

PLANNING APPLICATION OFFICERS REPORT



Application Number	20/00109/FUL	Item	6.2
Date Valid	28.01.2020	Ward	COMPTON
Site Address	75 Beaumaris Road Plymouth PL3 5SA		
Proposal	Single storey side and rear extensions (re-submission of 19/02013/FUL)		
Applicant	Mr Jones		
Application Type	Full Application		
Target Date	24.03.2020	Committee Date	12.03.2020
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee as the applicant is a Council Employee.

1. Description of Site

75 Beaumaris Road is a two-storey semi-detached dwelling located within the Compton neighbourhood. The area comprises regularly spaced dwellings with variations in design and finish. It is situated at street level although the land is elevated from the north-west but slopes downward toward the south east.

2. Proposal Description

The proposal seeks to construct a single storey part side extension and a single storey rear extension. It is a re-submission of a previously withdrawn application reference 19/02013/FUL for a similar slightly larger scheme.

This resubmission is for a reduced rear extension depth from 4 metres for the previous application to 3 metres on the current scheme.

3. Pre-application Enquiry

None for this site

4. Relevant Planning History

19/02013/FUL: Rear single storey and part-side extension, Withdrawn;

08/01993/PRDE: Private motor garage attached to side of dwelling, Lawful Development Certificate issued.

5. Consultation Responses

None requested.

6. Representations

None received

7. Relevant Policy Framework

This application turns upon the adopted Joint Local Plan and its policies DEVI (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment), the Framework and other material policy documents as set out in Section 7.

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and by West Devon Borough Council and Plymouth City Council on March 26th 2019.

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 – 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption. This is set out in the Housing Position Statement conclusions in paragraphs 8.6 and 8.7. The three authorities have jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level, and are currently awaiting a response from MHCLG regarding the Housing Delivery Test Measurement and its implications.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- Development Guidelines Supplementary Planning Document.
- Design Guidelines

8. Analysis

1 This application turns upon the adopted Joint Local Plan and its policies DEVI (Protecting health) and DEV20 (Place shaping and the quality of the built environment), the Framework and other material policy documents as set out in Section 7.

Design

2 This householder application seeks permission for an extension to the rear of the existing garage as well as a conventional rear extension to the main dwelling. The key considerations are: design, impact on street scene, impact on neighbour amenity with specific regard to privacy, light and outlook. The application has been assessed in the separate components of the scheme which will provide additional living space, a utility room and cloakroom at ground floor level.

3 Rear extension: the officer has assessed this part of the scheme against paragraph 2.2.51 of the Development Guidelines SPD (for rear extensions) and consider it compliant with this paragraph. It replaces the existing rear conservatory, and the proposal will not be visible from street scene and therefore does not detract from the street scene and property. The design includes a pitched roof, matching render materials with dimensions of approximately 3m (depth) x 3.5m (height) x 5.4m (width). For information the dimensions are within permitted development thresholds.

4 Side extension to the rear of garage: the officer has assessed this part of the scheme against paragraphs 2.2.42-2.2.48 of the Development Guidelines SPD (for side extensions) and consider it, on balance to be compliant with these paragraphs. It will part-wrap the rear wall of the existing garden with appropriate materials and is set away from the boundary.

5 It is the officer's view that this part of the scheme is on balance acceptable. The extensions are therefore considered compliant with Guidance and DEV20 (Place shaping and quality of the built environment).

Amenity

6 Officers assessed the extensions against the 45 degree sunlight rule as set out in paragraphs 2.2.35 to 2.2.39 of the Development Guidelines SPD and note that whilst the rear extension does not meet the guidelines, this consideration does however need to be balanced in terms of fall-back position for a 3 metre rear extension which could be undertaken without a planning application. The side extension is set away from the boundary and therefore its impact on light is not considered to be worse off when compared with the existing garage footprint. On balance and having considered the fall back positions on rear extensions, it is the officer's view that considering the proposals in its context and relationship to the neighbours, that the scheme will not lead to an overall adverse impact to sunlight levels for surrounding residents.

7 In terms of privacy impacts, officers note from the site visit that the existing boundary treatment offer adequate mitigation for potential overlooking. Similarly, it does not appear to result in detrimental overbearing issues and is therefore acceptable. For the above reasons, officers consider that the application is consistent with policy DEVI (Protecting Health and Amenity).

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

N/A

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability. The Design and Access Statement submitted with the application states: "The front area will be partially paved with steps and a wheelchair friendly ramp and some planting. The rear garden will be similar with hard and soft landscaping and a wheelchair friendly ramp to the lower ground floor."

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policies DEVI (Protecting Health and Amenity) and DEV20 (Place Shaping and the Quality of the Built Environment) of the JLP, the Development Guidelines Supplementary Planning Document (First Review) and the NPPF 2019. The application is recommended for approval.

14. Recommendation

In respect of the application dated 28.01.2020 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 CONDITION: APPROVED PLANS

Site Location Plan 24012020 - received 24/01/20

Proposed Plans & Elevations 04 Rev P1 received 24/01/20

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: COMMENCE WITHIN 3 YEARS

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

INFORMATIVES

1 INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.