

PLANNING APPLICATION REPORT



ITEM: 05

Application Number: 12/00998/FUL

Applicant: Mr & Mrs Trim

Description of Application: Develop part of side garden by erection of detached two-storey dwellinghouse with vehicle parking to the rear

Type of Application: Full Application

Site Address: 1 ELFORD CRESCENT PLYMPTON PLYMOUTH

Ward: Plympton St Mary

Valid Date of Application: 13/06/2012

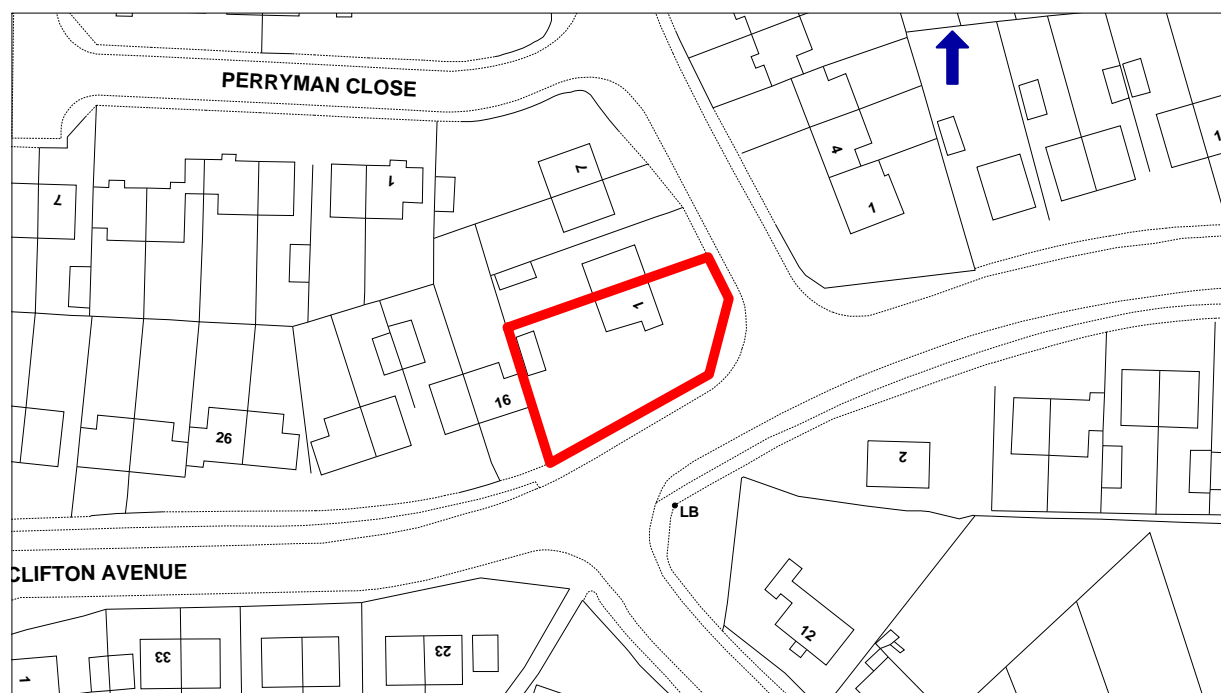
8/13 Week Date: **08/08/2012**

Decision Category: Member/PCC Employee

Case Officer : Janine Warne

Recommendation: Grant Conditionally

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This application is brought to committee because the applicant works in the Transport and Highways Service.

Site Description

No 1 Elford Crescent is a semi-detached residential property located in the Colebrook area of Plympton, occupying a large corner plot at the junction of Elford Crescent and Clifton Avenue. It is a 2-storey 1960s dwellinghouse, finished in brick. The property is surrounded mainly by residential development of a similar era.

Proposal Description

This application seeks planning permission to develop part of the side garden by erection of a detached dwellinghouse with vehicle parking to the rear. The dwellinghouse would contain two bedrooms at first-floor level and a third en-suite bedroom in the roofspace.

Pre-Application Enquiry

The applicant engaged in informal pre-application discussions with officers. Subject to some design improvements, a recommendation to grant permission was anticipated.

Relevant Planning History

10/02122/FUL – Develop part of rear garden by erection of detached 2 bed dormer bungalow (demolition of existing private motor garage) – Refusal reasons:

- The Local Planning Authority considers that the proposed dwelling will be overbearing and create problems of amenity conflict, particularly with regards to loss of privacy and perception of overlooking, and would dominate the rear garden area of no. 3 Elford Crescent. This is considered to be unacceptable, causing significant harm to residential amenity. The application is therefore contrary to policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the Council's Development Guidelines Supplementary Planning Document (SPD).
- The Local Planning Authority considers that the location and orientation of the proposed dwelling would create an awkward relationship with no. 1 Elford Crescent, and that this would cause the amenities of the proposed dwelling to be significantly compromised, creating poor living conditions for future occupiers. The proposed dwelling will also appear dominant and overbearing when viewed from the rear and side garden of 1 Elford Crescent and would thus compromise this property's living conditions. The application is therefore contrary to policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the Council's Development Guidelines Supplementary Planning Document (SPD).

10/00931/FUL – Develop part of rear garden by erection of detached two-storey dwelling (existing private motor garage to be repositioned to serve existing dwelling) – Withdrawn.

Consultation Responses

Transport – No objections, subject to recommended conditions.

Public Protection Service – No objections.

Representations

At the time of drafting this report, no letters of representation had been received.

Analysis

Introduction

This application primarily turns upon policies CS02 (Design), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the adopted Core Strategy and the Development Guidelines Supplementary Planning Document (SPD). Appropriate consideration will also be given to the National Planning Policy Framework (NPPF).

The primary planning considerations in this case are deemed to be: the impact on the streetscene and the visual quality of the area, the impact on neighbouring amenity, the residential amenity of the proposed accommodation, the provision of parking and highway safety implications and local finance considerations, as discussed below.

Streetscene

As outlined above, planning application 10/02122/FUL sought permission for the erection of a two-bedroom dormer bungalow in part of the rear garden of no.1 Elford Crescent. The proposed dwelling was set in line with no. 16 Clifton Avenue and therefore comprised part of the Clifton Avenue streetscene. However, planning permission was refused due to concerns about the potential impact on neighbouring amenity (see full refusal reasons above).

The scheme has now been revised and permission is being sought for the erection of a dwellinghouse in the side garden of no.1 Elford Crescent (rather than the rear). The proposed dwelling is therefore now sited in line with the donor property, comprising part of the Elford Crescent streetscene.

The Development Guidelines SPD recommends that corner plot development should generally be at least 3 metres from the footway edge to minimise the potential impact on the streetscene. In this case, the proposed dwelling is sited approximately 2.45m from the edge at the closest point and 3.45m at the furthest point. Whilst at pre-application stage the case officer encouraged the applicant to achieve a minimum distance of 3m, the proposed distance of 2.45m is consistent with a similar development granted on the corner plot at no.12 Elford Crescent (planning application ref: 11/00282/FUL), as outlined in the next paragraph.

Planning permission was originally refused for development at no.12 as the dwelling was sited too close to the public highway and was unsympathetic in scale and design. Subsequently an amended scheme was submitted, siting the house approximately 2.45metres away from the footway. In addition, the size and design of the proposed house was improved to be in keeping with the neighbouring dwelling. It should be noted that seven letters of representation were received in this case (raising 21 material planning objections) and the application was referred to the planning committee by a Ward Member on the grounds of highway safety, the impact on the appearance of the estate and inappropriate development of garden land.

Notwithstanding this, planning permission was granted by the planning committee in May last year.

In light of the precedent set at no.12, your officers consider that the proposed distance from the footway edge in this case could not warrant the refusal of this planning application. In addition, it should be noted that the existing boundary treatment (comprising a substantial ever-green hedge) will be retained along this boundary which will screen the proposed dwelling and further minimise the impact on the streetscene.

The architectural approach adopted in this case is considered to be sympathetic to the surroundings. The dwelling seeks to imitate the style and appearance of adjacent dwellings, particularly the dwellings on this side of Elford Crescent (the west side) that are closest to the site (1, 3, 5, 7 Elford Crescent). Therefore the proposal is two-storey in height with gables ends and the footprint, building line and fenestration detailing of the existing dwellings has been respected. Furthermore, the proposed materials palette emulates those used on surrounding properties, including slate hanging detailing to the primary façade. A small porch is proposed to the front elevation. This is sympathetic in size and design and consistent with other porches within the vicinity. The proposed dwelling is therefore considered to sit comfortably within the Elford Crescent streetscene and is not considered to be harmful to local visual amenity.

The proposal achieves a sufficient standard of design and appearance expected by the Core Strategy and complies with policies CS02 and CS34 and the principles in the Development Guidelines SPD.

Neighbouring Amenity

By virtue of its revised siting, the proposed dwelling will sit alongside the donor property (no.1 Elford Crescent). The separation distance between the side of the proposed dwelling and the side of the donor property is 1 metre, and this ensures that there is an adequate distance between the two properties, providing a footpath link from the front to the rear of the donor dwelling.

The proposed property has been positioned so that with regards to layout, orientation and building line, it is similar to the other properties on Elford Crescent. Whilst windows in the rear elevation of the proposed house will overlook the rear garden of no.1 to some extent, the proposed relationship is consistent with the established pattern of development in the area, whereby rear gardens are overlooked by windows in the rear elevation of adjacent dwellings. It is thus considered that the proposed dwelling will not significantly harm the residential amenities enjoyed by the occupiers of the donor property in accordance with the relevant planning policy guidance.

No.16 Clifton Avenue is positioned to the rear of the proposed dwelling but is oriented facing south. Therefore the rear elevation of the proposed house overlooks the side of no.16 and its front driveway. There are no windows in the side elevation of no.16 and there is a separation distance of 13m. It is therefore considered that the proposed development will not cause demonstrable harm to the amenity currently enjoyed by the occupiers of this neighbouring property. The application is therefore

deemed to accord with Policy CS34 of the adopted Core Strategy and the principles set out in the Development Guidelines SPD.

Residential Amenity

Your officers are satisfied that the proposed property will enjoy adequate outlook and light in accordance with the principles in the Development Guidelines SPD. All ground- and first-floor habitable rooms are served by sufficient windows and a large window has been incorporated in the side gable-end to serve the bedroom in the roof space, ensuring that this room benefits from adequate light and outlook in accordance with pre-application advice. As noted above, the proposed dwelling overlooks the side elevation of no.16 Clifton Avenue, which is sited to the rear. However this property is set approximately 13m away, ensuring sufficient outlook is provided in accordance with the Development Guidelines SPD, which recommends a minimum separation distance of 12m between habitable room windows and a blank facing wall.

The proposed three-bedroom dwelling has approximately 115m² of internal floor space across three floors. This exceeds the minimum size standards set out in the Development Guidelines SPD, which seek at least 82m² for a three-bed house. In addition adequate outdoor amenity space has been provided (in excess of 100m² as recommended in the SPD). The existing boundary treatment (ever-green hedge) is proposed to be retained to the southern boundary. This will ensure that the proposed garden area is adequately screened from the public highway.

Your officers are satisfied that the proposed dwelling and associated plot size provides a good standard of residential accommodation in accordance with the Council's policy standards.

Transport Considerations

No objections have been raised by the Transport Authority. The proposal provides two off-street parking spaces and requires a new access and vehicle crossover, to which there are no objections although a separate application for alterations to the highway would need to be made. It should be pointed out that the proposed access would require a street lighting column to be relocated and possible alterations to other public utilities apparatus within the footway. The cost of these alterations would be at the applicant's expense.

A suitable splay to allow intervisibility between vehicles emerging from the driveway and pedestrians should be incorporated into the new access and it is required that a visibility splay of 1m x 1m over a height of 600mm be provided on both sides of the point of access.

Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £10,600 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in 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

Not applicable

Equalities & Diversities issues

No further issues to be discussed here.

Conclusions

For the reasons outlined above, this application is recommended for conditional approval.

Recommendation

In respect of the application dated **13/06/2012** and the submitted drawings 3669. L1, 3669.20, 3669.201, 3669.202, supporting information (Phase I Land Contamination Survey, dated 31/01/11), and accompanying Design and Access Statement, 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: 3669. L1, 3669.20, 3669.201 and 3669.202.

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.

CAR PARKING PROVISION

(3) The dwellinghouse hereby approved shall not be occupied until space has been laid out within the site in accordance with the approved plan for a maximum of 2 cars to be parked.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices, in accordance with policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACING OF DRIVEWAY/PARKING AREA

(4) Before the dwellinghouse hereby approved is occupied, the driveway and parking area shall either be constructed using a permeable construction or hard paved and drained to a private soakaway, and shall thereafter be maintained to ensure satisfactory access to the adjoining highway, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that no private surface water or loose material is deposited onto the adjoining highway in the interests of highway safety, in accordance with policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PROVISION OF SIGHT LINES

(5) No work shall commence on site until details of the sight lines to be provided at the junction between the means of access and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the dwellinghouse hereby approved is occupied.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety, in accordance with policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE - KERB LOWERING

(1) Before the access hereby approved is first brought into use it will be necessary to secure dropped kerbs (and footway crossings) with the consent of the local Highway Authority. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

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 the streetscene and the visual quality of the area, the impact on neighbouring amenity, the residential amenity of the proposed accommodation, the provision of parking and highway safety implications and local finance considerations, 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:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS22 - Pollution

CS02 - Design

CS15 - Housing Provision

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012