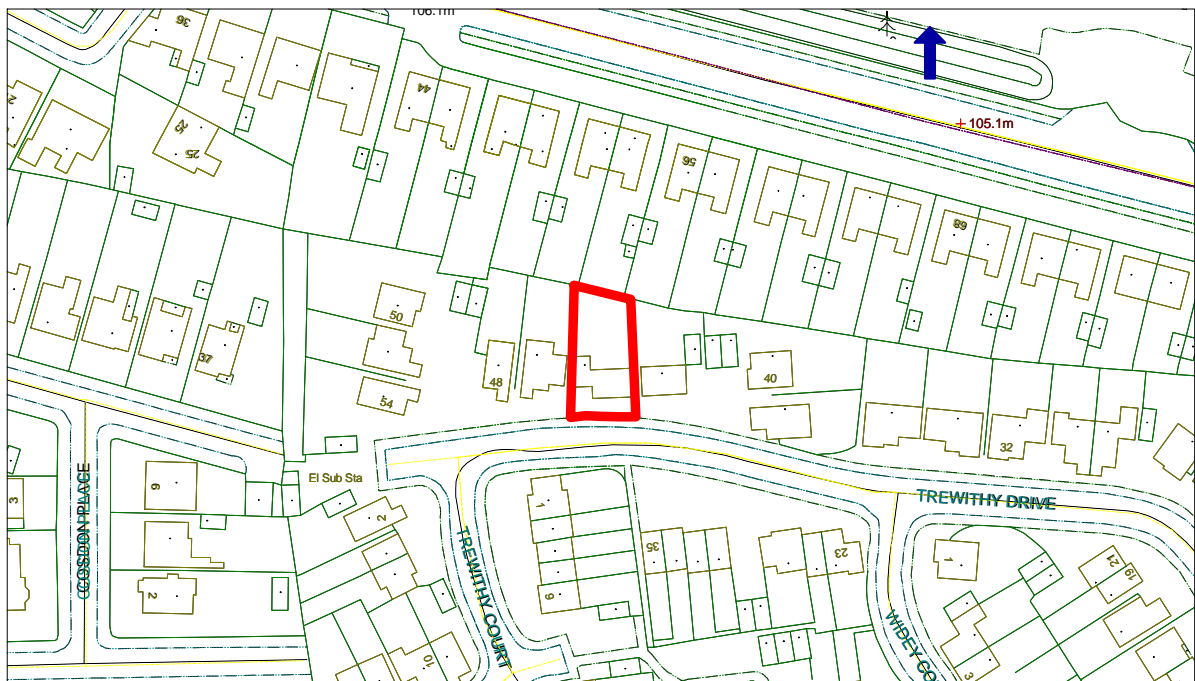


**ITEM: 15**

**Application Number:** 08/01455/FUL  
**Applicant:** Mr Alan Crocker  
**Description of Application:** Single storey rear extension (existing conservatory to be removed)  
**Type of Application:** Full Application  
**Site Address:** 44 TREWITHY DRIVE CROWNHILL PLYMOUTH  
**Ward:** Egguckland  
**Valid Date of Application:** 28/07/2008  
**8/13 Week Date:** **22/09/2008**  
**Decision Category:** Member/PCC Employee  
**Case Officer :** David Jeffrey  
**Recommendation:** Grant Conditionally  
**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2008 Scale 1:1250

## OFFICERS REPORT

### Site Description

44 Trewithy Drive is a detached dwellinghouse on the north side of the road.

### Proposal Description

The proposal involves the erection of a single-storey extension to form a new sun room and toilet that is planned to project 3.2 metres from the rear elevation and will be approximately 7.7 metres in width. The pitched roof is planned to be 3.5 metres high and will include 3 rooflights.

### Relevant Planning History

There is no relevant planning history related to this application.

### Consultation Responses

No consultations were required

### Representations

One letter of representation has been received from the adjacent neighbour at 42 Trewithy Drive. The letter objects to the proposed extension because of the negative effects it would have on their property in terms of the daylight they currently enjoy.

### Analysis

This application is brought to committee because the agent is an employee of the Council.

As the proposed extension will not be visible from a public vantage point the main issue related to this application is the impact upon the amenity of neighbouring properties.

As there is an existing attached garage which projects beyond the rear building line on the west side of the applicant's property the proposed extension is not considered to have any adverse effects on the amenity of the neighbouring property at number 46.

The rear extension is proposed to extend approximately 3.1 metres from the rear elevation and will replace an existing conservatory of the same width. However, the proposed extension will stretch 7.7 metres in length and will sit in close proximity to the boundary with neighbouring 42 Trewithy Drive. Due to the close proximity of the extension to the boundary with number 42 (and having regard to the letter of objection received from this property relating to the potential loss of daylight), the effects of the extension on the amenity of residents at number 42 is the main issue that needs to be considered.

With regard to daylight, the gardens are north-facing and the extension is limited to a single storey. Therefore, the extension will not have a significant effect on the daylight enjoyed in neighbouring properties.

As the extension is located near the boundary with number 42, the extension has the potential to break the 45 degree rule which is advocated by Supplementary Planning Guidance Note 1 'House Extensions' to assess the effects of development on the outlook of neighbouring properties. Although the proposed extension marginally breaks the 45 degree rule in relation to the neighbour's patio doors, a fence is located on the boundary which already interrupts the outlook. The single-storey extension is not considered to be detrimental to the outlook of residents at number 42.

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.

### **Section 106 Obligations**

Not applicable

### **Conclusions**

Recommended for Approval

### **Recommendation**

In respect of the application dated **28/07/2008** and the submitted drawings, **01, 02, 03, 04** 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.

### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations, which in this case are considered to be: the character and appearance of the area and the impact on residential amenity, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified condition, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c)

relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

SPG1 - House Extensions

CS34 - Planning Application Consideration