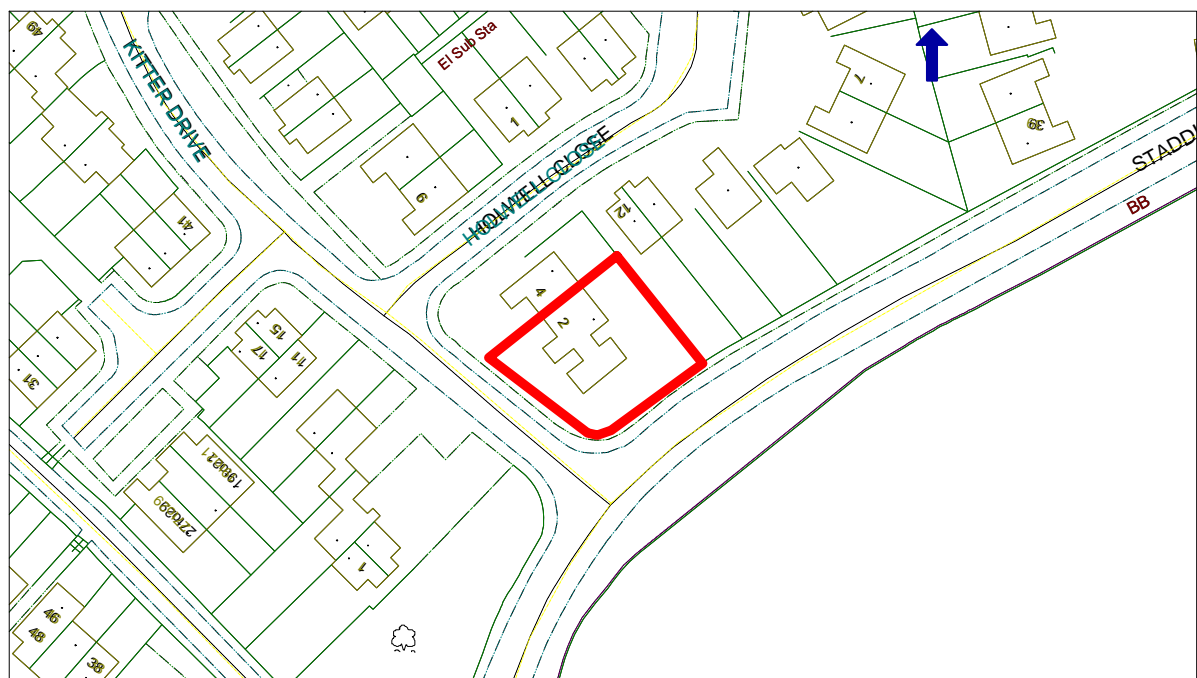


ITEM: 17

Application Number: 08/01322/FUL
Applicant: Mr Barry Foster
Description of Application: Rear conservatory
Type of Application: Full Application
Site Address: 2 KITTER DRIVE PLYMSTOCK PLYMOUTH
Ward: Plymstock Dunstone
Valid Date of Application: 22/07/2008
8/13 Week Date: **16/09/2008**
Decision Category: Member/PCC Employee
Case Officer : Rebecca Dewey
Recommendation: Grant Conditionally
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OFFICERS REPORT

Site Description

2 Kitter Drive is a semi-detached dwellinghouse in the Plymstock area of the city. The rear garden is north-east facing and there are no significant ground level changes.

Proposal Description

This proposal is for a REAR CONSERVATORY. At the boundary with the adjoining neighbour the conservatory projects roughly 2.5 metres, then projects further as it extends across the back of the property, to a maximum projection of approximately 3.5 metres. The roof will sit below the first floor windows.

Relevant Planning History

91/00247/FUL – Conversion of existing garage to living accommodation and erection of replacement private motor garage - 02

01/00017/FUL - First floor front extension – Refused

04/00488/FUL - Part two-storey, part first-floor, side extension to enlarge dwellinghouse and provide accommodation for elderly relative (including conversion of garage) and erection of private motor garage – Permitted

Consultation Responses

There were no consultations made in conjunction with this planning application.

Representations

There were no letters of representation received.

Analysis

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.

This application comes before committee because the applicant is an employee of Plymouth City Council.

This application turns upon Policy CS34 and CS02 of the Core Strategy 2006-2021; and the Supplementary Planning Guidance (SPG) Note 1 – 'House Extensions'. The main issues with regard to this application would appear to be impact upon the visual amenity of the area, and the impact upon neighbouring amenity.

Sub-dividing the adjoining property no.4 Kitter Drive and the subject property is a 1.80 metre wooden panel fence. It is considered that the height of this existing fence, coupled with the relatively modest projection of the proposal at the boundary will lead to minimal impact upon this neighbour. Another neighbour to consider is no.12 Holwell Close, as its side elevation is quite close to the rear boundary of the subject property. However whilst on site it was noted that there appeared to be no primary/ or habitable windows in this elevation of no.12. In summary it is thought that privacy, outlook and sun/ daylight of the neighbouring amenity will not be compromised by this proposal.

The conservatory is in-keeping, typical of this residential area in terms of scale, siting, visual impact and design in accordance with CS34 of the Core Strategy. This is because it is thought that the proposal is sympathetic in form, detailing and materials to the existing building and it does not detract from the character or visual appearance of the area.

The application form highlights, and the submitted plan show that there is a Leylandi tree in the adjoining neighbour's garden. However, it is felt that its location in relation to the proposed conservatory means, that there will be minor impact upon this tree.

Conclusions

This planning application is recommended for conditional approval.

Recommendation

In respect of the application dated **22/07/2008** and the submitted drawings, **2KD/Conserv Revision A**, 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: impact upon neighbouring amenity and impact upon the streetscene, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, 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