

Application Number

P/2017/0280

Site Address31 Loxbury Road
Torquay
TQ2 6RS**Case Officer**

Mrs Saffron Loasby

Ward

Cockington With Chelston

Description

Side extension, extended balcony, porch and new hardstanding for provision of a revised parking layout at Sunnyvale, 31 Loxbury Road, Torquay, TQ2 6RT

Executive Summary/Key Outcomes

The application proposes a two storey side extension to the south elevation of the existing property comprising a lounge at ground floor level with access onto an extended balcony and stairs leading down to a 'snug' at lower ground level leading out on to the rear garden.

The scheme proposes a new front porch, conversion of the existing roof space (which is permitted development) and a revised parking layout. The scheme takes into consideration the extant planning permission for a detached dwelling to the north northwest of the application site approved under planning reference P/2015/0171. The existing vehicular access and on-site parking provision is reconfigured to ensure vehicular access is provided to the approved plot.

The application has been referred to Development Management committee due to the number of objections that have been received. These refer to a number of issues including impact on amenity of the area, overlooking, noise, traffic impact, trees/wildlife and drainage.

The applicants' agent has worked positively with the Council to produce a form of development that has would be acceptable on the site. As such the proposal represents a development that carefully balances the issues of design, neighbour amenity, highways, landscape and drainage. The proposal is considered to accord with Policies DE1, DE3, TA2, ER1 and ER2 in the Torbay Local Plan 2012-30 and is therefore recommended for approval.

Recommendation

Conditional Approval. Conditions to relate to materials, provision of privacy screens and drainage. Final drafting of conditions to be delegated to the Executive Head of Business Services.

Statutory Determination Period

The eight week target date for determination of this application is 13th May 2017.

Site Details

The application site relates to 31 Loxbury Road, a detached two storey dwelling located on a residential plot that sits at the end of a cul-de-sac on the hillside overlooking the adjacent Cockington Valley/Cockington Country Park and the Cockington Conservation Area, which is land also designated as a Countryside Zone and Area of Great Landscape Value.

The site itself does not sit under any built or landscape designations, however the tree belt on the southwestern boundary is subject to a Tree Preservation Order (TPO) and forms part of a wider linear protected belt. The proposed scheme does not impact on this TPO.

The site currently holds a single dwelling, although there is extant consent for an additional dwelling to be built to the northwest of the application site.

In terms of physical detail the existing building sits on a steeply sloping plot, the front elevation appearing as single storey only with a lower ground floor level facing towards Cockington Valley. Access to the site is already established and a single garage is located beyond a driveway that is approximately one car deep. The existing property sits low at the end of the cul-de-sac allowing for views across the valley above the existing ridgeline and to the open countryside beyond. There are no public footpaths across the application site.

Detailed Proposals

The proposed two storey side extension to the southeast elevation of the existing property would measure 5m from the outside wall towards No.29 and 9.6m from front to back in footprint. It would have a deeper footprint than the existing dwelling. It would have a hipped roof and there would be projecting gables at both the front and rear. From the front elevation the extension will retain the perception of being single storey. The new gable end matches the existing eaves height and the proposed roof would slope away from the neighbouring property.

To the rear the extension would comprise 2 storeys, matching the existing eaves height and ground floor levels of the existing property. New openings are proposed in the new extension facing over the valley and a galleried roof in the lounge comprises roof lights on the southwest facing roof slope thus removing the need for openings that look toward the adjoining neighbour (No.29).

The distance between the proposed extension and No.29 varies as the existing house is set at an angle on the plot. The closest part of the extension measures 2m from the shared boundary which currently comprises a thick hedge. This part of the extension measures 4.5m in height at this point. The furthest part is 5.2m from the boundary and is approximately 7.4m in height.

A new balcony area is proposed projecting beyond the rear element of the proposed extension. A privacy screen 1.7 metres high is proposed on the southern boundary of the balcony to avoid overlooking to No.29.

A new front porch is proposed and a replacement flat roof over the existing forward projection which will be reconfigured to comprise a utility/boot room as well as a WC. This is proposed to comprise a sedum/wildflower flat roof.

The roof space to the existing dwelling is also being converted. This could be achieved under permitted development as the two bedrooms would be lit by roof lights only

Parking provision is improved on site by creating 3 off road spaces for the property whilst still retaining access to the plot that has extant consent. A revised plan was submitted reference 7195 P011 issue D2 to ensure the parking provision for the existing and proposed dwellings does not conflict.

Summary Of Consultation Responses

Ecology Consultant No evidence of Bats/nesting birds found - no objection

Drainage The additions are under 100m² and therefore standing advice will be provided as part of a condition to ensure the applicant discharges surface water in accordance with the submitted Flood Risk Assessment dated 14th March 2017.

South West Water No objection subject to standing advice.

Highways Highways would have no objections, we would regard the new proposed as a betterment to the previous approved application.

Summary Of Representations

11 Representations against the application have been received which raise the following issues:

- Drainage
- Impact on Local Area
- Noise
- Not in keeping
- Over development
- Privacy/overlooking
- Residential
- Traffic/access
- Trees/wildlife
- Loss of light

These representations have been sent electronically for Members consideration.

Relevant Planning History

P/2015/0171	Dwelling - Approved at Committee - 08.06.2015
P/2010/1397	Dwelling - Approved at committee - 17.07.2012
P/1991/1081	Detached dwelling and integral garage, plot between 27 & 31 Loxbury Road - Approved
P/1992/1252	Detached dwelling and integral garage, plot between 27 & 31 Loxbury Road - Approved
P/1993/0061	Detached dwelling & integral garage, plot between 27 & 31 Loxbury Road - Approved
P/2006/0346	Dwelling with combined vehicular/pedestrian access (in outline) - Refused
P/2009/1129	Single detached dwelling within curtilage; Demolition of existing garage and formation of two new garages and access - Refused

Considering the proposal and the context, the key considerations are;

1. the visual implications of the scheme upon the built and landscape settings,
2. impact upon neighbouring amenity
3. Highway parking/access
4. Drainage
5. Ecology and trees

1. Visual implications

Although not under any built or landscape designations the plot sits adjacent to and can be viewed from the Cockington valley, which is subject to a number of such designations. The wider visual impact, in addition to the impact of the local streetscene, is a key consideration.

In respect to the local streetscene it is considered that the extension would sit comfortably within what is a mixed character, where there is a varied form of building type from the mid and late 20th Century. Although absent of a defining character, the proposal is considered to accord with scale, general form and setting of existing property. It is therefore likely to sit comfortably within the street with little detriment to the local visual qualities.

In regard to any wider impact upon the visual qualities of the multi-designated Cockington Valley which it overlooks, it is concluded that the visual impact will be minimal. The proposed extension will sit against the backdrop of the existing building line when viewed from Cockington Lane. The proposal is considered to

sit comfortably with the aims and objectives of Policies DE1 and SS9 of the Torbay Local plan 2012-2030.

2. Impacts upon neighbour amenity

There are no new windows proposed in the side elevations of the proposed extensions that would have an adverse impact on neighbour privacy. The proposed balcony will run along the length of the rear elevation but privacy screens on either end will overcome any potential overlooking. This can be conditioned accordingly.

At present there are several windows on the elevation of No.29 that overlook the side and rear garden of the application site. These comprise two kitchen windows and a utility window at ground floor level, a bedroom window and a dressing room/additional bedroom window at lower ground floor). The existing balcony position of No. 29 also affords views across to the lounge window and into the side and rear garden of No. 31 and vice versa) and the new extension will give the occupants of the application site significantly more privacy as a result.

Concerns have been raised that, because of its proximity to the neighbouring dwellings the new extension will be overbearing and result in a loss of light, particularly to the occupiers of No.29.

The windows in question are primarily secondary windows to southwest facing openings. These are to the kitchen, a utility room, a lower ground floor bedroom and an associated dressing room (which has been used as a bedroom in the past). Given the orientation of the property to the south east of the application site the extension is not considered to have an adverse impact on loss of light loss to these northwest facing windows.

Additionally, as the majority of the rooms are not 'main habitable' rooms and those that are have alternative openings (other than the dressing room) the impact of the proposed extension is not considered to be so overbearing as to justify a recommendation of refusal.

The proposal is considered acceptable in respect of its likely impact upon local neighbour amenity and is consistent with the aims and objectives of Policies DE3 and DE5 of the Torbay Local Plan 2012-2030.

3. Highway / parking access matters

The proposal utilises the existing vehicular access for the plot, albeit slightly widening the access, and reconfigures the parking facilities to provide off road provision for the existing and proposed dwelling, with enhanced manoeuvring within the plot.

The level of parking is considered commensurate for the form of development and the provision of two dwellings within the plot. The parking provision meets the

requirements of Policy TA3 and Appendix F of the Torbay Local Plan 2012-2030. The access and egress is considered safe in highway terms, with the turning facility. The proposed widened access possibly giving an improved relationship with the turning head of the cul-de-sac.

The arrangements are satisfactory and no objection has been raised due to acceptance of the level of parking proposed and the access and egress arrangements. Consequently the proposed development accords with Policies TA2 (development access) and TA3 (parking requirements) in the Torbay Local Plan 2012-30.

4. Drainage and flood risk

The proposal details that surface water run-off from the development shall be served via soakaways. As the site is within the Critical Drainage Area as designated by the EA it is appropriate to impose a condition requiring the development to accord with the submitted flood risk assessment.

The proposal accords with Policies ER1 (flood risk) and ER2 (water management) in the Torbay Local Plan 2012-30.

5. Ecology and Trees

No trees are being removed as part of this application. There is an area of trees on the neighbouring site that are to be protected as part of the already approved dwelling on the adjacent land.

An ecological assessment on nesting birds and bats was submitted with the application and advises that no evidence of birds and bats have been found. It also advises on good working practice should any be found during construction.

Human Rights/Equalities

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

S106/CIL

The application is for an extension to an existing dwelling and not a new dwelling. Following a Court of Appeal Decision in May 2016, Section 106 tariff style contributions are no longer required for new developments of less than 10 units.

Conclusions

The proposal is considered to offer an acceptable form of residential extension that

would sit comfortably within the immediate streetscene and sit as a natural addition to the existing ribbon development as viewed from further afield from the adjacent Cockington Valley below.

With supportive conditions to secure similar materials, privacy screens and drainage details the proposal is considered to accord with the provisions of the development plan and is therefore recommended for conditional approval.

Condition(s) / Reason(s)

The conditions should ensure the development covers the following:

- Materials
- Drainage
- Privacy Screens

Final drafting of conditions to be delegated to the Executive Head of Business Services.

Relevant Policies

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