

Application Number

P/2012/0191

Site Address2 York Crescent
Torquay
Devon
TQ1 3SH**Case Officer**

Mr Adam Luscombe

Ward

St Marychurch

Description

Alterations and formation of ground and first floor extension; retrospective fence

Executive Summary / Key Outcomes

The application seeks consent for the addition of a 1.5 storey extension on the side of the property and the removal, replacement and enlargement of the conservatory on the rear of the property.

The key issues concern the appearance in relation to the streetscene and character of the area and any affects on the amenity of neighbouring residential occupiers.

In this case the development, whilst recognised to be large in scale, is not deemed to adversely impact on the wider character or the overall appearance of the varied streetscene. Additionally the hipped roof design, the setting of the building away from the boundary and the inclusion of obscure glazing to the side facing windows is considered to minimise the impact on the immediate neighbouring property.

The application is therefore considered acceptable on planning merit.

Recommendation

Committee Site Visit, Conditional Approval

Site Details

The application site contains a large detached family house which has previously been extended. There is a footpath connecting York Crescent and Palermo Road adjacent to the East of the site. The site is approximately double the width of many other plots in the street. The adjacent property to this site, no.2, is number 6 York Crescent.

Detailed Proposals

It is proposed to replace and enlarge the conservatory on the rear and to construct a 1.5 storey extension to the side. The roof above the side extension

will be hipped with gables to the front and rear. The side extension will also extend to the rear by approximately 5 metres, as well as forward by 2 metres. There will be garaging to the ground floor with a living space behind and above will be a study space and en-suite master bedroom. It will also include a terrace on the rear elevation but this will be enclosed under an extension of the roof and built up sides.

A further proposal included in this application is the erection of a fence at the bottom of the garden, adjacent to Palermo Road and the property to the rear. The fence is 1.8 metres, made from a solid panel with trellis above in an arch shape. This part of the proposal is retrospective.

Summary Of Consultation Responses

No Comments

Summary Of Representations

Six letters of representation have been received. The issues raised include:

- Impact on Character
- Overdevelopment
- Impact on Highway
- Concerns over previous development
- Overbearing
- Loss of Light
- Privacy
- Concerns during building works
- Accuracy of drawings
- Neighbour Amenity

These are reproduced at Page T.200.

Relevant Planning History

P/2003/0636	Dwelling And Detached Garage – REFUSED 28.05.2003
P/2003/0944	Dwelling & Detached Garage (Revised Scheme) – REFUSED 21.07.2003
P/2006/0790	Erection Of Annexe; External Works – PERMITTED 06.07.2006
P/2006/1947	Erection Of Annexe; External Works (Second Revised Scheme) PERMITTED 27.02.2007
P/2011/0774	To delete condition No2 pursuant to P/2006/1947 requiring the height of the boundary wall to be reduced to an agreed height and for it to be rendered – PERMITTED 06.10.2011

Key Issues / Material Considerations

The key issues concern the character and appearance of the streetscene and the residential amenity of neighbouring occupiers.

In considering the impact of the enlarged conservatory there are no concerns raised. The proposal is considered to be Permitted Development in any case.

With this in mind the first material consideration follows the proposal to extend to the side and is in respect of the appearance of the building and its affect on the wider character of the streetscene. The existing property is large and its extension would lead to a large scale detached dwelling. However, the plot in which it sits is recognised to be larger than many others in width and therefore it is considered that a larger dwelling could be supported on this site. The proposed development is proposed to be set away from the boundary which will maintain the separation between properties which is somewhat closer, with a tighter relationship, between other properties in the streetscene than this.

In considering whether the resultant development would lead to a cramped site or 'overdevelopment' in this case, whilst a substantial amount of the width of the site would be constructed on, such is the overall size of the plot that it is not considered that the development would lead to overdevelopment in the round. There are many examples in the street and locality where construction takes up the majority of the width of the plots.

The property, and indeed street, does not fall within either the St Marychurch or Cary Park Conservation Areas – although both surround the vicinity. Therefore, whilst some consideration is given to the wider impacts of the development, it is not recognised to contribute in its current form to the character of the conservation areas. The proposed extension is not considered to result in any additional harm or impact on the wider conservation areas in respect of appearance or character, they would therefore be preserved.

With regards to the amenity of the neighbouring occupiers the design of the extension, whilst being developed towards the neighbouring dwelling will remain a minimum of 3 metres away from the boundary (increasing to 3.7 metres). The roof eaves is also lowered and although the length is more significant than the existing dwelling it is not considered to be imposing, or cause a loss of light, to a level that would have any adverse impact which would be contrary to planning policies. The enclosure of the terrace space will mean that it is not possible to overlook the neighbouring dwelling.

On visiting the neighbouring property the impact of any such extension was further discussed and considered. It will, somewhat obviously, extend much closer to the property than the existing building. The kitchen to the neighbouring property is located at the front of the house with a driveway between the application site and a glazed porch on the side of the kitchen. Level of light and perhaps more so the outlook enjoyed by the neighbouring occupiers, would be affected by the extension. However, it is not considered that the impact would be so significant so as to cause harm in accordance as described by policy H15.

The addition of the fence could be Permitted Development. In any case the works are not considered to have any adverse impact on either the neighbour sharing that boundary or the wider character and appearance of the site or surrounding areas. The fence is a considered approach to provide privacy to the occupiers of this dwelling where previously the rear was open.

In response to the other particular issue raised in representations, concerning previous development, it is not considered relevant to this proposal as the application should be assessed on its own merits. A question was also raised in this respect about the inclusion of velux windows and accommodation within the roof space. This work would not have required a planning application as it would have been considered Permitted Development. It is noted that such details are not shown on the submitted plans but it is not considered that it affects the details of the extension which is the subject of this application.

The fence at the rear of the site is less than 2 metres high. Whilst it is erected on higher land and therefore has the impression of being much higher, it is considered to be erected on the ground level of the garden and as such would be Permitted Development – not requiring a planning application.

Accessibility -

Access to the site will remain unchanged. However, there is a new garage created and the existing driveway is shown with separation due to the required change in levels to support the extension. There is an excess of parking space on site and this will remain the case with the proposed development. Given the narrow street however, this is not considered to raise any concerns and will be of benefit to highway safety.

S106 / CIL - As an extension to an existing dwelling house this application is not subject to a Planning Contribution Calculation.

Conclusions

The proposed development is considered to accord with the policy, specifically as set out within the Saved Adopted Torbay Local Plan 1995-2011. The key policies are BES, BE1 and H15 and principally concern the impact of the development in respect of overdevelopment; neighbour amenity; character and appearance. For this reason the application is deemed acceptable and is therefore recommended for approval.

It is recommended that a site visit is undertaken by the members of the committee to allow full consideration of the issues and the associated impacts of the proposed development.

It is important to recognise that the conservatory and fence are not considered to require a planning application and that instead they will be Permitted

Development.

Condition(s)/Reason(s)

01. The windows indicated as obscure glazing on the side (West) elevation of the extension shall be installed as such, to a level of or equivalent to Pilkington level 5, prior to the first occupation of the extension and shall be maintained as such at all times thereafter unless otherwise agreed in writing by the Local Planning Authority. Furthermore no additional windows, doors or other openings shall be installed in that elevation without the prior approval in writing of the Local Planning Authority.

Reason: To ensure that the amenity of the neighbouring occupiers is preserved and not adversely affected in accordance with policy H15 of the Saved Adopted Torbay Local Plan 1995-2011.

02. The garage, as hereby approved within the extension, shall prior to the first occupation of the extension and at all times thereafter, be made available for the parking of motor vehicles in relation to the domestic use of the property and shall not be used for any other purpose that would restrict that facility unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that suitable vehicular parking is made available for use by the occupants of the dwelling at all times in accordance with policy T26 of the Saved Adopted Torbay Local Plan 1995-2011.

03. The use of the extension as hereby approved shall be at all times ancillary to that of the main dwelling house and at no time shall it be occupied or sold separately, subdivided, or used as separate holiday or business accommodation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the amenities and character of the area is not adversely impacted upon in accordance with policies BES and H15 of the Saved Adopted Torbay Local Plan 1995-2011.

04. Any new surfacing of the driveway areas shall be of a permeable material or shall drain towards a porous surface within the property and shall not drain into the existing drainage systems or out of the site.

Reason: To ensure that the development is constructed in a sustainable manner in accordance with PPS25 (Development and Flood Risk)

Relevant Policies

H15 - House extensions

BES - Built environment strategy

BE1 - Design of new development

T25 - Car parking in new development