

Application Number

P/2011/1315

Site AddressElsinore Villa
Greenway Road
Chelston
Torquay
Devon
TQ2 6JE**Case Officer**

Mr Scott Jones

Ward

Cockington With Chelston

Description

Redevelopment of the site with one house and 7 flats, vehicular and pedestrian access; formation of new entrance on Greenway Road; demolition of house and outbuildings

Executive Summary/ Key Outcomes

The proposal seeks to redevelop a relatively large suburban residential plot, demolishing the existing 1950s dwelling and associated outbuildings in order to provide a primary building of 7 flats supplemented by a smaller detached dwelling to the rear of the site.

The existing buildings, which already have an extant approval for their demolition, do not overtly contribute to the character and appearance of the Cockington-with-Chelston Conservation Area, where the Character Appraisal document notes the defining form of development in the area to be typically that of the larger Victorian villas. The removal of the structures on this proposal site is not therefore opposed.

The primary building proposed is loosely set on the established building line and height within the street scene and is considered to be suitably scaled within the context of the predominant larger villa developments in the area. The scheme has been positively amended from that previously considered, by the removal of the rooftop lift shaft, amendments to the previously unsuccessful rear fenestration pattern and the introduction of a stone plinth that grounds the building in the plot. The form and detailed design is also considered to present a successful modern interpretation of Victorian villa development.

The secondary building proposed is a two-storey detached dwelling to the rear, accessed off Huxtable Hill. This building is considered suitably scaled and formed for it to sit comfortably aside the primary building and within the wider development that surrounds it. It is considered that this building offers a due level of subservience to the main building, and successfully blends in with the

main building whilst expressing its own character.

On wider matters it is considered that both buildings are supported by suitable access arrangement and suitable levels of ancillary facilities, such as parking, cycle provision, waste storage and amenity space.

On balance the scheme is considered to offer an acceptable form of redevelopment within a relatively large residential plot set in a wider suburb characterised by buildings of a grander domestic scale than the 1950s dwelling that currently exist here.

Recommendation

Committee Site visit: Conditional Approval, subject to revised plans and conditions as itemised within this report and the signing of a S106 Legal Agreement to secure financial contributions inline with the Adopted SPD (in terms acceptable to the Executive Head of Spatial Planning).

Site Details

Elsinore Villa is a mid-20th Century detached dwelling located on the north side of Greenway Road with vehicular access from the rear via a shared entry, off Huxtable Hill. The dwelling is single storey at the rear with a level of under-build to the southern elevation that offers a degree of lower ground floor living space. Within the plot, to the North of the main building, there is a single storey outbuilding that in-part provides covered car parking. To the south of the dwelling is the garden area and amenity space.

In terms of its wider context the site sits within the Chelston Conservation Area, which is typified by Victorian villa development such as Froyle House to the East. It is however noted that there are a number of houses near to the site, such as Hartwell House to the West, which sit as newer additions to the conservation area.

Detailed Proposals

The application seeks the demolition of Elsinore Villa and the adjacent outbuilding in order to redevelop the site to provide 7 flats and one dwelling.

The primary building is proposed to contain 7 flats and would sit approximately in the same position as the existing dwelling. It is shown as having two flats on each of the three floors, with a further penthouse flat set in the pitched roof. Externally, this building would have white rendered walls set under a natural slate pitched roof. Glazed Balconies feature in the front elevation and flush 'Juliet' railings sit in the rear elevation. The windows are shown as being finished with dark grey aluminium. Vehicular access is proposed off Greenway Road, with a driveway set to the side of the property sweeping to the rear where 14 spaces and cycle parking are to be provided.

The secondary building is shown set to the rear of the existing villa / the proposed flat complex, set within the area of the existing outbuilding. The plans show a two-story mono-pitched structure finished in smooth white render and cedar cladding, set under a grey metal profile roof finish. The dwelling is served off the existing rear access which is shown leading to a pitched-roof double garage finished in matching materials.

Summary Of Consultation Responses

Highways: Highways raise no objection and recommend applying the SPD for planning contributions for infrastructure to improve sustainable transport links in the surrounding area that may discourage car trips and promote alternatives for local trips. If approved one cycle parking space should be available per dwelling and if supplied within a garage the cycle space must be accessible with a car still inside.

Drainage: Planning permission can be granted subject to consideration of the sustainable urban drainage solution. This could be handled by way of a condition.

Arboricultural: The only arboricultural constraint appears to arise from the group of trees whose ownership is undeterminable. Recommend that the proposal is acceptable on arboricultural merit with conditions to address tree protection during construction and a suitable landscape scheme to address the changing landscape character.

Summary Of Representations

A number of objections have been received from occupants of adjacent dwellings and flats. The concerns raised relate to the following issues:

- Too High
- Increase in numbers of units will result in additional traffic and disturbance to existing residents
- Will exacerbate parking pressure in the area in-part caused by the nearby GP service
- Loss of light and outlook and privacy to certain residences
- Design, height and scale not appropriate for a conservation area
- Overdevelopment of the site
- Disruption due to construction noise and future noise from residents
- The position of the car parking would impact amenity through noise and light
- The form of the proposed dwelling is inappropriate
- The proposed dwelling is too close to boundaries and would impact amenity
- Queries in relation to accuracy of plans
- Concerns about the size of the detached house
- Disturbance to habitats

- Concerns about location of entrance
- Concerns about boundary treatment
- Loss of trees
- Loss of part of the wall
- Loss of view [this is not a planning issue]
- Loss of value to property [this is not a planning issue]
- Covenants [this is not a planning issue]

These have been re-produced and placed in the Members Room.

Relevant Planning History

Planning permission was granted for the conversion of the outbuildings into a bungalow in 1987 and this permission was renewed in 1992, 1997 and 2002.

Planning permission was granted in outline for the demolition of the bungalow and its replacement with 9 dwellings in 1989 and this was renewed in 1992, 1995 and 1998, although the description changed to 7 flats.

A further application was made to renew the consent in 2002 but this was later withdrawn.

In 2010 a proposal for a contemporary building to supply 5 flats and a further dwelling to the rear was refused on grounds of (1) the mass, bulk and design failing to preserve the conservation areas character, and (2) that neighbour amenity would be unduly impacted on due to the roof terrace. (3) Lack of planning contributions was also cited as a reason for refusal, although negotiations weren't entered into due to the wider concerns on the scheme. Concurrent with this was P/2010/1126/CA which sought Conservation Area consent for demolition of Elsinore Villa and its outbuildings. Conservation Area consent was granted on 7th December 2010.

P/2011/1316/CA - Conservation Area consent for demolition, concurrent application also on this agenda.

Key Issues/Material Considerations

The key issues in determining this application are considered to be;

- i) The principle of the development
- ii) Design / Visual Implications
- iii) The Impact on Neighbour Amenity,
- iv) Highway / Parking and Movement,
- v) Impact on Trees and Landscape, and
- vi) Planning Contributions

The principle of the development:

The plot sits in a relatively spacious and well 'greened' suburb that is largely

characterised by Victorian villas set in large plots and landscaped grounds, although there are more modern and modest-scaled buildings in the area. The existing property dates from the 1950's and is not in keeping with the prevailing character of the conservation area. However due to its scale and relatively low lying nature it has little impact upon its character and appearance.

It is considered that there is scope to develop the site with a proposal that is in keeping with the area in order to provide good quality residential units of accommodation, in a building which is a positive enhancement to the area. Considering the size of the plot it is also considered that there is scope for some ancillary accommodation to replace the existing outbuilding, provided this is of an appropriate scale and form.

ii) Design / Visual Implications:

The visual implications of the scheme are a key consideration as the site sits in the Chelston Conservation Area. It is hence paramount that any building conserves, or enhances, the local character and appearance.

Firstly in regard to the primary building proposed, it is considered that the general massing and scale of the proposal is largely reflective of the predominant building form of the area - that of Victorian villa-style development. It appears that the proposal offers a building width, floor-to-eaves, and floor-to-ridge heights that are clearly comparable to the scale of the adjacent villas. Within this established scale it would appear that that modern floor-to-ceiling heights offer the opportunity for three floors within the elevation treatment rather than the two customary of the period properties. With correct detailing this rationalisation of space within the building is acceptable and is not a concern. With regard to the detail, the proposal is considered to offer a successful modern interpretation of a period villa, with predominantly rendered elevations inset with a repetitive window pattern that express a slender vertical emphasis. The mix of windows, doors and balconies within the elevation collectively offer a suitable modern mimic of bay features and full height sash frames. In regard to the roof form the multi-pitched slate-finished design with gable and valley features is also considered fairly consistent with the local form and as such offers a suitable 'hat' to the building. The placement of the building on the site broadly accords with the location as the existing dwelling and also broadly follows the loose building line established along the street frontage. The actual footprint of the building, when compared to those of villas around it, is not considered to be excessive. A setting for the building appears maintained as the placement of the building gives an appropriate distance from the boundaries of the plot.

With regard to the secondary building it should clearly be a subservient form of building in order to maintain the hierarchy of buildings within the plot and that characteristic of the conservation area. The proposal seeks a two-storey mono-pitched dwelling finished predominantly in render with sections of cedar cladding, all sat under a metal profiled roof. The scale of the building proposed is

considered acceptable in the context as it would sit comfortably aside main building. The detailed design is considered acceptable, as it provides a complimentary character to that of the main building, whilst also offering its own identity through the introduction of elements individual to the building.

The third key element of the development in respect of visual implications and potential impacts upon the conservation area, relates to the proposed vehicular access onto Greenway Road and the sweeping driveway up to the rear parking court. At present vehicular access is achieved via a shared access off Huxtable Hill, however it is cited that covenants restrict utilising this for further development. The proposed access onto Greenway Road proposes the loss of a section of wall, which is itself considered a positive attribute of the conservation area. Notwithstanding this it is appreciated that the scheme does however propose a recessed gateway that negates the need for over-engineered splays, which would be a more damaging option for the streetscene and the conservation area. The proposed solution is akin to other accesses off Greenway Road and appears to be an acceptable solution. The proposal also involves a new driveway, which is an extension of the existing pathway in this area of the plot, that sweeps to a car parking area that would be tucked away behind the building. The parking arrangement to the rear of the buildings offers scope to maintain the garden setting of the building to the south, which is welcomed, and minimises its visibility. The general arrangement is considered the best plausible option. Notwithstanding this, within the design there is a turning space that projects into the garden area, which potentially harms the setting and severs part of the garden from the building. This feature appears unjustified as the courtyard offers turning and the driveway itself features a passing bay. Its removal is recommended in order to enhance the garden setting and recreational value, which is suggested to be sought via a hard and soft landscaping condition.

ii) The impact on neighbour amenity:

In order to assess the impact upon neighbour amenity, each of the nearby neighbours will be considered in turn.

Hartwell House

The siting of the building and its increase in size is such that the building will be much more visible to the occupiers of Hartwell House than the existing dwelling. This however is not a sufficient reason to refuse the application. In respect to the issues at the heart of amenity considerations, (loss of light, overlooking and loss of privacy) it is not considered that the proposed primary building will result in a loss of light to Hartwell House, certainly when bearing in mind that the part of Hartwell House closest to the boundary is a garage. With regard to potential overlooking the windows on the side elevation with an outlook towards the house will either be high level or obscure glazed, and this could be controlled by condition. It is appreciated that there are balconies to the south elevation and

'Juliet' openings to the northern elevation of the building that may offer occasional viewing of the plot, however it is considered that the scale and location of these areas will not demonstrably result in a loss of privacy. As a note to history the scheme no longer features a wraparound roof terrace that raised concerns during the 2010 application and was cited as a reason for refusal.

The secondary building of the dwelling is in a location and of a scale that is unlikely to impact amenity in this direction.

Hatherleigh

Sits on higher ground to the northwest of the site with some considerable distance between it and both the primary and secondary buildings proposed. Other than being able to see the buildings, which is not a concern on amenity grounds, the proposals are unlikely to have any impact on this dwelling by way of loss of light or outlook, or loss of privacy and overlooking.

Richmond Flats

Sits to the north of the site close to the location of the proposed single dwelling, which will be approximately 4 metres away from its extended ground floor section and 13 metres from its main building element. When considering the drop in ground levels, which lessens the perceived bulk of the proposed two-storey building by nearly 2 metres, the relationship is considered acceptable as the massing of the building would not be overly dominant or oppressive. With regard to overlooking the potential appears to have been mitigated through designed, with upper floor windows limited to a high level.

The primary building proposed is considered to be too far away, beyond the single dwelling and its garage, to have any impact.

Froyle House

Located to the east this Victorian villa sits aside the proposed primary building, with the main building lines set approximately 10metres apart towards the rear, which increases to 15metres towards the front. The siting of the proposal appears to offer sufficient space in order to avoid potential cramping that could afford a loss of light and/or outlook, certainly as the majority of the build sits aside the recessed area set 15metres away. With regard to potential overlooking the windows proposed on the side elevation of the new primary building are again all proposed to be either high level and/or obscure glazed. This could be controlled by condition. There are balconies to the south elevation and 'Juliet' openings to the northern elevation of the building, however the scale and location of these openings will not demonstrably result in a loss of privacy. .

iii) Highways, parking and movement:

The key questions are whether the proposal offers suitable access arrangements and parking facilities to serve the scale of development and protect highway safety.

The Highways Officer has confirmed that he is happy with the access as shown, subject to the gates being set back 6m, which could be secured by condition. It is understood that Greenway Road has become more heavily used since the introduction and expansion of the Doctors Surgery, however the road remains a suburban highway that is not heavily trafficked. It is believed that the access off Greenway Road offers a safe and functional arrangement for the development.

The parking provision appears generous to that established within the Local Plan, with 2 spaces per unit. However bearing in mind local concerns in relation to on street parking in the locality, and acceptance that the plots character and functionality is not affected by this degree of parking provision, the proposal is considered to be acceptable.

Cycle parking is also provided however further detail will be required. The development should be supported by safe and secure covered parking facilities to promote cycle ownership and use. Such a provision is paramount within a flatted development where internal space and movement is more restricted than for larger dwellings. It is proposed that suitable facilities should be secured via condition.

iv) Trees / Landscape:

A small number of trees and shrubs are to be removed as part of the development, however the tree officer has confirmed that he has no objections to these being removed. It is suggested that a landscaping scheme be required by condition in order to ensure that the proposal assimilates readily into the conservation area and that a condition affords the suitable protection of retained trees during construction phase.

Planning Contributions / S106 / CIL -

The proposal attracts developer contributions as outlined in the Adopted Supplementary Planning Document and the accompanying relevant update paper. The required contributions are as follows:

Education	Zero
Sustainable Transport	£19,870 (6x2710 & 1x3610)
Greenspace and Recreation	£16,590 (7x2370)
Lifelong Learning	£ 2,930 (6x410 & 1x470)
Waste	£350 (7x50)

Total: £39,740.00 (+ legal fees)

The above figures are calculated on the basis of the proposal providing a net additional development of 7 units, six being within the 95-119m² category and one being in the +120m² category. The existing dwelling mitigates sums sought against the proposed dwelling.

Conclusions

The existing buildings, which already have an extant approval for their demolition, do not contribute to the character and appearance of the Conservation Area and hence their removal is again supported.

The proposed primary building, which offers 7 flats, is considered to be suitably scaled within the context of the areas predominant large villas. Its form and detailed design, in light of the positive amendments to the scheme via the removal of the rooftop lift shaft, amendments to the unsuccessful rear fenestration pattern, and the introduction of a stone plinth that grounds the building in the plot, is also considered to present a successful modern interpretation of Victorian villa development.

The separate dwelling building to the rear is considered suitably scaled and formed in order to sit comfortably aside the primary building being of a subservient character to it.

Both buildings are supported by suitable levels of ancillary facilities, such as parking, cycle provision, waste storage and amenity space.

On balance the scheme is considered to offer an acceptable form of residential redevelopment of this large plot, set within a suburb containing numerous large-scale domestic buildings that offer a mix of dwellings and flats.

Condition(s)/Reason(s)

01. Prior to the commencement of development sections and elevations, to a scale of not less than 1:20, indicating the following details, shall be submitted to and approved by the Local Planning Authority:

- (i) eaves overhang;
- (ii) fascias
- (iii) soffits
- (iv) rain water goods;
- (v) reveals to window/door openings;
- (vi) window / door profiles;
- (vii) sub cills.

The dwellings shall not be occupied until they has been completed in accordance with these details.

Reason: To ensure that the architectural detailing of the development is completed to a satisfactory standard in accordance with policies BES, BE1 and BE5 of the Saved Adopted Torbay Local Plan 1995-2011 and PPS5 Planning for the Historic Environment.

02. The development hereby approved shall not be commenced until a sample of the roof slate and colour palette of the buildings for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the agreed details.

Reason: To protect the amenities of the area, in accordance with policies BES, BE1 and BE5 of the Saved Adopted Torbay Local Plan 1995 – 2011 and PPS5 Planning for the Historic Environment.

03. Prior to the commencement of development details of all curtilage walls and retaining structures, including the bin store, shall be submitted to and approved in writing by the Local Planning Authority. The walls and retaining structures shall then be implemented in accordance with the approved details and remain as such at all times thereafter unless agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the area, in accordance with Policies BES, BE1 and BE5 of the Saved Adopted Local Plan 1995-2011 and PPS5 Planning for the Historic Environment.

04. Prior to the commencement of the development a full and detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained along with details of the quantity, size, species and position of all new trees, hedges and shrubs to be planted with regard to their mature size and anticipated routine maintenance. The approved landscaping scheme shall include the removal of the occasional turning bay to the South of the building.

The development shall then be implemented in full within the first available planting season following the commencement of development.

Reason: To protect the amenities of the area, to accord with policies L9, L10, BES, BE1 and BE5 of the Saved Adopted Torbay Local Plan 1995-2011.

05. Any trees or shrubs planted as part of the approved landscaping scheme, 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, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area and to accord with policies L9, L10, BES and BE1 of the Saved Adopted Torbay Local Plan 1995-2011.

06. Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of any development, details of a sustainable urban drainage system shall be submitted to and approved by the Local Planning Authority that responds to filtration tests that determine the suitability of ground conditions and designed to cater for the 1 in 100 year storm event (with allowance for climate change), such system as may be approved shall be installed prior to the occupation of the development. The system shall be maintained effective at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding and protect the quality of the water environment and local amenity, in accordance with the provisions of PPS25 'Development and flood risk'.

07. The development shall not be used/occupied until all of the vehicle parking areas shown on approved detailed plans have been provided and made available for use. The areas 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 T25 of the Saved Adopted Torbay Local Plan 1995-2011

08. Notwithstanding the details shown on the approved plans the development shall not be used/occupied until details of a covered cycle parking area has been submitted to and approved by the Local Planning Authority. The approved provision shall then be implemented inline with these details and kept permanently available for cycle parking purposes to serve the development.

Reason: To ensure that adequate cycle parking is provided in accordance with policy T25 of the Saved Adopted Torbay Local Plan 1995-2011.

09. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment), (No.2) (England) Order 2008 (or any order revoking and re-enacting that order) no development of the types described in Schedule 2, Parts 1 (excluding Classes C, G and H) and 2 (excluding Classes C, D and E), shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the area, in accordance with Policies BES, BE1, HS, H9 and H15 of the Saved Adopted Torbay Local Plan 1995-2011.

10. All openings identified as obscure glazed on the plans hereby approved shall be obscured to a level of obscurity equivalent to Pilkington Level 5 and be retained as such at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of local amenity and privacy, and to ensure accordance with Policies H4, H9 and H15 of the Saved Adopted Torbay Local Plan 1995-2011.

Relevant Policies

- BES Built environment strategy
- BE1 Design of new development
- BE5 Policy in conservation areas
- HS Housing Strategy
- H4 Conversion and sub-division into flats
- H9 Layout, and design and community aspects
- TS Land use transportation strategy
- T25 Car parking in new development
- T26 Access from development on to the highway
- W7 Development and waste recycling facilities
- PPS3 Housing
- PPS5 Planning for the Historic Environment