

Application Number

P/2016/0471

Site AddressDawn
Brim Hill
Torquay
TQ1 4TR**Case Officer**

Verity Clark

Ward

St Marychurch

Description

Extensions and alterations to house and garage including side & roof extensions, extended terrace & balcony and raise in ridge height (Re-Submission of P/2015/1025) (Revised description)

Executive Summary/Key Outcomes

The application site is a detached dwelling that is located on Brim Hill. The proposal includes extensions and alterations to the existing dwelling and garage including a side extension, roof extension, extended terrace and balcony area with an overall raise in ridge height.

The proposal is considered to be acceptable in this location. It does not have any material impact on residential amenity of neighbouring occupiers or the character or appearance of the locality within the context of the countryside area, undeveloped coast, village envelope and adjacent conservation area and county wildlife site. It meets the requirements of policies DE1, DE3, DE5, C1, C2, SS10 and NC1 of the Torbay Local Plan 2012-2030.

The application is recommended for approval.

Recommendation

Conditional Approval (conditions at end of report)

Statutory Determination Period

8 weeks, expired on 18.06.16. The application has gone over time due to the need for further ecology reports prior to determination. An extension of time has been agreed to the 19/09/16.

Site Details

The application site is Dawn, Brim Hill, Torquay. The dwelling is a detached property located on the east side of Brim Hill.

Detailed Proposals

The proposal is for extensions and alterations to the existing dwelling and garage including a side extension, roof extension, extended terrace and balcony area with an overall raise in ridge height of 0.8m.

The proposal seeks to redevelop and extend the existing dwelling house. The proposal includes a side extension on the south west side elevation which will link up the existing garage building with the main dwelling. This will extend to the rear elevation of the property and will form additional rooms at lower ground floor and upper ground floor levels with the upper ground floor leading out to a new terrace area. The rear of the upper ground floor level will include a curved glazing area which will link to a new natural stone wall whilst the lower ground floor will include new French doors. The top of the extension is to be finished with a sedum roof and the garage roof is to be altered to a steeper pitched roof in natural slate which will link up to the sedum roof.

At upper ground floor level the pitched roof of the existing entrance porch is to be replaced with a higher pitched roof in a matching hipped design and extended along the north east elevation which will form an en-suite and wardrobe area with the main entrance re-sited to the front north west elevation. This side north east elevation will also include the addition of a natural stone wall which will replace the existing wall material and will extend an additional 1.6m along the side of the proposed terrace.

The proposed works to the front north west elevation will include the addition of a rooflight and the removal of the left pitched bay window elements which will be re-sited closer to the side elevation. Both bay windows will include new pitched roofs to match the pitch of the proposed roof.

The proposal also includes the raise of the existing ridgeline of the roof by 0.8m with a resultant change in the pitch of the roof. This will facilitate the use of the first floor roof area for habitable accommodation. The rear roof will include the addition of two rooflight windows and a cut in balcony.

Summary Of Consultation Responses

Conservation: This cleverly ties the later garage and its extension into the main house as well as extending over an area of waste. The roof and lower terrace are significant additions but add character to an otherwise featureless southeast façade - the one that faces the older area of the conservation area, across the valley to the sea. The only reservation is to the use of uPVC fascia and soffits below the natural slate roof - this seems a very odd choice when considered against all the other high quality materials set out in the schedule and elsewhere: powder-coated aluminium windows; frameless glazing set in oak; natural limestone; red cedar etc. The scheme is supported, with the proviso that the uPVC is replaced by timber fascia and soffits, which is also more congenial to

the bat roosts which are accessed from behind the fascias through the soffits.

Green Infrastructure Co-ordinator: Mitigation measures are required (namely timing, supervision by an ecologist, and precautionary working methods) to avoid disturbance to bats. The mitigation measures proposed will ensure the protection of the species recorded. The following conditions are recommended:

- Work should be undertaken in strict accordance with sections 5 and 6 of the Bat Activity/Emergence Survey Mitigation and Compensation Report, Green Lane Ecology, July 2016, namely:
- Details of any external lighting to be submitted to Torbay Council for approval prior to installation. The lighting should be designed in conjunction with a suitable qualified ecologist to ensure impacts on bats are minimised.
- Should the need for a European Protected Species License arise during the works, a copy of the license should be provided to Torbay Council prior to works proceeding.

Summary Of Representations

14 objections have been received. Issues raised:

- Overdevelopment
- Unduly dominant
- Fails to reinforce the landscape quality and rural setting
- Footprint
- Out of character development
- Deterioration of bungalow characteristic
- Does not accord with Policy VE1 of the Torquay Neighbourhood Plan
- Loss of privacy
- Bulk
- Impact on Conservation Area and village character
- Critical drainage location
- Further ecological surveys required
- Sets precedent for further development
- Previous applications refused
- Plans inaccurate and misleading
- Raise in ridge height is out of character with the area
- Obscure glass will not overcome privacy concerns

These representations have been sent electronically for Members consideration.

Relevant Planning History

P/2015/1025	Extensions and alterations including side & roof extensions & extended terrace & balcony. Refused 21/01/16
P/2014/0913	Proposed extension to Southwest facing elevation and alteration to existing roof. Refusal 03/11/14
P/1998/0098	Erection Of Single Detached Dwelling. Refused 17.03.98
P/1998/0056	2 Storey Extension At Rear Including Balcony, Porch At Side And Erection Of Detached Double Garage. Approved 13.03.98

Key Issues/Material Considerations

The key issues to consider in relation to this application are the impact the proposal would have on the character and appearance of the streetscene and the amenity and privacy enjoyed by the occupiers of neighbouring properties. This also needs to be considered in the context of the countryside area, undeveloped coast, village envelope and adjacent conservation area and county wildlife site. The setting of the application site, particularly when viewed from the rear is an important consideration in judging the acceptability of the proposal.

The application site is built into the hillside resulting in a single storey appearance of the existing dwelling from Brim Hill, with a two storey appearance gained from the rear. The site is located within the Countryside Area and is directly adjacent to the Maidencombe Conservation Area. Views of most elevations of the site can be gained from Brim Hill and Rock House Lane. The streetscene along Brim Hill is clearly that of subservient dwellings with a clear bungalow characteristic dominated by hipped roof properties which sit unobtrusively amongst the hillside.

The proposal will add to the existing property whilst maintaining the existing character and integrity of the subservient hipped roof dwelling. The principle of sensitive alterations and extensions to an existing dwelling accords with Policy C1 of the Torbay Local Plan whilst the Torbay Landscape Character Assessment section 8B notes that any changes should be only limited in nature, and strictly controlled to ensure that the secluded character of the area and setting of the village is not harmed.

The proposed raise in ridge height of 0.8m will result in a change in visual appearance of the existing dwelling including an alteration in the pitch of the roof. In this context the raise in ridge height is considered to be acceptable. The properties along Brim Hill do not sit uniformly within the streetscene due to the varying positions along the road and how they are set within the hillside. As Dawn is set closer to the road than the adjacent 'Headlands' the property appears more dominant and when viewed from the streetscene the two

properties appear similar in height but with Dawn appearing slightly higher. The other adjacent property 'Bryn' is set considerably lower within the streetscene due to the lower position along the hill. The roofs of the other properties in the area differ in appearance and there is no uniform pitch or roof height. As such it is considered that the raise in ridge height whilst maintaining the subservient hipped roof design will sit comfortably within the streetscene and will not appear unduly dominant or out of character.

The proposal is considered to maintain the character of the existing building whilst extending and altering the existing structure. The proposal seeks to link the existing garage structure with the main dwelling. At present the garage extends partly down to the side elevation beyond the principle elevation of the property and includes two pitched roofs. The proposal will link the structures with a new side extension with flat sedum roof linking to a stone side wall. From the front of the property the new pitched roof of the garage will be visible therefore limiting clear views of the side extension. However the side elevation of the property is very visible from further along Brim Hill. The design of the side elevation is considered to be acceptable for the site within the context of the landscape character. The lower utility room visually appears as a link between the garage building and the main dwelling, whilst the use of flat roofs of varying heights maintains a subservient visual appearance and delineation between the extension and original dwelling house. Due to the size, scale and design of the extension, the further extension to the side boundary of the property is considered to be acceptable and without detriment to the scale, massing and form of the dwelling within the plot. The works to the north east side elevation are considered to be of a suitable size, scale and visual appearance for the existing dwelling as are the works to the rear of the dwelling. The use of the roof space as habitable accommodation with inset balcony will retain the subservient roof character respecting the setting of the area and suitably blending in with the prevailing character, form and bulk of the buildings in the locality.

The proposal seeks to add two windows at upper ground floor level and two windows on the lower ground floor level and an area of curved glazing and terrace on the south west elevation. This may have the potential to result in a level of overlooking to the adjacent property; Bryn, and as a result the applicant has agreed to the upper ground floor windows being obscure glazed and the installation of a 1.7m high obscure glazed privacy screen along the south west side elevation of the balcony. The terrace and windows at upper ground floor level are not considered to impact on the adjacent property, Headlands, due to the distances between the properties and as there is an existing rear terrace. The rear inset balcony will not provide any additional views to the side of the property as the cheeks of the roof will obscure any side views.

The proposals include works to the existing roof which is noted in Natural England guidance as an 'activity that can harm bats'. This guidance suggests that where buildings have features suitable for bats (and nesting birds) an

ecological survey should be requested. The submitted Preliminary ecological Appraisal Bat Mitigation & Compensation Measures (08715/GLE) states that bats are present. It recommends in paragraph 5.2 that a series of three bat emergence surveys which include a single dawn re-entry survey need to be carried out in May 2016. Bat emergence surveys have been undertaken and the Council's Green Infrastructure Co-ordinator has confirmed that the proposal is acceptable subject to the suggested mitigation measures and the submission of details of new external lighting.

Although the site is located outside of the critical drainage area, in accordance with Paragraph 103 of the NPPF and Policies ER1 and ER2 of the Torbay Local Plan the applicant is required to consider the use of a sustainable urban drainage systems. In line with this a condition is recommended requiring that the use of a soakaway is explored first.

The proposal follows the refusal of applications P/2014/0913 and P/2015/1025. Both preceding applications proposed a number of alterations and extensions to the building including a single storey extension on the south west elevation and a change in the appearance of the hipped roof. The current proposal is considered to overcome previous concerns of the size, scale and visual appearance of the side extension proposed in the 2014 application and will retain the subservient hipped roof style which overcomes concerns raised in the 2014 and 2015 applications. The proposal is therefore considered to be acceptable in terms of size, scale and design, retaining the character of the Countryside Area and adjacent Conservation Area and maintaining neighbour amenity in accordance with policies C1, C3, DE1, DE3, DE5 and SS10 of the Torbay Local Plan 2012-2030.

S106/CIL -

N/A

Conclusions

The overall proposal is considered to be appropriate for planning approval. The size, scale and design of all elements of the application are considered to be acceptable retaining the character and quality of the countryside area and Conservation Area and the amenity of the neighbouring properties is considered to be retained in accordance with policies C1, C3, DE1, DE3, DE5 and SS10 of the Torbay Local Plan 2012-2030.

Condition(s)/Reason(s)

01. The development hereby approved shall be carried out strictly in accordance with section 5 and 6 mitigation strategy and compensation measures of the submitted 'Bat activity/ emergence survey mitigation & compensation' received 25th July 2016 to include the provision of roost enhancement/provision as detailed in Figure 3. Reason; To ensure that protected species are protected

and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 as amended, the Natural Environment and Rural Communities Act 2006 and Policy NC1 in the Torbay Local Plan.

02. Prior to the installation of any new external lighting on the outside of the buildings or elsewhere on the site, full details including design, siting and illumination-type shall be submitted to the Local Planning Authority for approval. Only lighting that has been approved in writing by the Local Planning Authority shall be installed.

Reason: To safeguard legally protected species, including safeguarding foraging paths for legally protected bats, and in the interests of biodiversity in accordance with Policy NC1 of the Torbay Local Plan 2012-2030.

03. In accordance with approved plan 589-26C version C the two upper ground floor window on the south west facing side elevation facing Bryn, Brim Hill shall be fitted with obscure glazing to a level at least equivalent to Pilkington Level 3 and fixed shut or fitted with a 100 mm opening restrictor. The windows shall be permanently retained in that condition thereafter.

Reason: To protect residential amenity and the privacy of neighbouring properties; in accordance with the requirements of policies DE1, DE3 and DE5 of the Torbay Local Plan 2012 - 2030.

04. Before the first use of the upper ground floor terrace hereby permitted the balustrading along the south west side elevations shall be fitted as 1.7 metre high obscured glazing to at least the equivalent of Pilkington Level 3. The balustrading shall be permanently retained in that condition thereafter.

Reason: To protect residential amenity and the privacy of neighbouring properties; and in accordance with the requirements of policies DE1, DE3 and DE5 of the Torbay Local Plan 2012-2030.

05. Notwithstanding approved plans 589-EC1(A) version (ecology mitigation) and 589-22 version B(inc bat detail) the fascias and soffits shall be timber.

Reason: In the interests of visual amenity in accordance with Policy DE1, C1 and SS10 of the Torbay Local Plan 2012-2030.

06. Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 30% for climate change unless an alternative means of surface water drainage is submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of adapting to climate change and managing flood risk,

and in order to accord with Policies ER1 and ER2 of the Torbay Local Plan "A landscape for success" 2012-2030 and beyond and paragraph 103 of the NPPF.

07. No development shall take place until a European Protection Species (ESP) license, if required, has been obtained, including the appointment of an ESP License holder or accredited agent to manage the implementation of ecological mitigation strategy through to the completion of the development.

Reason: In the interest of protecting wildlife in accordance with Policy NC1 of the Torbay Local Plan 2012-2030.

Relevant Policies

- DE1 Design
- DE3 Development Amenity
- DE5 Domestic extensions
- C1 Countryside and the rural economy
- C3 Coastal change management
- SS10 Conservation and Historic Environment
- NC1LFS Biodiversity and Geodiversity
- ER1 Flood Risk
- ER2 Water Management