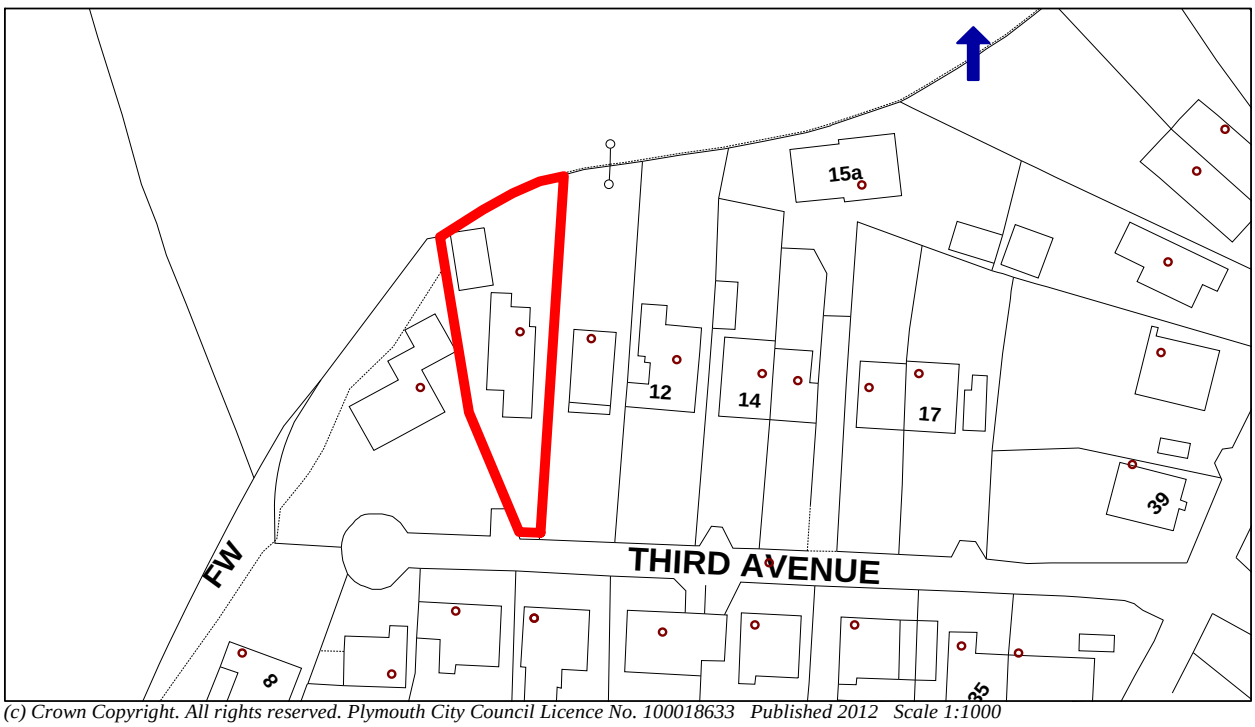
PLANNING APPLICATION REPORT

***ITEM:* 02**

Application Number:	12/01425/FUL
Applicant:	Mr P McMullin
Description of Application:	Extension to bungalow to provide a first-floor, forming a two-storey dwellinghouse, including front first floor balconies and rear first floor Juliet balconies.
Type of Application:	Full Application
Site Address:	10 THIRD AVENUE BILLACOMBE PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	17/08/2012
8/13 Week Date:	**12/10/2012**
Decision Category:	Member Referral
Case Officer :	Mike Stone
Recommendation:	Grant Conditionally
Click for Application Documents:	**www.plymouth.gov.uk**



This householder application has been referred to committee by Councillor Nigel Churchill following concerns from local residents about loss of light and overdevelopment of the site.

The application was brought to the committee's meeting on 18 October 2012 when determination was deferred due to discrepancies in the plans.

At the meeting on 8th November 2012 it was deferred for a site visit.

Site Description
10, Third Avenue is a detached bungalow located on a wedge shaped plot in the Elburton and Dunstone neighbourhood. The bungalow is located in a small cul-de-sac and has a long front hardstanding and large rear garden containing a detached garage. The neighbouring property to the west is a large two storey detached house with side extensions while the one to the east is a detached bungalow.

Proposal Description
Extension to bungalow to provide a first-floor, forming a two-storey dwellinghouse, including front first floor balconies and rear first floor Juliet balconies.

Pre-Application Enquiry
None

Relevant Planning History
9, Third Avenue
89//02650/FUL - first floor extension to form two storey dwelling and erection of replacement private motor garage – Grant Conditionally.

02/00355/FUL - Single-storey front extension including provision of windows in the sides of the existing house – Grant Conditionally.

06/00609/FUL - Single-storey rear extension – Grant Conditionally.

Consultation Responses
Transport – no objection to permission being granted

Representations
Three letters of objection have been received raising the following concerns;
Overdevelopment of the site

- The property could eventually become a three storey house
- Lack of greenspace
- Loss of light to neighbouring properties
- Plans not accurate
- Too close to the boundary
- Out of character
- Loss of privacy
- Property is sub divided into self contained units
- Burden on road network.

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 and the aims of the Council's Development Guidelines Supplementary Planning Document (2010), and the National Planning Policy Framework. The primary planning considerations in this case are the impact on neighbour amenity and the impact on the character and appearance of the area.

The application seeks consent to convert the bungalow into a two-storey dwellinghouse by adding a second storey. At the front of the house a recessed balcony and a Juliet balcony is proposed and at the rear two Juliet balconies.

Impact on the character and appearance of the area
The property is located towards the end of a cul-de-sac and visible from the road. The neighbouring property to the west is a former bungalow that received consent to be converted to a two storey dwelling house in 1989. The property to the east is a detached bungalow. The current application at no. 10 would increase the ridge height of the property from 5.1 to 7 metres and the eaves height from 2.6 to 5 metres. The application adds a Juliet balcony and a recessed balcony to the front of the house and, while these are not features of the neighbouring properties, there is no uniform architectural style in the immediate area. The ridge roof level would be below that of the neighbouring house and above that of the bungalow and in appearance the new two storey house would not, in the officer's opinion, appear out of keeping in with the street scene. The front of the bungalow would be approximately 15 metres away from the road. For these reasons it is considered that the development would not have a detrimental impact on the character and appearance of the area. Letters of representation have raised the issue of possible over-development of the site; however the new dwelling house would easily meet the recommended minimum standards for outdoor amenity provision and internal space set out in the Development Guidelines SPD.

Impact on neighbour amenity
The two storey house to the west is set at 45 degrees to the subject property and it is not felt by officers that there would be a significant impact. The main impact on neighbour amenity would be at no. 11, the detached bungalow to the east. A letter of objection has been received from the owner of no. 11. The properties are approximately 5 metres apart. Concern has been expressed in letters of objection that the property could eventually become a three storey house. It was felt by officers that the original design would have appeared overbearing when viewed from the rear garden of no. 11 and the applicant has agreed to reduce the roof height by 1 metre and to remove the proposed rooflights. On the first floor east elevation there would be two new windows, one to illuminate the stairwell and an obscure glazed window for an en-suite bathroom. It is not felt by officers that this would result in any significant increase in overlooking. In his letter of objection the owner of no. 11 has expressed concern about possible loss of privacy resulting from the new Juliet balconies at the rear of the house but it is not considered that the impact here would be any worse than from a large rear window. The subject property is to the west of no. 11 and therefore overall loss of light would be minimal. It is accepted

that the new house would result in the loss of light to a side window of the dining area of no 11.
This forms part of a larger open plan layout with the main lounge. This area is dual aspect with windows at the front of the property. A dining room is not classified as a habitable room in the SPD and this combined with the dual aspect of the larger space means that the loss of light to the side window is not considered sufficient to warrant refusal.
Other concerns raised in letters of objection were the possible self containment of the property and the impact on the road network. In March this year a Planning Compliance Officer visited the property following a complaint about possible sub-division. He concluded that the property was occupied as a single dwelling house and that no further action should be taken. With regard to the road network transport colleagues have not raised any objections to the 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
None

Conclusions
It is not considered that the proposal would have an adverse impact on the character and appearance of the area or neighbour amenity and is recommended for approval, subject to the removal of permitted development rights.

Discrepancies in the plans have been brought to the attention of the applicant's agent and an amended set of drawings have been submitted.

Recommendation
In respect of the application dated **17/08/2012** and the submitted drawings 1207_PL01, 1207_PL02, 1207_PL03, 1207_PL04, 1207_PL05, 1207_FC04A, 1207_FC05A
Reduction in proposed roof height,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: 1207_PL01, 1207_PL02, 1207_PL03, 1207_PL04, 1207_PL05, 1207_FC04A, 1207_FC05A.

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.

RESTRICTIONS ON PERMITTED DEVELOPMENT
(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), no development falling within Class A of Part 1 of the Schedule to that Order shall be carried out unless, upon application, planning permission is granted for the development concerned.

Reason:
In order to protect neighbour amenity, 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: 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
SPD1 - Development Guidelines
NPPF - National Planning Policy Framework March 2012