

Application Number

P/2012/0008

Site Address302 Dartmouth Road
Paignton
Devon
TQ4 6LH**Case Officer**

Mr Alistair Wagstaff

Ward

Churston With Galmpton

Description

Enclosure to existing swimming pool and formation of new changing rooms

Executive Summary/Key Outcomes

Enclosure of existing swimming pool, in rear garden, proposed to incorporate the existing swimming pool and provide changing rooms, sauna and a store. The development will also include stairs up to the existing roof terrace and photovoltaic cells on the new southern roof slope.

Key issues are impact on the character and appearance of the property, the streetscene and neighbouring residential amenity.

The scheme has been revised since the previous application to reduce the height of the proposal on the rear boundary and introduces a pitched roof to further reduce the impact. The height, length and pitch roof on the southern elevation has also been reduced.

While the alterations have attempted to reduce the impact on the neighbouring properties, it is out of keeping with the residential character of the area and would have an overbearing impact. As well as this it would be detrimental to the residential amenity of the neighbouring properties in terms of outlook.

In terms of its size it is considered to be an over development of the site. As such the development does not accord with the relevant local and national planning policies specifically H15, BES and BE1 of The Saved Adopted Torbay Local Plan 1995-2011 and is recommended for refusal.

Recommendation

Site visit, Refusal

Site Details

302 Dartmouth Road is a detached property on the western side of Dartmouth Road, set within a large plot. It is set back over 30 metres from the main road with further detached properties located to the North, South and West of the site.

Detailed Proposals

This is a revised proposal for the erection of an enclosure for an existing swimming pool, in rear garden covering well over half of the rear garden. The new enclosure is proposed to incorporate the existing swimming pool and provide changing rooms, sauna and a store. The development will also include a new set of stairs up to the existing roof terrace and photovoltaic cells on the new southern roof slope.

Summary Of Consultation Responses

None received.

Summary Of Representations

6 received;

Summary of Objections:

- Commercial feel to these plans and industrial appearance out of keeping with a residential neighbourhood
- Owner intends to use the pool for people other than family and friends.
- Pitched roofs abutting the northern and western boundary walls, clearly visible from adjoining properties, are to be clad with industrial looking, profiled steel sheeting
- A 21 unit array of solar panels is shown on the highest portion of the south facing roof slope which will be visible from Bardwell and Rozel.
- Bardwell's boundary wall is to be raised in part to partially screen the solar panels, has already raised this wall by the height of 3 blocks are concerned for the structural stability of the wall at its proposed new height.
- The plans show a large shaded area claimed as "permitted development". Although a 4m "permitted development" to the rear of an attached property is allowed, the proposal goes considerably beyond this. Increase noise and frequency than expected from normal use of a pool
- Alistair Wignall previously wrote to Councillor Thomas saying:- "Having given consideration to the key material planning matters the proposal, due to its size, massing, impact on neighbouring properties and visual impact, has been deemed unacceptable on planning merit and as such is now proposed to be refused under delegated powers." We do not see how the latest plans will have altered this opinion.
- Over development in residential area
- Over baring visual impact
- Concerns over structural stability of boundary wall and drainage of structure.
- Frequent noise to detriment of neighbour residential amenity including late night use
- Plan do not show that rear boundary wall is stepped at its lowest point the enclosure maybe visible

These are re-produced at Page P.202.

Relevant Planning History

P/2011/1035 Enclosure of swimming pool, withdrawn.

Key Issues/Material Considerations

Impact on the character and appearance of the property, the streetscene and neighbouring residential amenity.

The proposed extension is only visible to a limited degree, from the street, with only the new roof being visible, ensuring that there is no adverse impact on the street scene.

The previous application received a number of objections and was subject to a site review meeting. Key areas of objection were the impact on the residential amenity of the neighbouring properties, in line with the objections received to this application. Following the site review meeting it was concluded that due to its size, massing, impact on neighbouring properties and visual impact that the application would be refused under delegated powers. The application was subsequently withdrawn. This current application has sought to address the concerns.

The scheme has been revised since the previous application to reduce the height of the proposal on the rear boundary wall by 1.35m, below the majority of the length of the existing boundary wall height. The rear elevation is now finished with a pitched roof to further reduce the impact on the rear neighbouring property. The pitched roof structure on the southern side of the proposed extension has been reduced in length and height with a reduced roof pitch to further decrease the impact on the neighbouring property on the southern boundary.

The proposed extension will enclose a substantive part, over half, of the rear garden. While the revisions to the previous scheme have reduced the impact on the neighbouring properties, elements of the roof structure will be visible from those dwellings. A large expanse of roof area will be highly visible from first floor level, this is not an attractive view and is out of keeping with the residential character of the area. It is also considered that the impact of the development in terms of an overbearing impact and outlook would be detrimental the residential amenity of the neighbouring properties.

In evaluating the impact of the proposal it has been considered what could be constructed under permitted development. Plans 'proposed sections 07()' and 'proposed layout 06()' show in greyed out section what could be constructed under permitted development. These plans are not completely accurate. However under permitted development a number of extensions or out buildings

could be constructed although they would not be as significant in terms of height and massing particularly in its proximity to the boundaries of the property. Additionally permitted development does not allow such a substantive structure to be attached to the existing property.

The proposed extension has a floor area of approximately 272 square meters this is similar to the total existing area of the property. This scale of development is considered to be an over development of the site and specifically the rear garden area. It is noted that the property has a large front garden, but this does not negate the impact of the proposal on the site.

Concern has been expressed about the additional use the enclosure will allow for the pool. While becoming an inside pool will enable an increase in use it will also enclose the noise created to a substantive degree. It has been indicated in objections that the use of the pool could be for commercial purposes, which would not be appropriate in a residential area. Such uses have not been considered in determining this application as they are not indicated in the submission.

Concern has also been expressed about the impact on the boundary walls, the proposal is formed on a load bearing steel structure and does not utilise the boundary walls for structural support. The concerns expressed in objections regarding the structural stability of the boundary wall are not a planning matter.

Principle and Planning Policy -

The proposal is considered to be; an over development of the site, it is out of keeping with the residential character of the area and would have overbearing impact and be detrimental the residential amenity of the neighbouring properties in terms of outlook, contrary to the objectives of Local Plan policies H15, BES and BE1. The proposed development is deemed not to be an acceptable form of residential extension to the host dwelling.

Climate change -

The proposal incorporates an array of photovoltaic panels which increase the sustainability of the scheme providing renewable energy for use at its point of source.

Conclusions

The height of the development in this case is less than the previous submission however it is considered that the impact of the development in terms of an overbearing impact and outlook would be detrimental the residential amenity of the neighbouring properties.

While the existing property is situated in a large plot it is considered to be overdeveloped through the inclusion of a development of this size.

The proposal is considered to be an unacceptable form of extending the property. Having regard to applicable national and local planning policies of the Local Plan specifically policies H15, BES and BE1 and having taken all relevant material considerations into account it is considered that planning permission should be refused.

Condition(s)/Reason(s)

01. The proposed single storey extension enclosure, by reason of its size, siting and design, would represent an inappropriate form of development, due in particular to the overall scale, mass and bulk of the proposal relative to that of the application site and its surroundings. The adverse impact on the neighbouring properties residential amenity, the appearance of the property, the character of the area and the overdevelopment of the site and the rear garden specifically, would have is contrary to the policy objectives of the Local Plan, in particular policies BES, BE1 and H15 of the Saved Adopted Torbay Local Plan 1995-2011 and the Urban Design Guide – Supplementary Planning Document section 3.3 I Layout Structure and IV Scale: Height and Massing.

Relevant Policies

BE1 Design of new development
BES Built environment strategy
H15 House extensions