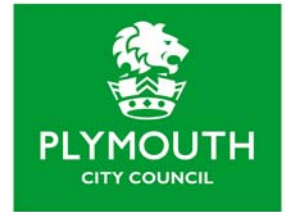
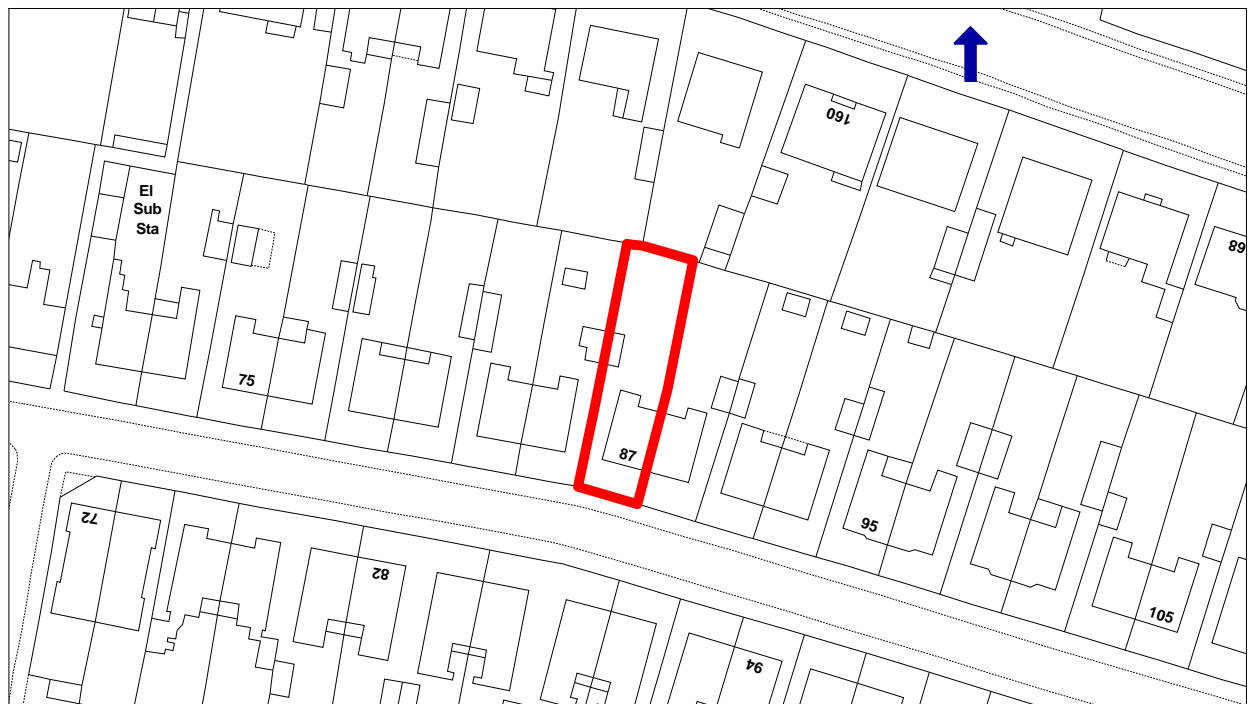


# PLANNING APPLICATION REPORT



**ITEM: 02**

**Application Number:** 12/00948/FUL  
**Applicant:** Mr and Mrs Humphreys  
**Description of Application:** Single storey rear extension  
**Type of Application:** Full Application  
**Site Address:** 87 BOWDEN PARK ROAD PLYMOUTH  
**Ward:** Eggbuckland  
**Valid Date of Application:** 08/06/2012  
**8/13 Week Date:** **03/08/2012**  
**Decision Category:** Member/PCC Employee  
**Case Officer :** Cheryl Stansbury  
**Recommendation:** Grant Conditionally  
**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



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The application requires Committee determination as the applicant is a member of staff (schools).

### **Site Description**

87 Bowden Park Road is a semi-detached property located in the Crownhill area. The property has a single storey rear porch and garage, which appear as common features on the majority of dwellings in the street. It has been extended through the provision of dormers in the roof space.

The application site is flat, and is divided from the adjoining dwelling (No. 89) by a rendered wall with fencing over, standing at a total height of approximately 1.8 metres; the fence has been erected by the occupants of No. 89.

### **Proposal Description**

Single storey rear extension to provide an enlarged kitchen. The extension will run across the full width of the rear of the dwelling, measuring approximately 6.3 metres (W) x 3.5 metres (D) x 3.6 metres (H).

### **Pre-Application Enquiry**

None

### **Relevant Planning History**

04/00023/FUL - Room in roofspace incorporating new dormer windows in side and rear roof slopes, and rooflights in front roof slope – Approved.

### **Consultation Responses**

No consultations necessary

### **Representations**

One letter has been received from the occupant of the adjoining property, objecting on the following grounds:-

- The extension is proposed to come right up against the boundary wall and will undermine the foundations of that wall. Concerned as to how the extension could be built without coming onto neighbouring property, without damaging the wall and newly replaced fence.
- The extension will block the light into the dining room, as it would be a matter of inches away from the patio doors, which are the main source of light into that room. It will also block the light into the kitchen, as the kitchen door faces that boundary.
- Concerned as to how it will look, as the view from the dining room would be directly on to the side wall of the extension.

### **Analysis**

The application turns upon policies CS02 (Design) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021, the aims of the Council's Development Guidelines Supplementary Planning Document I (2010) and the National Planning Policy Framework 2012.

The primary planning considerations in this case are the impact on neighbour amenity. As the extension is to be sited at the rear of the property, there will be no impacts upon the street scene. Furthermore, the existing parking arrangements will not be affected.

#### Impacts upon neighbouring properties

The proposed extension is to run across the full width of the rear elevation of the property, maintaining the existing dividing boundary wall, and will project by approximately 3.5 metres. It is to have a lean-to roof, measuring approximately 2.65 metres high to the eaves and 3.6 metres at the highest point, where the roof meets the dwelling.

The neighbouring property to the east, No. 89 has a 2 storey rear extension, however, this only runs across half of the rear elevation, and sits approximately 3 metres away from the shared boundary with the application site. At ground floor level there is a sliding patio door to the dining room and a kitchen door to the side elevation of the extension. The combination of this extension, a raised planted bed and the shared boundary wall/fencing gives the immediate rear area of No. 89 some sense of enclosure.

Taking guidance from Section 2 of the Council's Supplementary Planning Document (2010), it is considered that extensions which would result in a significant loss of daylight or sunlight to neighbouring properties will not be acceptable. In order to prevent harmful impacts upon the amenity of neighbouring properties, extensions should not project past the 45 degree line when measured from neighbouring windows.

With respect to the ground floor dining room patio doors to No. 89, the proposed extension would sit within the 45 degree line from these doors. The height of the extension will project above the existing boundary by approximately 1.8 metres at its highest point and 0.85 metres at the eaves. However, the rear of the dwellings face to the north and the existing boundary (which has been erected by the occupants of No.89) already creates a sense of enclosure to the rear of No. 89. It should also be noted that the dining room is a dual aspect open plan room, with windows to the front lounge area.

Whilst the proposed extension will rise above the boundary fence, it is not considered that it will restrict the daylight to, or outlook from, the neighbouring property to such a degree that would be so detrimental to the amenities of the occupants of No. 89 to warrant refusal. It is also worth noting that if the projection of the extension were reduced by 500mm, to 3 metres, it could be erected as Permitted Development.

The objector has made reference to a loss of light to the kitchen, which has its back door facing towards the proposed extension. This room has a window facing the rear, which will not be affected by the proposed conservatory and again, it is not considered the daylight to this room would be sufficiently affected to warrant refusal. Other matters raised (proximity to boundary, construction access) would be dealt with under the Party Wall Act and can have no bearing on the determination of this application.

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**

N/A

### **Conclusions**

The concerns of the objector have been noted, however, it is not considered that the proposed extension would be significantly detrimental upon the amenities and living conditions of the neighbouring property. Approval is therefore recommended.

### **Recommendation**

In respect of the application dated **08/06/2012** and the submitted drawings location I; site plan; planapp1; planapp2, 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 I; site plan; planapp1; planapp2.

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 (1) 2007.

### **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 neighbour amenity, and the impact on the character and 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

CS02 - Design

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012