

P/2011/0388/PA

Shiphay With The Willows Ward

Land At Dairy Hill, And 13 Stanbury Road, Torquay

Detached garage with adjacent hard standing with vehicular and pedestrian access

Site Details

The application site lies partly on highway verge and partly within the curtilage of the semi-detached house 13 Stanbury Road. The land is a steep bank, covered in mature vegetation, which includes a hazel tree on the outside of a pronounced bend in the road. A public footpath linking Dairy Hill with Stanbury Road adjoins the north boundary, beyond which is a recently built house, with a parking area fronting the public highway. This is a predominantly residential area, with other houses on both sides of the road, along Dairy Hill in both directions, with residential accesses. Dairy Hill is narrow with one way traffic, with banking and vegetation on both sides, as the site is approached from the south.

The application is for consideration by Committee because part of the site is Council owned land.

Relevant Planning History

ZP/2010/0693 Pre-application enquiry similar to the current proposal, but differing in the size of garage proposed. Informal officer response confirmed that a garage would not be supported in the proposed location. No further informal enquiry was made, so no informal comment has been provided on the current application.

Adj 106 Shiphay Lane

P/2008/0108 Proposed Detached Dormer Bungalow. Approved.

Relevant Policies

Saved Adopted Torbay Local Plan 1995-2011

H15 House extensions

T25 Car parking in new development

T26 Access from development onto the highway

L8 Protection of hedgerows, woodlands and other natural landscape features

Proposals

It is proposed that the bank be excavated and a retaining wall be constructed to provide a levelled area. A single garage and formation of a car parking hardstanding area is proposed within the levelled area, with steps up towards the house, and associated handrails. The dimensions of the garage would be width 3.3m, length 6m, height to eaves 2m, height to ridge 3.2m. Pitched roof with half-hipped ends.

Materials: Garage - walls rendered; roof – slate tiles. Retaining wall rendered. Concrete steps; timber railings.

The application is supported by a Design and Access Statement. It is explained that the row of houses 7-13 Stanbury Road are set away from the road with no parking and residents have to park on Stanbury Road, which is congested.

Consultations

Highways and Engineering Officer. "Highways would object to the proposed application on the grounds of the proximity of the garage to the public highway. The Adopted Torbay Local Plan states that 'where the visitor's parking space is sited alongside the garage, the latter should be sited not less than 2.4 metres (8 feet) from the highway to satisfy pedestrian's visibility'.

"Due to the proposed works affecting the retention of the public footway, highways suggest that Gordon Ross, the Highways Structural Engineer, be consulted."

Arboricultural Officer: Comments to be reported at the meeting.

Archaeological Officer: The site lies within the boundaries of the late medieval hamlet of Shiphay but there is no evidence from 19th century mapping of any archaeological features within the footprint of the proposal.

Torbay Development Agency – Estates: Confirm that the land adjacent to 13 Stanbury Road is in Council ownership.

Representations

Any comments will be reported at the meeting.

Key Issues/Material Considerations

The main issue in this case is highway safety. Other issues are the resulting appearance of the property in the street scene and the related loss of vegetation.

The proposal raises concerns over highway safety and on the advice of the Highways and Engineering Officer is recommended for refusal.

Street Scene: The existing roadside verge, comprising both bank and mature vegetation, contributes to a pleasant pocket of country character amidst the extensive suburban area of present-day Shiphay. Its removal, and the construction of the garage and retaining wall in close proximity to the carriageway edge, would represent a partial loss of this character and increasing suburbanisation in this location. As submitted, the application does not contain any mitigation in respect of the loss of vegetation, other than the proposed use of trailing ivy on the retaining wall. This factor is considered to contribute to the reasons why the application cannot be supported.

If an application for parking area only, as invited by the Highways and Engineering Officer, were to be submitted, this would be considered on its own merits. It is to be expected that opportunities for mitigation for loss of vegetation would form part of the consideration of such a proposal.

Privacy / Amenity: The proposal would not raise loss-of-privacy issues. The amenities of nearby occupiers would be affected only in the same way as those of other members of the public.

Sustainability:

Environment Agency Flood risk map status: Flood Zone 1. Standard advice applies.

Surface Water Drainage: Application form states surface water drainage to soakaway - no detriment.

Crime and Disorder: No special issues

Disability Issues: No special issues

Conclusions

For the reasons discussed in this report, the proposal would be contrary to Local Plan policy and is recommended for refusal.

Recommendation:

Refusal

Condition(s):

01. The proposed development, by reason of the size, siting and design of the combined garage and parking space proposal, in particular its proximity to the highway and lack of appropriate visibility

for vehicles emerging from the garage, would have a detrimental impact on the safety of all users of the highway. The proposal would not provide safe access and egress in terms of traffic and road safety due to this inadequate visibility. In addition, the loss of boundary bank and mature vegetation, and the construction of the proposed garage and retaining wall, in close proximity to the carriageway, would have a detrimental impact on the character of the area. The proposal would therefore be contrary to Policies H15, T25, T26 and L8 of the Saved Adopted Torbay Local Plan 1995-2011 and Urban Design Guide - Supplementary Planning Document Section 3.3 Aspects of Development Form I, II & VIII (pages 63, 64, 67).