

Application Number

P/2010/1397

Site AddressSunnyvale
31 Loxbury Road
Torquay
Devon
TQ2 6RS**Case Officer**

Mr Scott Jones

Ward

Cockington With Chelston

Description

Formation of single detached dwelling within curtilage; demolition of garage and form 2 new garages and vehicle access (revised scheme)(As revised by drawings submitted 01-08-11)

Executive Summary:

The proposal seeks to provide a detached dwelling within a triangular section of garden located to the side of the existing dwelling, which itself sits at the end of a long established residential cul-de-sac.

The proposal is considered to successfully respond to the sites constraints, the most sensitive of which is the visual impact upon the landscape setting of the neighbouring Cockington Valley, which it looks over. The proposal has a reduced scale to previous iterations that have not been supported, and it has been re-orientated to further lessen its impact upon the valley.

The proposal, with appropriate planning contributions secured and conditions that will ensure a suitable detail and supporting facilities, is considered acceptable on planning merit.

Recommendation

Site Visit; Conditional Approval (conditions as laid out at the end of this report in respect to landscaping, materials, colours and parking provision delegated to the Executive Head of Spatial Planning; subject to securing planning contributions (as laid out in this report) via an upfront payment or S106 legal agreement (within 6 months of the committee date).

Site Details

The site is a portion of an existing residential plot at the end of a cul-de-sac set on the hillside overlooking the adjacent Cockington Valley / Cockington Country Park / and the Cockington Conservation Area, land which is also designated as a

Countryside Zone and Area of Great Landscape Value. The site, which currently holds a single dwelling, does not however sit under any landscape or built designation, other than a tree belt on its south western border that sits under a Tree Preservation Order and forms part of a wider linear protected belt. In terms of physical detail the development plot is a triangular portion of steeply sloping garden land that sits to the side of the current dwelling. Access in to the site is already established via a vehicular driveway in the eastern corner of the site, which is one of a number of driveways that are served off the turning head sited at the end of Loxbury Road.

Detailed Proposals

Through revised drawings submitted 01.08.2011 the proposal seeks to provide a secondary detached dwelling within the existing plot, set to the side of the existing property. The scheme also seeks ancillary works to form a shared garage structure that would be served via a widened access and manoeuvring area, together with retaining walls flanking the new property to each side.

In terms of detail the revised scheme offers a reverse level dwelling, which gives a single-storey form when viewed from Loxbury Road that drops to offer additional ground and lower-ground floor levels to the rear, giving a three-storey form as viewed from the south and west from the valley below. The form of the dwelling is a simple multi-pitched tiled roof set over two floors of render with a lower-ground floor of brick, which sits as a plinth.

The proposed garage is sited near the head of the plot, expanding past the footprint of the current single garage facility. The structure will provide a dual garage with one space per dwelling, over a total area 6metres by 6metres, set off a manoeuvring hardstanding space. This ancillary building features rendered walls and a sedum flat roof.

Further ancillary works include the widening of the existing access on to Loxbury Road, along with the provision of extensive retaining walls to either side of the proposed dwelling to permit the building to be set within the slope and offer the level of accommodation proposed at the two lower floors.

As a point of information the initial proposal offered a larger linear contemporary dwelling set across the site, hugging the contours of the ridge line, which oriented its widest elevation down across the valley. This proposal featured rendered walls with large areas of glazing, finished with flat 'green' sedum roofs. The scale was single-storey to Loxbury Road and two-storey to the rear.

Summary Of Consultation Responses

Conservation / Landscape Team: It is concluded that, with an appropriate

landscape condition to secure suitable planting for the long term maintenance of the protected tree belt, which acts as a natural screen, the revised scheme is unlikely to present any significant negative impact on the character and appearance of the conservation area. The above has been concluded with consideration of the likely impact upon close, medium and long views, summarised below;

There are close views of the site from Loxbury Road and neighbouring properties, however the site falls away steeply from these properties and with the amendments to the design the dwelling will assimilate well with the existing mixed residential character.

The site benefits from a dense mature tree screen and off-site scrub planting on the western boundary, which will screen the proposed dwelling, even during the winter months, from medium distance views in the village (Cockington). It is noted that Cockington Lane is flanked by dense hedge banks which will further screen the proposal effectively from such views.

Finally, in regard to long views such as those permissible from high ground within Cockington Court grounds to the south and from the public footpath to the north, at these distances the proposed dwelling will be viewed as a minor element within the existing ribbon development on the hillside.

Torbay Coast and Countryside Trust: Object to the revised planning application. The property will add to an already congested skyline overlooking Cockington Country Park and would represent considerable damage to the setting of the Conservation Area and the protected landscapes of the park.

Arboricultural Team: That the revised scheme be suitable for approval on arboricultural merit if the following points can be addressed by way of pre-commencement conditions as follows;

Root protection area defined in relation to new layout, with the approved fencing layout to be installed prior to any commencement and to be retained until completion.

Detailed landscaping plan to be submitted and approved which includes appropriate replacement tree for the removed Ash. Any tree surgery works should be undertaken pre-commencement including Ivy removal, minor branch rebalancing, crown raising, etc.

No grade changes to root protection areas.

Highways Department: Highways raise no objection to the revised application.

Summary Of Representations

Six letters of public objection have been received in respect to the revised scheme and one further letter received in respect to the original application. The concerns raised are as follows;

- Design not in keeping
- Visual impact of this additional development adjacent to a valued landscape
- Insufficient parking provided and added pressure for on-street parking within a restricted area
- Will set a precedent for further development encroaching around the Cockington valley
- Highway safety through the addition of another dwelling served off a turning head of a tight cul-de-sac
- Impact of more bins on the road
- Impact of additional rainwater run-off to the valley below and flooding implications
- Impact upon wildlife

These are reproduced at Page T.201.

Relevant Planning History

Applications

- P/1991/1081 Detached dwelling and integral garage, plot between 27 & 31 Loxbury Road - Approved
- P/1992/1252 Detached dwelling and integral garage, plot between 27 & 31 Loxbury Road - Approved
- P/1993/0061 Detached dwelling & integral garage, plot between 27 & 31 Loxbury Road - Approved
- P/2006/0346 Dwelling with combined vehicular/pedestrian access (in outline) - Refused
- P/2009/1129 Single detached dwelling within curtilage; Demolition of existing garage and formation of two new garages and access - Refused

Pre-Application Advice

- ZP/2005/0650 Erection of dwelling – Not Supported
- ZP/2010/0298 Single detached dwelling in curtilage – Split decision

Key Issues/Material Considerations

Within this particular context the key considerations are deemed to be;

- (i) the visual implications of the scheme upon the built and landscape settings,
- (ii) the arboricultural implications upon the belt of protected trees on the

- south western border,
- (iii) the likely highway implications borne from the additional unit and the parking and access arrangements, and
- (iv) neighbour amenity issues.

Visual implications

Although not under any built or landscape designations the plot sits adjacent to and can be viewed from the Cockington valley, which is under a number of such designations. Consideration of the wider visual impact, in addition to the impact of the local streetscene, is therefore a key consideration.

Firstly in respect to the local streetscene it is considered that the proposal would sit comfortably within what is a mixed character that holds a myriad of building types from the mid and late 20th Century. Although absent of a defining character, the proposal is considered to accord with scale, general form, and setting of properties within the street. It is hence likely to sit comfortably within the street with little detriment to the local visual qualities.

In regard to the likelihood of any wider impact upon the visual qualities of the multi-designated Cockington Valley, which it overlooks, it is concluded that the visual impact is likely to be minimal. The Authority's landscape officer has considered the likely impact to medium and long views offered from the village and other public areas in the vicinity, and there is acceptance that the scale of the dwelling, combined with the level of screening presented from the adjacent tree belt, provides scope for either little or no impact upon the setting of this area. It is generally appreciated that the reduced scale of the dwelling over previous iterations, together with its reorientation that offers a slimmer elevation towards the valley, has managed to overcome previous concerns over any likely impact. In addition it is believed that the submission via condition of a colour palette and material finish for the scheme offers the potential to ensure the development comes forward in a recessive finish to further limit any visual impact. Proactive replanting of the protected tree belt is not considered necessary, as the Authority's arboricultural officer has confirmed that the tree belt is healthy and relatively early in its life, and that the TPO will permit management of succession planting in the future.

Arboricultural implications

The only arboricultural constraint to the scheme is the linear group of protected mature trees orientated north-south at the bottom the steeply falling garden. These trees are highly prominent to the Cockington valley and to parts of the village, serving to soften the built landscape from the historic village below.

The present iteration of the scheme creates a positive relationship with the trees that are present and seems to be outside of any root protection area (RPA).

Further to this the trees are within early stages of growth to the main and are likely to serve as an effective amenity for a considerable period of time. No succession planting is required to these trees as this will be controlled via the TPO.

A stump of a recently felled large Ash tree is present within the unused garden to the north west of the more ornate garden area. Study of the planning database shows no record of any ordinary application that would allow this felling. However study of the remains shows extensive colonisation of decay fungi which would have likely allowed a permission to fell under the exemption by giving 5 days notice to the authority. No replacement tree has been planted.

It is appreciated that the previous application, P/2009/1129, had raised concern that concern that the setting of a large residential unit adjacent to the protected tree belt may give rise unwarranted pressure to fell and the citing of perceived psychological pressure, and possible pressure to undertake significant tree surgery works, both to the loss of visual amenity. These previous comments are considered satisfied through the design and siting.

As a note the present layout, whilst respecting the trees, centres upon the view to the head of Cockington Valley, and therefore it is considered important at this stage that the protected tree is replaced and understood as a constraint to an uninterrupted view. Appropriate species choice and siting should afford a framing of the view rather than an interruption.

Highway / parking access matters

The proposal utilises the existing vehicular access for the plot, albeit slightly widening the access, and reconfigures the parking facilities to provide dual garage and enhanced manoeuvring within the plot.

The level of parking is considered commensurate for the form of development and the ultimate provision of two dwellings within the plot. The access and egress is considered safe and secure, with the turning facility and widened access possibly giving an improved relationship with the turning head of the cul-de-sac.

The Authority's Highway Officer has confirmed that the arrangements appear satisfactory and no objection is raised due to acceptance to the level of parking proposed and the access and egress arrangements.

Neighbour amenity

Impacts through loss of privacy and overlooking are somewhat limited as the clearest relationship will be with the host property. The only other adjoining residential border is with that of Numbers 28 and 28a, which are set on higher land. Considering the distances from property to property, along with appreciation of the topography and border screening, the visual links are not to a

degree that would warrant refusal on this matter. Likewise there are no implications in regard to loss of light due to the distance and physical separation.

The proposal is considered acceptable in respect of its likely impact upon local neighbour amenity.

S106/CIL -

The application will provide an additional residential unit that would create additional pressures upon local physical and social infrastructure, costs which can be recouped as sanctioned by Section 106 of the 1990 Planning Act. The Council's adopted SPD *Planning Contributions and Affordable Housing: Priorities and Delivery* outlines the levels for contributions for varying forms of development and current guidance outlines that the following level of contribution is considered necessary.

Contributions triggered by one residential unit scaled at +120m2 floor area:

Sustainable Transport:	£3,610.00
Greenspace & Recreation:	£2,370.00
Lifelong Learning:	£ 470.00
Waste & Recycling:	£ 50.00

TOTAL: £6,500.00

Conclusions

The proposal is considered to offer an acceptable form of residential development that would sit comfortably within the immediate streetscene and sit as a natural extension to the existing ribbon development as viewed from further a field from the adjacent Cockington Valley below. With supportive conditions to achieve a recessive form of development, suitable landscaping and parking provision, along with securing suitable levels of planning contributions via an upfront payment or S106 legal agreement, the proposal is recommended for approval.

Condition(s)/Reason(s)

01. Prior to the first occupation of the residential dwelling hereby approved the parking facilities shall be provided and made available for use.
02. Submission of a detailed landscape plan, which shall include the appropriate replacement of the removed ash tree and confirm no grade changes to the root protection areas.

03. Submission of plans confirming the root protection area and details thereof

04. Prior to the commencement of development details of external materials and colour scheme, including all retaining walls, shall be submitted and approved.

Relevant Policies

- HS - Housing Strategy
- H9 - Layout, and design and community aspects
- BES - Built environment strategy
- BE1 - Design of new development
- BE5 - Policy in conservation areas
- TS - Land use transportation strategy
- T25 - Car parking in new development
- T26 - Access from development on to the highway
- LS - Landscape strategy
- L2 - Areas of Great Landscape Value
- L4 - Countryside Zones
- L8 - Protection of hedgerows, woodlands
- L9 - Planting and retention of trees