

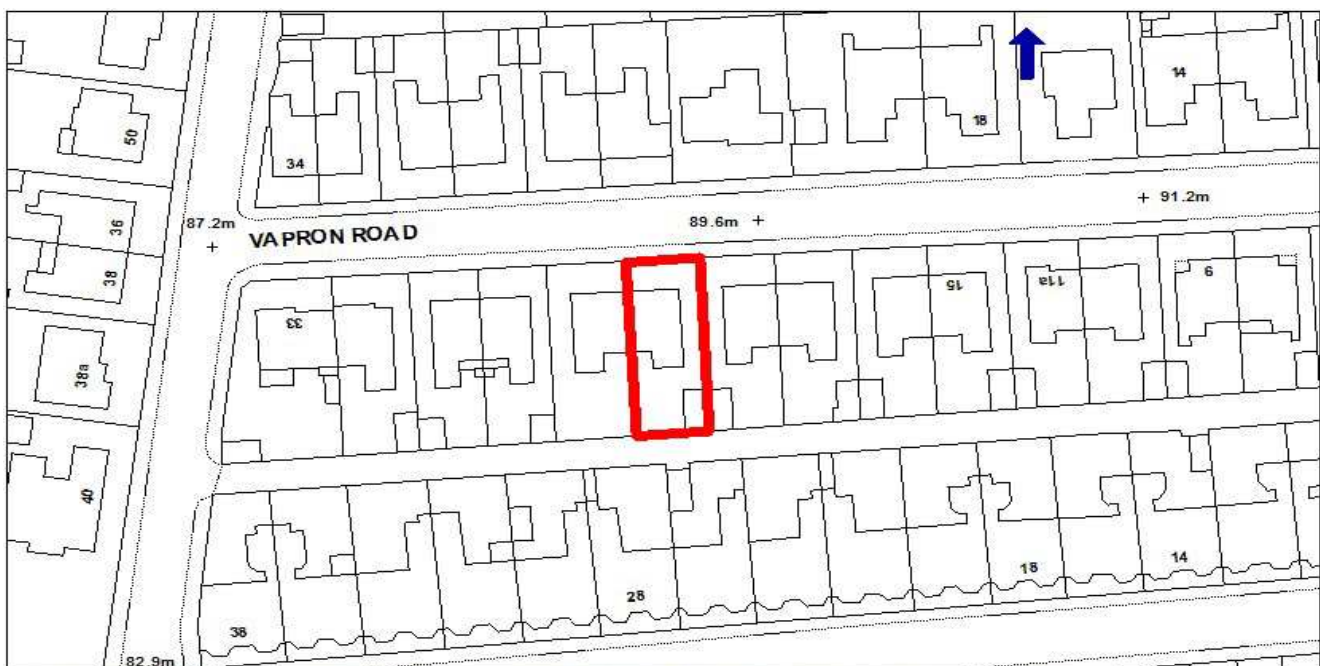
PLANNING APPLICATION REPORT



Application Number	14/01133/FUL	Item	01
Date Valid	26/06/2014	Ward	Compton

Site Address	23 VAPRON ROAD PLYMOUTH		
Proposal	Single storey side extension, including pitched roof over existing flat roof; single storey rear extension and raising of existing decked area.		
Applicant	R Homewood		
Application Type	Full Application		
Target Date	21/08/2014	Committee Date	Planning Committee: 14 August 2014
Decision Category	Member/PCC Employee		
Case Officer	Liz Wells		
Recommendation	Grant Conditionally		

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This application has been brought to Planning Committee because the applicant is a close relative to an employee of the Council.

1. Description of site

23 Vapron Road is a semi-detached residential property in the Compton ward of the city.

2. Proposal description

Single storey side extension, including pitched roof over existing flat roof; single storey rear extension and raising of existing decked area.

The dimensions of the proposed side extension is approximately 2.4m wide and 6.8m long which replaces the existing, smaller, structure to the side. The proposal is to put a lean-to roof, hipped at both front and rear and to incorporate the existing flat roof to the front side of the property. This extension is proposed to create an enlarged kitchen-dinner and change the ground floor layout.

To the rear, the proposal is to replace the existing conservatory structure with solid construction single storey extension of the same footprint (approximately 3m by 2.5m wide), and slightly steeper with lean-to roof with rooflights to improve the living area.

There is an existing raised decking to the rear which sits on top of a former raised patio. The proposal is to raise the level of the decking to bring it closer to the floor level of the house – a rise of approximately 0.4m.

The proposal also involves changing the existing kitchen window to folding-sliding doors which will open out onto the enlarged decking area.

3. Pre-application enquiry

None.

4. Relevant planning history

None. There is a planning record for extension to dwelling house from 1987, reference 87/02518/FUL – GRANTED.

5. Consultation responses

No consultation responses requested or received for this application.

6. Representations

No letters of representation received in respect of this application.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex 1 to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

In addition to the Framework, the following Adopted Supplementary Planning Documents (SPD) are also material considerations to the determination of the application:

- Development Guidelines SPD First Review 2013

8. Analysis

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

The main considerations in assess this application are the impact on the neighbouring residential amenities and the streetscene. The most relevant policy of the Core Strategy is CS34 and the detailed guidance set out in the Development Guidelines SPD.

Is the design acceptable?

The proposed hipped roof to the side will improve the appearance from the existing flat roof at the front, making it more in keeping with the style of main house and matching materials (slate and painted render) are proposed. Officers consider the proposal will improve the streetscene.

The proposed side extension and roof is close to the side of the neighbouring property, no. 21, but officers do not consider that this will result in any unreasonable loss of light or outlook to this neighbour compared to the existing arrangement. No windows are proposed in the side facing this neighbour. The proposed rear window is wider than the existing rear window but officers do not consider that this will lead to an unreasonable loss of privacy to no. 21.

The rear extension will replace the existing conservatory adjacent to the boundary with the neighbouring property, no. 25. The difference in the roof and solid construction is not considered by officers to have an unreasonable impact on the amenity of the neighbouring properties. The properties are south facing at the rear. No windows are proposed in the side elevation facing no. 25.

The proposed decking is slightly higher and larger than the existing decking area and the steps down to the lower patio level relocated. The decking projects approximately 2.5m from the rear extension. Officers have negotiated an amended plan to show the privacy screen to the side of the decking on the boundary with no. 25 to be shown at a height 1.8m from the deck level to mitigate overlooking of this neighbour. The proposed privacy screen is a close-boarded fence. Whilst this privacy screen is higher than existing fence, no. 25 shares the same ground floor level as application site and therefore, officers consider that due to the orientation, height and position the impact on light and outlook to the nearest rear window of no. 25 is reasonable. The privacy screen will impact a small area of the neighbouring garden and officers do not consider it will be overbearing or dominant.

The property to the rear is separated by the service lane and high boundary walls and given this separation, no unreasonable impact is considered to result.

The proposal is therefore considered acceptable subject to the proposed privacy screen being erected and retained as long as the raised decking is there. A condition restricting side windows in the proposed extensions is recommended to protect the privacy of the neighbouring properties because the extensions have a floor level elevated relative to the ground level. Obscured or high level windows only would be acceptable.

9. Human Rights

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.

10. Local Finance Considerations

- New Homes bonus not relevant to this proposal.
- The proposal does not attract a Community Infrastructure charge under the current charging schedule.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

- No planning obligations sought/relevant to this proposal.

12. Equalities and Diversities

None.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically does not result in an unreasonable impact on the neighbouring properties. The proposal is in keeping with the streetscene of Vapron Road. The application is therefore recommended for approval subject to a condition relating to the privacy screen and to restrict future side windows in the proposed extension as detailed above.

13. Recommendation

In respect of the application dated **26/06/2014** and the submitted drawings location I, site plan, existing (plans and elevations), planapp 2 revision a (proposed plans and elevations with notation to boundary fence added 03/07/14, it is recommended to: **Grant Conditionally**

14. 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: location I, site plan, existing (plans and elevations), planapp 2 revision a (proposed plans and elevations with notation to boundary fence added 03/07/14).

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.

PRIVACY SCREEN

(3) The privacy screen on the west side of the raised decking shall be completed in accordance with the details on the plan hereby approved before the decking area is first brought into use and shall thereafter be retained.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

CONDITION: OBSCURE GLAZING FUTURE SIDE WINDOWS

(4) Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), any windows inserted in the side elevations of the proposed side and rear extensions, shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: PROPERTY RIGHTS

(1) Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

INFORMATIVE: 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).

INFORMATIVE: CONDITIONAL APPROVAL (3)

(3)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.