

PLANNING APPLICATION REPORT



Application Number 15/00741/FUL

Date Valid 30/04/2015

Item 01

Ward Plympton Erle

Site Address 7 MEADOW RISE PLYMPTON PLYMOUTH

Proposal Erection of conservatory to the rear at first storey level

Applicant Mr Alan Berton

Application Type Full Application

Target Date

25/06/2015

Committee Date

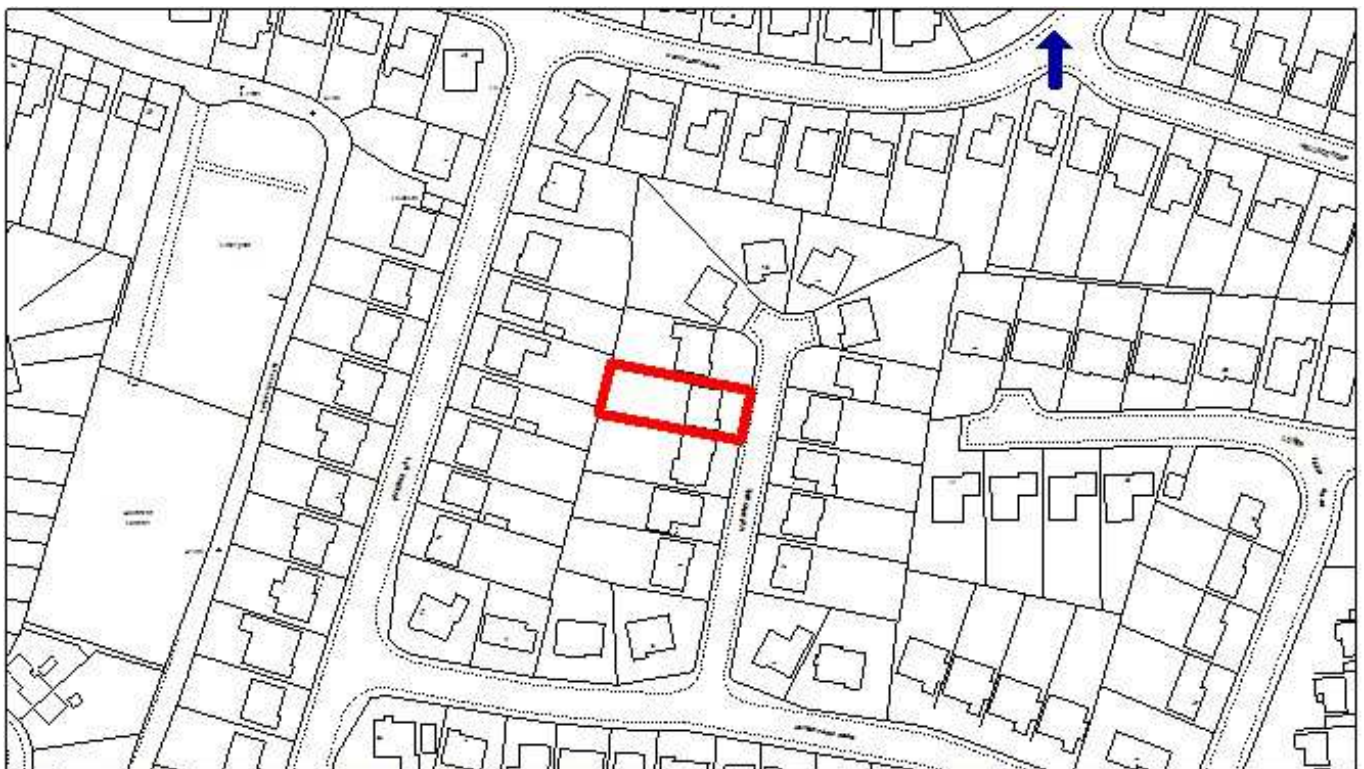
**Planning Committee: 04
June 2015**

Decision Category Member/PCC Employee

Case Officer Alumeci Tuima

Recommendation Grant Conditionally

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1. Description of site

7 Meadow Rise is a detached property located in Plympton. Situated in the Plympton Erle Ward, the rear garden slopes downward West of the property.

2. Proposal description

The proposal is for an erection of a conservatory North West of the property, above an existing patio at first floor level, 4.13 square metres in floor space and 2.5m in height.

3. Pre-application enquiry

None

4. Relevant planning history

I3/00127/FUL: Permission Granted on 1st March 2013.

Two storey rear extension and increase to basement.

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 are also material considerations to the determination of the application:

- Development Guidelines SPD 1st review

8. Analysis

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 CS02 (Design) and CS34 (Planning Application Considerations) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013) and is considered to be compliant with National Planning Policy Framework guidance.
2. The main planning consideration in assessing this proposal is the impact on the amenities of the neighbouring properties and its impact on character and appearance.

Neighbouring Amenities

3. The proposed extension will provide glass and PVC enclosures around the existing patio which is situated above the basement of the property. It is felt that there will be minimal impact in terms of loss of light and privacy on this property as the first floor extension is set away from the boundary line by approximately 3 metres minimizing the impact on the neighbour in terms of loss of light and privacy.
4. It is noted that as a result of its orientation and height, impact on privacy is no more than what already exists from the existing balcony under the previous planning permission.

Character and Appearance

5. The proposed conservatory will be set down from the roof ridge of the existing property, hence subservient the sitting northwards towards the edge of the north facing elevation. The scale, form and design of the extension will not be detrimental to the visual quality of the area.
6. It is not considered that the rear extension will have a detrimental impact upon the neighbouring properties or the character of the area nor impact upon privacy any more than what already exists and is therefore deemed acceptable.
7. The form, detailing and materials of the proposal match the existing dwelling and are not considered to detract from the visual appearance of the surrounding area. The proposal has no significant impact on the neighbouring properties due to its size.

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

Not applicable

11. Planning Obligations

Not applicable

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 is therefore recommended for approval.

13. Recommendation

In respect of the application dated **30/04/2015** and the submitted drawings 840.01, 840.02, 840.03, 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: 840.01, 840.02, 840.03

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.