

ITEM: 02

Application Number: 10/00292/FUL

Applicant: Mr and Mrs S Millmore

Description of Application: Two-storey side/rear extension, single-storey rear lean-to (existing WC structure to be removed), detached private motor garage (existing garage to be removed), replacement and enlargement of hardstanding, and boundary fence

Type of Application: Full Application

Site Address: 3 PARK CRESCENT PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 03/03/2010

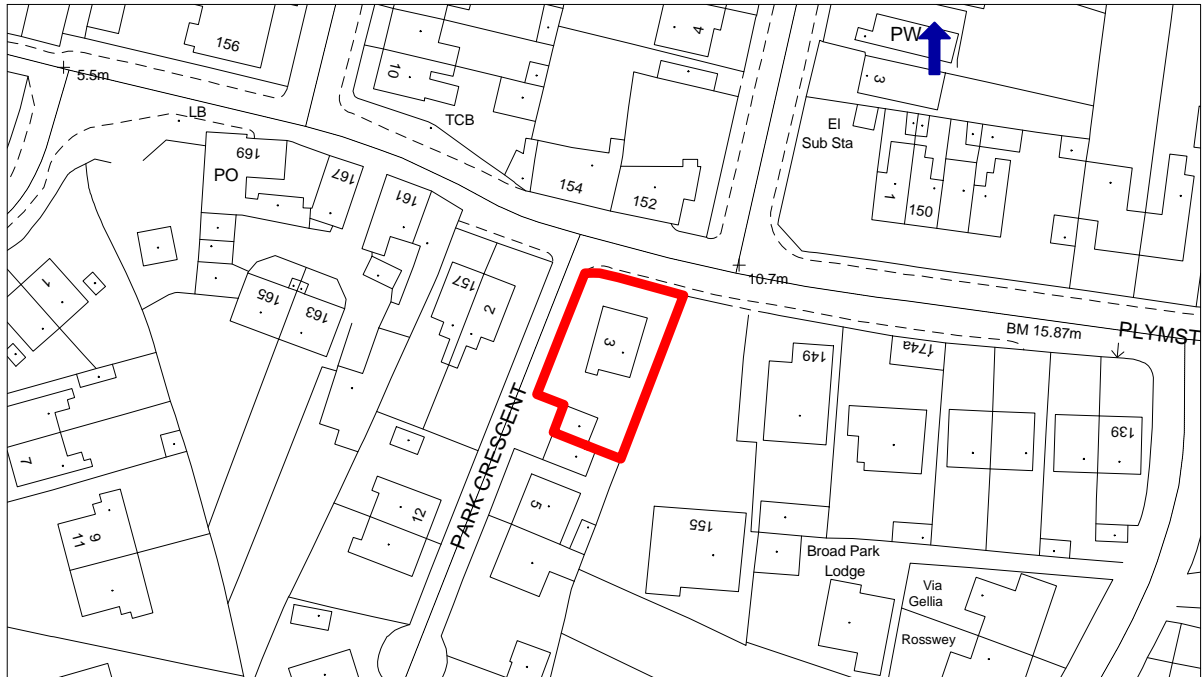
8/13 Week Date: **28/04/2010**

Decision Category: Member/PCC Employee

Case Officer : Simon Osborne

Recommendation: Grant Conditionally

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OFFICERS REPORT

Site Description

3 Park Crescent is a detached dwelling located on the corner of Plymstock Road and Park Crescent (a private road) in the Plymstock area of Plymouth. The property is bounded by neighbouring properties to the east and south.

Proposal Description

The proposal is for a two-storey side/rear extension, a single storey rear lean to, a detached private motor garage to replace the existing, the replacement and enlargement of the existing hard-standing, and the erection of a 1.8 metre fence fronting Park Crescent.

The two-storey extension would measure approximately 2.8 metres wide and 10.9 metres deep. It is proposed to include a room for use as an office.

The detached motor garage would measure approximately 5.9 metres deep, 3.9 metres wide, and 3.4 metres in height at the apex of the pitched roof.

The lean-to would measure 1.4 metres deep, 2.2 metres wide, and 3.0 metres in height.

Relevant Planning History

There is no relevant planning history for 3 Park Crescent.

Consultation Responses

Transport - The transport officer has no objection to the existing garage being removed and replacement garage being set back into the garden to provide a longer length driveway. However on the west side of the existing access is a telegraph pole and it is the transport officers understanding that BT would not allow the driveway to be within 1 metre of the telegraph pole.

The street is considered highway but not Highway Maintainable at Public Expense; any runoff from the driveway should be prevented from reaching the highway.

Transport recommend a condition regarding run-off and safeguarding the use of the drive for parking cars, and an informative regarding the telegraph pole.

Representations

No letters of representation have been received regarding this application.

Analysis

Two-storey side/rear extension

This application turns upon Policies CS02 and CS34 of the Plymouth Local Development Framework Core-Strategy (2006-2021) 2007 and Supplementary Planning Document (SPD) 'Development Guidelines'. The main issues to consider are the impact on visual amenity, residential amenity and highway safety as detailed below.

Although the extension would be set down from ridge height, it would not be set back a metre from the front elevation and would therefore to some extent lack subordination. However the subject property is detached and the other properties in the area are not of a uniform design or layout. It is therefore considered that, despite a lack of subordination, the extension would appear sympathetic in design, materials and scale to the subject dwelling and would not detract from the character or appearance of the area.

The proposal is located an adequate distance from neighbouring dwellings to ensure the extension would have no unreasonable impact on amenities in terms of loss of outlook or sunlight daylight. It is considered that, should the application be approved, a condition be attached to ensure that the first-floor windows in the east elevation (which serve bathrooms) are obscure glazed in order to prevent unreasonable overlooking of the adjacent garden. With this condition in place the proposal is not considered to cause any unreasonable loss of privacy.

It is noted that the proposal would present a two-storey elevation within approximately 1.2 metres of the adjacent neighbouring front garden, however it is considered that, due to the large and sloping nature of the garden, the extension would not appear over dominant or unreasonably overbearing.

As an office is shown on the layout plan, a use restriction condition is recommended.

Private motor garage, enlargement of hardstanding and 1.8 metre fence

The proposed garage would be located only slightly further west than the existing garage and would be located an adequate distance from neighbouring properties to ensure that any impact on amenities would be negligible.

The proposed garage is similar in appearance to the existing garage and would not detract from the visual appearance or character of the area.

The proposed hardstanding would not detract from the appearance of the area and would not present a hazard to highway users or pedestrians. The material would be porous or have provision for surface water to drain onto a porous material in accordance with the SPD. In line with the transport consultation, it is considered appropriate to secure this drainage by condition. With regard to the telegraph pole, the requirements of BT would not be a valid reason to refuse the application and therefore it is considered appropriate to advise the applicant to contact BT via an informative. It should also be noted that it is likely the hardstanding could be constructed using permitted development rights.

The proposed fence would have no adverse impact on neighbouring properties and would be located in a less prominent location along Park Crescent. Fencing is already a feature of the area and the proposed fence is not considered to detract from visual amenity.

Lean-to extension

The proposed lean-to would only be marginally bigger than the existing structure it would replace and is unlikely to have any greater impact on neighbouring properties. The proposal is relatively small and would not detract from the appearance of the dwelling or the surrounding area.

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 is considered to comply with the relevant policies and is recommended for approval

Recommendation

In respect of the application dated **03/03/2010** and the submitted drawings, **Site Location Plan, MM1002.S1, MM1002.PL1A** , 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.

OBSCURE GLAZING

(2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), the first-floor windows on the east elevation of the two-storey extension hereby approved shall be obscure glazed (not less than level 5 obscurity rating) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in

which the window is installed. The said window shall not at any time be altered, nor shall any further windows or other openings (additional to those shown on the approved plans) be provided at any time at first floor level in the extension hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the privacy of the neighbouring property, to comply with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HARDSTANDING

(3) The hardstanding hereby approved shall be constructed from block pavings (self draining or drained to an on-site soakaway through channel and gully) as shown on drawing MM1002.PL1A and the area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To ensure that runoff does not drain onto the adjacent highway and does not contribute to local flooding, and to enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with policies CS28 and CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS: BOUNDARY FENCE

(4) The boundary fence (along Park Crescent) hereby approved shall not be erected until further details of its design and materials have been submitted and approved in writing, by the Local Planning Authority.

Reason:

To ensure the fence does not have an adverse impact on the visual appearance of the area, to comply with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MATERIALS

(5) The materials to be used in the construction of the external surfaces of the two-storey extension hereby permitted shall match those used in the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the extension is in keeping with the existing dwelling, to comply with policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

USE RESTRICTION (OFFICE)

(6) The proposed office shall only be ancillary to the use as a dwellinghouse or shall only be used for purposes incidental to the enjoyment of the dwellinghouse as such.

Reason:

To ensure that no adverse effect upon the amenities of the neighbourhood may arise out of the proposed development in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: TELEGRAPH POLE

(1) The applicant is advised to seek advice from British Telecom to establish if there are restrictions regarding the distance between the hardstanding and the telegraph pole.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: visual amenity, residential amenity and highway safety, 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:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS21 - Flood Risk
- CS22 - Pollution
- CS02 - Design
- SPD1 - Development Guidelines