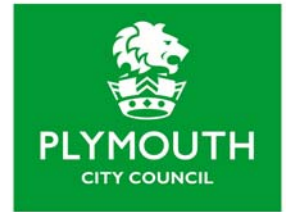
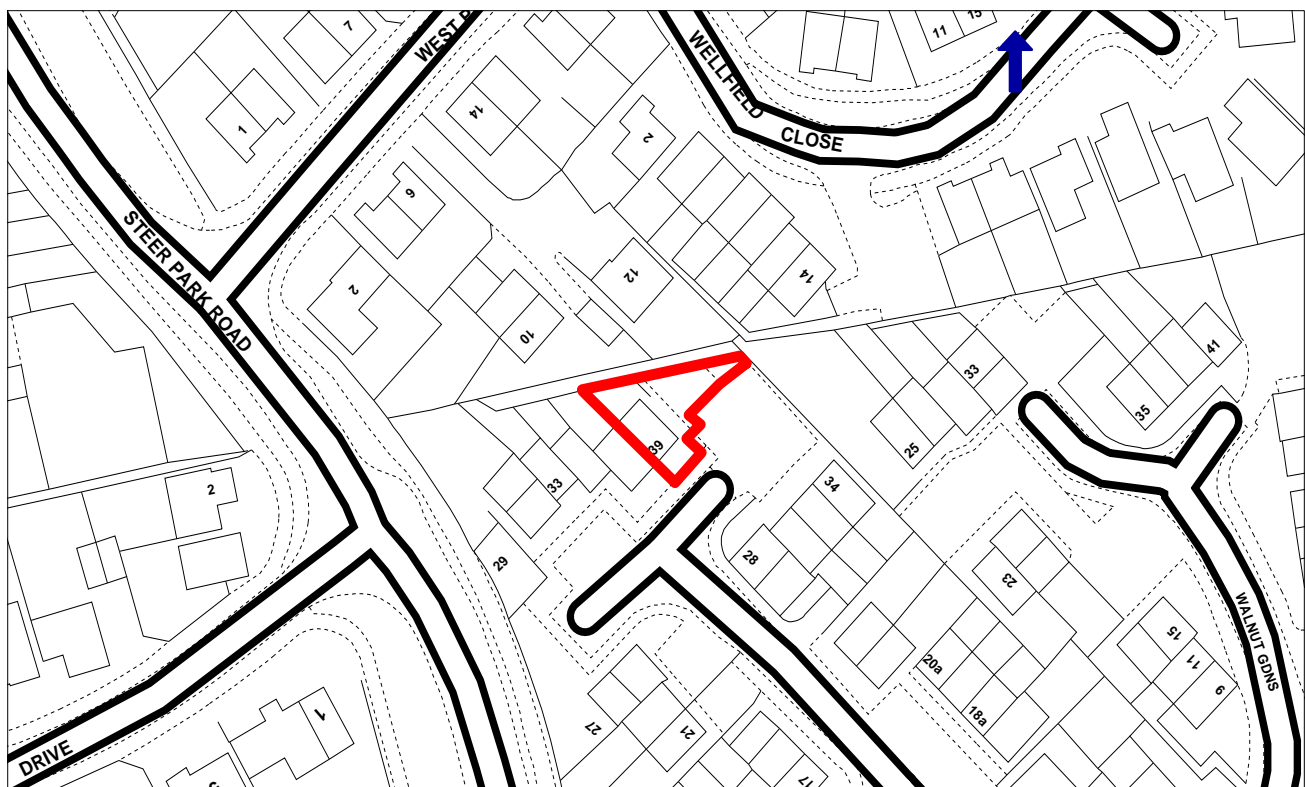


PLANNING APPLICATION REPORT



ITEM: 01

Application Number:	12/02129/FUL
Applicant:	Mr Richard Wood
Description of Application:	Two-storey side extension, diversion of footpath and erection of detached garage.
Type of Application:	Full Application
Site Address:	39 WALNUT DRIVE PLYMOUTH
Ward:	Plympton Chaddlewood
Valid Date of Application:	29/11/2012
8/13 Week Date:	24/01/2013
Decision Category:	Member/PCC Employee
Case Officer :	Mike Stone
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



This Householder application comes before Committee because the agent, Mr Nick Brewer, is an employee of Plymouth City Council.

Site Description

39, Walnut Drive is a two storey end terraced property located at the end of a cul-de-sac. At the side of the house is a narrow tarmaced footpath that provides access to the rear of the short terrace of 5 houses. Next to the path are two parking spaces allocated to the property and finally a small triangle of land formed between the property and the neighbours parking bays.

Proposal Description

Two-storey side extension, diversion of footpath and erection of detached garage.

Pre-Application Enquiry

12/001411/HOU – the design and neighbour impacts were considered to be acceptable, Transport objected to the loss of a parking space.

Relevant Planning History

None.

Consultation Responses

Awaiting responses from Transport

Public Protection Service – recommend approval subject to a condition controlling the hours of construction and demolition.

Representations

None received.

Analysis

The application turns upon policies CS02 (Design), CS28 (Local transport considerations) 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 (SPD) (2010), and the National Planning Policy Framework. The primary planning considerations in this case are the impact on neighbour amenity, the impact on the character and appearance of the area and highway safety.

In August 2012 the applicants submitted a pre-application enquiry for a two storey side extension to be built on the footpath and an existing parking space, diversion of the footpath and construction of a brick shed between the parking bays. This scheme was considered to be acceptable in terms of appearance and neighbour amenity but Transport objected to the loss of a parking space. The current proposal retains the two storey side extension and the relocated path but replaces the brick shed with a garage.

Impact on neighbour amenity

In terms of neighbour amenity the proposed two storey side extension would be built on the side of the house that is well separated from the other properties in the street and would not result in any adverse impact on privacy, overbearing

appearance and loss of light. The properties behind Walnut Drive in West Park Drive are slightly higher and sit on a bank. The upper sections of the proposed garage would be visible from the front garden and living room of 12, West Park Drive. The garden of no. 12 is unenclosed and currently has views of the car park, the turning area and the opposite properties. The section of garage wall that would be visible is not felt to detract from their amenity and could fairly easily be mitigated by the addition of a boundary fence.

The diverted footpath is in the joint ownership of all the occupants of the terrace. As the applicants do not own all the land they are required to serve what is called a Notice No. 1 on the other owners advising them what is proposed and giving them the opportunity to object to the planning authority. The agent advises that this has been done and to date no objections have been received.

Impact on the character and appearance of the area

The SPD states that side extensions should not over-dominate the existing house and should appear subordinate. The proposed extension will have a 2 metre set back in line with the guidance set out in the SPD. The extension is shown on the plans as being 4.5 metres wide which is the same as the main house and this will need to be reduced in order to retain an appearance of subordination. The ridge of the roof is at the same height as that of the main house but given the generous set back, the location at the end of the cul-de-sac and the presence of the much higher neighbour's roof level this is considered to be acceptable.

The proposed extension would be built of similar materials to and follow the design of the main house in accordance with the guidance set out in the SPD.

Highway safety

Awaiting response from Transport.

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

Subject to a satisfactory response from Transport the application is recommended for approval.

Recommendation

In respect of the application dated **29/11/2012** and the submitted drawings Site location plan, block plan, 03, 04, 05, 06, 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, 03, 04, 05, 06

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.

HOURS OF CONSTRUCTION AND DEMOLITION

(3) Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason:

To safeguard the amenities of the occupiers of adjoining properties and to comply with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 of Plymouth City Council's Local Development Framework.

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(1) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant [including pre-application discussions] and has negotiated amendments to the application to enable the grant of planning permission.

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, the impact on the character and appearance of the area and highway safety, 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

CS02 - Design

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012