

Application Number

P/2013/1184

Site AddressSan Marino
Vanehill Road
Torquay
Devon
TQ1 2BZ**Case Officer**

Mr Robert Pierce

Ward

Wellswood

Description

Proposed loft conversion & extension with landscaping alterations

Executive Summary/Key Outcomes

The application is only being referred to the Committee because an objection has been received from a next door neighbour who is a relative of an elected member and occasional Development Management Committee member.

The application seeks permission to raise the ridge and eaves of the property, by 1.5 metres, to create an additional floor level, together with other alterations including a raised area of car parking to the side of the house.

The proposal has no adverse impact on the Conservation Area or on the nearby listed building. The proposal has no material impact on the amenities currently enjoyed by occupiers of neighbouring properties.

Recommendation

Approval

Statutory Determination Period

The statutory period for making the decision is 8 weeks (1st January 2014). This target date could not be met due further negotiations with the applicant and the fact that it now needs to be referred to Development Management Committee.

Site Details

The property is a mid-sixties split level detached dwelling, with living space above bedroom space. It is located in the Torquay Harbour Conservation Area. It occupies an elevated position and is accessed off Vane Hill Road. Due to the difference in site levels it presents two storeys to the front (NW elevation) and

one storey to the rear (SE elevation). The property is accessed along a shared drive, off Vane Hill Road, and it has a single garage together with a pull in area for parking one car.

Detailed Proposals

The main element of the proposal is to raise the ridge and eaves levels, by 1.5 metres, over the footprint of the house to form an additional level of accommodation, providing three storey accommodation when viewed from the west and two storeys to the east. The additional space enables four bedrooms and a bathroom to be provided within the new level.

The plans show a central glazed gabled element, with a Juliet balcony, to the master bedroom with windows either side on the front elevation. Velux windows are shown within the roof slope to the rear. The balcony, at first floor level of the front, is extended by removing an existing sun room.

The side elevation, onto Pine Ridge to the south, includes a double height glazed window serving a staircase / lobby. The top of this window is now below the height of the boundary hedge, as a result of negotiation to protect the amenities of occupiers of Pine Ridge. The other side elevation (NE) will be squared off to create an extension to the kitchen on the ground floor with under-build below and new second floor accommodation above.

The proposal also involves removal of a block wall, which runs to the rear of the property, and steps to the side of the house. A new block wall is to be constructed between the side of the house and the boundary (with Pine Lodge), allowing the ground level within a slightly enlarged (3 m x 4.5 m) parking area to the side of the house to be raised. The new wall would be capped at a height and colour to match the existing garden/retaining wall. The retaining wall was originally shown as being built onto the boundary with the adjoining property. In order to alleviate concerns from the neighbour about loss of the boundary hedge, the plans now indicate the wall being set 300 mm off the boundary.

Summary Of Consultation Responses

Conservation Officer. The proposed increase in height of the property will not have any adverse impact on the character or appearance of the Conservation Area or the setting of Vane Tower (Listed Building)

Summary Of Representations

2 letters of objection received from the next door neighbour on the south side.
Main issues of concern :

- 1) Drainage issues.

- 2) Enlarged area of car parking - unnecessary, could lead to the parking of commercial vehicles, could result in the loss of existing boundary screening.
- 3) Adverse impact on the character and appearance of the Conservation Area and the setting of the Listed Vane Tower.
- 4) Overdevelopment of a site with limited access over a shared driveway and limitations of Vane Hill Road (Hair pin etc)
- 5) Loss of privacy particularly as the result of overlooking from the proposed feature glazing to the side (SW) elevation.
- 6) Overbearing Impact and loss sunshine and light into side windows due to the existing close proximity of the properties.

These Representations have been sent electronically for Members consideration.

Relevant Planning History

No immediate relevant history.

Key Issues/Material Considerations

The main issues with this proposal relate to impact on the character and appearance of the Conservation Area and Listed building and, secondly, to residential amenity.

- 1) Impact on the character and appearance of the Torquay Harbour Conservation Area and nearby Listed Building.

The property lies within the Torquay Harbour Conservation Area. It forms part of a group of 3 split level modern properties built in the mid 1960's. These three properties stand directly behind the three high rise tower blocks known as Shirley Towers. As a result San Marino is effectively screened from view by Shirley Towers. Consequently, the application site is not visually very prominent within the Conservation Area.

The raised roof level would be visible to the rear, from parts of Vane Hill Road, but a 1.5 metre increase in height is acceptable within the street scene and would sit comfortably between the properties either side.

Vane Tower, which is a Listed Building, stands at a higher level, across the road and approximately 30 metres to the south of the application site. The setting of this building would not be adversely affected by the proposal.

The use of matching and modern materials is considered to be sympathetic with the overall design.

2) Impact on the residential amenities of the adjoining occupiers.

An objection has been received from the neighbouring property (Pine Ridge) to the south of the application site. These two properties already stand in relatively close proximity (approximately 5 metres) to each other and both have existing windows to their side elevations resulting in a degree of overlooking. The boundary between the two properties is presently defined by a very tall conifer hedge which has been maintained at a height of between 4 and 5 metres. Whilst ownership of the hedge appears to be subject of dispute (not a planning matter), the submitted drawings show it being retained and protected during construction. This is important in terms of restricting inter-visibility between the two properties.

The original plans, showing a full height feature glazed entrance element to the SW elevation, have now been amended to show a much reduced glazed feature. The window will not exceed the height of trees within the boundary hedge and is considered acceptable. Whilst other windows to the first floor side elevation become principle windows, rather than bedroom windows, retention of the boundary hedge will ensure there is no additional overlooking / loss of privacy. There are no issues with overlooking / loss of privacy to the property to the north, not least because use of the rooms does not change and a kitchen window is reduced in size.

Raising the eaves and ridge height of the building by 1.5 metres will have some impact on neighbouring properties, but this is not considered to be overbearing and will not result in a material loss of light to windows or gardens serving neighbouring properties. The windows to the side elevation of Pine Ridge are not principal windows; they face to north east and there is a distance of approximately 5 metres between side elevations of these properties.

Concern has been expressed from the neighbour that the proposed raised area of parking to the side could lead to the loss of boundary screening and that the parking of a vehicle would be visually intrusive. In this respect the applicant has now moved the parking area 300 mm further away from the boundary and the plans show that the trees / hedge will be protected during construction.

Conclusion

The proposed extension, and other works, would not have any adverse impact on the character or appearance of the Torquay Harbour Conservation Area or the setting of the nearby Listed Building. Secondly it is not considered that the proposal would cause any material loss of amenity to occupiers of adjoining properties by way of loss of privacy, loss of light or overbearing impact.

Condition(s)/Reason(s)

01. (i) Works to trees to be retained. Any work carried out to trees to be retained on site shall be with the written approval of the Local Planning Authority. Such work will be to British BS 3998: 1989 as a minimum standard.(ii) The development hereby approved shall not commence, and no materials shall be brought onto site, until all the trees to be retained on site are protected by fencing as per BS 5837: 2005. This will either be chestnut pale fencing or a scaffold structure 2.4 metres high supported durable man-made sheeting (either plywood or OSB of an exterior grade). Chestnut pale fencing will be to BS 1722: Part 4: 1989, as a minimum standard. This will consist of 1.200 mm pales, wired together as per standard, supported on three line wires, secured to fencing posts to a minimum standard of: 1800 mm long, 7 mm (3") top, driven 500 mm into the ground. In addition, straining posts, 1800 mm long by 100 mm (4") top, strutted where a change of direction occurs, will be installed at all ends and corners, at changes of direction, or acute changes of level, and at intervals no exceeding 50 m in straight lengths of fence. The fence will be installed upright, with all posts firmly bedded in the ground and line wires tensioned, and shall be maintained in such a condition throughout the duration of the development.(iii) The fence shall be installed no closer to the trunk of the retained tree than the edge of the canopy or a distance equivalent to half the height of the tree, whichever is the greater.(iv) The area beneath the tree and between the trunk of the tree and the fence will be kept clear and undisturbed at all times. No materials shall be stored within the fenced area; the levels of the land within the fenced area shall not be altered, and no seepage of oils, fuels or chemicals (including cement and cement washings) which may be harmful to trees shall be allowed onto the fenced area.(v) No trenches for service runs, or any other excavations shall take place within the fenced area.(vi) No soil or other surface material shall be removed from the fenced area except by written permission of the Local Authority. Where such a permission is granted, materials shall be removed manually, without powered equipment, taking adequate precautions to prevent damage to tree roots.

Reason: To ensure that all existing trees on the site are adequately protected while development is in progress and to meet the criteria of Policy H15 of the Saved Adopted Torbay Local Plan 1995 to 2011.

02. Notwithstanding the provisions of Article 3, part 1, Classes A, B, and C of the Town and Country Planning (General Permitted Development) Order 2008 (or and Order revoking or re-enacting that Order with or without modification), no additional windows or other forms of fenestration shall be included within the side elevations of the

development hereby approved without the prior written consent of the Local Planning Authority.

Reason: To safeguard the residential amenity of the adjoining occupiers in accordance with Policy H15 of the saved adopted Torbay Local Plan 1995-2011.

03. No development shall be commenced until a sample of the proposed cladding has been submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and to meet the criteria of Policies BES, BE1, BE5 and H15 of the Saved Adopted Torbay Local Plan 1995 to 2011.

04. The existing conifer hedge along the south west boundary of the site as indicated on the plans hereby approved shall be permanently retained and maintained to the height indicated drawing no.100.02A and if for whatever reason any tree dies or shows irreversible physiological decline it will be removed and replaced.

Reason : In the interests of protecting the residential amenities of the adjoining occupiers and to meet the criteria of Policy H15 of the Torbay Local Plan 1995 to 2011.

Relevant Policies

- H15 House extensions
- T25 Car parking in new development
- T26 Access from development onto the highway
- NPPF National Planning Policy Framework
- BES Built environment strategy
- BE1 Design of new development
- BE5 Policy in conservation areas
- BE6 Development affecting listed buildings