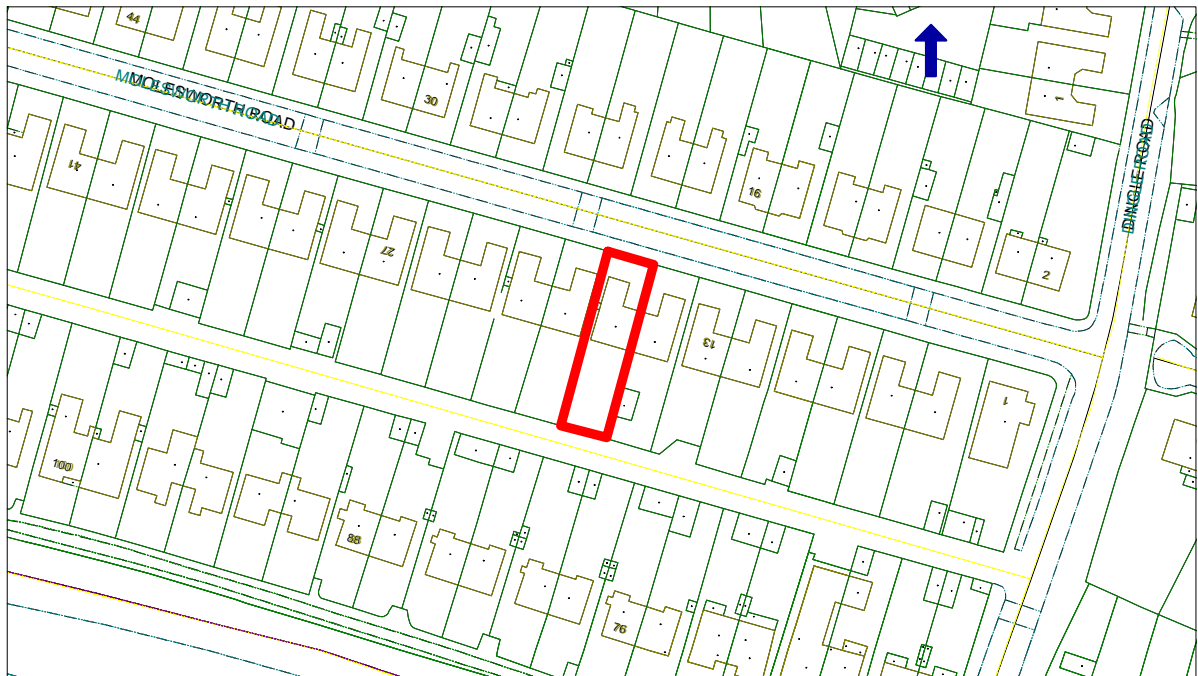


**ITEM: 16**

**Application Number:** 08/01413/FUL  
**Applicant:** Mr Dan Coles  
**Description of Application:** Single storey rear extension with sun terrace above, conversion of integral garage to living accommodation and construction of detached single garage  
**Type of Application:** Full Application  
**Site Address:** 17 MOLESWORTH ROAD PLYMPTON PLYMOUTH  
**Ward:** Plympton St Mary  
**Valid Date of Application:** 29/07/2008  
**8/13 Week Date:** **23/09/2008**  
**Decision Category:** Member/PCC Employee  
**Case Officer :** David Jeffrey  
**Recommendation:** Refuse  
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## OFFICERS REPORT

### Site Description

17 Molesworth Road is a semi detached dwelling house on the south side of Molesworth Road. The property is bounded by an attached residential dwelling to the east and has a south facing garden.

### Proposal Description

The proposal involves a single storey rear extension with sun terrace above, the conversion of the integral garage to living accommodation and the construction of a detached single garage.

### Relevant Planning History

There is no relevant planning history related to this application.

### Consultation Responses

No consultations

### Representations

No representations have been received relating to this application.

### Analysis

The rear extension will only be visible from the lane running along the rear of properties on Molesworth Road and Plymouth Road and will therefore not have a significant impact on the character and appearance of the area.

The garage proposed to the rear of the garden has a pitched roof and rendered walls and is similar to garages at other nearby properties. The garage is therefore considered acceptable.

The main issue to consider related to this application is the impact that the single storey rear extension and associated sun terrace will have on the amenity of neighbouring properties.

The extension is planned to project nearly 4 metres from the rear of the property and will sit immediately adjacent to the garden of 19 Molesworth Road. Although there is no objection in principle to the rear extension, the sun terrace will directly overlook the garden at number 19 and to a lesser extent at number 15. Supplementary Planning Guidance 1 (SPG1) '*House Extensions*' clearly states that balconies in proposed extensions should not be sited so that they impinge on the privacy of neighbours in their gardens. The proposal therefore fails to comply with both SPG1 and Policy CS34 of the adopted Core Strategy 2006-2021 with regards to the adverse effects of the balcony on residential amenity.

It should be acknowledged that there is currently a similar sun terrace at the rear of 43 Molesworth Road. However, there is no record of this being granted planning permission. Furthermore, the sun terrace at number 43 is neither so large or has the potential to impact on the privacy of its neighbours to the

extent of this proposal. It is therefore not considered to provide a precedent for the granting of permission in this case.

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**

As a result of the unacceptable impact that this proposal would have on the privacy of neighbours, especially those at 15 and 19 Molesworth Road this application is recommended for refusal.

### **Recommendation**

In respect of the application dated **29/07/2008** and the submitted drawings, **17MR/01, 17MR/02, 17MR/03, 17MR/04, 17MR/05, 17MR/06, 17MR/07**, it is recommended to: **Refuse**

### **Conditions**

The Local Planning Authority considers that the proposal would be detrimental to residential amenity. The proposed sun terrace would result in unacceptable overlooking of neighbouring properties. The proposal is therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework (2006-2021) and to the Council's Supplementary Planning Guidance (SPG) Note 2 1995.

### **Relevant Policies**

The following (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, were taken into account in determining this application.

SPG1 - House Extensions

SPG2 - House and Roof Alterations

CS34 - Planning Application Consideration