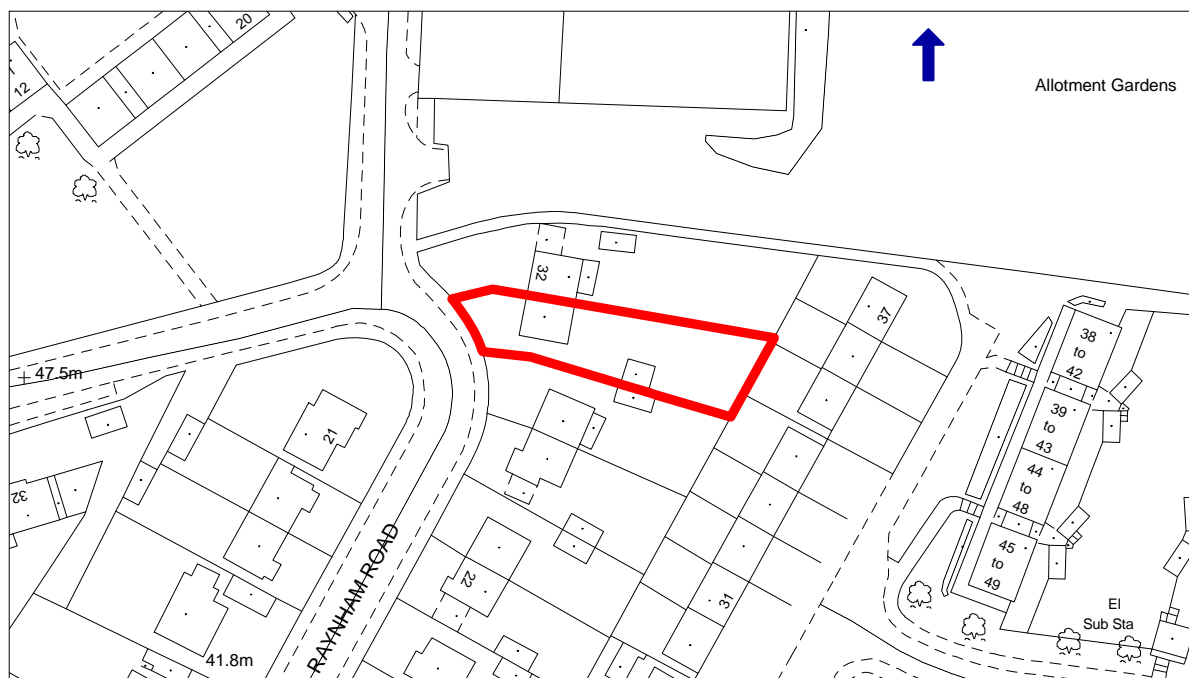


ITEM: 01

Application Number: 09/01898/FUL
Applicant: Mrs A Hook
Description of Application: Front porch
Type of Application: Full Application
Site Address: 30 RAYNHAM ROAD PLYMOUTH
Ward: Stoke
Valid Date of Application: 22/12/2009
8/13 Week Date: **16/02/2010**
Decision Category: Member/PCC Employee
Case Officer : Thomas Westrope
Recommendation: Grant Conditionally
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OFFICERS REPORT

Site Description

30 Raynham Road is a semi-detached dwellinghouse in the stoke area of Plymouth. It is adjacent to, but outside of, Stoke Conservation area that includes properties on the opposite side of the road. The Street is characterised by numerous design styles and the adjacent dwellings have similar porches to the proposals.

Proposal Description

Front porch

Relevant Planning History

There does not appear to be any relevant planning history with regard to the applicant's property, however, the following applications at other addresses are relevant:

32 Raynham Road

03/01296/FUL – Front porch and garage extension ~ Grant Conditionally

28 Raynham Road

87/03032/FUL – Erection of front porch and WC ~ Granted Conditionally

26 Raynham Road

86/03230/FUL – Two storey extension to dwellinghouse and erection of porch
~ Granted Conditionally

Consultation Responses

South West Water – No objections

Public Protection Service – Recommend a condition and informative regarding unexpected land contamination.

Representations

No letters of representation have been received with regard to this application

Analysis

It is considered that the proposed extension is sympathetic in form, detailing and materials to the existing property and does not detract from the character and appearance of the area. The proposal is for a porch sized structure and there are examples of this type of development on the three adjacent dwellinghouses and the proposal is therefore considered to be acceptable in this respect.

It is considered that there will be no significant loss of privacy, outlook or sunlight/daylight to adjacent properties. The proposal is at a sufficient distance from neighbouring properties so as to avoid detriment in this way.

In line with the Public Protection Service's consultation a condition and informative are recommended for any grant of planning permission with regard to unexpected land contamination.

In addition the proposal is considered to satisfy all of the other criteria of Policy CS34 of the Core Strategy.

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.

Equalities & Diversities issues

There do not appear to be any further Equalities and Diversities issues that require consideration with regard to this application.

Section 106 Obligations

None

Conclusions

This application is recommended for conditional approval.

Recommendation

In respect of the application dated **22/12/2009** and the submitted drawings, **2036/2**, 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.

REPORTING OF UNEXPECTED CONTAMINATION

(2) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - (a) human health,
 - (b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land,
 - (c) groundwaters and surface waters,
 - (d) ecological systems,
 - (e) archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The proposed development is within a former quarry, if during development evidence of waste is discovered the Local Planning Authority must be contacted immediately.

INFORMATIVE - LAND QUALITY

(1) The Council's Environmental Protection Officer (Land Quality), Public Protection Service, advises that the site is close to an area of filled ground and there is the possibility of contamination of the site as a result. It is therefore recommended that appropriate assessments and site investigations are carried out and, depending on the results, appropriate measures put into place to remediate any contamination affecting the proposed development.

INFORMATIVE - SOUTH WEST WATER CONSULTATION

(2) The applicant's attention is drawn to the consultation response from South West Water that notes that if full external access to the manhole is maintained then they consider it to be acceptable. This permission does not constitute any approval for any other consent including consents required by South West Water.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: neighbouring amenity and impact to the streetscene and adjacent conservation area, 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 and Supplementary Planning 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 Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration
CS03 - Historic Environment
CS02 - Design
SPD1 - Development Guidelines