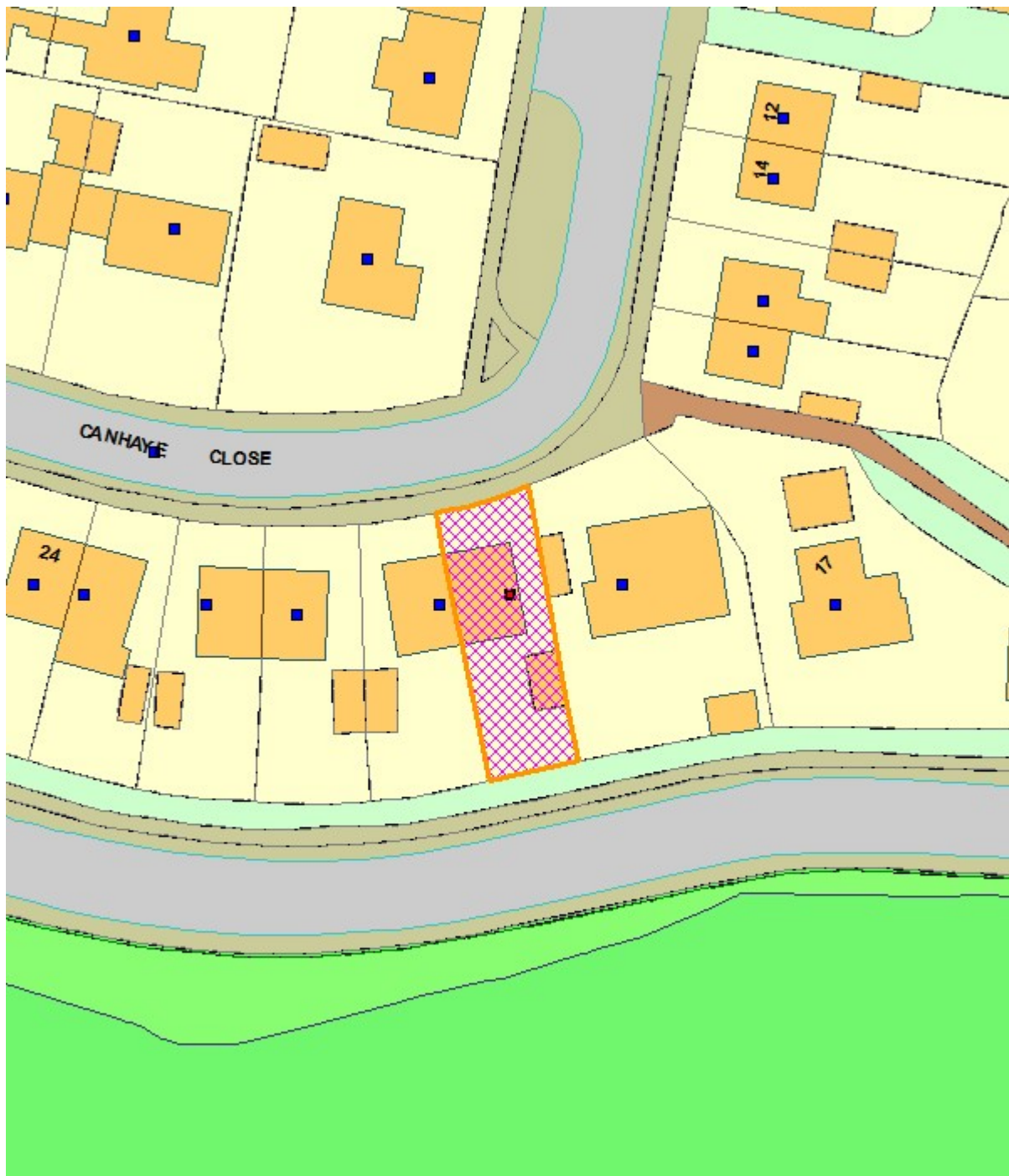


PLANNING APPLICATION OFFICERS REPORT



Application Number	23/00752/FUL	Item	01
Date Valid	16.06.2023	Ward	PLYMPTON ERLE
Site Address	19 Canhay Close Plymouth PL7 1PG		
Proposal	To extend front and rear dormers		
Applicant	Mr Gordon Cook		
Application Type	Full Application		
Target Date	11.08.2023	Committee Date	24.08.2023
Extended Target Date	29.08.2023		
Decision Category	PCC Employee		
Case Officer	Cody Beavan		
Recommendation	Grant Conditionally		



This application comes before the Planning Committee as the applicant is an employee of Plymouth City Council

1. Description of Site

19 Canhay Close is a two-storey semi-detached dwelling in the Plympton Erle Ward of the city.

The property features existing front and rear dormers which each measure approximately 3.6m in width with one window. Front and rear dormers are a prominent feature of the street with various designs, a number along Canhay Close have been extended therefore a precedent has been set.

2. Proposal Description

To extend front and rear dormers.

The dormers will be extended by approximately 2m in width to accommodate an additional window at the front and rear of the property.

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 consulted.

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 on 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), National Design Guidance, the scale and urgency of the climate change emergency, Plymouth City Council's Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030 and the Climate Emergency Planning Statement 2022. 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

1. 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.
2. 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.
3. The primary planning considerations in this application are: visual impact and impact on neighbouring amenity.

Principle of Development

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

Negotiations Undertaken

5. The original plans submitted were considered acceptable and the assessment has been based on the original plans.

Visual Impact

6. Officers have considered the proposal's visual impact in line with policy DEV20 of the Joint local plan.

7. The proposal includes the extension of both front and rear dormers. The front dormer will be extended by 2m, going from 3.6m in length to 5.6m. Similarly, the rear dormer will be extended from 3.6m in length to 5.5m. The proposed materials include white UPVC shiplap.
8. Whilst larger box dormers are generally considered to be undesirable under the SPD, extended dormers are characteristic of the street scene on Canhay Close and the proposal would bring the dwelling in line with the adjacent dwellings.
9. Taking into consideration paragraphs 13.49, 13.50, 13.51, and 13.52 of the SPD, officers are satisfied that the proposal does not represent a significant change to the dwellings overall aesthetic within the context of the current street scene and is in line with the precedent set by other dwellings on Canhay Close.
10. Overall, officers conclude that from a design perspective, the plans do not conflict with policy DEV20 of the JLP.

Amenity

11. Officers do not consider that the proposed works would have a detrimental impact on neighbouring amenity.
12. This consideration has been made on the grounds that the proposed dormer extension does not create overlooking. Furthermore, the extension remains within the existing silhouette of the dwelling and would not impact on the outlook of neighbouring properties. Officers therefore do not consider the proposal to give rise to any privacy or outlook concerns.
13. Overall, officers do not consider that the proposal will have a detrimental impact on neighbouring amenity, and therefore complies with Policy DEVI of the Plymouth and South West Devon Joint Local Plan and guidance within the SPD.

Climate Emergency Considerations

This Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements.

Officers have assessed the submitted Climate Emergency Compliance Form. Officers note the majority of the roof slope will be covered by the dormer windows, therefore, by virtue of the scale of the works and site specific circumstances the details as submitted are acceptable in this instance.

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 16.06.2023 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 and Proposed Front Elevation 22052023 received 22/05/23

Proposed Rear Elevation 22052023 received 22/05/23

Site Location Plan 01/19-CC/23 received 16/06/23

Proposed Elevations and Floor Plan 04/19-CC/23 received 16/06/23

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: 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, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

3 INFORMATIVE: PROPERTY RIGHTS

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.

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>