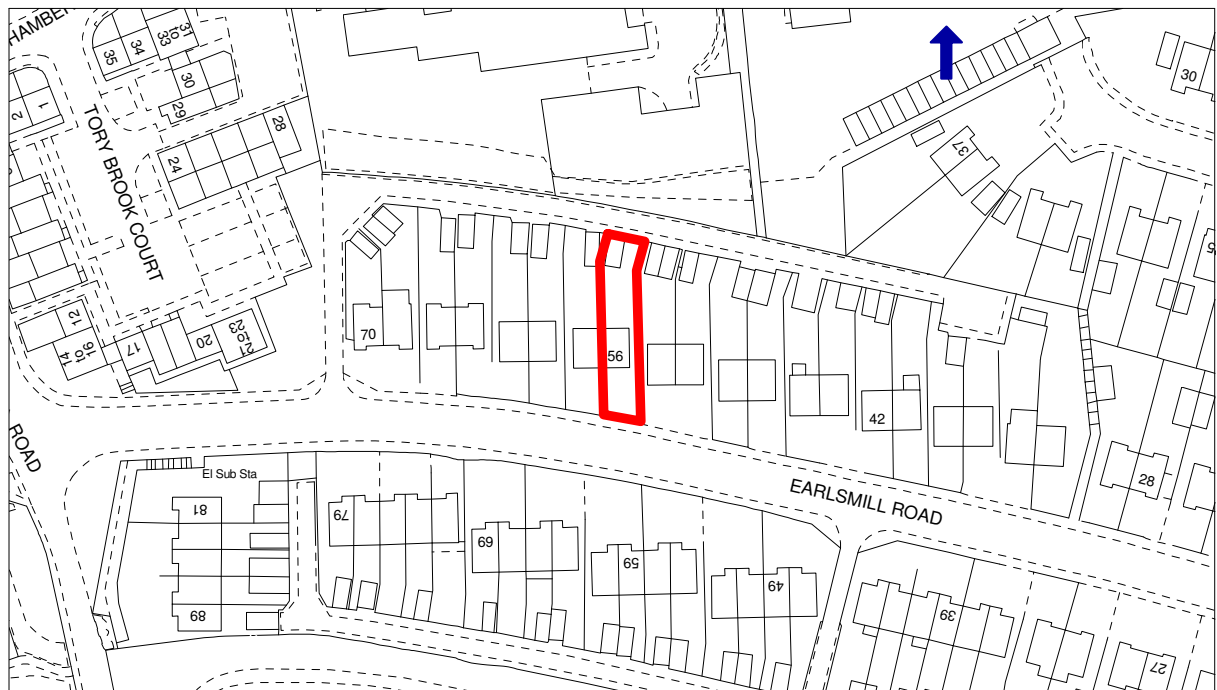


ITEM: 05

Application Number: 07/00228/FUL
Applicant: Miss H Rickett
Description of Application: Private motor garage and boundary wall to rear
Type of Application: Full Application
Site Address: 56 EARLS MILL ROAD PLYMPTON PLYMOUTH
Ward: Plymp St Mary
Valid Date of Application: 15/02/2007
8/13 Week Date: **12/04/2007**
Decision Category: Plymouth City Council Employee
Case Officer : Jessica Dunstan
Recommendation: Grant Conditionally



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OFFICERS REPORT

Site Description

56 Earls Mill Road is a semi-detached property in the Plympton area of Plymouth.

Proposal Description

The proposal is for a single garage 3700mm wide, 5500mm deep and 2540 mm in height and a boundary wall 2259mm in height at the bottom of the rear garden fronting a rear service lane.

Relevant Planning History

There is no relevant planning history.

Consultation Responses

There are no consultations to consider.

Representations

No letters of representation have been received.

Analysis

This application turns upon policy AHR15 of the City of Plymouth Local Plan First Alterations 1996 and its supplementary guidance (SPG) Note 2 – House and Roof Alterations.

The primary planning considerations are: the impact on the neighbouring amenity and the impact on the character and visual appearance of the area (streetscene) as detailed below.

The proposed garage and boundary wall are located at the bottom of the rear garden a considerable distance away from both the existing house and the neighbouring properties. This, along with the proposed garage and walls limited height, and the presence of a similar garage in the attached neighbour's garden immediately adjacent to the proposed garage means that there will be no unreasonable loss to neighbouring amenity.

With regards to impact on the streetscene, the proposed garage and wall can only be viewed from the rear service lane which already has a number of similar garages fronting onto it. Therefore it is considered that there is no unreasonable impact on the existing streetscene.

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.

Conclusions

It is considered that the proposed garage and boundary wall at the rear of 56 Earls Mill Road, Plympton complies with Policy AHR15. Therefore this application is recommended for approval.

Recommendation

In respect of the application dated **15/02/2007** and the submitted drawings, **07-034/01, site plan**, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

INFORMATIVE: PROPERTY RIGHTS

(1) Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the impact on neighbouring amenity and streetscene, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning condition, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001-2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

AEV31 - Townscape

AHR15 - Misc. Householder Developments

SPG2 - House and Roof Alterations

CS34 - Planning Applications