

PLANNING APPLICATION REPORT



Application Number 14/01524/FUL

Date Valid 15/08/2014

Item 01

Ward Compton

Site Address 133 COMPTON AVENUE PLYMOUTH

Proposal Single storey side and rear extension

Applicant Mr David Freeman

Application Type Full Application

Target Date

10/10/2014

Committee Date

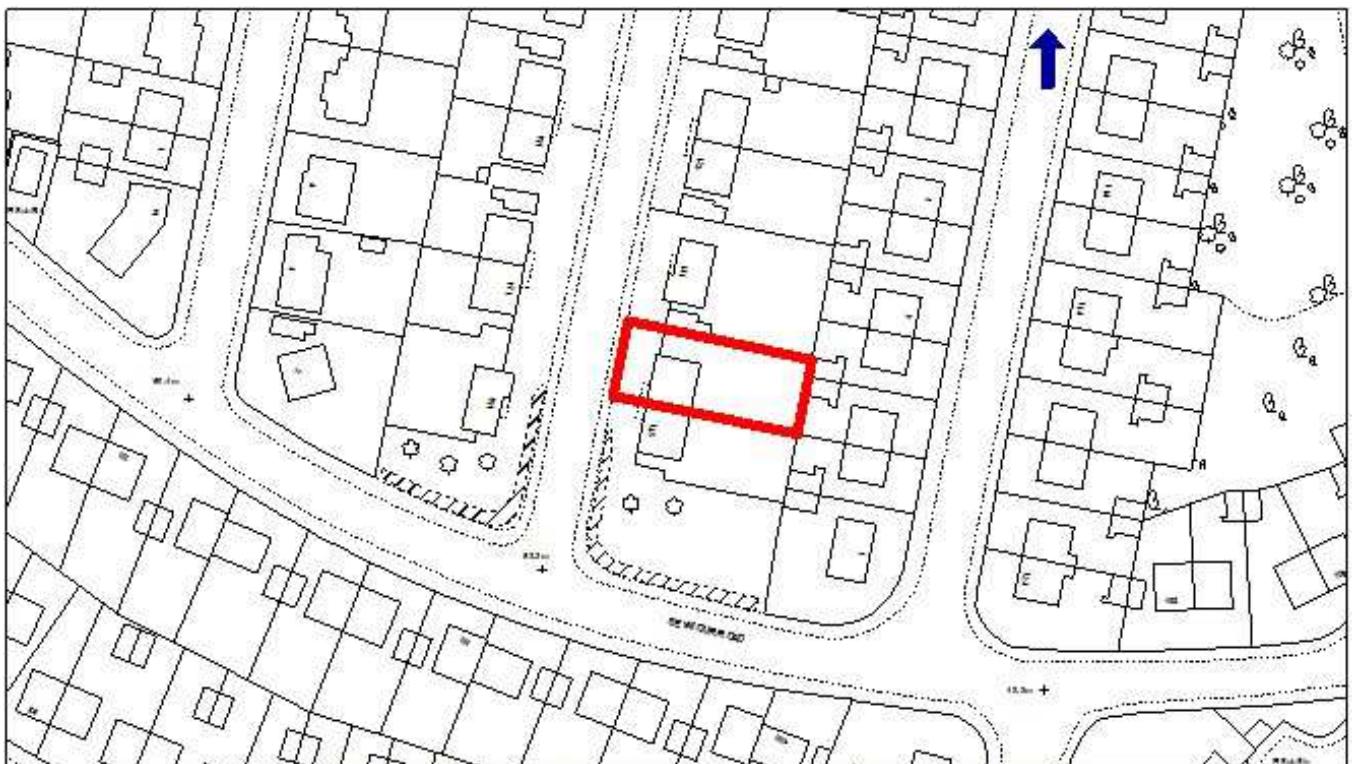
Planning Committee: 25 September 2014

Decision Category Member/PCC Employee

Case Officer Liz Wells

Recommendation Grant Conditionally

Click for documents www.plymouth.gov.uk



The application has been referred to Planning Committee because the applicant's wife is an employee of the Council.

1. Description of site

133 Compton Avenue is a semi-detached house in the Compton area of the city.

2. Proposal description

Single storey side and rear extension.

The proposal is to form additional living/dining accommodation to the rear and a potential bedroom to the side. The design wraps around the side and rear of the house, with a chamfered corner, with a low pitched roof. The proposal projects approximately 3.85m from the rear elevation and 3.3m from the side, is 2.3m to the eaves and 5m at the highest point, measured from the floor level.

The proposed materials are rendered walls and grey, standing seam roof.

3. Pre-application enquiry

None.

4. Relevant planning history

No planning history for this property.

5. Consultation responses

No consultation responses requested or received for this proposal.

6. Representations

No letters of representation received to date – **still in the consultation period at time of writing.**

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

1. Main considerations

1.1 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.

1.2 The main considerations in assessing this application this proposal is the impact on the neighbouring properties amenities and the visual impact on the street.

2. Impact on neighbours

2.1 The proposal comes close to the boundary with the attached neighbour, no. 135. Both houses share the same floor level and no. 135 has a raised patio to the rear with a boundary fence dividing the properties. The proposal lies to the north of that neighbour and by virtue of the modest height and low pitch roof, officers do not considered the property will unreasonable impact the light or outlook to this neighbour.

2.2 The detached neighbour to the north, no. 131, is at a higher ground level and has recently completed a two storey side extension with no windows in the side wall. The proposal will be adequately screened by existing boundary fencing and officers do not considered it will result in any unreasonable impact on the amenity of this neighbour.

2.3 Neighbouring properties to the rear (east) are at a lower ground level. The proposal will come closer to that property but the separation main rear windows and the proposal of over 21m will be maintained in line with the Development Guidelines SPD. Officers do not consider there to be any unreasonable loss of privacy in this instance.

3. Impact on streetscene

3.1 In terms of size and position, the proposal complies with the Development Guidelines SPD, is subordinate and well set back from the front (by 2.5m) and set off the boundary with no. 131 by approximately 1m. It will contrast in style and materials to the existing house to form a contemporary extension but given its position, it will not be dominant viewed from the street and officers do not consider it will result in any harm to this streetscene.

4. Other considerations

4.1 Officers note that the proposal includes a door to the front, however, given the close relationship with the existing dwelling, it is unlikely that this would give rise to an independent unit of accommodation in the future.

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

- No Community Infrastructure Levy (CIL) triggered under the current charging schedule.
- No New Homes Bonus applicable to this proposal.

11. Planning Obligations

- No Planning Obligations sought or considered applicable to this residential extension 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 is not considered to result in unreasonable harm to neighbouring properties amenities and is in keeping with the streetscene. The proposal is therefore recommended for approval as submitted.

13. Recommendation

In respect of the application dated **15/08/2014** and the submitted drawings Winch/DF/LP01/2014, Winch/DF/SP01/2014, Winch/DF/PL01/2014, Winch/DF/PL02/2014, Winch/DF/EL01/2014, Winch/DF/EL02/2014, Winch/DF/EL03/2014, Winch/DF/EL04/2014, Winch/DF/EL05/2014 and Winch/DF/EL06/2014.,it is recommended to: **Grant Conditionally**

14. Conditions

CONDITION: 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: Winch/DF/LP01/2014, Winch/DF/SP01/2014, Winch/DF/PL01/2014, Winch/DF/PL02/2014, Winch/DF/EL01/2014, Winch/DF/EL02/2014, Winch/DF/EL03/2014, Winch/DF/EL04/2014, Winch/DF/EL05/2014 and Winch/DF/EL06/2014.

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.

Informatives

INFORMATIVE: UNCONDITIONAL APPROVAL APART FROM TIME LIMIT AND APPROVED PLANS

(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 [including pre-application discussions] and has granted planning permission.

INFORMATIVE: (2) 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).