

P/2011/0330/HA

Berry Head With Furzeham Ward

31 Wall Park Close, Brixham

Raised ridge line/roof, alterations and extension at rear to form additional living, kitchen and bedrooms

Site Details

The existing property is a detached 3-bed bungalow with detached bungalows to both sides. There is a variety of designs of properties in the vicinity with varying roof heights.

The bungalow to the east side (No.33) is of a similar design but has a significantly higher ridgeline as the land slopes up in that direction. An enlarged balcony has been erected to the side of this property in close proximity to the side boundary with steps down to the rear garden; no planning history has been found (may have constituted "permitted development" if constructed prior to October 2008 when the legislation changed and it is claimed to have been erected in September 2008).

The bungalow to the west side (No.29) is of a different design with a gable end facing and set closer to the road with its rear building line extending out beyond the rear building line of the application site by approximately 3 metres. The ridgeline of No. 29 appears to be of similar height to that of the application site.

There are bungalows to the rear, which are at a lower level fronting Ranscombe Close and the bungalows on the opposite side of Wall Park Close are slightly elevated above the road with under-build garages, as the land slopes up to the south.

Relevant Planning History

None found

Relevant Policies

Saved adopted Torbay Local Plan 1995-2011

- H15 House extensions; seeks to ensure that extensions would not dominate or have any other adverse effect on the character and appearance of the original property or the streetscene in general nor cause harm to the amenity of nearby properties e.g. through overlooking, overbearing impact, loss of light or privacy
- BES Built environment strategy; seeks to conserve or enhance the built environment
- BE1 Design of new development; promotes good design

Proposals

Permission is sought to extend the property to the rear by approximately 3.7 – 4.2 metres (where a central gable is proposed) including raising the ridgeline by approximately a metre. The extension would enlarge the ground floor accommodation (no first floor accommodation is proposed) to provide a new bedroom 1, (total 3 bedrooms proposed as existing) with the existing bedroom converted to provide an en-suite and dressing room and a larger open plan kitchen/living/dining room. The design includes full height windows/doors in the proposed rear gable to the living room area and a roof light over the proposed dining area. The proposal includes a replacement window and a gabled porch canopy to the front elevation. The materials are all to match existing.

Consultations

None

Representations

Brixham Town Council; recommend approval (meeting held on 11.04.11.)

Large number of objections received and some letters of support received referring to an anonymous "scaremongering" circular inviting objections to the proposal which appears to have been widely distributed.

Summary of reasons for objection;

- 1) Raising ridge line would obstruct views, outlook, set an undesirable precedent and be detrimental to area
- 2) Increased height and mass would be out of character, detrimental to streetscene and surrounding area
- 3) Overlooking/loss of privacy
- 4) Overshadowing/loss of light/air/visual intrusion
- 5) Raising ridge and projecting gable extension not necessary to provide additional accommodation
- 6) First floor accommodation could be added at a later date
- 7) Size of extension (about 50 % enlargement)
- 8) Would lead to significant loss of garden area at No.31 which would impact on the privacy and enjoyment of the neighbouring garden

These representations are re-produced at Page B.201.

Key Issues/Material Considerations

Impact on visual amenity

Whilst the proposal includes raising the ridgeline, the existing roof pitch is to be retained and there are varying designs of property and ridge heights in the vicinity. The roof of the bungalow to the eastern side for example is significantly higher due to the slope of the land. It is considered that the raising of the ridge by approximately a metre would not be discordant or result in a significant detrimental impact on the character and appearance of the property or the streetscene in this particular location for the above reasons and it is not considered that an undesirable precedent would be set as each application is treated on its own merits. Gaps are also to be retained to the sides of the property.

The scale and design of the proposed development is considered to be acceptable in terms of impact on the character and appearance of the property and the streetscene.

Impact on residential amenity

The proposed extension is to the rear and set off the side boundaries by approximately 3 metres to the west side and 1.5 metres to the east side and well set off the rear boundary. It would project approximately 3.7 metres from the existing rear elevation, apart from the proposed central gable which is well set off the side boundaries and which projects approximately 4.2 metres. There have been objections from both the neighbouring properties on the grounds of overshadowing, loss of light and visual intrusion (as well as the increase in height being out of character).

Impact on the neighbouring property to the west side (No.33 Wall Park Close)

It should be noted that the footprint of the bungalow to the west side (No 33) projects further to the rear than the existing footprint of No.31 and as such the extension would only project marginally by approximately 0.7 metres from the rear elevation of this property. No.33 has a rear half-glazed door (in obscure glazing) in the kitchen / dining room facing the proposed extension with the main kitchen window to the rear elevation. There is also a bedroom window to the side elevation but this would be set back (closer to the road) from the proposed extension. As such the loss of light/outlook to this property is considered to be insufficient to warrant a refusal.

Impact on the neighbouring property to the east side (No.29 Wall Park Close);

No.29 Wall Park Close is at a significantly higher level to the application site and its main side elevation is set off the boundary by approximately 4.8-5 metres. An enlarged balcony with steps down to the rear garden has been erected abutting the boundary with No.29 in close proximity to the existing

side gable end of No.31. The balcony and steps down to the rear garden have clear glazed balustrades only and overlook the rear garden of the application site (No.31). The enlarged balcony appears to have been constructed as “permitted development”. There is patio door access to it from the lounge/side elevation of No.29 and the patio doors face the upper part of the gable end of No.31 only, as does the side kitchen window, due to the slope of the land.

Whilst the gable end is to be increased in size, approximately a metre higher and extended to the rear, it is not considered that this would result in an unreasonable impact on the living conditions of the occupiers of No.29 or sufficiently detrimental impact in terms visual intrusion, loss of light or outlook to warrant a refusal. In coming to this conclusion, it is of importance to consider the difference in levels between the properties and that there are two other large lounge windows to the main rear elevation which would not be affected and which give light and an open outlook/panoramic sea view to the main living room/lounge.

The location of the balcony between the houses to the north west side of the property also means that it is currently overshadowed from the existing development and it is not considered that the enlarged gable would be of sufficient height or bulk to result in a detrimental impact on the enjoyment or use of the balcony in terms of loss of light/sunlight such as to warrant a refusal. The main outlook to the rear/sea view would still be retained. There is also no right to a private view over the neighbouring property towards the north-west, which in any case is an inland view and not towards the sea.

The extension would also result in more privacy for the private rear garden area of the application site, which is currently overlooked by the neighbour’s balcony.

The proposal would not result in a cramped or over-developed site as an adequate rear garden area would be retained i.e. approximately 14 metres deep, which is more than in other nearby properties.

There should also not be any significant direct overlooking or loss of privacy; the proposed windows are lighting ground floor accommodation only and are well set off (approximately 23 metres) and at a higher level to the windows of the properties to the rear. Whilst it may be possible to add a first floor at a later date any overlooking/inter-visibility between windows to the rear would still not be significant for the above reason. A condition could be added to any forthcoming planning permission to partially restrict “permitted development rights” such that a rear dormer(s) could not be added without permission in the interests of amenity.

Impact on properties on the opposite side of the road, to the south

The properties on the opposite side of the road are at a higher level and well set off and would still retain an open outlook. The restriction of far reaching private views is not a planning consideration and the proposal is not considered to be significantly detrimental to amenity in terms of any significant loss of a public view.

Sustainability – A suitable SUDS/soakaways condition would be appropriate as it is not clarified where surface water is to be discharged.

Crime and Disorder – No special issues

Disability Issues – No special issues

Conclusions

The proposal is on balance considered to be an acceptable form of extending the property. Having regard to applicable national and local planning policies and having taken all relevant material considerations into account it is considered that planning permission should be granted subject to suitable conditions.

Recommendation Committee Site visit; Conditional approval

Condition(s):

01. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any order revoking and re-enacting that Order with or without modification, no further roof extensions, windows or other form of opening shall be introduced into the rear or side walls or roof slopes of the extension without the prior permission in writing of the Local Planning Authority.

Reason: To protect visual and residential amenity in accordance with the objectives of Policy H15 of the saved adopted Torbay Local Plan 1995-2011.

02. 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, 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: In order to reduce surface water run off in a catchment area where flooding occurs and to accord with the requirement of PPS25 "Development and Flood Risk" in respect of sustainable drainage.