

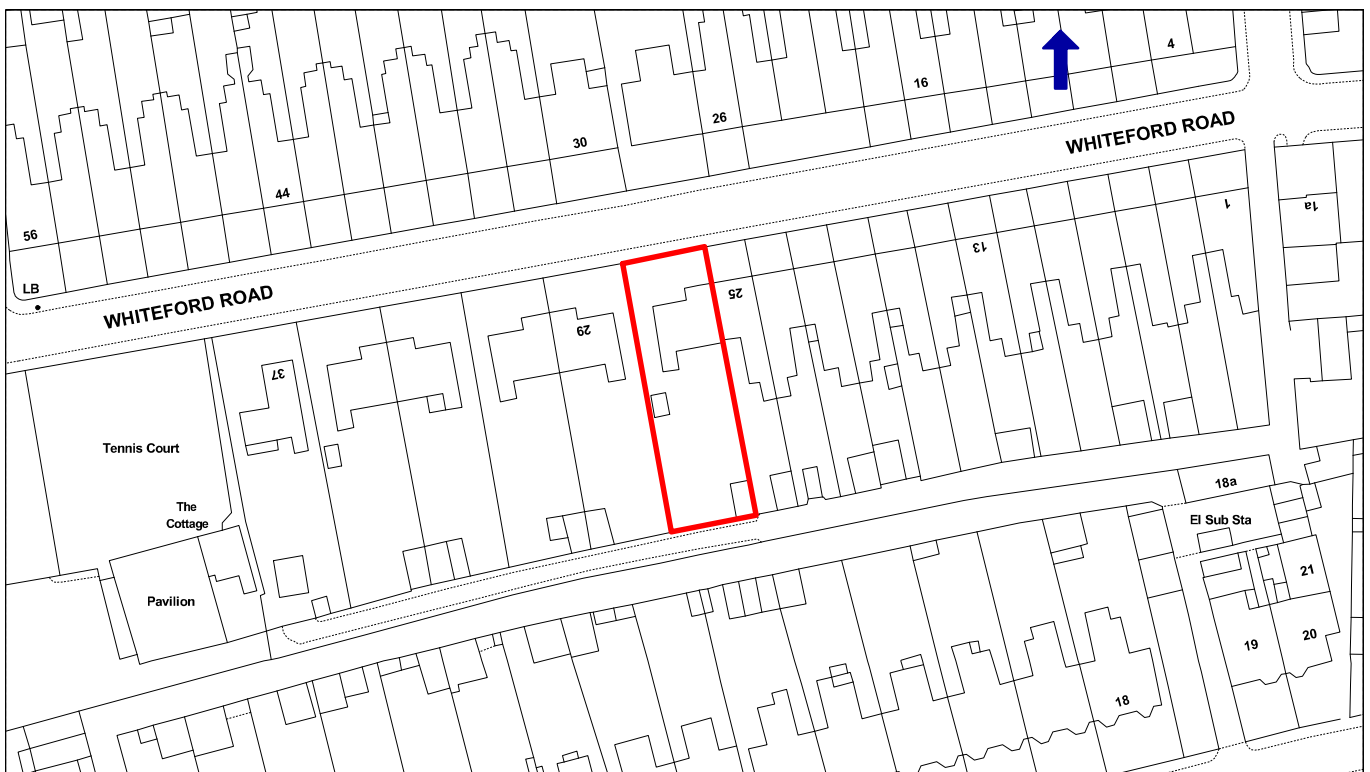
PLANNING APPLICATION REPORT



Application Number	15/00040/FUL	Item	6.1
Date Valid	14/01/2015	Ward	Compton

Site Address	27 WHITEFORD ROAD PLYMOUTH		
Proposal	Single storey rear extension		
Applicant	Ms Tracey Lee		
Application Type	Full Application		
Target Date	11/03/2015	Committee Date	Planning Committee: 12 February 2015
Decision Category	Member/PCC Employee		
Case Officer	Aidan Murray		
Recommendation	Grant Conditionally		

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This Application has been brought before committee as the applicant is an employee of PCC

1. Description of site

27 Whiteford Road is a property located in the Mannamead Area of Plymouth. It lies within the Mannamead Conservation Area.

2. Proposal description

Single Storey Rear Extension

3. Pre-application enquiry

None were sought on this application

4. Relevant planning history

None

5. Consultation responses

None

6. Representations

No Letters of Representation received for 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 development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework

(the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The draft policies of the Plymouth Plan are currently subject to consultation, although the general direction taken by the plan and key issues and options relating to it have been subject to consultation.

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.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Development Guidelines Supplementary Planning Document

8. Analysis

1. The application turns about policy CS02 (design) CS03 (Historic Environment) and CS34 (Planning Application Considerations). This focuses on the design and considerations of the planning application, the effect that it will have on neighbour amenity as well as the design of the proposal upon the conservation area and historic environment of the Mannamead Conservation Area.

Planning Application Considerations

2. The proposal seeks to demolish the existing utility room and decked area to the rear of the property and replace it with a newly proposed kitchen as well as minor internal alterations.
3. The proposed kitchen will extend 4.3metres to the rear, and will run 6.4metres. The proposal also seeks to add decking to the front of the proposed extension.
4. This extension could normally be carried out under Permitted Development Rights, however the fact that the property lies within the Mannamead Conservation Area means that a planning application is required.

Overlooking Issues

5. The dwelling house sits on land which lies approximately 1.8metres above the garden. Officers feel this does not create any overlooking issues as to the side of the property lies shrubs and bushes which provides adequate soft landscaping cover.

6. The proposed extension will replace the existing decking which is currently in situ at the rear of the property. There are no windows proposed in the eastern elevation of the extension and therefore will be no overlooking issues to this side.
7. The application seeks to insert a small window to the westerly elevation of the proposed extension. This should not create any overlooking issues as there are shrubs and bushes located along the side boundary. The window is proposed to be located 1.7metres above the internal finished floor level.
8. The proposal will have an area of raised decking accessed from the new kitchen. This will act as a walkway to the lower terrace on the east. The existing garden wall will be modified to create an additional access to the garden below. As there is already decking in a similar location officers feel the overlooking issues are similar to those that are currently in situ.
9. The proposal seeks to insert a 4metre long folding door located to the rear of the extension. It is felt that, although this door will be made of glass panes this again would not have any adverse overlooking issues to properties to the rear. There is a large garden followed by a service lane to the rear. The SPD suggests 21 metres as being a guideline distance between habitable rooms. There are approximately 40 metres between the proposed extension and the nearest habitable room to the rear of the property.

Design

10. The proposed materials that are going to be used in the construction of the extension are that of a contemporary nature. The finishing will be untreated cedar or larch cladding on the timber frame construction.
11. The use of these materials creates views and juxtapositions which add to the variety and texture of the proposed. Although the proposal is within the conservation area, it is to the rear of the property and not to the front which is the most sensitive elevation and so officers conclude it is considered unlikely to have any significant adverse effect on the character of the conservation area.
12. The position of the kitchen to the rear will allow better physical access and visual links to the south facing garden.
13. It is felt that the proposal is sympathetically designed to take into consideration the views and rights of the neighbouring properties. The rear extension will have no effect on the front elevation of the property and so is deemed 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

The Local Authority deems this Application to be not liable for Community Infrastructure Levy.

11. Planning Obligations

N/A

12. Equalities and Diversities

N/A

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 CS 02 (design) and CS34 (Planning Applications considerations) of the Core Strategy and so should be issued for approval.

13. Recommendation

In respect of the application dated **14/01/2015** and the submitted drawings Existing Elevation (1) DWG No. 1421_P04, Existing Elevations (2) DWG No. 1421_P05, Existing Floor Plans DWG No. 1421_P03, Proposed Elevations (1) 1421_P07, Proposed Floor Plans DWG No. 1421_P06, Proposed Elevations (2) 1421_P08, 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: Existing Elevation (1) DWG No. 1421_P04, Existing Elevations (2) DWG No. 1421_P05, Existing Floor Plans DWG No. 1421_P03, Proposed Elevations (1) 1421_P07, Proposed Floor Plans DWG No. 1421_P06, Proposed Elevations (2) 1421_P08

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 (1)

(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: (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).