour Amenity -**

The existing dwelling on the site is located a minimum of 2.5 metres from the boundary with 40 Whidborne Avenue. There would be sufficient space on the site to maintain this level of separation to the adjoining dwelling. Subject to sensitive design a new dwelling could be provided that would have an acceptable relationship with the neighbouring property.

Consequently the principle of constructing a dwelling on this site would be consistent with the objectives of Policy DE3 (Development amenity) in the Torbay Local Plan 2012-30.

### **Highway, Parking and Access -**

The proposed dwelling will utilise the existing vehicular and pedestrian access which will serve a large integral double garage. The Authority's Highways

Department do not raise any concern in regard to utilising this established access arrangement and the site is capable of providing a level of parking that would be in line with policy guidance.

Local residents have raised concern about the increase in traffic that would result from subdividing the existing plot. It is not considered that the level of additional vehicular movements that would be generated from one additional dwelling in this location would be significant enough to justify refusing planning permission. Consequently the proposed development would be consistent with Policy TA1 (Transport and accessibility) in the Torbay Local Plan 2012-2030

### **Ecology -**

A Preliminary Ecological Assessment has been carried out and this has confirmed that no evidence of bat use or nesting bird activity was found in association with the roof or eaves of the property and therefore the proposed demolition of the existing bungalow will not impact on bats or nesting birds.

It is noted that the proposed garden wall on the north boundary would incorporate bird nesting boxes and frog and hedgehog highways.

### **Conclusions**

The principle of sub-dividing the plot to form two dwellings is considered acceptable as the plot is of sufficient size and has enough natural frontage to accommodate them without having a harmful impact on the character of the area..

The site is of sufficient size to allow a dwelling that would respect the character and appearance of the existing townscape and not result in harm to the residential amenity of adjoining occupiers.

Highway safety for all users is protected by utilising the existing vehicular access and on site parking at a level that would mitigate any additional pressure for on-street parking (which is however low in this area) is achievable.

The scheme is considered to sit comfortably with local policy guidance and national guidance for the presumption in favour of sustainable development.

### **Condition(s)/Reason(s)**

01. Reserved matters submitted
02. No PD classes A,B,C
03. construction management plan
04. parking provided

05. landscaping implemented
06. Installation of bird boxes and frog and hedgehog highways prior to occupation of the dwelling
07. Complete implementation of surface water drainage scheme prior to occupation of dwelling
08. No vegetation removal during bird nesting season

**Relevant Policies**

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