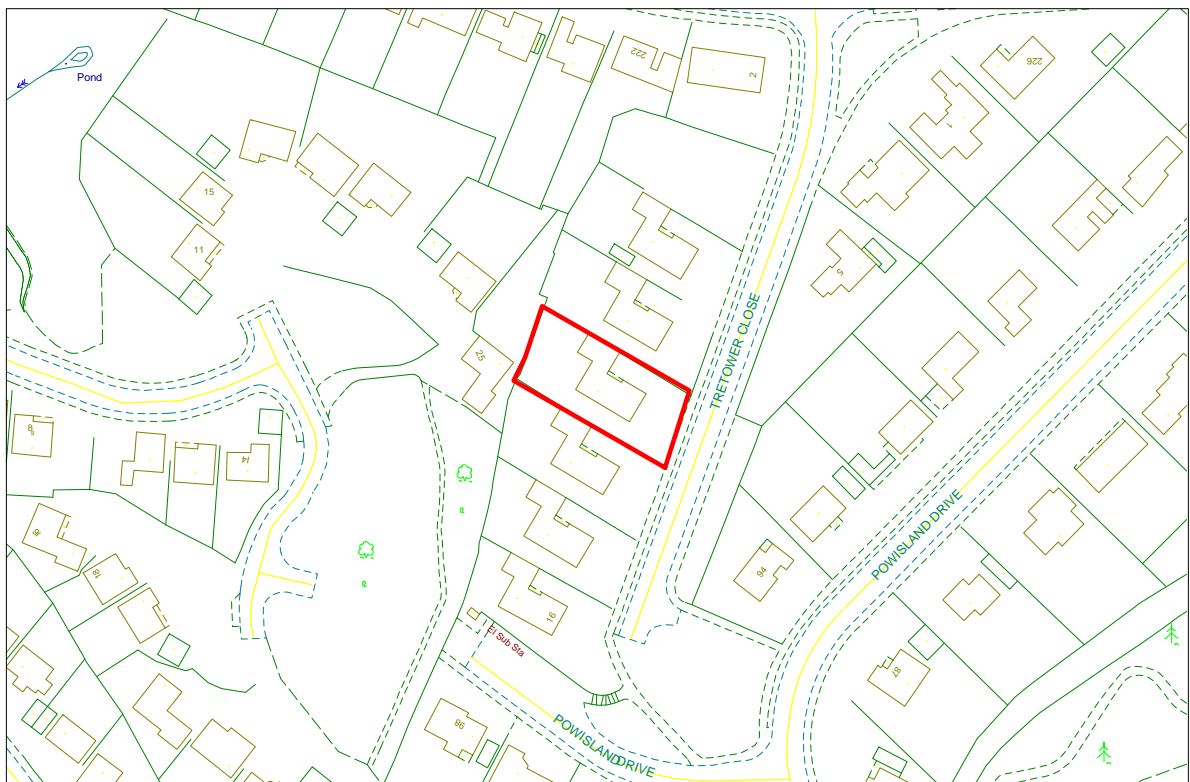


ITEM: 3

Application Number:	10/00392/FUL
Applicant:	Debbie Barber
Description of Application:	Single-storey side extension with new private motor garage
Type of Application:	Full Application
Site Address:	10 TRETOWER CLOSE PLYMOUTH
Ward:	Budshead
Valid Date of Application:	18/03/2010
8/13 Week Date:	13/05/2010
Decision Category:	Member/PCC Employee
Case Officer :	Stuart Anderson
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk

Insert map for committee.



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OFFICERS REPORT

Site Description

10 Tretower Close is a detached bungalow in the Derriford area of the city.

Proposal Description

Single-storey side extension with new private motor garage. The proposed extension/garage would be added onto the front of an existing garage and utility room. The proposed extension/garage would measure approximately 3.8m in depth, and 5m in width. In height it would measure 2.6m at the front, and 3.4m at the rear, therefore matching the eaves height of the original dwellinghouse. The plans also show a low set of steps leading from the proposed new bedroom down to the rear garden.

Relevant Planning History

None

Consultation Responses

Transport Officer – no comments

Representations

A letter of representation has been received from the occupier of the neighbouring property, 8 Tretower Close. The occupier expresses concerns about the close proximity of the proposed extension/garage to her property, and loss of light. There are also concerns that the proposal would set a precedent for other households in the cul-de-sac to do the same, and that any building works and maintenance on the boundary would cause disruption and interference to number 8.

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.

The relevant policies are CS34 of the Core Strategy and Supplementary Planning Document 1 'Development Guidelines' (SPD1). The issues on the case are impact on the streetscene, and the impact on surrounding residential amenity.

With regards to impact on the streetscene, it is noted that the property is at a lower ground level than the adjacent highway, and the property is set back a considerable distance from the street. Therefore, the site does not occupy a prominent position in the streetscene. The proposed extension/garage would be set back from the front of the original dwellinghouse, therefore achieving subordination, as set out in SPD1. It is therefore considered that the impact on the streetscene would be minimal.

With regards to impact on surrounding residential amenity, only two properties are potentially affected, and these are 25 Lopwell Close and 8 Tretower Close.

25 Lopwell Close is situated to the west of the site, and shares a boundary with number 10. The submitted plans show that the existing utility room would be changed to a bedroom, with steps from the bedroom's French doors leading down to the rear garden. However, it is considered that proposed development would not be close enough to number 25 to affect their privacy.

8 Tretower Close is situated to the north of the site, and shares a boundary with number 10. With regards to the relationship between these properties, the issue is whether the proposed extension/garage would cause any loss of light to number 8's side conservatory/living room. Due to the fact that a low flat roof would be used on the proposed extension/garage, and that the projection of the proposed extension/garage would not be significant, it is considered that the loss of light to number 8 would not be severe. With regards to the outlook from number 8's conservatory, it is noted that there is an existing fence on the boundary between both properties, which already blocks outlook to some extent. The proposed extension/garage would only be slightly higher than this fence. On the basis of these observations it is considered that the proposal would not block light or outlook from number 8 to the extent that the proposal would be harmful.

With regards to the privacy of number 8, the submitted plans do not show any windows facing number 8. However, it is recommended that a condition is added, prohibiting the installation of side windows, in order to protect the privacy of number 8 in case the existing fence separating the two properties is removed.

Equalities & Diversities issues

None

Section 106 Obligations

None

Conclusions

The proposal is recommended for approval.

Recommendation

In respect of the application dated **18/03/2010** and the submitted drawings, **10/TC/01, 10/TC/02, 10/TC/03, 10/TC/04, 10/TC/05** , 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.

NO SIDE WINDOWS

(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), no windows or other openings shall be placed in the north-east facing side elevation of the extension/garage hereby permitted (i.e. the side elevation which faces 8 Tretower Close) unless, upon application, planning permission is granted for the development concerned.

Reason:

In order to protect the privacy currently enjoyed by the occupiers of the neighbouring dwelling, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - PARTY WALL ACT

(1) The 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: impact on the streetscene and impact on surrounding residential amenity, 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
SPD1 - Development Guidelines