

PLANNING APPLICATION OFFICERS REPORT



Application Number	21/01904/FUL	Item	02
Date Valid	29.10.2021	Ward	PLYMSTOCK RADFORD
Site Address	83 Randwick Park Road Plymouth PL9 7QN		
Proposal	Single storey rear and side extension		
Applicant	Mr & Mrs Johnston		
Application Type	Full Application		
Target Date	24.12.2021	Committee Date	13.01.2022
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Miss Emily Godwin		
Recommendation	Grant Conditionally		



1. Description of Site

83 Randwick Park Road is a semi-detached, two-storey dwelling located in the Plymstock Radford area of Plymouth.

2. Proposal Description

The proposal is for a single storey rear and side extension.

The side extension is proposed to be 1.6m wide and 5.5m long. Two windows are proposed in the side elevation of the extension. The side extension is proposed to have a flat roof, with an eaves height of 3m.

In addition, a rear extension is proposed. The rear extension will run the entire width of the property, and therefore be 6m wide, with a length of 3.4m from existing rear elevation. The rear extension will have a flat roof, with an eaves height of 3.4m. It will also include a roof lantern, making

the highest point of the roof 3.96m. Bi-folding patio doors are proposed on the rear elevation of the extension.

The materials are proposed to match the existing property and are in-keeping with the surrounding area.

3. Pre-application enquiry

There was no pre-application enquiry.

4. Relevant planning history

None.

5. Consultation responses

None required.

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).

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. Key Issues/Material Considerations

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

The relevant policies are: DEV1 (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the Plymouth and SW Devon Joint Local Plan.

The primary planning considerations in this application are: principle of development, visual impact and impact on neighbouring amenity.

Principle of Development

Joint Local Plan policies indicate that the proposal is acceptable in principle.

Negotiations Undertaken

None.

Visual Impact

Officers have considered the proposal's visual impact in line with policy DEV20 of the Joint Local Plan.

Officers consider that there is some variation in the pattern of development on Randwick Park Road, and a sensitively designed side extension would not be out of place in the area. Whilst flat roofs are not favoured within the guidance set out in the SPD, officers consider that the design of the side extension lends itself to promote subordination in relation to the main dwelling. The proposed side extension would be set back approximately 2.6m from the principal elevation of the property, and would have a roof height significantly lower than the existing property. To this end, a side extension is not considered to have an overbearing or oppressive impact on the streetscene and is therefore compliant on the grounds of visual impact.

The rear extension proposed is modest in design and therefore will be unlikely to have any negative visual impact, given it is located at the rear of the property it will not be largely visible from any public vantage points. Its design is in-keeping with the existing property and surrounding area, where many other similar rear extensions have been constructed.

To this end, officers find the proposed works in compliance with DEV20 of the Plymouth and South West Devon Joint Local Plan.

Amenity

Officers do not consider that the proposed works would have a detrimental impact on neighbouring amenity.

Officers have applied the 45 degree guidance as outlined in paragraph 13.32 of the SPD. The rear extension is found to be in breach of the 45 degrees, for habitable windows at 85 Randwick Park Road. Guidance states that proposals in breach of the guidelines could result in a harmful loss of daylight or sunlight to neighbouring properties.

However, officers note that the orientation of the site, and the location of the rear extension, is not expected to have a significant impact on the daylight received to the property, as gardens face towards the east. To this end, whilst the extension would be in breach of a 45 degree line, officers are satisfied that this would not lead to significant issues related to the outlook or daylight at 85 Randwick Park Road.

In addition, officers note that an extension of a similar size and scale could be constructed under permitted development. In this case, the 45 degree guidance is breached where the extension is 1.75m from the rear elevation. Officers consider that an extension could be built any length up to 3m from the rear elevation without planning permission which would also breach the 45 degree guidance. Therefore, officers don't consider that an extension measuring 3.4m from the rear would have a negative impact significant enough to warrant the refusal of the application.

The proposed side extension will be visible from the neighbouring property, 81 Randwick Park. However, officers have assessed the windows proposed in the side elevation and do not consider they will lead to any decrease in the privacy experienced by neighbours.

Officers have assessed the impact of the sliding patio doors on the rear elevation and have concluded that no neighbouring windows will face directly opposite, and will be an acceptable distance away. Therefore, there are no concerns in regards to overlooking or privacy.

Overall, the proposal complies with Policy DEV1 of the Plymouth and South West Devon Joint Local Plan.

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

None.

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 DEVI and DEV20 of the Joint Local Plan, the guidance contained within the Plymouth and SW Devon SPD, and the NPPF. The application is therefore recommended for approval.

14. Recommendation

In respect of the application dated 29.10.2021 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 181012021 - received 18/10/21

Existing and Proposed Plans and Elevations Dwg 1 of 1 - received 29/10/21

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.

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: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

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 2021, the Council has worked in a positive and pro-active way and has granted planning permission.