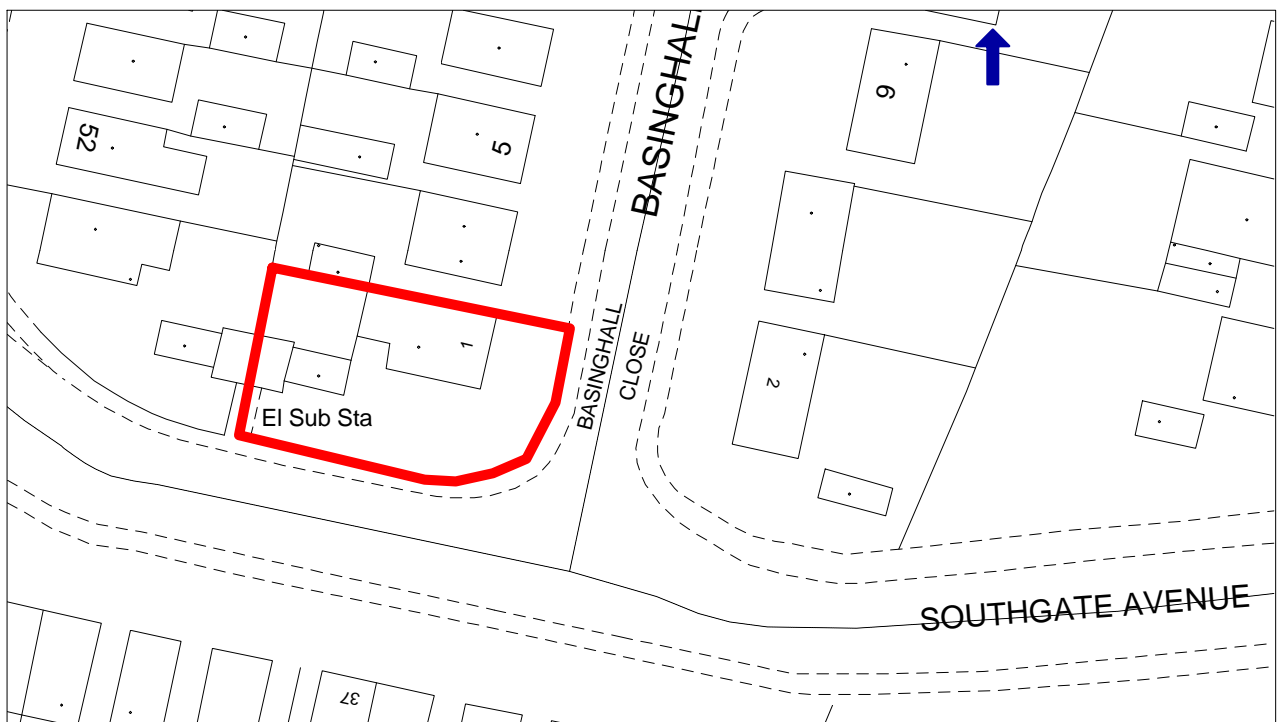


PLANNING APPLICATION REPORT



ITEM: 2

Application Number:	11/00189/FUL
Applicant:	Christopher Mintoft
Description of Application:	Single-storey side and rear extensions (Existing garage to be removed)
Type of Application:	Full Application
Site Address:	1 BASINGHALL CLOSE PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	07/02/2011
8/13 Week Date:	04/04/2011
Decision Category:	Member/PCC Employee
Case Officer :	Kate Saunders
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



Officer's Report

This application is being brought before Planning Committee as the applicant is a Plymouth City Council employee.

Site Description

1 Basinghall Close is a detached dwellinghouse located in the Plymstock area of the City. The property is located on a corner plot and is bounded by Southgate Avenue to the south. There are neighbouring residential properties to the north and rear, and an electricity sub station alongside.

Proposal Description

Single-storey side and rear extensions to provide a garage to securely store a camper van and karting trailer, a utility room and WC, and an extended lounge, entrance hall and kitchen area. An existing garage and conservatory are to be removed.

Relevant Planning History

10/01357/FUL – Single-storey side extension (existing garage to be removed) – Granted conditionally

Consultation Responses

Highways Authority – no objections subject to condition

Public Protection Service – no objections subject to conditions

Representations

One letter of representation received from No. 50 Southgate Avenue. The main issues raised are:

- Loss of light
- Change in roof design will be dominating and overbearing
- The rear extension could raise future privacy issues if a first-floor was constructed above
- Query regarding the plans

All the matters raised by the neighbour will be discussed fully below.

Analysis

The main issues to consider with this application are the effect on the amenities of neighbouring properties and the impact on the streetscene.

The main element of the extension, the proposed garage, will cover the same footprint as the extension approved under application 10/01357/FUL. A small lean-to, constructed forward of the garage will then enlarge the existing lounge and provide an entrance hall. This will measure 2 metres wide by 5 metres deep. A rear extension will then span the width of the property and measure 3.2 metres deep, again this will have a simple lean-to roof.

The previous application did not receive any objections from neighbouring properties. This time the occupier of the dwelling to the rear has raised concerns despite the extension being largely as the previously approved scheme.

The neighbour is concerned that the development will cause a loss of light. The garage extension will be no higher than that proposed under the previously approved scheme and the sub station will screen a large proportion of the proposal. In addition, the position of the neighbour's property at the end of the road also allows its gardens to benefit from light from the south. It is not considered that the proposal will cause an unreasonable loss of light to No. 50 Southgate Avenue.

Originally it was proposed that the roof design would be amended from a hipped design to a simple pitched roof with a front and rear gable. It was considered that the addition of the gable to the rear would be more imposing when viewed from No. 50. The applicant has therefore amended this element of the application and a hipped end will be retained on the rear elevation.

The neighbour has also commented on the proposed rear extension. This element of the works is only 0.2 metre larger than could be constructed under "permitted development". The extension is not much bigger than the existing conservatory and does not raise any new overlooking issues. The neighbour is concerned that the extension may lead to the first-floor of the property being extended; however, this would need to be the subject of a separate application and could not be used to warrant refusal of this development.

The rear extension will extend along the boundary with No. 3 Basinghall Close. As noted previously the extension will not be considerably larger than the existing conservatory. However the neighbouring property has its garage adjacent to the boundary resulting in the development not having any adverse impact on light, outlook or privacy.

The Development Guidelines Supplementary Planning Document advises that extensions on corner plots should be located 3 metres away from the boundary. The proposal will be closer to the boundary; however the development will be set down by 0.7 metres from road level, minimising its prominence. There is also a dense hedge on the boundary which will screen almost the entire side elevation with just the roof being visible above. The roof will now have a front gable and hipped rear which is slightly unusual; however the applicant has pointed out that the front gable of the garage will be tiled to try and blend with the rear. It is considered that the roof design will not cause unreasonable harm to the visual quality of the area. Matching materials will also be utilised in all aspects of the proposal. It is considered that the proposal has been sensitively designed to minimise its impact on the streetscene and, taking in to account the presence of a similar, albeit smaller, development at No. 51 Southgate Avenue, the proposal is considered acceptable.

The letter of representation also raised concerns regarding details of the proposed plans. However, the plans are considered to be accurate.

The highways officer has no objections in principle; however due to the size of the garage an ancillary use condition is recommended.

The Public Protection Service has recommended two conditions, one regarding land contamination and the other a code of practice. Neither of these conditions was imposed on the previous permission. With regard to land contamination, there have been no change in circumstances and so it is considered that the imposition of such a condition could not be successfully defended at appeal. However, an informative is recommended. A code of practice condition is rarely appropriate for householder development and there are considered to be no special circumstances in this case that would justify such a condition.

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 equality and diversity issues to be considered

Conclusions

It is considered that the proposal will not be detrimental to neighbours' amenities or the visual quality of the area and is therefore recommended for approval.

Recommendation

In respect of the application dated **07/02/2011** and the submitted drawings Location plan, 006, 002, 003, 005, 001, 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.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, 001, 002, 003, 005 (rev 2), 006 (rev 2).

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

USE RESTRICTION

(3) The proposed extensions 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: CONTAMINATION

(1) To ensure that risks from land contamination to users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, the Council's Public Protection Service advises that, in the event that contamination is found at any time when carrying out the approved development that was not previously identified, and an investigation and risk assessment should be undertaken. The report of the findings should include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This should be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme should be prepared. The scheme should include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme should ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report), to demonstrate the effectiveness of the remediation carried out, should be produced.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: effect on neighbouring properties and the impact on the streetscene, 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:

PPS23 - Planning & Pollution Control
CS34 - Planning Application Consideration
CS22 - Pollution
SPDI - Development Guidelines