

**Application Number**

P/2012/0211

**Site Address**72 Kenwyn Road  
Torquay  
Devon  
TQ1 1LY**Case Officer**

Mr Adam Luscombe

**Ward**

Ellacombe

**Description**

Formation of extension at rear with pitched roof and demolish existing rear extensions

**Executive Summary / Key Outcomes**

It is proposed to extend and replace the existing two storey extension on the rear of the end of terrace property. A further extension at single storey with a mono pitch roof is proposed to wrap around the rear and side.

The application was discussed at a site review meeting but given that the building is in use as a small house in multiple occupation it was considered appropriate to refer the application to the development management committee in this case.

**Recommendation**

Approval

**Site Details**

The site contains an end of terrace property on the junction of Kenwyn Road and Carlton Road. The rear garden continues parallel with Carlton Road. Each property in the street has a two storey rear extension with a further single storey element. There is a stone boundary wall along Carlton Road with a gated pedestrian access and a garage located at the end of the garden. At the rear, adjacent to the terrace on Carlton Road and the garage, is a small access lane servicing the properties on Kenwyn Road.

The property, due to having 6 occupants living not as a single family, is classified under the use class C4.

**Detailed Proposals**

The proposal is to enlarge the rear extension, include a pitched roof over, and enlarge the single storey extension to include an aspect on the side.

The inclusion of the pitched roof will reduce the eaves height by approximately 1

metre. The ridge height will though be around 0.75 metres higher. In terms of the extent of the build, it will extend out further than the existing by 0.8 metres at first floor level. The overall extent at ground floor would be approximately 0.2 metres greater.

### **Summary Of Consultation Responses**

No Comments

### **Summary Of Representations**

Two letters of representation have been received. The issues that were raised in the letters concerned:

- Overdevelopment
- Loss of Light
- Use of the property

These are reproduced at Page T.203.

### **Relevant Planning History**

- |             |  |
|-------------|--|
| P/2010/0828 | New garage with pedestrian access – PERMITTED - 27.09.2010   |
| P/2010/1248 | Formation of a bedroom over the approved garage as part of the existing dwelling – REFUSED 04.01.2011  |
| P/2012/0022 | Formation of 2 storey extension at rear with pitched roof and velux roof light and single storey extension at side; demolition of rear extensions – WITHDRAWN - 27.02.2012 |

#### *Application at 76 Kenwyn Road*

- |             |  |
|-------------|--|
| P/1999/1635 | Erection Of Bedroom Extension At First Floor Level – REFUSED - 29.12.1999 – Appeal Dismissed |
|-------------|--|

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

The main considerations in relation to this application are the impacts on the amenity of the neighbouring occupiers, on the appearance and character of the area, and on the site itself in respect of cumulative development.

With regards firstly to the neighbouring property and their amenity it is considered that, whilst there will be an additional extent of 0.8 metres, because of the reduction in the eaves height there will be a minimal impact overall. The affect would not lead to a loss of light of such significance so as to cause harm to their amenity. Additionally, given the design of the roof it would be less imposing in respect of the outlook from the neighbouring property.

Whilst overdevelopment is a consideration, and an issue that has been raised by past development, because the proposed extension is not significantly greater in size than the existing extension it is not deemed to contribute in that sense. The

additional wrap around single storey extension does increase the footprint but primarily is constructed on ground which does not contribute to the openness of the plot and isn't used as amenity space specifically relating to the property.

In terms of the appearance and character of the streetscene this property is the end terrace and therefore any change to its appearance does have a more notable impact on the streetscene and wider area because of this. However, the change to the design is not considered to have any adverse impact on the overall appearance and the pitched roof design will reduce the overall bulk and reduce its overall affect.

**S106 / CIL** - Not applicable as the application relates only an extension to an existing residential property.

### **Conclusions**

The proposed development is considered to accord with the policy, specifically as set out within the Saved Adopted Torbay Local Plan 1995-2011. For this reason the application is deemed acceptable and is therefore recommended for approval.

The application has been referred to the Development Management Committee. The reason for this is that there has been a material change to the application type during the process of consideration. The initial submission was a Householder Planning Application, however the application site is not a use Class C3 (Dwelling House) which the householder application forms are for.

This is because in 2010, the previous Government created a new use, Class C4 (Small HMOs). In October 2010 the Coalition Government further amended the Use Classes Order to make the change from a dwelling house (Class C3) to a small HMO (Class C4) permitted development not needing a planning application. As such since this property it is in use as a 6 bedroom House in Multiple Occupation it has automatically changed use to a C4 Small HMO.

A revised Planning Application form has been submitted and the application is now a Full Planning Application not a Householder Application.

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

01. No windows doors or other openings, other than those indicated on the approved plan, shall be created in the North East side elevation of the extension unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity and in particular the privacy of the neighbour is preserved and that no harm is caused to those occupants in accordance with policy H15 of the Saved Adopted Torbay Local Plan 1995-2011.

## **Relevant Policies**

BES - Built environment strategy  
BE1 - Design of new development  
H15 - House extensions