

ITEM: 2

Application Number: 10/01367/FUL

Applicant: College Properties (Plymouth) Ltd

Description of Application: Extension at second-floor level to form bedroom for existing second-floor flat and formation of room in roofspace for use as home office/storage

Type of Application: Full Application

Site Address: 14 MEADFOOT TERRACE PLYMOUTH

Ward: Compton

Valid Date of Application: 06/08/2010

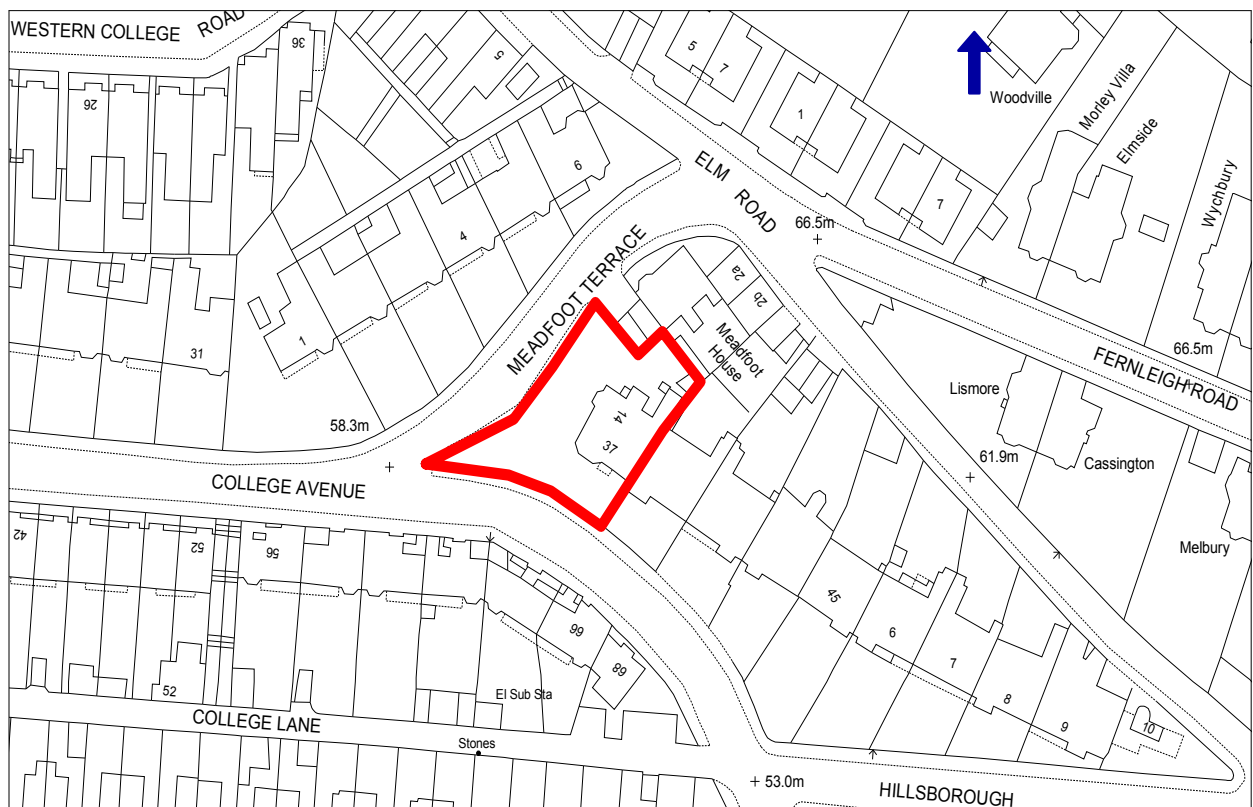
8/13 Week Date: **01/10/2010**

Decision Category: Member/PCC Employee

Case Officer : Simon Osborne

Recommendation: Grant Conditionally

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OFFICERS REPORT

This application is brought to Planning Committee as the applicant/agent is related to a Plymouth City Council Member.

Site Description

14 Meadfoot Terrace is a large end-of-terrace property located on the corner of Meadfoot Terrace and Pearson Road/College Avenue. The three-storey property is arranged as 3 self-contained flats.

It is understood that the property has recently suffered from fire damage.

Proposal Description

The proposal is for an extension at second-floor level to form an additional (third) bedroom for the existing second-floor flat, and formation of a room in the roofspace intended to be used as a home office and storage for the second-floor flat.

The application originally included a proposed mansard roof to provide an additional residential unit; however this part of the scheme has been removed following concerns raised by your officers.

Relevant Planning History

99/00585/FUL - Formation of access and vehicle hardstanding – Permitted.

86/01817/FUL – Conversion of dwellinghouse in to 3 self contained flats.

Consultation Responses

Transport – No objections to amended scheme.

Representations

Two letters of representation have been received, one from the owner of the ground-floor flat at 14 Meadfoot Terrace and one from 3 Meadfoot Terrace. The letters were received prior to the scheme being revised and included concerns over the re-design of the roof to accommodate the new attic unit and additional parking demand the extra unit would generate.

Other concerns related to the second floor extension. The main issues were:

- Excessive fenestration
- Loss of privacy and light to private courtyard area

Analysis

This application turns upon policies CS02 and CS34 of the Plymouth Local Development Framework Core-Strategy 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.

The proposed extension would not project beyond the existing rear building line of the neighbouring property and would therefore have little impact on that property in terms of loss of outlook or light. It is noted that the proposal would have some impact on the rear courtyard of the subject building; however the courtyard is located to the north of the property and it is considered that the extension, which would not project above the existing ridge line, would not lead to an unreasonable loss of light.

With regard to loss of privacy mentioned in the letter of representation, the courtyard is already overlooked by existing first- and second-floor windows in both the subject property and the neighbouring property. Although the proposal may result in some additional overlooking, it is not considered that this would be unreasonable.

The proposals are considered to relate relatively well to the existing property and are sympathetic in materials and detailing. The proposed fenestration is not considered to be excessive and relates well to the other elevations on the building and neighbouring buildings. The proposed roof slope would introduce a new element to the building; however there is already a mixture of different roof designs in the terrace and this addition which would not be visible from the front or side of the building is not considered to detract from the character or appearance of the area. The other proposed alterations, namely a parapet roof to the small two-storey tenement, additional ground-floor window and door on the side elevation, and two additional front roof-lights, are considered to be acceptable.

The proposal is not likely to result in a significant increase in parking demand and there are no transport objections.

The site contains two protected trees and therefore it is considered appropriate to include a condition to ensure that they incur no damage during construction.

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.

Section 106 Obligations

N/A

Equalities & Diversities issues

No further issues.

Conclusions

This proposal is considered to comply with policies CS02 and CS34 and is recommended for conditional approval.

Recommendation

In respect of the application dated **06/08/2010** and the submitted drawings, **1004.LP.0.01B, 1004.PE.1.01C, 1004.PE.2.02C, 1004.PE.3.03C, 1004.PE.4.04C, 1004.P.1.01C, 1004.P.2.02C, 1004.P.3.03C, 1004.P.4.04C, 1004.P.5.05C, 1004.P.1.01C, 1004.P.6.06C, and accompanying Design and Access Statement (amended version received 6 September 2010)** , 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.

TREE PROTECTION DURING CONSTRUCTION

(2) The protected trees shown to be retained on the approved plans shall be properly protected with appropriate fencing during construction works. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Trees in relation to construction - recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that any trees are protected during construction work in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MATERIALS

(3) The materials to be used in the construction of the external surfaces of the development 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 development is in keeping with the existing building, to comply with policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

USE RESTRICTION - HOME OFFICE/STORE

(4) The proposed home office and storage area in the roofspace shall only be used for purposes incidental to the enjoyment of the second-floor flat 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.

ROOF AREA USE RESTRICTION

(5) The parapet-walled flat roof hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of a further specific permission from the Local Planning Authority.

Reason:

The use of the roof area for such a purpose would be likely to have an unreasonable impact on residential amenity and the general amenity of the area contrary to Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

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 neighbouring properties, impact on the character and visual appearance of the area, effect on trees and transport aspects, 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration
CS18 - Plymouth's Green Space
CS22 - Pollution
CS02 - Design
SPD1 - Development Guidelines