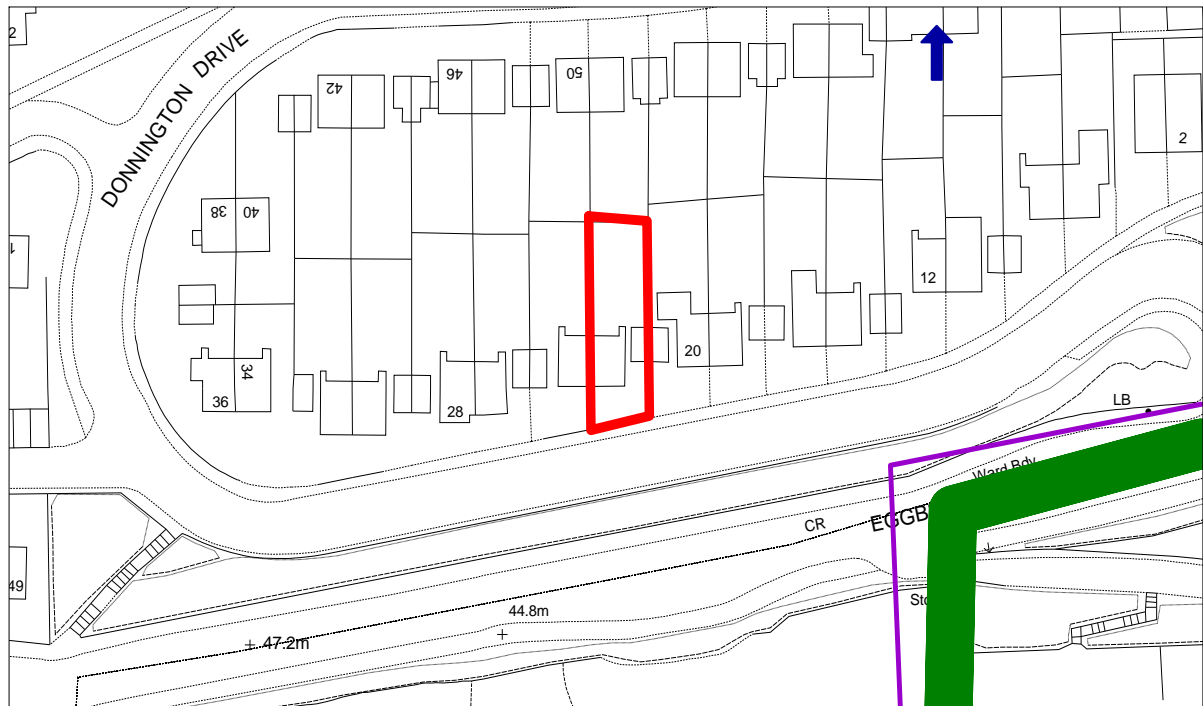


# PLANNING APPLICATION REPORT



**ITEM: 01**

**Application Number:** 12/00014/FUL  
**Applicant:** Mr Mark Duke  
**Description of Application:** Side extension  
**Type of Application:** Full Application  
**Site Address:** 22 DONNINGTON DRIVE PLYMOUTH  
**Ward:** Compton  
**Valid Date of Application:** 19/01/2012  
**8/13 Week Date:** **15/03/2012**  
**Decision Category:** Member/PCC Employee  
**Case Officer :** Adam Williams  
**Recommendation:** Grant Conditionally  
**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



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**This application has been referred to committee as the applicant is related to an employee of Plymouth City Council**

**Site Description**

22 Donnington Drive is a semi-detached property within the Eggbuckland area of Plymouth City

**Proposal Description**

Side extension to provide ensuite bedroom above existing private motor garage

**Pre-Application Enquiry**

None

**Relevant Planning History**

None

**Consultation Responses**

Plymouth Airport – No objections

**Representations**

One letter of representation was received from the owner of 20 Donnington Drive. The owner had no objections in principle to the extension however was concerned with how the proposals would affect her property.

The first concern was how the extension would affect the party wall, which the garages of these two properties share. The party wall act has no bearing on the determination of a planning application and it is a civil matter between the two property owners. It is in the interest of both owners to pay due regard to the party wall act and exercise any due rights within the act.

The second concern is relates to weatherproofing and drainage. This issue is also covered within the party wall act and not a consideration of this planning application.

A home visit was undertaken at the owner's request as she could not get access to the plans and had difficulty understanding them. Other concerns were raised during the visit with regards to structural integrity of the garages, privacy, outlook and light. The last three issues will be dealt with within the analysis. The concerns surrounding structural integrity are a matter for building regulations and not planning.

**Analysis**

This application turns upon Policy CS34 of the City of Plymouth Core Strategy 2006-2021 and Supplementary Planning Document 'Development Guidelines', as well as taking account (with appropriate weight attached) of the Draft National Planning Policy Framework. The primary planning considerations are the impact on neighbour amenities and the impact on the character and visual appearance of the area as detailed below.

The extension is to be sited above an existing garage and both front and rear walls of the extension will be flush with the existing garage, which is set approximately 3.5 metres back from the front elevation of the house. In addition the garage is to be extended to the front slightly to allow better use of the garage.

In terms of impact on visual amenity and impact on the street scene, the proposal is considered acceptable. The extension is subordinate and as such in line with planning guidance contained within the Development Guidelines Supplementary Planning Document. Side extensions feature on other properties in the area and as such the extension is not considered to set an unwanted precedent nor is it considered to introduce an unwelcome feature to the area.

The properties along this street follow a staggered pattern, with No. 22 forming a semi detached property with No. 24, and Nos. 20 and 18 being set back from Nos. 22 and 24.

The impact on light will largely be directed to a side window serving a stairway landing area within No. 20 Donnington Drive. This window faces west to primarily receive sunlight from the late afternoon onwards. The proposed development is considered to be satisfactory.

It is considered that there is little impact on privacy. The extension will have no side windows so no overlooking will occur into adjacent windows. The rear of the extension has a small window serving a bathroom and this will be conditioned to be obscure glazed. Even if this was not the case, the neighbouring property is set so far back from the application property the rear of No. 20 cannot be seen from the upper levels of No. 22.

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**

None

### **Equalities & Diversities issues**

None

### **Conclusions**

Recommended for conditional approval

## **Recommendation**

In respect of the application dated **19/01/2012** and the submitted drawings site location plan, block plan, 3710.1, 3710.2, 3710.3, 3710.4, 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: site location plan, block plan, 3710.1, 3710.2, 3710.3, 3710.4.

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.

### **OBSCURE GLAZING**

(3) 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 window in the north-facing elevation of the side extension shall at all times be obscure glazed.

Reason:

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

## **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 neighbour amenities and the impact on the character and visual appearance of the area, 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  
SPDI - Development Guidelines  
NPPF - Draft National Planning Policy Framework 2011