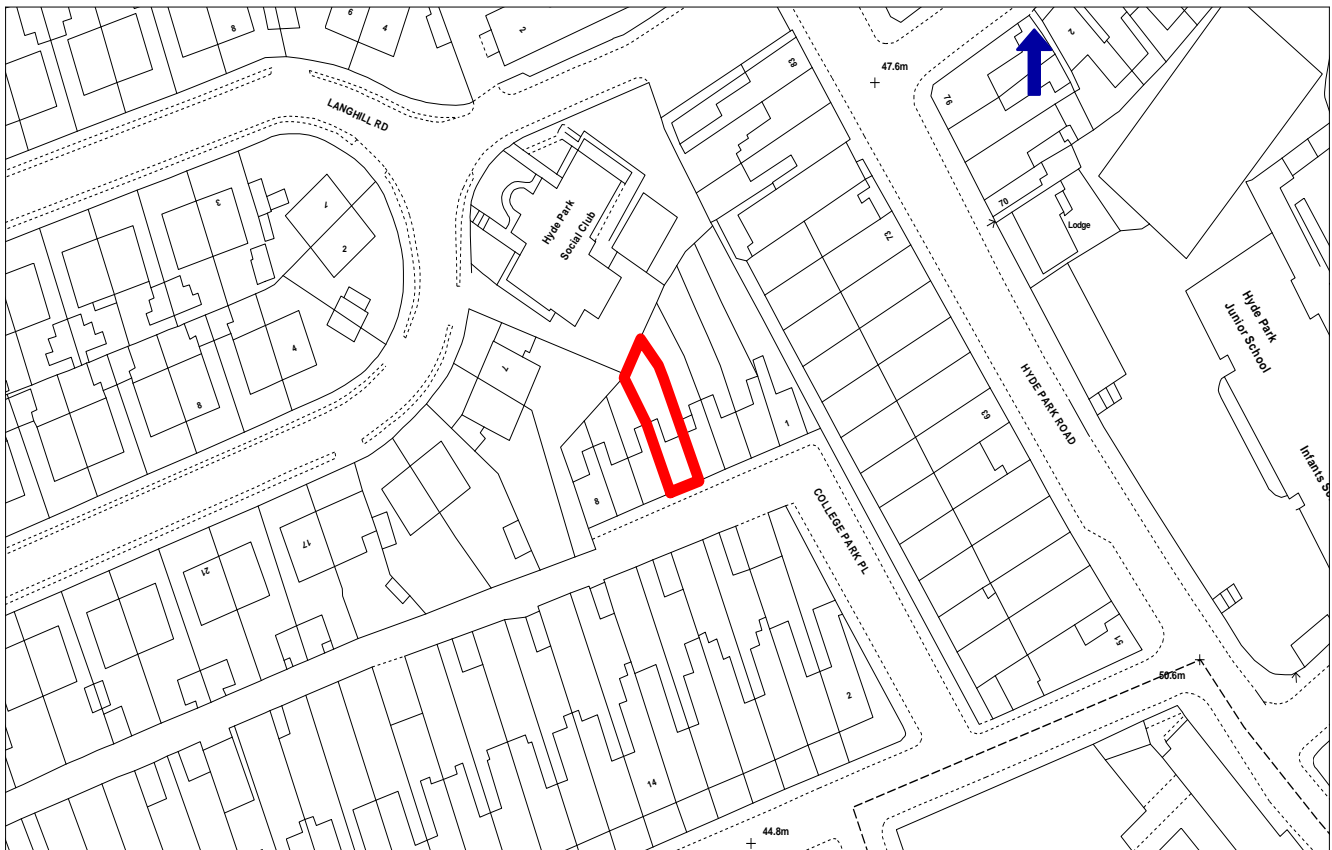


PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 13/01755/FUL
Applicant: Miss Liza Barry
Description of Application: Retrospective application for single storey rear extension
Type of Application: Full Application
Site Address: 5 COLLEGE PARK PLACE PLYMOUTH
Ward: Peverell
Valid Date of Application: 18/09/2013
8/13 Week Date: **13/11/2013**
Decision Category: PCC Employee
Case Officer : Kate Price
Recommendation: Refuse
Click for Application Documents: www.plymouth.gov.uk



This application is before the Planning Committee as the applicant is an employee of Plymouth City Council.

Site Description

5 College Park Place is a two-storey mid-terraced house set within a short terrace of 8 houses located just to the south of the Hyde Park Road area and in the Peverell ward. The road at the front of the property leads to the back-land of other houses in the area. The rear of the property is partially visible in St Gabriel's Avenue.

Proposal description

The application seeks planning permission retrospectively for the retention of a recently constructed rear extension.

Pre-Application Enquiry

None

Relevant Planning History

13/ 01199/OPR - Erection of rear extension - Compliance case.

Consultation responses

South West Water – No objection.

Representations

One letter of objection has been received.

- concerned about the size of the extension
- design of extension not in keeping
- overshadows own property
- not been consulted on building against the party wall.

One letter of support has been received

- similar extensions have been built nearby

1. Analysis

1.1 The application stands to be considered under the National Planning Framework 2013 and policy CS34 (Planning application considerations) of the City of Plymouth Core Strategy 2006-2021 together with supplementary planning document 'Development Guidelines' First Review.

1.2 The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy Guidance issued at National Government level.

1.3 This application has been considered in the context of the Council's adopted planning policy and in the form of the Local Development Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

1.4 The primary planning considerations are the impact on the amenity of neighbours and the impact on the character and visual appearance of the street-scene.

2. Character and Appearance

2.1 The extension projects 4.06 metres from the main rear wall of the dwelling and, at 2.60 metres wide, fills the gap left between the boundary and the existing bathroom lean-to extension, which originally mirrored with the next door (no 6) and with the roof pitched west to east. A smaller pitched-roofed kitchen extension was in place before this new extension was constructed. The height of the extension ranges from approximately 3.30m – 3.50m at the eaves measured from the ground level at the applicant's side of the boundary, and being approximately 3.50m adjacent to the boundary with no 4 College Park Place. The extension has a flat roof, with 2 roof-lights, and over-sails the former pitched roofs to the bathroom and former kitchen extension, which has resulted in the increased height of the extension. The impact on no 6 is less than on no 4, in that the extension is just beyond the existing lean-to to no 6 by approximately 300mm. The impact on no 4 is greater, where no 4 has a small flat-roofed kitchen extension to the rear. Its bathroom, which projects further from the wall of the dwelling, is on the opposite side of its garden to this extension.

2.2 The materials to the walls and windows are of similar appearance to those used in the construction of the exterior of the existing adjacent dwelling-houses in the terrace.

3. Amenity

3.1 The new flat roof does not mirror what was replaced and at its height of 3.50m to the top of the roof, affects the amenity of the neighbouring dwelling no 4.

3.2 The ground level on the side of no 4 is at approximately 0.80m above no 5, the subject of this application, which lessens the overshadowing aspect. Although the impact is not extreme, it is considered on balance that the extension does not comply fully with the Council's guidelines for this form of development and it is considered to have an unreasonable impact on the closest adjacent property.

3.3 To minimise overlooking into the neighbour's garden, no 4, from the new kitchen the applicant proposes to erect a fence so that the boundary treatment is 1.80m high on the neighbour's side. The extension is acceptable in this respect.

3.4 There is no impact on the street-scene at the front and the extension is not readily visible from the rear from the public realm.

4. Other Considerations

4.1 The neighbour's objection regarding lack of consultation by their neighbour prior to building work is a civil matter and not a material planning consideration.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 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 also been assessed alongside the wider community interests, as expressed through third party interests /the Development Plan and Central Government Guidance.

Local Finance Considerations

New Homes Bonus- not applicable to this application

Section 106 Obligations

None

Community Infrastructure levy

Exempt development

Equalities and diversities issues

None

Conclusion

The proposed rear extension is acceptable in plan form but does not sit well with the roof, being flat, when most others to the terrace are double pitched with their neighbour although there are a few smaller flat-roofed extensions too, the height at 3.50m contributes to this effect. For this reason it is recommended that planning permission should be refused.

Recommendation

In respect of the application dated **18/09/2013** and the submitted drawings; Drawing no 1442-PL-001 Existing Plan, section and elevations including location plan; Drawing no 1442-PL-002 Proposed Plan, section and elevations and including site plan, it is recommended to: **Refuse**

Reasons for Refusal

DETRIMENTAL TO RESIDENTIAL AMENITY

(1)The Local Planning Authority (LPA) considers that the proposed rear extension, due to its height close to the property boundary, would result in an unreasonable loss of amenity enjoyed by occupiers of the neighbouring property, 4 College Park Place due to the overshadowing of the neighbour's property and the appearance of the structure. Consequently, the LPA considers that proposed rear extension is contrary to policy CS34 (Planning Application Considerations) of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and to Plymouth's adopted Development Guidelines Supplementary Planning Document First Review 2013.

INFORMATIVE - REFUSAL (WITH ATTEMPTED 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 works in a positive and pro-active way with Applicants and looks for solutions to enable the grant of planning permission. This includes the offer of pre-application discussions to resolve issues of concern to the Council prior to formal submission of a planning application. However in this case the proposal is not sustainable development for the reasons set out and the Council was unable to identify a way of

securing a development that improves the economic, social and environmental conditions of the area.

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(2)The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

Relevant Policies

The following (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, were taken into account in determining this application:

CS34 - Planning Application Consideration

SPDI - Development Guidelines First Review

NPPF - National Planning Policy Framework March 2012