

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	25/00869/FUL	<b>Item</b>	02
<b>Date Valid</b>	03.07.2025	<b>Ward</b>	PEVERELL
<b>Site Address</b>	6 Tor Crescent Plymouth PL3 5TW		
<b>Proposal</b>	Demolition of existing rear extensions, new rear single storey extension and rear raised terrace.		
<b>Applicant</b>	Mr David Harris		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	28.08.2025	<b>Committee Date</b>	18.09.2025
<b>Extended Target Date</b>	N/A		
<b>Decision Category</b>	PCC Employee		
<b>Case Officer</b>	Joanna Churchill		
<b>Recommendation</b>	Grant Conditionally		



**This application has been called into planning committee as an employee of Plymouth City Council resides at the dwelling and is a close family member of the applicant.**

### **1. Description of Site**

6 Tor Crescent is a two-storey semi-detached dwelling house in the Peverell ward. The principal elevation faces West, with 4 Tor Crescent attached on the South side. The rear garden faces East and backs on to gardens of dwellings on Torland Road. To the North is a driveway leading to a semi-detached garage and 8 Tor Crescent.

The site lies within a SSSI impact zone, flood zone I and a critical drainage area. There are no designated heritage assets in close proximity to the site.

## **2. Proposal Description**

The proposal seeks to demolish the existing rear extensions which include a glass roofed lean-to. A new rear extension stretching the full width of the main dwelling is proposed that will measure 5.4m in depth from the rear elevation of the main dwelling and 7.0m across. The extension will have a height of 3.7m to the top of the flat roof (inset with roof light 0.1m high). Patio doors will open at the rear to a small patio terrace 0.5 high by 4.8m wide and 0.9m deep with steps down into the garden (which is lower than the rear of the dwelling). The external walls of the extension will be rendered and the windows and doors will be uPVC with matching rainwater goods.

## **3. Pre-application Enquiry**

None received.

## **4. Relevant Planning History**

97/01156/FUL Rear Conservatory. Granted conditionally 30 September 1997.

## **5. Consultation Responses**

Natural England SSSI Impact Zone - online consult. No net increase in units - no further action required.

## **6. Representations**

South West Water: The method proposed to discharge into the ground (infiltration) is acceptable and meets with South West Water's Run-off Destination Hierarchy

## **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) of the 2004 Planning and Compensation Act sets out that the determination of any matter under the planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly 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 (CEPS) 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. Analysis**

This application has been considered in the context of the development plan, the Framework and other material considerations as set out in Section 7. The relevant policies for consideration are:  
DEV1 Protecting health and amenity  
DEV20 Place shaping and the quality of the environment  
DEV32 Delivering low carbon development.

## **Principle of Development**

Joint Local Plan policies indicate that the proposal is acceptable in principle as it relates to alterations to a dwelling place which are within the curtilage.

### Negotiations Undertaken

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

### Visual Impact

The scale of the proposed extension is subservient in scale and massing to the main dwelling.

The proposed extension is to the rear and will not project past the side elevation of the main dwelling and as such, officers conclude that the proposal will not impact on the street scene.

Whilst the flat roof is in contrast to the pitched roof of the main dwelling, given the position at the rear, officers find this acceptable as it will help to reduce the height of the extension.

The external materials will be sympathetic to the main dwelling.

Officers have considered the visual impact of the development against the guidance in the SPD and consider it acceptable as per DEV20 of the JLP.

### Amenity

Officers are content that the occupiers will continue to enjoy sufficient private outdoor amenity space. The occupiers and surrounding properties will continue to enjoy sufficient outlook as defined in the SPD.

Officers have considered potential overshadowing and loss of light from the new extension for the neighbouring attached property, 4 Tor Crescent, as per paragraphs 13.30 to 13.34 in the SPD. Officers note that 4 Tor Crescent has an existing single storey rear extension and the new proposed extension for 6 Tor Crescent will extend 2.3m beyond this. Whilst officers note that there is potential for some loss of light and overshadowing to the rear extension of 4 Tor Crescent, officers conclude the level of harm will not be sufficient to warrant a refusal given the orientation (North / North East of the rear of 4 Tor Crescent).

Officers considered the issue of privacy. There are no side windows proposed in the extension. The terrace to the rear is set back 0.8m from the boundary and is only 0.9m deep. Given the narrow depth of the terrace, officers consider that it is unlikely to be used as a significant sitting out space. Therefore, officers do not consider it proportionate to require a privacy screen to the South side.

In conclusion, officers have considered the impact on neighbouring amenity against the guidance in the SPD and consider it acceptable as per DEVI of the SPD.

### Climate Emergency

The proposal will not result in the loss of trees and only a small amount of green garden space will be lost, the development being mostly built over the footprint of an existing building.

Surface water run-off will be discharged to the ground.

The application does not relate to parking and therefore officers consider a requirement for electric vehicle charging would not be proportionate.

The flat roof of the proposed extension faces East and PV could be added to ensure a more Southerly angle. However, officers note that the roof has a central roof light to help ensure sufficient natural light into the dwelling. The neighbour's extension roof will also cause a small amount of overshadowing from the South with the main dwelling of 6 Tor Crescent causing overshadowing from the West.

Given the limited scale of the development and the issues for PV outlined above, officers do not consider it proportionate to require PV as part of this application.

Officers therefore consider the proposal to be compliant with DEV32 of the JLP.

#### Other Considerations

Officers note the application involves demolition and received information from the applicant to justify that a Preliminary Ecological Appraisal was not required. Evidence was shown of a glass roof and other interior photos revealing limited loft space due to a vaulted ceiling. Officers are satisfied that the structure and use of the building makes it an unlikely host for bats and birds and recommend the use of an informative to remind the applicant of their obligations under the Wildlife Act.

Officers consider there are no other material planning considerations relevant to this planning application.

#### **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 required.

#### **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.

Planning obligations are not sought due to the nature and size of proposal.

#### **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 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 accords with the Joint Local Plan for Plymouth and South West Devon (2019) and national guidance and is therefore recommended for conditional approval.

#### **14. Recommendation**

In respect of the application dated 03.07.2025 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**

Proposed Elevations 815 - 3a   received 23/06/25  
Site Location Plan 23062025   received 23/06/25  
Proposed Layout 815 - 4a   received 23/06/25  
Site Plan 815 - 5   received 23/06/25

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: BIODIVERSITY NET GAIN**

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, Householder applications are exempt from Biodiversity Net Gain requirements and therefore this application is not subject to the mandatory Biodiversity Gain condition.

##### **3      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.

#### **4     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.

#### **5     INFORMATIVE: BATS AND BIRDS**

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection of the building should be undertaken prior to the commencement of works to determine if any bats or birds reside in the building. If bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email [wildlife@naturalengland.org.uk](mailto:wildlife@naturalengland.org.uk). Further advice on bats is available from The Bat Conservation Trust 0845 1300 228.