

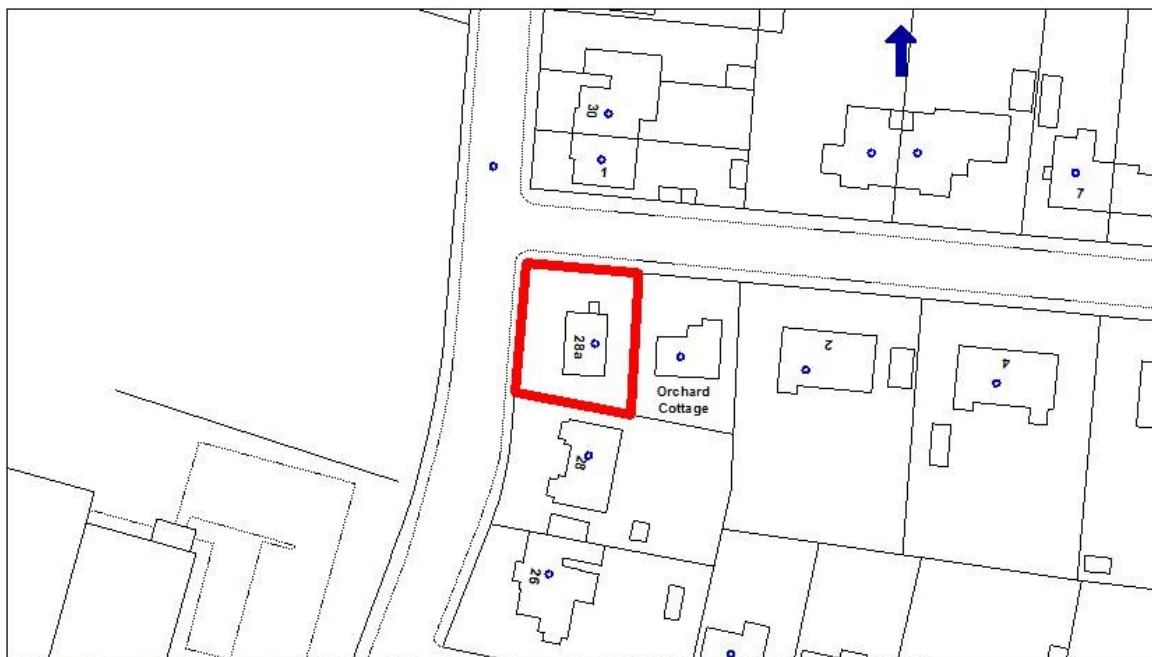
PLANNING APPLICATION REPORT



Application Number	14/01836/FUL	Item	01
Date Valid	29/09/2014	Ward	Plympton St Mary

Site Address	28A MOORLAND ROAD PLYMOUTH		
Proposal	Retrospective application for two storey side extension with smaller set down from ridge		
Applicant	Mrs Christine Auguste		
Application Type	Full Application		
Target Date	24/11/2014	Committee Date	Planning Committee: 20 November 2014
Decision Category	Member/PCC Employee		
Case Officer	Amy Thompson		
Recommendation	Grant Conditionally		

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This application has been referred to Planning Committee as the applicant is an employee of the COUNCIL

1. Description of site

28a Moorland Road is a detached property located in the Plympton area of the city.

2. Proposal description

The application seeks planning permission retrospectively for a two storey side extension with a smaller set down from ridge.

3. Pre-application enquiry

None.

4. Relevant planning history

13/01481/FUL – Erection of first floor extension to side of property.

13/00788/FUL – Single storey extension and front porch, granted.

5. Consultation responses

None.

6. Representations

None.

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 (SPDs) are also material considerations to the determination of the application:

- Development Guidelines SPD First Review 2013

8. Analysis

(1) The application turns upon policies CS02 (Design) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 1st review (2013), and the National Planning Policy Framework. The primary planning considerations in this case are the impact on neighbour amenity and the impact on the character and appearance of the area.

(2) The property is a large detached corner property which fronts onto the classified Moorland Road. The property is surrounded by low boundary walls thus making any proposed extension highly visible from the street scene.

(3) The proposed side extension will measure approximately 4.3 meters by 6.3 meters. The ridge has been set down to approximately 200 mm to achieve subservience from the main dwelling. It is not considered that the extension will have a significant detrimental impact upon the amenity of the neighbouring property to the north as the properties are separated by Ridge Park Road. The proposal will use matching materials and mimic that of the existing. The scale, form and design of the extension will not be detrimental to the visual quality or character of the area.

(4) The extension that was granted permission in 2013 (13/01481/FUL) in this application a set down was agreed however the building was not built in accordance with the set down. It should be noted that a set down is still proposed which is subservient in comparison to the main dwelling. The SPD states that where an extension is set back the roof of the extension should be lower than that of the main house. It is the officer's opinion that the proposal complies with this and is therefore recommended for approval.

(5) In light of its siting, the proposal is not considered to be detrimental to the privacy, light or outlook of any of the neighbouring properties and therefore complies with Policy CS34 of the Core Strategy.

9. Local Finance Consideration

This development is not liable for a Community Infrastructure Levy Contribution.

10. 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.

11. Section 106 Obligations

None.

12. Equalities and Diversities

No equality and diversity issues to be considered in this case.

13. Conclusions

This application is recommended for approval.

14. Recommendation

In respect of the application dated **29/09/2014** and the submitted drawings 013-014-1-B, 013-014-1-D, it is recommended to: **Grant Conditionally**

15. 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: 013-014-1-B, 013-014-1-D

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 and has granted planning permission.

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).