

# PLANNING APPLICATION REPORT



**ITEM: 01**

**Application Number:** 13/00002/FUL

**Applicant:** Mr William Tall

**Description of Application:** Erection of Juliet balcony to front elevation including change of window to french doors

**Type of Application:** Full Application

**Site Address:** 9 WYNDHAM STREET EAST PLYMOUTH

**Ward:** St Peter & The Waterfront

**Valid Date of Application:** 03/01/2013

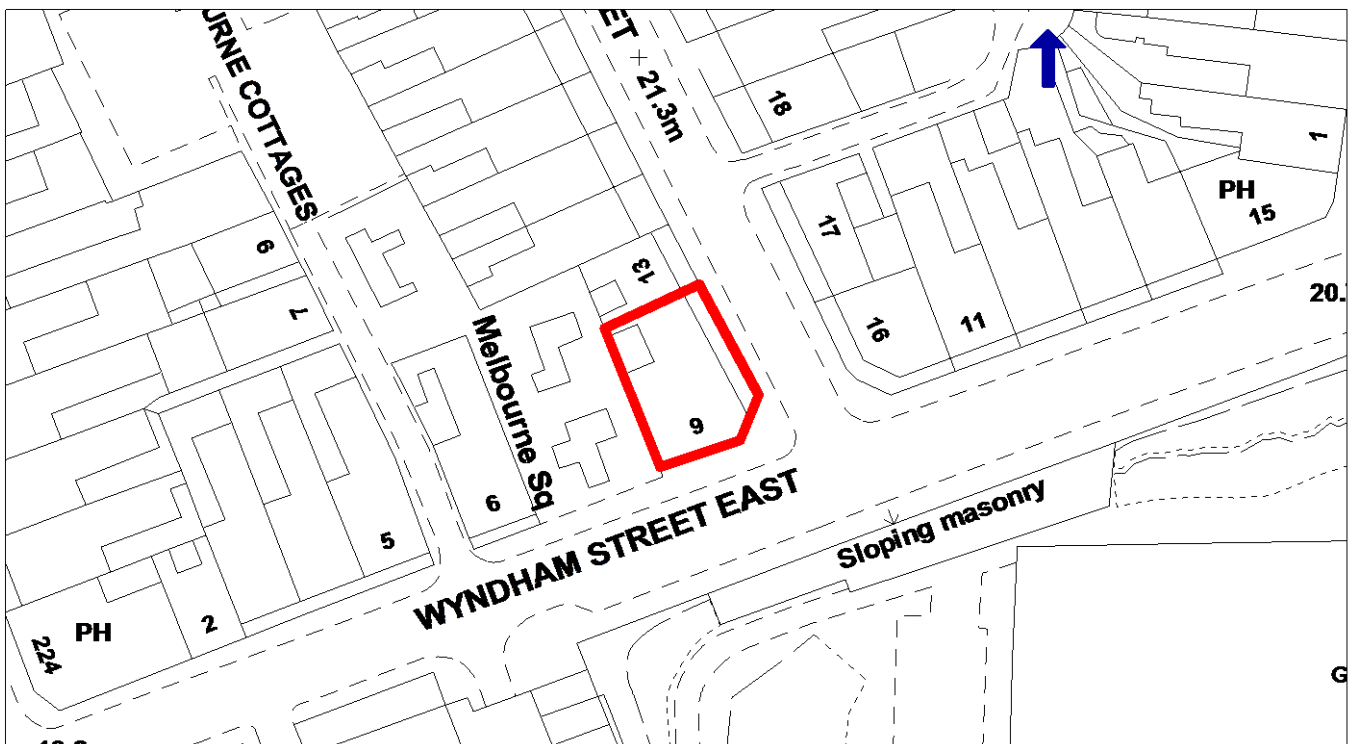
**8/13 Week Date:** **28/02/2013**

**Decision Category:** Member/PCC Employee

**Case Officer :** Rebecca Exell

**Recommendation:** Grant Conditionally. Delegated authority to Assistant Director of Planning to consider any additional letters of representation up until the deadline for comments (5th February 2013) and to agree any alternative decisions in consultation with Chair, Vice Chair and Shadow Chair.

**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



**This report is being referred to committee because the agent is a Plymouth City Council employee.**

### **Site Description**

9 Wyndham Street East is a first floor flat located in the North Stonehouse Conservation area. The property is in use as a corner shop on the ground-floor with a flat above. The property is bounded by neighbouring properties.

### **Proposal Description**

Erection of Juliet balcony to front elevation including change of window to French doors

### **Pre-Application Enquiry**

None

### **Relevant Planning History**

12/02127/FUL- First floor balcony to front elevation. Withdrawn

### **Consultation Responses**

None

### **Representations**

Consultation period until 5<sup>th</sup> February 2013

### **Analysis**

The application turns upon policies CS02 (Design) , CS03 (Historic Environment), 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 the character and appearance of the conservation area.

The property in question is located on a street corner within the North Stonehouse Conservation Area close to the Grade II listed former Non-Conformist Chapel on Wyndham Street East. Although No 9 does not have a great deal of architectural merit it does form an important and very visible part of the local street scene.

The previous application was withdrawn as it was considered by officers that the proposal was incongruous and detrimental to the character of the area and streetscene. This new proposed application for a Juliet balcony is welcomed and takes on board the comments made by officers.

The proposal seeks consent for the addition of a Juliet balcony at first floor level on the south side of the property. The balcony would be rectangle in shape and 1.5 metres long. The base of the balcony would be just less than 4 metres above ground level. The current window will be replaced with French doors.

The Juliet balcony will ensure that the development does not appear unduly prominent when viewed from the street scene. It is considered that the proposed

balcony is sympathetic in form, detailing and materials to the existing property and does not detract from the character and appearance of the area.

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**

No equality and diversity issues to be considered in this case.

### **Conclusions**

Recommended for approval

### **Recommendation**

In respect of the application dated **03/01/2013** and the submitted drawings Site location plan, Block plan, Drawing No 03, Drawing No 04, Drawing No 05, it is recommended to: **Grant Conditionally. Delegated authority to Assistant Director of Planning to consider any additional letters of representation up until the deadline for comments (5th February 2013) and to agree any alternative decisions in consultation with Chair, Vice Chair and Shadow Chair.**

### **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, Drawing No 03, Drawing No 04, Drawing No 05

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.

## BALCONY MATERIALS

(3) No works shall commence until details of the proposed balcony have been submitted to and approved in writing by the Local Planning Authority. The said details shall include the design, method of construction, material and finish of the proposed balcony. The works shall be carried out strictly in accordance with the approved details.

### Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

### INFORMATIVE: CONDITIONAL APPROVAL (NO 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 and has imposed planning conditions 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 the character and appearance of the conservation 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

CS03 - Historic Environment

CS02 - Design

SPD1 - Development Guidelines

NPPF - National Planning Policy Framework March 2012