

P/2011/0040/CA
Berry Head With Furzeham Ward
Bench House, Blackball Lane, Brixham
Demolition works

Site Details

Residential property with access to Blackball Lane, but situated above the road, due to the lie of the land. The site is situated opposite Dalverton Court.

Relevant Planning History

P/2001/0524 - Alterations And Erection Of Ground And First Floor Extension At Side To Form A Granny Annex, approved 9/07/2001.

P/2010/1262/R3 - Erection of flagpole at Bench House, concurrent item, not as yet determined.

P/2011/0039 - planning application for the works associated with the road widening scheme, concurrent application also on this agenda.

Relevant Policies

- INS Infrastructure Strategy
- TU1 Harbourside and waterfront regeneration
- NCS Nature Conservation Strategy
- NC5 Protected species
- EPS Environmental Protection Strategy
- EP12 Coastal Protection Zone
- BES Built Environment Strategy
- BE1 Design of new development
- BE5 Policy in Conservation Areas
- TS Land use Transportation Strategy
- T1 Development accessibility
- T3 Cycling
- T6.3 New access to Fish Quays and Oxen Cove as part of Brixham Harbour regeneration.
- T20 Road improvements.

Proposals

It is proposed to widen Blackball Lane at its current pinch point in between Bench House and Dalverton Court. This would be achieved by demolishing a section of the existing retaining wall that surrounds the property and forms its boundary. The wall has a varying height up to a maximum of 5.650 metres above the existing road level. The proposal would effectively be taking part of the existing curtilage of Bench House. An old but not listed lime kiln is situated under the land in question and would also be demolished as part of this scheme. This application seeks conservation area consent for the works of demolition. The demolition is proposed in connection with future intentions to redevelop the car parks at Freshwater Cove and Oxen Cove in order to facilitate the provision of the Northern Arm breakwater in Brixham Harbour.

Consultations

Senior Urban Design Officer – No objections, the lime kiln is not listed and the proposed demolition and re-alignment of the wall is acceptable

Representations

Letters have been received in connection with the concurrent planning application, and these have been reproduced elsewhere on this agenda. However, nothing received has made specific reference to the works of demolition covered by this conservation application.

Key Issues/Material Considerations

The primary consideration is the impact of the proposal upon the conservation area and any consequential policy considerations. In terms of the built environment policies, the new retaining wall proposed will replicate and match the existing and so it is felt that the proposal would have minimal visual impact upon the conservation area. The proposal would involve the loss of the historic lime kiln, however, this is not listed and its loss is not considered of such significance in relation to the importance of the widening of this access to warrant refusal due to its loss.

Sustainability -

It is noted that the newly aligned wall will comprise materials partly sourced from the site (old lime kiln and wall). This is a sustainable form of construction.

Crime and Disorder -

Not of relevance in this instance.

Disability Issues -

Not a concern for this conservation area application.

Conclusions

The works of demolition in connection with the wall are considered acceptable on the basis of the wall being re-aligned, as proposed. The loss of the lime kiln is not considered of such import, given that it is not listed, as to warrant refusal. However, there will be a need for a watching archaeological brief in order to record any relevant artifacts that may be discovered during the course of the work.

Recommendation:

Conditional Approval

Condition(s):

01. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure that archaeological remains are preserved and/or recorded in accordance with PPS16 and policy BE9 of the saved adopted Torbay Local Plan (1995-2011).

02. The wall and lime kiln shall not be demolished before a contract for the carrying out of works for the widening of the road has been made, and planning permission has been granted for those works for which the contract provides.

Reason: To ensure that the character and appearance of the conservation area is not prejudiced in accordance with policies BES and BE5 of the Saved Adopted Torbay Local Plan.