

PLANNING APPLICATION REPORT



ITEM: 02

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:	Member/PCC Employee
Case Officer :	Kate Price
Recommendation:	Grant Conditionally
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This application is before the Planning Committee as the applicant is an employee of Plymouth City Council.

This application was deferred at the 7th November 2013 Planning Committee meeting for further negotiations on modifications to its overall length and height. No consensus was reached at the site meeting although many options discussed. Despite the lack of agreement revised plans have been submitted by the applicant reducing the roof on the boundary with no 4 College Park Place. The plans were re-advertised and the recommendation has changed from refusal to a recommendation for conditional approval as the roof has been altered to lessen the impact on the neighbour. The extension is therefore deemed acceptable with regard to amenity of the neighbour in no 4 College Park Place.

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 together with proposed amendments to the roof over the kitchen to mitigate overshadowing issues with the neighbour in no 4 College Park Place.

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 had been received on the original application (the owner of no 4 College Park Place)

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

One letter of support has been received on the original application

- similar extensions have been built nearby

No letters of representation have been received to date since the re-advertising of the revised drawings.

I Analysis

- 1.1 The application is 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 2013.
- 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.
- 1.5 A site meeting was held on 13th November 2013 between the objector, who is the landlord for no 4, the applicant and the case officer, and various options for reduction of the impact of the extension were discussed. Profiles of these possibilities were outlined on the side of the new extension from the viewpoint of the objector. After this discussion there was no consensus of agreement between the objector and the applicant and the latter submitted revised drawings which were then re-advertised.

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 existing bathroom lean-to extension, which originally mirrored with the next door (no 6) and with the roof pitched west to east. The height of the rear flat part of the extension is approximately 3.50m at the eaves measured from the ground level at the side of the boundary abutting no 4 and has now been reduced on plan to align with the front of the kitchen extension to no 4. The revised proposed pitched roof is now approximately 2.65m to the eaves over the kitchen extension and adjacent to the boundary with no 4 College Park Place- a reduction of approximately 750-800mm. This has been achieved by removing the fanlight over the kitchen door and forming a pitched roof over. The height of the flat roofed part of the new extension has been retained at the original height over the bathroom adjacent to no 6 (width of approximately 2.00m). The impact on no 6 is the same as the original application. The impact on no 4 is now reduced by the proposed reduction of the roof and has lessened both the visual and physical impact.
- 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. The pitched roof will be in slate.

3. Amenity

- 3.1 The revised flat roof, at its height of approximately 3.50m to the top of the roof, and in line with the extension to the neighbouring dwelling no 4, and lowered to 2.65m to the eaves of the pitched roof, now lessens the impact on no 4.
- 3.2 The ground level on the side of no 4 is at least 0.60m above no 5, the subject of this application, which lessens any residual impact of the revised scheme. It is considered on balance that the extension does now comply with the Council's guidelines for this form of development and it is considered to have a less detrimental impact on the closest adjacent property no 4.
- 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 2.00m high.
- 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 owner of no 4's original 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

Equalities and diversities issues

None

Community Infrastructure levy

Exempt development

Conclusion

The proposed revised rear extension is acceptable in plan form and, with the reduced pitched roof at the boundary with no 4, the extension is now acceptable. For this reason it is recommended that planning permission should be granted.

Recommendation

In respect of the application dated **18/09/2013** and the submitted drawings ,it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMPLETE WITHIN 1 YEAR

(1) The development hereby permitted shall be completed before the expiration of one year beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

APPROVED PLANS (RETROSPECTIVE)

(2) This permission relates to the following approved plans:

Existing plans. I442-PL-001 Revision A including location plan

Proposed Plans (Variation to as built) I442-PL-002 Revision A including site plan

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

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

(1)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).

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(2)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 and has negotiated amendments to the application to enable the grant of planning permission.