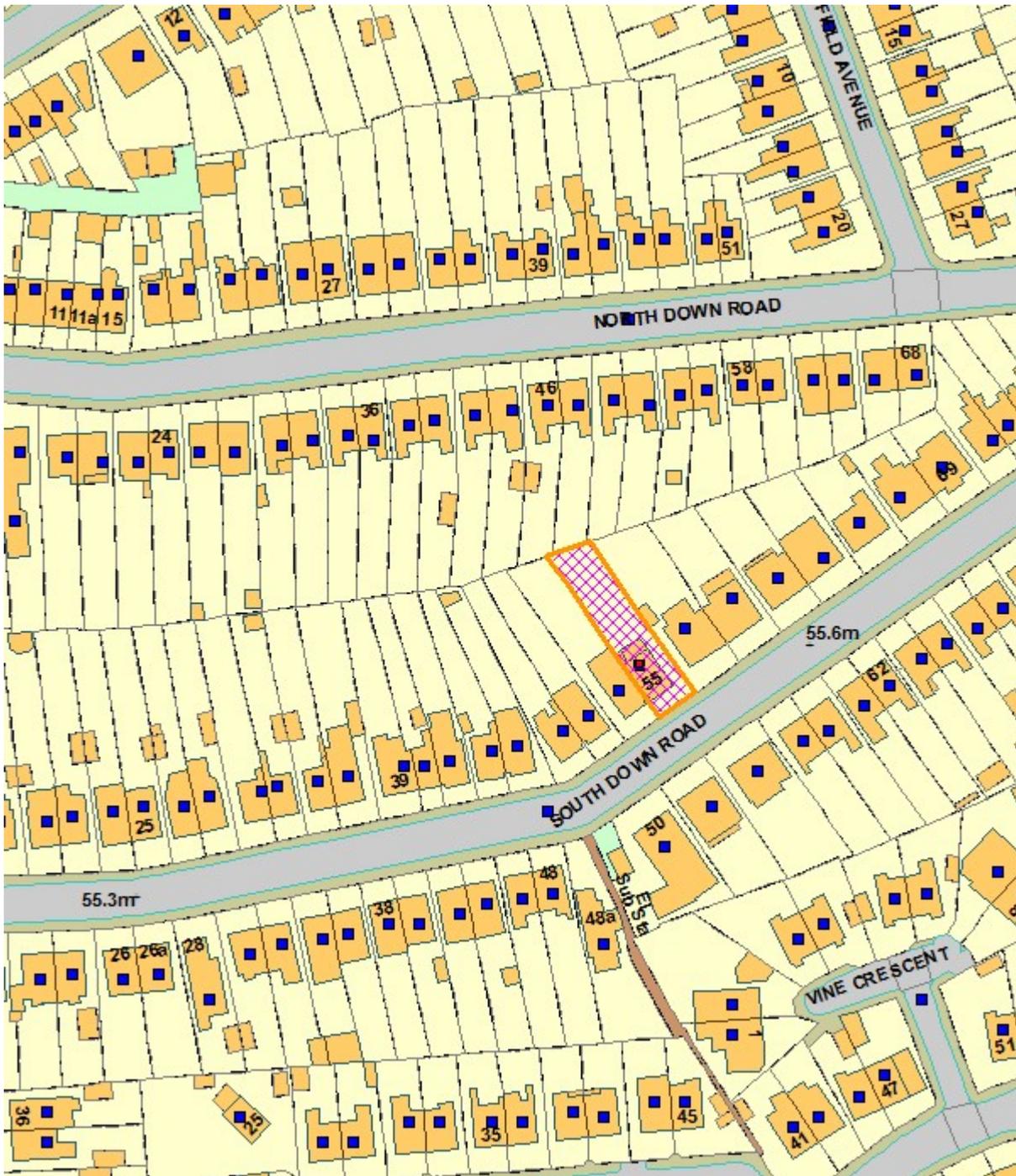


PLANNING APPLICATION OFFICERS REPORT



Application Number	21/00277/FUL	Item	06
Date Valid	18.02.2021	Ward	PEVERELL
Site Address	55 South Down Road Plymouth PL2 3HP		
Proposal	Single storey side and rear extension		
Applicant	Mr Mark Stephens		
Application Type	Full Application		
Target Date	15.04.2021	Committee Date	08.04.2021
Extended Target Date	N/A		
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 55 South Down Road is a semi-detached, two storey dwellinghouse with a small rear extension and a side driveway in the Beacon Park Neighbourhood. Ground levels rise from the road, front to back, so that the front door is accessed by a short flight of steps. The immediate area is a mix of bungalows and two storey houses.

2. Proposal Description

Single storey side and rear extension.

The existing rear extension would be demolished. The new rear extension would be 3.8 metres deep and 7.1 metres wide, continuing 1.4 metres past the side of the house. It would be 2.4 metres to the eaves and 3.7 metres to the top of the mono-pitched roof that would include 2 rooflights.

The side extension would end 2.4 metres forward of the current rear elevation and the combined side and rear extension would be 6.2 metres deep and would have an asymmetrical pitched roof.

3. Pre-application enquiry

There was no pre-application enquiry with this proposal.

4. Relevant planning history

There is no planning history for this property.

5. Consultation responses

None Required.

6. Representations

None received, consultation closes Tuesday 26th March.

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 DEVI (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment), 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 neighbour amenity and the impact on the character and appearance of the area.

Impact on the neighbour amenity

3. No neighbour objections have been received, although the public consultation is currently still open. The new rear extension would mirror one on the adjoining semi, no. 53, so the case officer is satisfied that there would be no loss of light or overshadowing concerns here.
4. At the other side (north east) and separated by their two driveways is a bungalow, no. 57. The rear extension would be screened from view by the bungalow's detached rear garage.
5. The side extension would extend forward 2.4 metres from the rear elevation of the house. There is a window in the side elevation of the bungalow that would face another window in the side extension. The window in the side extension serves a utility room so not a habitable room window, therefore the 21 metre separation guidance in the SPD would not apply. An obscure glazing condition for this window is recommended.
6. The case officer notes that a larger extension could be built much closer to the neighbour's window under permitted development so, given this fall back position, the case officer considers the side extension to be acceptable.
8. The case officer considers the proposal would not have a significantly harmful impact on neighbour amenity and complies with DEVI.

Impact on the character and appearance of the area

9. The only part of the development that would be visible from the public street would be the narrow front elevation of the side extension, 1.4 metres wide. The side extension would have

a pitched roof, so would meet SPD guidance which has a presumption against flat roofs. A matching materials condition is recommended to ensure the finish is in keeping.

10. The case officer considers the proposal would not have a detrimental impact on the character and appearance of the area and complies with DEV20.

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 and DEV20, 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 18.02.2021 it is recommended to Grant Conditionally.

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Location Plan 15022021 - received 15/02/21

Site Plan 15022021 - received 15/02/21

Existing and Proposed Plans and Elevations 3018 - received 15/02/21

Existing and Proposed Front Elevations 3018/2 - received 18/02/21

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: OBSCURE GLAZING

Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the Utility Room window at ground floor level in the side elevation of the proposed extension, shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy DEVI of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019 as permitted by article 4 paragraph 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

4 CONDITION: MATCHING MATERIALS

The materials to be used in the construction of the external surfaces of the extension 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 West Devon Joint Local Plan (2014-2034) 2019 and the National Planning Policy Framework 2019.

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.