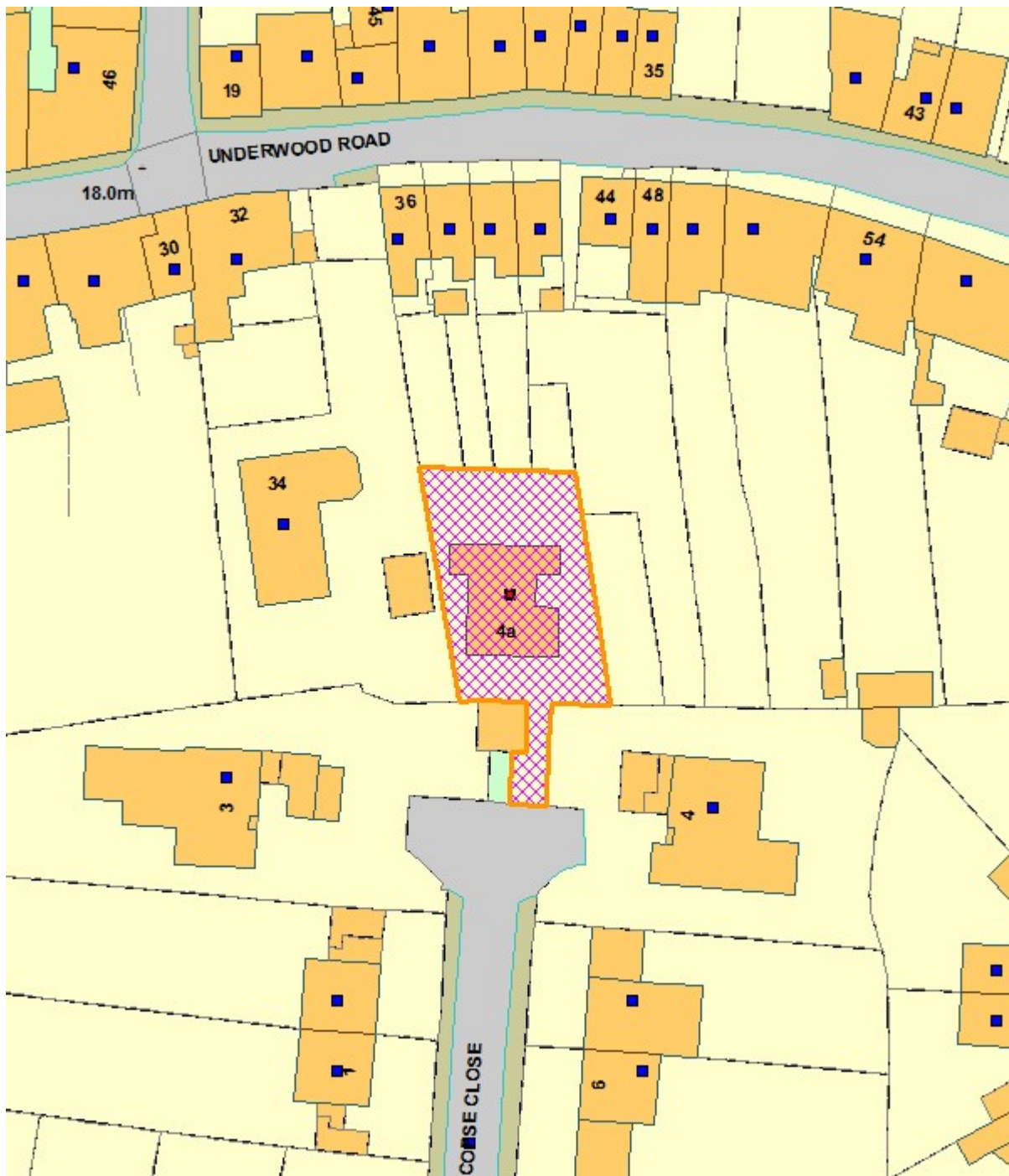


# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	20/01569/FUL	<b>Item</b>	<b>03</b>
<b>Date Valid</b>	23.10.2020	<b>Ward</b>	PLYMPTON ERLE
<b>Site Address</b>	4A Copse Close Plymouth PL7 1QD		
<b>Proposal</b>	First floor extension and two-storey side/rear extension (re-submission of 19/01315/FUL)		
<b>Applicant</b>	Mr Ian Wade		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>18.12.2020</b>	<b>Committee Date</b>	<b>14.01.2021</b>
<b>Extended Target Date</b>	<b>15.01.2021</b>		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Miss Josephine Maddick		
<b>Recommendation</b>	Grant Conditionally		



This planning application has been referred to Planning Committee by Cllr Beer.

### **1. Description of Site**

4a Copse Close is a three-bedroom bungalow in the Plympton area of Plymouth.

### **2. Proposal Description**

First floor extension and two-storey side/rear extension (re-submission of 19/01315/FUL)

### **3. Pre-application Enquiry**

18/01654/HOU - First floor extension to existing bungalow, two storey front extension, side extensions and demolition of existing garage. Advice given regarding the likely impact of a flat roof extension.

#### **4. Relevant Planning History**

05/00040/FUL - Pitched roof to replace flat roof to garage, and alterations to form utility room - PER - Grant Conditionally

19/01315/FUL - Addition of first floor level on existing bungalow, construction of two storey extension on north elevation, construction of two storey extension on west elevation and single storey extension on east elevation - WDN - Application Withdrawn

#### **5. Consultation Responses**

Urban Design Surgery - In support of the application, subject to comments sent to officers regarding materials.

Historic Environment - No objections on heritage grounds in line with JLP Policy DEV21

#### **6. Representations**

13 Letters of representation received.

9 Objections raise concern regarding:

Imposing scale of development, increased footprint size, domineering position above Underwood Road, privacy issues for neighbouring gardens, blocking out light, detrimental effect on historic character of Underwood Road.

4 letters support the application stating it will improve the area.

#### **7. Relevant Policy Framework**

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 South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application: The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020).

#### **8. Analysis**

This application has been considered in the context of the JLP, the Framework and other material policy documents as set out in Section 7.

1) The relevant policies are: DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise, land and light), DEV20 (Place shaping and the quality of the built environment) and DEV21 (Development affecting the historic environment).

### Principle of Development

2) Joint Local Plan policies indicate that the proposal is acceptable in principle. The applicant submitted an application in August 2019 which was subsequently withdrawn. The applicant has since revised the drawings and negotiated with officers the following amendments:

2.1) Change to elevation and materials from corrugated black steel to wall hung man-made slates so that it matches the local character in connecting to the surrounding buildings, primarily the roofs of the cottages further down the hill on Underwood Road.

2.2) Altering the appearance of the north elevation to set back part of the building with a different material to stop the building looking so overpowering

2.3) The addition of the green wall to the east elevation to soften the appearance and make it less overpowering to the neighbouring gardens.

2.4) Reduction in the height of the building by 30cms. Alterations to the north elevation window to make it smaller. Alterations to fourth bedroom window to make it narrower.

2.5) Officers consider these alterations are positive and reduce the impact of the development on the visual quality of the area and neighbours amenity. The matters will be discussed in more detail below.

### Visual Impact

3) Officers have considered the visual impact of the development against the guidance in the SPD and Policy DEV20 and consider it acceptable.

4) The applicant has opted for a flat roof with small parapet wall to accommodate the new first floor. Officers acknowledge that whilst flat roofs are not a feature of the area this does reduce the overall height and massing of the building. At present the current property is almost entirely hidden from view from Copse Close by the electricity substation positioned to the south.

5) Officers understand that adding an additional storey to the property is a big visual change, but consider a flat roof will help to reduce the overall dominance of the development, and that taking in to account the relatively secluded position of the property within Copse Close, the development will not have an adverse impact on the street scene. The applicant has proposed materials such as hung tiles and a green wall to help the development to blend into the existing landscape. Further details of the proposed materials will be secured by condition and works to the green wall will be undertaken in accordance with an agreed specification.

6) Like any area within Plymouth, development has taken place at various times and the area is made up of different styles of housing. Underwood Road contains older style properties from the 1800s and early 1900s. The backdrop for Underwood Road is a modern housing estate including Copse Close, Copse Road, Merafield Drive. The application site is part of the housing estate which was built in the 1950s and 60s. Officers consider updating the property and changing its style will not damage the character and appearance of the area as the area already contains a wide variety of properties. 32 Underwood Road sits to the north west and is grade two listed. The Historic Environment Officer considers the development will not result in harm to the setting of the listed building.

#### Amenity

7) To the north of the application site sits a terrace of houses, 36-44 Underwood Road. The properties sit at a lower level than the application site and their rear gardens stretch up to the rear boundary of 4a Copse Close. Residents have voiced concerns about overlooking for these properties. Paragraph 13.19 of the SPD states that habitable room windows facing directly opposite one another should be a minimum of 28 metres apart for a two-storey development, where there is a drop in levels that would reduce privacy. The application at 4a Copse Close meets the 28 metre distance guidance.

8) Windows are proposed in the north elevation of the extension at first floor level, several objections have been received raising concerns about a potential loss of privacy. The gardens to the rear of 4a Copse Close serve 36-44 Underwood Road and contain, sheds, mature vegetation and domestic paraphernalia. The gardens sit on a slope and are already quite exposed as collectively, the residents of 36-42 have mutual visibility of one another's gardens. Officers therefore consider the levels of privacy within each garden are relatively low and there is a sense of communality as boundary treatments are kept low in height. Officers do not consider that the new windows on the north elevation of the proposal will erode privacy any further for garden users of 36-42 Underwood Road.

9) Officers consider that the size of the windows on the north elevation may create an increased perception of overlooking however as the windows meet SPD policy guidance in terms of the distance from neighbouring habitable room windows, officers do not consider that they are unacceptable. However, in light of the concerns raised officers have secured an increase in the cill height and reduction in the framing of the bedroom window to try and minimise its prominence. The two thinner windows provide light to a landing and occupants will not be able to stand at the windows as the first floor is set back to create a dual height space for the new kitchen.

10) Amenity for garden of 44 Underwood Road  
Officers understand that the garden to the east of the application site belongs to 44 Underwood Road. This garden space is fairly private. The windows on the east elevation of the proposed property have been sensitively located to not erode levels of privacy for garden users of 44 Underwood Road.

11) The two narrow tall windows are located in a hallway and on a landing. These areas are not considered as habitable rooms and the occupiers will not spend prolonged amounts of time at these windows.

12) In the main bedroom, the side elevation window is positioned at 1.7 metres above floor level. The family bathroom has obscure glazing and the window in the fourth bedroom has been narrowed to 1.2 metres in width from 1.8 metres to mitigate the impact of the perceived loss of privacy

13) Officers do not consider that the increase in height to the building will cause a significant loss of light due to the orientation of the plot. The extension sits to the west of the garden and does not obstruct sunlight which comes from a southerly direction.

14) Amenity 34 Underwood Road:

The adjacent property to the west of the application site is a four-bedroom detached bungalow. Officers have considered the impact on this property and note that due to orientation, light will not be detrimentally affected. The applicant has made every effort to carefully locate windows to mitigate issues relating to privacy and overlooking. The garden of 34 Underwood Road is spacious and allows a good distance of separation between the buildings as per paragraph 13.28 of the SPD.

#### Other Considerations

15) Officers consider there are no other material planning considerations relevant to this planning application.

### **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**

Not required

### **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.

## **13. Conclusions and Reasons for Decision**

The proposed first floor extension and two-storey side/rear extension is not considered to have a detrimental impact on the character and appearance of the area or neighbour amenity. Therefore having regard to all national and local planning policies and all other relevant material considerations the application is recommended for approval..

## **14. Recommendation**

In respect of the application dated 23.10.2020 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****

Location Plan 13102020 - received 13/10/20

Proposed Elevations 4ACC-009 Rev D received 04/01/21

Proposed Plans 4ACC-010 Rev C received 04/01/21

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.

### **3      **CONDITION: EXTERNAL MATERIALS****

PRE-INSTALLATION

Prior to installation of the materials to be used in the construction of the external surfaces of the development hereby permitted full details shall be submitted to and approved in writing by the Local Planning Authority. This shall include the external hung tiles, render, uPVC and timber cladding. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policies DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan 2019, the Plymouth and South West Devon Supplementary Planning Document 2020 and the National Planning Policy Framework 2019.

#### **4      **CONDITION: GREEN WALL****

##### PRE-OCCUPATION

Unless otherwise previously agreed in writing the green wall shall be installed and maintained in accordance with the living wall specification dated 4th January 2021. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies DEV20, DEV23 and DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the NPPF.

#### **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 (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 with the



Applicant and has negotiated amendments to the application to enable the grant of planning permission.

#### 4 **INFORMATIVE: COUNCIL CODE OF PRACTICE**

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):

<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>