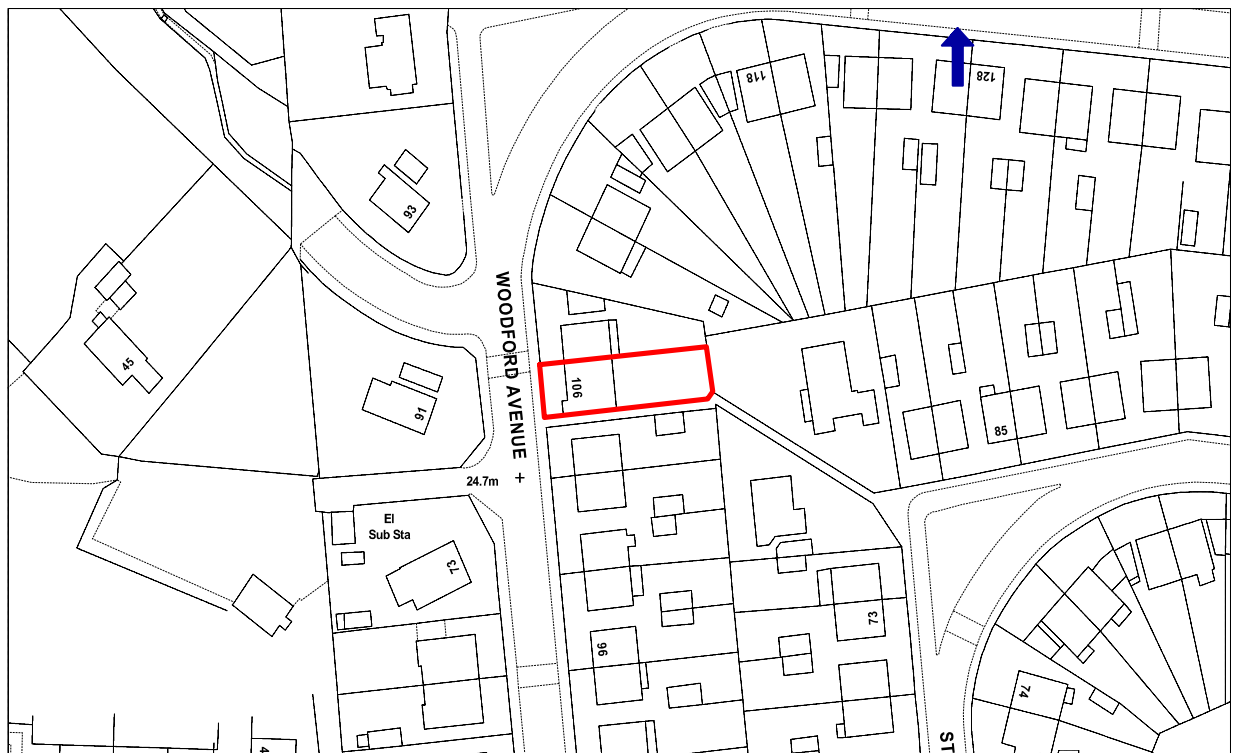


PLANNING APPLICATION REPORT



ITEM: 01

Application Number: 13/01399/PRDE
Applicant: Mr Anthony Hollick
Description of Application: Single storey rear/side extension
Type of Application: LDC Proposed Develop
Site Address: 106 WOODFORD AVENUE PLYMOUTH
Ward: Plympton St Mary
Valid Date of Application: 29/07/2013
8/13 Week Date: **23/09/2013**
Decision Category: Member/PCC Employee
Case Officer : Liz Wells
Recommendation: Issue Certificate - Lawful Use Cert (Ex)
Click for Application Documents: www.plymouth.gov.uk



The application is being brought to committee because the applicant is an employee of the Council.

Site Description

106 Woodford Avenue is a semi-detached residential property in Plympton.

Proposal Description

Single storey rear/side extension.

Pre-Application Enquiry

Informal advice from Duty Planning Officer.

Relevant Planning History

11/00319/FUL - Rear conservatory (existing conservatory to be removed) – GRANTED CONDITIONALLY

90/03152/FUL – Use of dining room and conservatory of dwelling house as childrens play group – REFUSED

92/00924/FUL - Retention of dormer extension. – WITHDRAWN

Consultation Responses

No consultation responses requested or received in respect of this application.

Representations

No letters of representation received in respect of this application.

Analysis

1. This application is for a Lawful Development Certificate in respect of the proposed development. It therefore seeks to confirm that the proposals comply with Class A of Part I of the Schedule to The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.
2. The proposal is described as a rear/side extension as it is positioned to the rear of the garage/utility which are set to the side of the main (two storey) house. Reference to the DCLG Technical Guidance note (Permitted Development for Householders, DCLG, January 2013) confirms that where there is a side extension that extends beyond the rear, it is within the allowance providing it does not extend more than 3 metres beyond any rear wall of the original dwellinghouse.
3. The applicant has confirmed that the property is a single dwelling, although its occupancy was not verified during the site visit.
4. The property is understood to have been built around 1957. Due to the age, the planning consent for the construction of this road of houses has no known condition restricting permitted development rights.

5. The property has an existing flat roofed garage attached to the side with a higher flat roofed kitchen extension towards the rear. Both appear to be extensions to the original dwellinghouse. The existing kitchen extension is flush with the rear wall of the two storey house. The proposed conservatory extension will be attached to the this existing kitchen extension and will protrude beyond the rear wall of the house by 3 metres.
6. Extensions to dwellings are permitted under Class A of Part 1, Schedule 2 of the GPDO subject to provisions. Looking at each provision in turn:
 - a) The property has a good sized rear garden and the total area of curtilage covered by the extensions and outbuildings is calculated to be less than 50% of the total curtilage of the original dwelling. Therefore the 50% rule is not exceeded.
 - b) The height does not exceed that of the main roof.
 - c) The eaves are lower than the existing dwelling.
 - d) The proposed extension does not front a highway.
 - e) The proposed extension extends 3 metres from the original rear wall, is single storey and less than 4 metres in height.
(ea) not applicable to this application.
 - f) Not applicable – only one storey
 - g) Within 2 metres of boundary and does not exceed 3 metres to eaves.
 - h) Is to the side of the main house / behind the garage and does not exceed half the width of the original dwellinghouse.
 - i) Not applicable.
7. The property is not on Article 1(5) land.
8. The conditions set out in A3 would apply, although A2 (b) and (c) are not applicable to single storey extensions. The materials used in the exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance of those used in the construction of the exterior of the existing dwellinghouse. Whilst the proposal is described as a conservatory, it has a solid side wall, and therefore it is considered that this should accord with condition A3 (a).
9. An informative is recommended regarding condition A3 (a).
10. A4 not applicable to this proposal.
11. 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.

Local Finance Considerations

- Section 106 Obligations – not applicable for this application.

- Community Infrastructure Levy – no change for this scheme under the current charging schedule.
- New Homes Bonus – not applicable to this application.

Equalities and Diversities

None.

Conclusions

Reference to the DCLG Technical Guidance note (Permitted Development for Householders, DCLG, January 2013) confirms that where there is a side extension that extends beyond the rear, it is within the allowance providing it does not extend more than 3 metres beyond any rear wall of the original dwellinghouse. (Figure on page 18)

The application for a Certificate of Lawfulness for Proposed Development is recommended to be issued. An informative is recommended regarding condition A3 (a).

Recommendation

In respect of the application dated **29/07/2013** and the submitted drawings site location plan, block plan, Ground floor proposed and existing and proposed elevations dated 23/7/13, it is recommended to: **Issue Certificate - Lawful Use Cert (Ex)**

Conditions

The proposed development is compliant with relevant classes of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 Class A, Part 1, Schedule 2 providing the standard conditions contained in Section A.3(a) are adhered to. The proposal is therefore permitted development (subject to the said standard conditions) and this Certificate of Lawfulness may be issued.

INFORMATIVE: MATERIALS

(1) For clarity and the avoidance of doubt, to comply with in Class A the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.