

P/2011/0082/PA

Wellswood Ward

White Lodge, Ilsham Marine Drive, Torquay

Extend time limit - demolition of house and construction of 5 flats- application

P/2007/1106/PA

Site Details

Detached property with an attached annexe on the north side of Ilsham Marine Drive. The property has an unused vehicular access from Ilsham Marine Drive, access to the property is gained from the back access which leads off Thatcher Avenue. The site is covered by an area TPO and is adjacent to a Coastal Protection Zone, an Area of Great Landscape Value, a Coastal Preservation Area and is on the recreational footpath system.

Relevant Planning History

Various applications were approved throughout the 1980s for extensions and alterations to the property including annexe, tennis court and swimming pool.

P/2007/0786 Demolition of existing house and granny flat, construction of 5 flats with parking.
Withdrawn.

P/2007/1106 Demolition Of House And Granny Flat; Erection Of 5 Flats With Car Parking Below.
Approved. 11/02/2008

Relevant Policies

HS Housing Strategy
H2 New Housing on unidentified sites
H9 Layout, design and community aspects
H10 Housing Densities
CF7 Educational Contributions
LS Landscape Strategy
L3 Coastal Preservation Areas
L9 Planting and Retention of Trees
EP12 Coastal Preservation Areas
BES Built Environment Strategy
BE1 Design of new development
BE2 Landscaping and design
TS Land Use Transportation Strategy
T2 Transport hierarchy
T3 Cycling
T25 Car Parking in new development
T26 Access from development on to the highway

Proposals

This application proposes the renewal of an application for 5 flats which has an extant consent.

The application approved the demolition of the existing property and its replacement with a building containing 5 flats. The footprint of the building would be set further from the western boundary by approximately 2m, yet closer to the eastern boundary by approximately 0.35m. The proposed building would be four storeys high with car parking accommodated on the lower ground floor accessed from Ilsham Marine Drive. Accommodation is to comprise 2 x 3 bedroom flats on the ground floor, 2 x 3 bedroom flats on the first floor and a 4 bedroom penthouse on the second floor. The proposed building adopts a 'marine' style with a flat roof, large areas of glazing and projecting balconies.

Consultations

None

Representations

4 objections have been received which relate to the following issues:

- Overdevelopment
- Surface water run-off
- There has been a change in circumstances since the previous decision in that 2 houses have now been built adjacent
- Design is detrimental to the area
- Traffic Issues
- Privacy Issues
- Concerns about trees and wildlife
- Too many flats in area

A Site Review Meeting was held with Cllr McPhail on 18th March 2011, however it was decided that the application should be determined at committee. These representations are re-produced at page T.203.

Key Issues/Material Considerations

As this is an application to extend the time limit for an extant consent the key issue in determining this application is whether there has been any change in circumstances which might lead the Council to come to a different decision.

The policy context is largely unchanged. National policy has been updated and Supplementary Planning Documents have been issued in relation to local plan policy. However, none of these changes are directly relevant to this application. The planning contributions and affordable housing SPD has resulted in differing amounts being required in a new s.106, which are now as follows:

| | |
|---------------------------|----------------|
| - Sustainable Transport | £14,440 |
| - Waste Management | £ 200 |
| - Lifelong Learning | £ 1,880 |
| - Greenspace & Recreation | £ 9,480 |
| - TOTAL | £26,000 |

This application was approved at the same time as a very similar scheme was also approved at Ilsham House, the adjacent site. Subsequently an application was approved for two dwellings at Ilsham House and these have now been constructed.

Therefore there has been a material change in circumstances in that the appearance of the neighbouring site has now changed. However the relationship with the approved scheme at White Lodge was taken into account when considering the revised proposals at Ilsham House and was considered to be acceptable. Both developments are of a similar 'marine' style and are considered to be of an appropriate size and scale. Therefore the application is considered to be acceptable.

Sustainability – The proposal results in additional dwellings on previously developed land and in this sense is sustainable.

Crime and Disorder – No issues.

Disability Issues – No issues.

Conclusions

The proposal is to extend the time limit for implementation of an existing consent and therefore must be considered in relation to any change in circumstances which may have occurred. Although there have been minor changes in circumstances it is not considered that these should result in a different

decision in this case.

Recommendations:

Conditional Approval; subject to the signing of a s.106 agreement in terms acceptable to the Executive Head of Spatial Planning within 6 months of the date of this committee meeting. Conditional Approval.

Condition(s):

01. No development shall be commenced until details of the proposed external construction materials including any hard surfacing has been submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development, in accordance with policies BES and BE1 of the Torbay Local Plan 1995 - 2011.

02. The development hereby approved shall not be commenced until details of all proposed boundary walls and fences have been submitted to and approved by the Local Planning Authority. The dwelling(s) shall not be occupied until these have been provided in accordance with the approved details.

Reason: In the interests of the amenities of the area, in accordance with policies BES and BE1 of the Torbay Local Plan 1995 - 2011.

03. Prior to the first use of the development hereby approved an area for the parking of cycles shall be provided, in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate provision is made for the parking of cycles in accordance with policy T3 of the Torbay Local Plan 1995 - 2011.

04. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interest of the amenities of the area in accordance with policies LS and L9 of the Torbay Local Plan 1995 - 2011.

05. The development hereby approved shall not commence until sections and elevations to a scale of not less than 1:5, indicating the following details have been submitted to and approved by the Local Planning Authority:

- (i) eaves overhang;
- (ii) rain water goods;
- (iii) reveals to window/door openings;
- (iv) sub cills;
- (v) glazing bars.

The building shall not be occupied until it 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 and BE1 of the Torbay Local Plan 1995 - 2011.