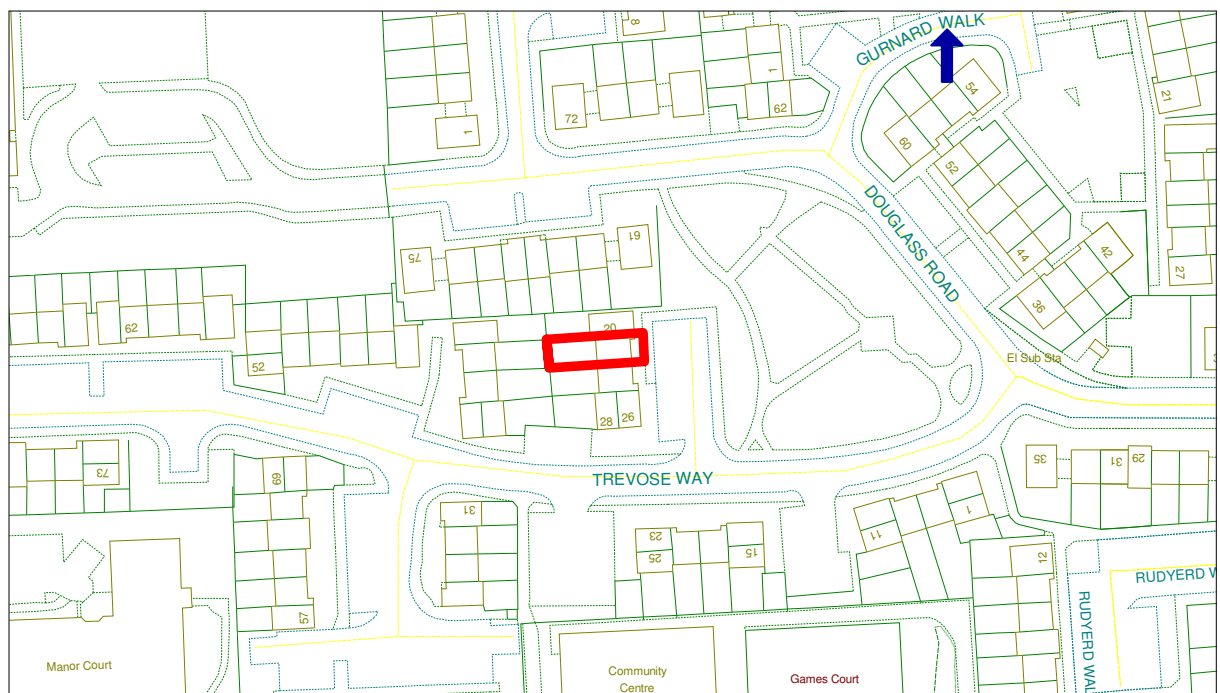


ITEM: 01

Application Number: 09/01650/FUL
Applicant: Mr Daniel Devall
Description of Application: Retention of rear conservatory
Type of Application: Full Application
Site Address: 22 TREVOSE WAY EFFORD PLYMOUTH
Ward: Efford & Lipson
Valid Date of Application: 13/11/2009
8/13 Week Date: **08/01/2010**
Decision Category: Member/PCC Employee
Case Officer : Simon Osborne
Recommendation: Grant
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OFFICERS REPORT

Site Description

22 Trevoze Way is a two-storey mid-terrace dwelling located in the Efford area of Plymouth. The property lies on a slope that runs down from north to south and is bounded by adjoining residential properties to the north and south and by residential properties to the rear. There are boundary fences on each side.

Proposal Description

The application is for a rear conservatory measuring approximately 3.6 metres deep, 3 metres wide and 3.2 metres in height at the apex of the pitched roof. The conservatory has now been constructed.

Relevant Planning History

None relevant.

Consultation Responses

None requested.

Representations

No letters of representation have been received regarding this application.

Analysis

This application is brought to committee because, at the time the application was submitted, the applicant was a Plymouth City Council employee.

This application turns upon policies CS02 and CS34 of the Core-Strategy (2006-2021) 2007 and Supplementary Planning Document 'Development Guidelines'. The main issues to consider are the impact on neighbouring amenities and the impact on visual amenity as detailed below.

Although relatively large, the conservatory is considered to be relatively sympathetic in appearance to the main dwellinghouse. It is located at the rear of the dwelling and, although the roof can be seen from the highway to the south, it is not prominent within the streetscene and is not considered to detract from the character or visual appearance of the area, in accordance with CS02 and CS34.

The proposal has a relatively large projection and breaks the 45 degree guide with regard to the closest neighbouring window on the property to the south. However, only glazed high-level windows and the glazed pitched roof protrude above the height of the original boundary fence. It is considered that the proposal would not have an unreasonable impact on amenities in terms of light and outlook.

The high-level nature of the windows in the south elevation reduce the effect of overlooking and the property to the north is screened by the boundary fence. The conservatory is therefore not considered to lead to an unreasonable loss of privacy.

Therefore, in respect to the impact on neighbouring properties, the conservatory is considered to comply with policy CS34. It should also be noted that no letters of objection have been received.

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

No further issues

Section 106 Obligations

N/A

Conclusions

This application complies with the relevant policies and is therefore recommended for approval.

Recommendation

In respect of the application dated **13/11/2009** and the submitted drawings, **Site Location Plan, Block Plan, Plans and Elevations**, it is recommended to: **Grant**

INFORMATIVE: PROPERTY RIGHTS

(1) 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbours' amenities and visual amenity, the development is not considered to be demonstrably harmful. In the absence of any other overriding considerations, the 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
CS02 - Design
SPD1 - Development Guidelines