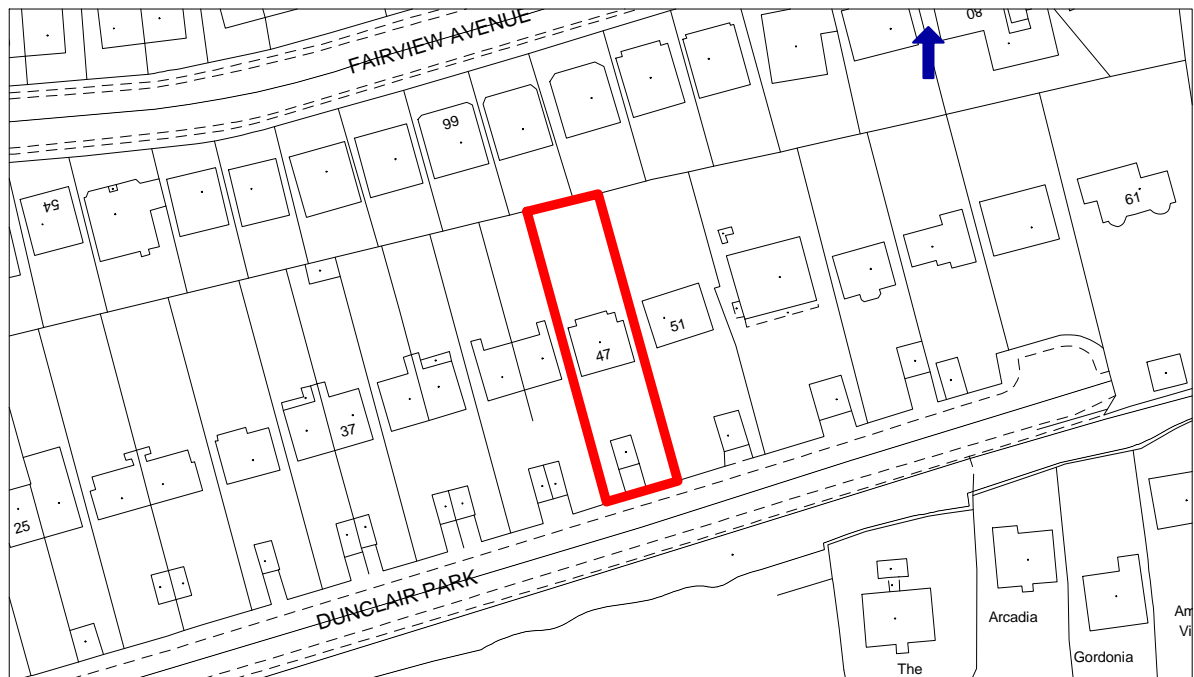


ITEM: 04

Application Number: 10/00818/FUL
Applicant: Mr and Mrs Michael Foren
Description of Application: Double private motor garage (existing garage to be removed)
Type of Application: Full Application
Site Address: 47 DUNCLAIR PARK PLYMOUTH
Ward: Efford & Lipson
Valid Date of Application: 24/05/2010
8/13 Week Date: **19/07/2010**
Decision Category: Member/PCC Employee
Case Officer : Louis Dulling
Recommendation: Grant Conditionally
Click for Application Documents: www.plymouth.gov.uk



OFFICERS REPORT

Site Description

No. 47 Dunclair Park is a detached property in the Laira area of Plymouth. Its front garden descends steeply from the front of the house for approximately 20 metres.

Proposal Description

The proposal is for the demolition of an existing garage and the erection of a double garage. The existing garage is set back from the road by 4.5 metres with a hardstanding which is 4.5 metres in length and 3 metres in width. The existing garage is 4.5 metres in length and 3 metres in width and 2.5 metres in height (flat roof). The proposed garage is 7.5 metres in width, 7.5 metres in length and 5 metres in height (pitched roof) with a set back distance of 1.5 metres from the footway.

Relevant Planning History

No. 47 Dunclair Park (95/00050/FUL) - Two storey extension - Approved

Consultation Responses

Transport -

Representations

There have been no representations in relation to this application.

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 turns upon policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Development Guidelines SPD1 (2009).

The main issues to consider for this application are the impacts on neighbouring amenity and the character and appearance of the area.

Character and Appearance of the Area

SPD1 paragraph 2.70 states '*the design of a garage, whether attached to the property or freestanding, should relate well in scale and proportion to the original dwelling and to the surrounding area.*' The properties along Dunclair Park all have front garages set back into their front garden. There is a complete mixture of garages of varying sizes and set back distances. There are several existing double garages which are of a similar massing and

impact on the street scene and therefore the proposed garage is considered to be of an acceptable size and design and would be in keeping with the existing garages in Dunclair Park. Although SPD1 notes that garages in front gardens will usually be resisted, due to the established street scene which is already dominated by front garages it is not a consideration in this case. Additionally SPD1 paragraph 2.71 states that *'in exceptional circumstances, garages in sloping front gardens may be allowed if the majority of the garage can be built into the garden'* and this is the case in respect of this proposal.

Neighbouring Amenity

As SPD1 paragraph 2.68 states that *'with respect to garages, particular attention needs to be paid to the impact on neighbours' outlook and light'* and therefore the proposal shall be assessed for its impact on neighbouring properties amenity. The distance from the proposed garage to the nearest neighbouring property is approximately 15 metres and the descending slope of the properties front gardens results in a minimal impact to the outlook of the neighbouring properties and no impact to the amount of daylight or sunlight which neighbouring receives as a result of the proposed garage. The proposal is therefore considered acceptable in this respect.

Design and materials

SPD 1 paragraph 2.65 states that *'off-road car parking must be designed so that cars do not overhang the highway, for example when a car is parked prior to a garage being opened. To overcome this, when a driveway is in front of a garage, it should be a minimum of 5.5 metres long.'* Although the proposed garage has a 1.5 metre driveway it is not considered to compromise highway safety or cause significant obstruction to the highway when in use, as Dunclair Park is a cul-de-sac which only serves residents of Dunclair Park. Therefore the level of use is considered to be relatively low and the road is considered to be wide enough to support the provision of the proposed garage without creating an obstruction when in use. Additionally the existing garages of Dunclair Park have similarly sized driveways which have created a precedent in relation to this proposal and therefore the driveway set back distance is considered to be acceptable.

Equalities & Diversities issues

There are no equalities and diversities issues in relation to this application.

Conclusions

Therefore the proposal is recommended for approval.

Recommendation

In respect of the application dated **24/05/2010** and the submitted drawings, **Location Plan, MM924.SIO, MM924.PLIO** , 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: neighbourhood amenity and neighbouring 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

CS02 - Design

SPD1 - Development Guidelines