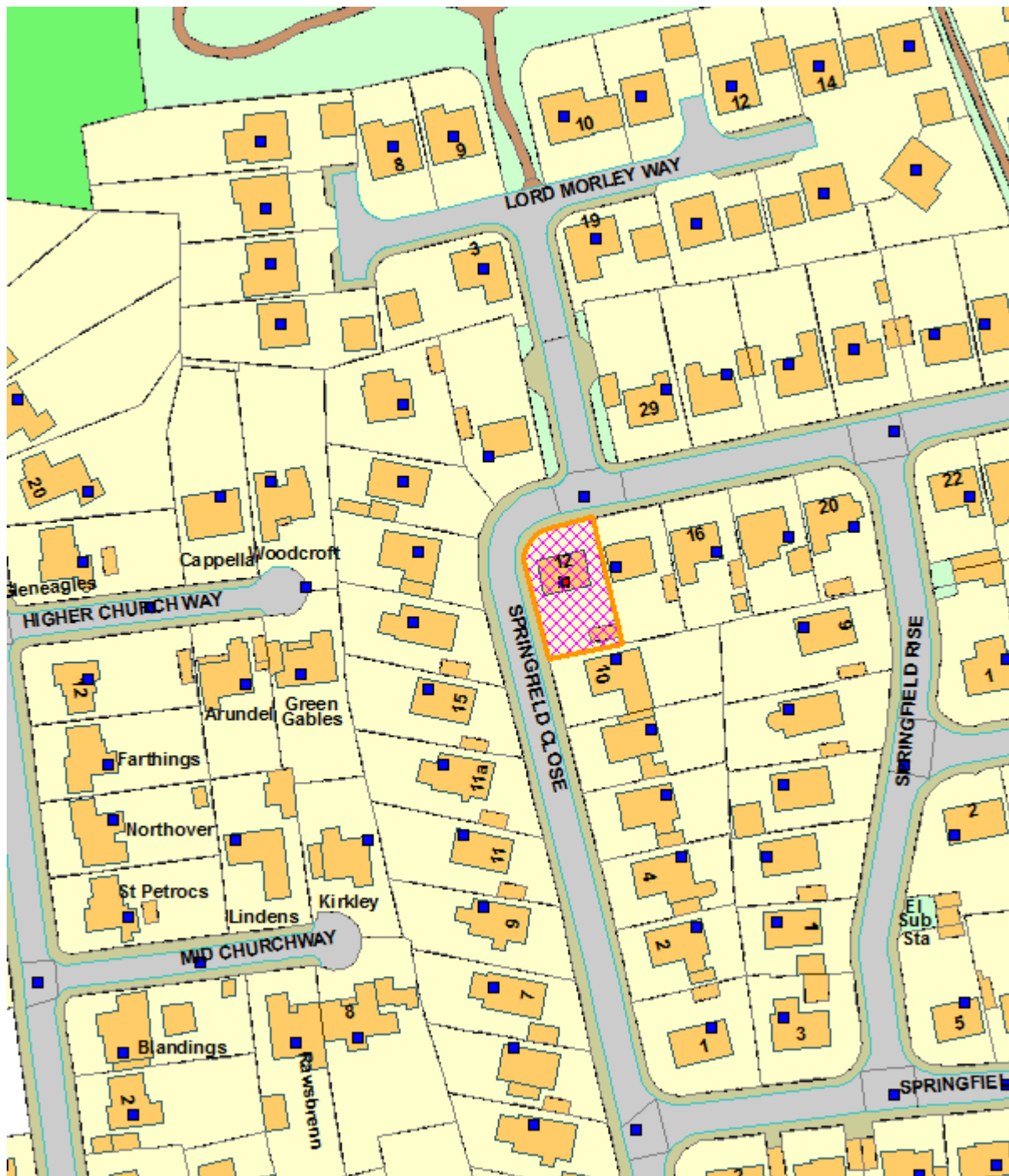


PLANNING APPLICATION OFFICERS REPORT



Application Number	20/01861/FUL	Item	01
Date Valid	03.12.2020	Ward	PLYMSTOCK DUNSTONE
Site Address	12 Springfield Close Plymouth PL9 8QE		
Proposal	Side extension with front and rear dormers, side boundary wall and front porch.		
Applicant	Mr & Mrs Flaxton		
Application Type	Full Application		
Target Date	28.01.2021	Committee Date	11.02.2021
Extended Target Date	18.02.2021		
Decision Category	PCC Employee		
Case Officer	Mr Mike Stone		
Recommendation	Grant Conditionally		



This application comes before the Planning Committee because the applicant is a Plymouth City Council employee

1. Description of Site

Number 12 Springfield Close is a single storey detached dwellinghouse with accommodation in the roof space and a rear facing dormer on an estate of similar type properties. The house is located on a corner plot at a 90 degree bend in the road. A timber boundary fence separates the main garden directly behind the house from the landscaped strip at the side facing the road. At the rear of the property is a detached garage with a short section of driveway.

The property is in the Elburton and Dunstone Neighbourhood.

2. Proposal Description

Side extension with front and rear dormers, side boundary wall and front porch.

The side extension would be built on the east side of the house, away from the road, and would increase the width of the property by 2.5 metres and would include front and rear dormers. The rear dormer would be enlarged by 4.8 metres. The front dormer would be a new structure. It would be 11.2 metres wide and 1.6 metres deep and 1.3 metres high.

The side wall would vary between 1.6 and 2.4 metres high. A 500mm strip of landscaping would remain on the other side of the fence.

The front porch would be 2.5 metres wide, 1.1 metres deep and 2.5 to the eaves and 3.6 metres to the top of the dual-pitched roof.

3. Pre-application enquiry

There was no pre-application enquiry with this proposal.

4. Relevant planning history

25 Springfield Close, opposite to application property

17/00432/FUL - Formation of front dormer - Granted Conditionally.

5. Consultation responses

Local Highway Authority - no objections.

6. Representations

None received.

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).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are

based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

As a result of Government policies and guidance regarding lockdown due to Covid 19, the 2020 Housing Survey was delayed by approx. 2 months as site visits could not take place. The 2020 5YLS update is therefore delayed by 2 months and will now be published in September 2020. The impact from Covid 19 is likely to slightly reduce the supply identified for 2020/21 due to 2-3 months of limited/nil construction activity during lockdown. This however would not have the effect to result in a material change to the JLP Authorities 5YLS position, given the substantial 5YLS position at the 2019 monitoring point i.e. 6.4YLS which represents a surplus of 1,977 deliverable dwellings above what is required over the period 2019-2024 to demonstrate a 5YLS.

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:

- o Plymouth and South West Devon SPD (July 2020).

The Plymouth and South West Devon Supplementary Planning Document (SPD) has been prepared by Plymouth City Council (PCC), South Hams District Council (SHDC) and West Devon Borough Council (WDBC) to amplify and give guidance on the implementation of the policies of the Plymouth and South West Devon Joint Local Plan (JLP). The SPD was formally adopted by all three councils in July 2020.

8. Analysis

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

2. The application turns upon policies DEV1 (Protecting health and amenity), DEV20 (Place shaping and the quality of the built environment), DEV26 (Protecting and enhancing biodiversity and geological conservation) and DEV29 (Specific provisions relating to transport), the aims of the Joint Local Plan Supplementary Planning Document (JLP SPD) and the National Planning Policy Framework (NPPF) 2019. The primary planning considerations in this case are the impact on the character and appearance of the area, the impact on neighbour amenity and highway safety.

3. Side extension

Impact on the character and appearance of the area.

In dealing with side extensions on similar types of properties with a single storey and accommodation in the roof space, officers have accepted that requiring the normal set back from the front elevation and set down at the roof would not work in design terms and would give the property an unsatisfactory appearance and would not provide sufficient space for the applicants. For these reasons and the relatively modest scale of the extension, officers consider it acceptable.

4. Impact on the neighbour amenity.

There are no windows on the flank wall of the neighbouring property opposite the proposed side extension so the officers are satisfied that there would not be any loss of light to habitable room windows or an unacceptable overbearing effect on outlook. The rear elevations of properties in this part of the street are south facing so benefit from the maximum daylight and sunlight so Officers have no concerns about overshadowing.

5. Front Dormer and Rear Dormers

Impact on the character and appearance of the area.

Paragraph 13.49 of the SPD says that;

"Proposals for dormer windows will be considered in the context of their impact on the dwelling, the street-scene and neighbours' amenity."

Paragraph 13.52 says "Dormer windows are only acceptable on the front roof of a property if this is a feature of nearby properties and if they are sensitively designed and located." There are a number of small front dormers in the street and directly opposite the subject property, no. 25, is a large full width dormer approved in 2017. Officers consider the principle of front dormers to be established in the street and to be acceptable in this case.

6. Impact on the neighbour amenity.

The SPD says that "habitable room windows facing directly opposite one another should normally be a minimum of 21 metres apart for a two-storey development." The proposed front dormer would be just over 21 metres away from the neighbour's own front dormer so would comply with the SPD guidance.

For the rear dormer, the window to window distance would be around 15 metres. Paragraph 13.18 of the SPD recognises that "the levels of privacy expected from a residential environment will differ depending upon the location...within densely developed contexts such as city, town or neighbourhood centre...it is reasonable to assume that privacy might be less than in lower-density neighbourhoods."

There is already considerable mutual overlooking of gardens and windows at the rear of Springfield Close from high level windows and officers do not consider that the additional bedroom window would result in significant harm.

7. Front porch

The JLP SPD says that "Where a street has a clear established building line, the only development that might be acceptable at the front is likely to be a small, sympathetically designed porch." The design of the porch includes a dual pitched roof and materials will match those on the main house. Officers consider that the front porch complies with guidance in the SPD.

8. Side wall

The proposed side wall would face the north to south part of Springfield Close. The Local Highway Authority in its consultation response has raised no objections.

9. Biodiversity

In order to promote net biodiversity gain in line with Policy DEV26, a condition requiring two enclosed bat boxes or bird bricks to be positioned at eaves level on the property is recommended.

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

No Local Finance Considerations.

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.

No planning obligations have been sought in respect of this application.

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 the case officer has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

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 is acceptable and accords with policies DEV1, DEV20, DEV26 and DEV29 national guidance and specifically paragraph 11 of the NPPF which states that development proposals that accord with the development plan should be approved without delay. The application is recommended for approval.

14. Recommendation

In respect of the application dated 03.12.2020 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

Existing Site Block Plan & Location Plan PL.05 - received 30/11/20

Existing & Proposed Floor Plans PL.01 - Rev A received 25/01/21

Proposed Site Plan PL.04 - Rev A received 25/01/21

Proposed Elevations PL.03 - Rev A received 25/01/21

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: MATCHING MATERIALS

The materials to be used in the construction of the external surfaces of the extension, dormers, porch and side wall hereby permitted shall match those used in the existing building.

Reason:

To ensure that the materials used are in keeping with the appearance of the existing building and the character of the area in accordance with Policy DEV20 of the Plymouth and South Devon Joint Local Plan (2014-2034) 2019 and the National Planning Policy Framework 2019.

4 CONDITION: BIODIVERSITY

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall provide the following. The installation of 2 enclosed bat boxes or bird bricks positioned at eaves level in the east or west elevations of an external wall of the building.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT12, SPT14 and DEV26 and Government advice contained in the NPPF paragraphs 170, 175 and 176.

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.