

Application Number

P/2011/1352

Site Address10 Thatcher Avenue
Torquay
Devon
TQ1 2PD**Case Officer**

Mr Adam Luscombe

Ward

Wellswood

Description

Formation of dwelling with 5 bedrooms with vehicular access on the site of a previously approved dwelling

Executive Summary / Key Outcomes

This application seeks consent for the development of a pitched roof, gable ended, five-bedroom dwelling on the site. There is a valid planning consent on the site for the development of a dwelling which was approved along with the now constructed and occupied dwelling at 8 Thatcher Avenue, adjacent. The consent has been implemented in part and could be completed at any point if desired.

The design of the proposed dwelling submitted with this application significantly differs from the previous approval.

There is a projecting rear element which has raised particular concern in respect of overlooking and the impact on views and outlook. In this case it is considered that the privacy concern can be overcome with the use of obscure glazing and restrictions of the opening of the windows and it is further considered that the outlook of the neighbouring occupier will not be detrimentally affected.

Conditions are included as part of the recommendation to overcome any specific issues and protect the site and surroundings.

Recommendation

Committee Site Visit; Approval subject to conditions and the delegation of authority to the executive head of spatial planning to ensure the proposed development does not compromise the protection of trees on the site.

Site Details

The plot is the site of a demolished property on the south side of Thatcher Avenue, west of the junction with Whidborne Avenue. The previous property was one storey high on the Thatcher Avenue frontage and two storeys at the rear, owing to the topography of the site, which slopes down the south. There is

currently a strong boundary hedge to the frontage. There are Tree Preservation Orders to the rear of the site.

An application was permitted in 2008 for the construction of two dwellings on the site. One has been constructed, at number 8. This leaves the plot at number 10 vacant.

Detailed Proposals

The vacant site will be redeveloped to include a new five-bed dwelling. It will have a single storey, with pitched roof over, fronting Thatcher Avenue and, because of the change in topography across the site, have three storeys facing towards the south. There is additional accommodation within part of the roof space.

The proposed building is largely timber and glazing construction with render and stone elements. The rear elevation presents two strong gables, one subservient to the other. Terracing is proposed to the West side whilst the Eastern side, and gable element, projects further out.

The proposed building plan has a staggered front and rear elevation. The garage is stepped slightly back from the neighbour at number 12 with the entrance to this property set further back into the site. At the rear the building extends out further than the internal accommodation of number 8 although not to the extent of the balcony at that property. To the opposite side the internal space is set back with terracing projecting out.

The ground floor (street level) has an entrance hall facing the road with an incorporated double garage to the right. There are two gables with a strong timber and supports with glazing inserts. Additionally there is a kitchen, dining space and lounge. A small terrace is proposed beyond the kitchen space on the South West corner of the building.

Within the roof space (first floor) there are two bedrooms and a bathroom. Above the lounge and dining space is a void in the roof space.

The lower ground floor level incorporates a master and two further bedrooms with bathrooms. There is access from two of the bedrooms and steps to the side leading down onto a terrace, again in the South West corner of the building.

At Garden Level, ancillary rooms are indicated. They will be developed into the undercroft appearance. The undercroft element will be finished in stone.

A lift in the North East corner services all floors.

Previously the access was approved from a single point shared by the two proposed properties, however this proposal indicates a separate entrance to the

highway.

Summary Of Consultation Responses

Highways: No Objection – Note about standard of footway crossover.

Strategic Transport: Recommend the application of the Planning Contributions Supplementary planning Document towards the provision of walking and cycling improvements in the area. At least one cycle parking space should be available and suitably accessible.

Natural Environments: Comments awaited and not received at time of writing.

Summary Of Representations

Two letters of objection have been received. One from the immediate neighbour at 8 Thatcher Avenue and one from 2a Thatcher Avenue. The issues raised were as follows:

- Impact on views and outlook
- Impact on privacy and overlooking
- Covenant concerns

The issue of Covenants is not a material planning consideration and does not therefore form part of the consideration for this application, recommendation or decision.

These are reproduced at Page T.203.

Relevant Planning History

P/2008/0170 Demolition Works And Formation Of 2 Detached Dwellings With Vehicular/Pedestrian Access (In Outline) – PERMITTED 24.04.2008

P/2008/0923 Demolition Works And Formation of 2 Detached Dwellings With Vehicular/Pedestrian Access – PERMITTED 29.08.2008 (Reserved Matters)

Key Issues / Material Considerations

The principle of a dwelling in this location has been given previous consideration and was deemed acceptable. It was approved as part of a pair of detached dwellings which had significant similarities. The design of this proposal differs significantly.

The key issues include the impact on neighbour amenity. visual impact (on the streetscene, existing dwelling and wider area), access and trees and landscaping issues.

Neighbour amenity

There are considerations for the impact on the neighbours on both sides of the application site, namely addresses 8 and 12 Thatcher Avenue. With regards to the sites at the rear, this is currently undeveloped although planning applications are current. In any case the distances involved and the siting of the protected trees along the boundary will mean that there would be no impact on the amenity of any occupiers, and certainly no addition to the previous approval.

With regards to 8 Thatcher Avenue there are side facing windows on the proposed property which could overlook the building and impact on the amenity. It is important to recognise the inclusion of a condition restricting all side facing windows to obscure glazing on the side elevations. In considering the impact of any such side windows it is considered relevant to impose that condition on this application as well. There is no projecting balcony on this side of the building although the full height gable ended projection of the building does project out further than the previous approved application. Nevertheless it remains at least 0.2 metres less than the projection of the balcony of 8 Thatcher Avenue. With the side windows of this projecting gable obscured, by condition, there would be no opportunity for overlooking or indivisibility. The issue of view has been raised within the objections. This is not a pure issue for consideration however on assessment of the issues and given the additional projection it is noted that the proposed development could impact on the outlook from the adjacent property. In this case however, such is the projection of 2.1 metres from the rear of the building of the adjacent property and the angles involved, it is not considered to have a significant nor harmful affect on the outlook.

In considering the impact on 12 Thatcher Avenue again the previous conditions hold relevance. There are side windows indicated which could result in overlooking of the adjacent property therefore resulting in a loss of privacy and a detrimental impact on the amenity of that occupier. Additionally there is an extended terrace projecting from the street level which could also provide the opportunity for overlooking. No privacy screen is indicated although it is considered that it could be appropriately included by way of condition. The siting of the building and the height/shape of the roof will mean that the overall impact of the mass of building is reduced from the previous approval.

Therefore, in terms of the relationships of the proposed dwellings with their immediate next door neighbours, the impact is considered to be acceptable. It is considered that the relationship will not cause significant harm to the amenities of these properties by way of loss of light, over-dominance or overlooking.

Visual Impact

The proposed dwelling will present itself as single storey, with accommodation in the roof space and gable ends, facing the road. The use of materials differs significantly from that previously approved and the overall design returns to one similar, in so much as including a pitched roof with gables and hips, to the wider

more original character of the area. There is a very strong glazing theme repeated in all the gables on the front and rear elevations. The glazing is supported with timber frames.

The streetscene elevation will be largely in keeping with the varied but broad character of the area and will not be imposing given the degree to which it is set back.

The seaward view must also be considered, this is visible from Ilsham Marine Drive below and whilst the public view of the site will be obscured when the site at the rear is redeveloped it can not be considered with this application. The rear elevation, especially the projecting gable, will be a prominent feature and one that would differ in appearance and scale from either neighbour. However, it is not considered that the difference, although significant, is detrimental to the overall appearance or character of the area.

The overall appearance, scale and mass of the property are considered to vary from the typical character of the surrounding properties. However it is also recognised that the modern property, recently approved, at 8 Thatcher Avenue also differs significantly. There is an establishment of varied character and design in the wider area as many of the properties undergo redevelopment. This design fits between the modern redevelopment whilst connecting to and sharing aspects of the original character.

Trees

In this case, at the time of writing the report the consultation with arboricultural officer was ongoing. The previous application was considered acceptable in respect of the impact on trees, with conditions. An update on this situation will be presented to the committee.

Climate change -

The design and access statement mentions the opportunity for the use of energy efficient heating, lighting and power solutions. It highlights the opportunities for solar renewable energy, perhaps through solar slates. Rainwater collection and sustainable heat opportunities are also described. No detailed information has been provided in respect of these aspects.

Environmental Enhancement -

There are protected trees on the site and a significant tree sited on the boundary of the application site and 12 Thatcher Avenue. The design and access statement includes some information about its protection through development and this is considered very important in the setting of the building. The tree is in proximity to the development and therefore a condition to ensure its protection is considered appropriate and necessary. Some boundary landscaping has been indicated, which is considered appropriate to ensure that the proposal doesn't adversely affect the appearance of the streetscene or the amenity of

neighbouring occupiers.

Accessibility -

A new individual access is proposed which has raised no objection from the Highway Authority. The previous application had indicated a shared access but this is not considered to be essential. There are many accesses along the road, at least one to serve each property and therefore this is not considered to affect the streetscene. Off street turning space is indicated along with two garaging spaces. No cycle storage is indicated and this is important for the promotion of sustainable travel and it is considered then to be appropriate to ensure that all new development supports the use of all means of travel, this can be achieved by way of appropriate condition.

S106 / CIL - In assessing the proposal against the provisions of the Planning Contribution and Affordable Housing Supplementary Planning Document it is considered that the development could require a contribution. However, given that the previous development has been, in part, implemented and could be completed at any time without the payment of a contribution it is not considered appropriate to require the payment/agreement in this case.

Conclusions

On reflection of all of the issues discussed in this report it is considered that the proposed development accords with the policy, specifically as set out within the Saved Adopted Torbay Local Plan 1995-2011. For this reason the application is deemed acceptable and is therefore recommended for approval.

Condition(s)/Reason(s)

01. Prior to the first occupation of the dwelling hereby approved the windows and doors in the side elevations of the buildings shall be glazed in obscure glass, to a level of or equivalent to Pilkington Level 5, and shall remain as such at all times thereafter. Additionally no windows or doors on the side elevations shall be openable unless the openable element is greater than 1.7 metres from the floor level of the room to which the window relates.

Reason: In the interests of the amenities of adjoining occupiers, in accordance with Policy H2 of the Torbay Local Plan 1995-2011.

02. Prior to the first occupation of the dwelling hereby approved an obscure screen shall be provided to the West side of the terraces shown. These screens shall be at a level of obscurity which is of or equivalent to Pilkington Level 5 and shall remain as such at all times thereafter.

Reason: In the interests of the amenities of adjoining occupiers, in accordance with Policy H2 of the Torbay Local Plan 1995-2011.

03. Prior to the first occupation of the dwelling hereby approved the parking, turning areas and garaging shown on the drawing shall be provided and shall remain available for parking purposes thereafter.

Reason: To ensure adequate off-street parking is provided, in accordance with Policy T25 of the Torbay Local Plan 1995-2011.

04. Prior to the commencement of the development hereby approved a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- hard surfacing materials;
- planting plans;
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- garden levels (as existing and proposed)
- implementation programme.

Reason: In the interests of the appearance of the area and the landscape character, in accordance with Policies BES, LS, and L9 of the Saved Torbay Local Plan 1995-2011.

05. Prior to the commencement of works on the site in relation to this consent details of waste and recycling storage facilities shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of the dwelling these facilities shall be made available and retained at all times thereafter.

Reason: To ensure adequate facilities are provided, in accordance with Policy W7 of the Torbay Local Plan 1995-2011.

06. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development of the types described in Schedule 2, Part 1, Classes A, B, C, D and E shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the area, in accordance with Policies H2, BES and BE1 of the Torbay Local Plan 1995-2011.

07. Prior to the commencement of works on the site in relation to this consent details of at least one secure cycle storage space shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of the dwelling this space/s shall be made available and retained at all times thereafter.

Reason: To ensure accessibility to, and promote use of, sustainable transport, in accordance with Policy T2 of the Torbay Local Plan 1995-2011.

Relevant Policies

- HS Housing Strategy
- H2 New housing on unidentified sites
- H9 Layout, and design and community aspects
- H10 Housing densities
- BES Built environment strategy
- BE1 Design of new development
- TS Land use transportation strategy
- T25 Car parking in new development
- T26 Access from development on to the highway
- LS Landscape strategy
- L9 Planting and retention of trees