

PLANNING APPLICATION REPORT



Application Number 15/00780/FUL

Date Valid 06/05/2015

Item 03

Ward Plympton Erle

Site Address 81 UNDERLANE PLYMPTON PLYMOUTH

Proposal Loft conversion with first floor rear extension, hip to gable extension and rear Juliette balcony and creation of hard-standing

Applicant Mr & Mrs T Ripping

Application Type Full Application

Target Date 01/07/2015

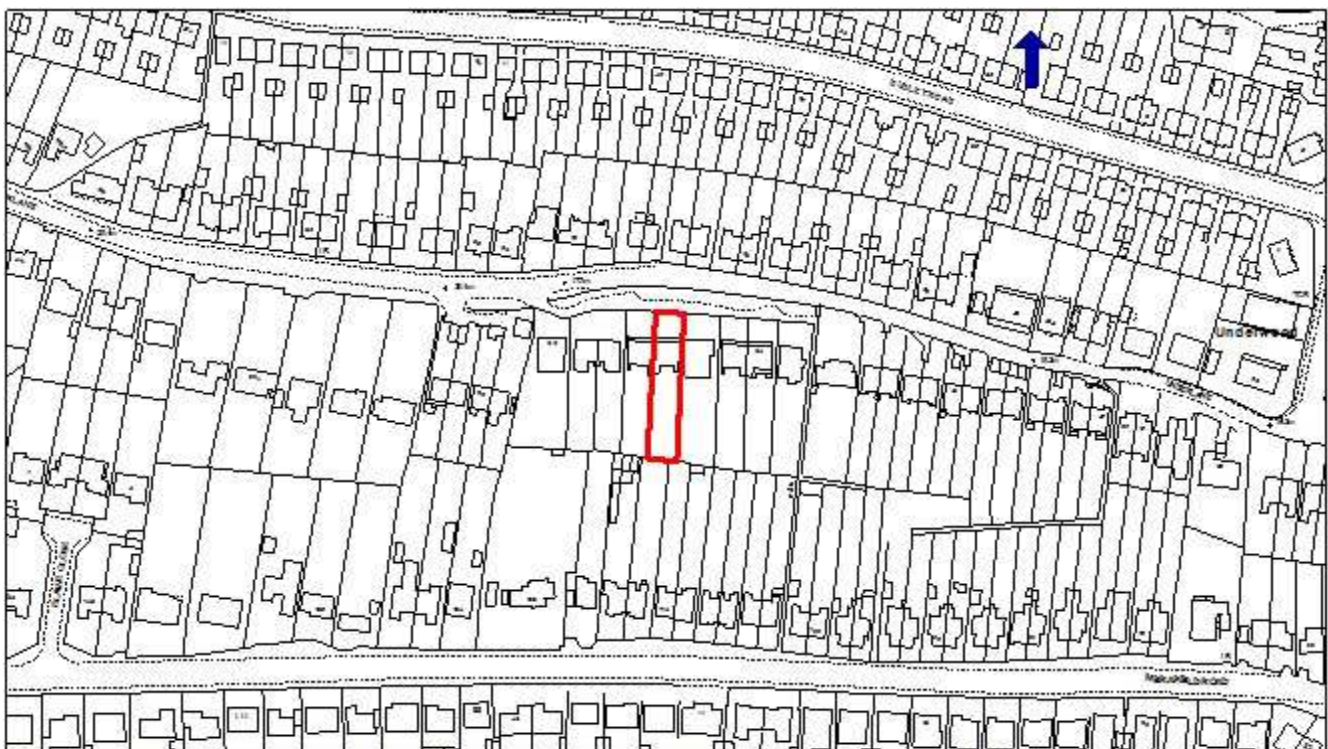
Committee Date Planning Committee: 02 July 2015

Decision Category Member/PCC Employee

Case Officer Opani Mudalige

Recommendation Grant Conditionally

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1. Description of site

Located in the Plympton St Maurice & Yealmpstone neighbourhood, 81 Underlane is a one-storey semi-detached dwellinghouse. The slope of the property increases from the front of the site to the rear boundary. The immediate area is predominately residential.

2. Proposal description

Proposed is the conversion of the loft space by way of a first-floor rear extension, a hip to gable extension and a rear Juliette-balcony. Also proposed is the creation of hard-standing at the front of the property.

3. Pre-application enquiry

No pre-application advice was sought.

4. Relevant planning history

None.

5. Consultation responses

Local Highway Authority – no objection

6. Representations

None received.

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 (January 2015) has been subject to a consultation process and representations received are currently being reviewed. 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).

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 First Review (May 2013).

8. Analysis

1. This application has been considered in the context of the development plan, the emerging Plymouth Plan, 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, the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013), the Framework and other material policy documents as set out in Section 7.
2. The main consideration in assessing this proposal is the impact on the character of the area and building, and on the amenities of neighbouring properties.

Loft Conversion

3. The Development Guidelines Supplementary Planning Document (SPD) advises that rear extensions be "in keeping with the main dwelling and the character of the area". The

proposed first-storey rear extension builds on the existing ground-floor rear extension and while the roof ridge of the proposed extension is slightly higher than the ridge of the existing dwellinghouse, the extension will not be seen from street-scape as the dwellinghouse sits on higher ground than the lane. Additionally as the materials proposed for the extension are similar to the existing dwellinghouse, the rear extension is not considered to impact the character of the building or area.

4. The hip to gable extension is not considered to have any significant impact to the character of the area or building as the lane is made up of dwellinghouses that vary in architectural style.
5. As the rears of the properties along Underlane are south-facing, the proposed first-storey extension and hip to gable extension are not considered to create a significant loss of light to neighbouring properties.
6. The proposed loft conversion proposes a Juliette balcony that has the potential to impact the privacy amenity of neighbouring properties. However with over 21m to the rear boundary, the balcony is not considered to significantly impact neighbour amenity. Additionally no windows are proposed to the side elevations except roof-light windows, which will not impact on the privacy of neighbours.

Hard-standing

7. The Development Guidelines Supplementary Planning Document (SPD) states that proposals for hard-standing need to consider the visual impact. The design proposes soft landscaping between the two retaining walls which will minimise the impact on the streetscape. Additionally as the proposed hard-standing is similar to a number of properties along the lane, including the attached neighbour, the proposal is not considered to impact the character of the area or property. The Local Highways Authority has no objection to this proposal.

Permitted Development Rights

8. To future safeguard the impact of this development on the character of the neighbourhood, certain Permitted Development rights, as it pertains to the roof space, will be removed for this property.

Informative

9. An informative has been included with this recommendation to highlight the requirement to contact the Council's Natural Infrastructure Team if the proposed works may interfere with habitats of bats or breeding birds.

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

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

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 specifically paragraph 14 of the NPPF which states that development proposals that accord with the development plan should be approved without delay. The application is recommended for approval.

13. Recommendation

In respect of the application dated **06/05/2015** and the submitted drawings 1516-SK-01, 1516-SK-02, 1516-SK-03-A, 1516-SK-04-B, 1516-SK-05, 1516-SK-06, 1516-SK-07, 1516-SK-08, 1516-SK-09-A, 1516-SK-10-A, 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: 1516-SK-01, 1516-SK-02, 1516-SK-03-A, 1516-SK-04-B, 1516-SK-05, 1516-SK-06, 1516-SK-07, 1516-SK-08, 1516-SK-09-A, 1516-SK-10-A

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.

Other Conditions

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(3) Notwithstanding the provisions of Article 3 and Class B of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements consisting of an addition or alteration to the roof shall be constructed to the extended dwelling hereby approved.

Reason:

In order to future safeguard the impact on the character of the area and building, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120-123 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1) 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 (NO NEGOTIATION)

(2) 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 imposed planning conditions to enable the grant of planning permission.

INFORMATIVE: NATURAL INFRASTRUCTURE

(3) The proposed works may take place on a building with suitability for bats or breeding birds. Under the Wildlife and Countryside Act (1981), bats and breeding birds are legally protected against disturbance, injury or killing and bat roosts are protected against obstruction, damage or destruction. If bats or a bat roost is present in the building, a licence to carry out the works from Natural England

may be required. For further information please contact Plymouth City Council's Natural Infrastructure Officer on 01752 304229.