

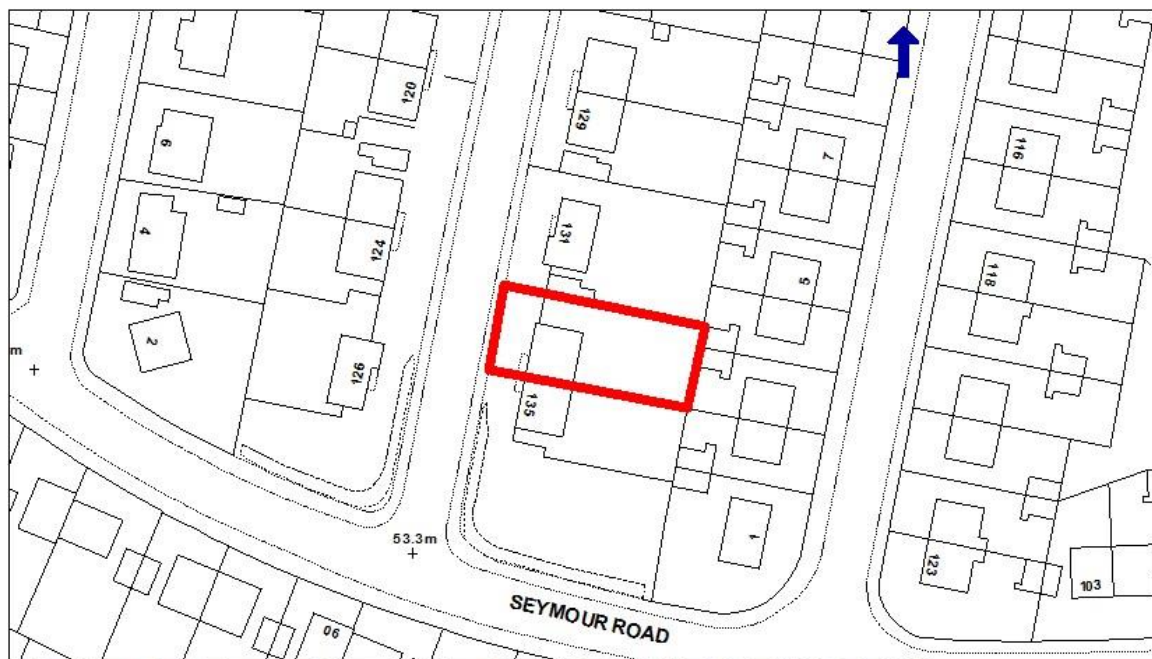
PLANNING APPLICATION REPORT



Application Number	15/02142/FUL	Item	01
Date Valid	26/11/2015	Ward	Compton

Site Address	133 COMPTON AVENUE PLYMOUTH		
Proposal	Single storey rear extension and detached side garage		
Applicant	Mr David Freeman		
Application Type	Full Application		
Target Date	21/01/2016	Committee Date	Planning Committee: 14 January 2016
Decision Category	Member/PCC Employee		
Case Officer	Alumeci Tuima		
Recommendation	Grant Conditionally		

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

1. Description of site

133 Compton Avenue is a semi-detached dwelling located in the Compton neighbourhood. The area is predominantly residential.

2. Proposal description

The proposal seeks a single storey rear extension, detached side garage and an external decking.

3. Pre-application enquiry

None requested

4. Relevant planning history

14/01524/FUL: Single storey side and rear extension: Approved;

13/00865/FUL: Two storey rear extension and replace car port with garage: Approved;

12/01376/FUL: Single storey rear extension, two storey side extension and alterations to front garden including the formation of a vehicle hard standing (amended scheme): Approved;

11/01004/FUL: Single storey rear extension, two storey side extension and alterations to front garden including the formation of a vehicle hard standing : Approved

5. Consultation responses

Transport: No objection except that there will be no further extension to existing footway crossing

6. Representations

No letters of representation 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 was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. 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 a relatively 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

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. 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.
3. The proposed rear extension will form additional Day Room space on the east elevation with dimensions of approximately 3.2m (height) x 6.9m (width) x 3.8m (length), in situ at 0.6m off the adjoining boundary wall to the south of the property. On the north elevation a proposed detached garage, will be constructed for the provision of off road parking including a 'Man Cave' (hobby room) and an adjoining external decking levelled against the existing garage foundation of approximately 0.5 metres height.
4. The rear extension design wraps around the side and rear of the house, mono pitched roof including roof lights and bi folding doors fronting the garden. The separation distance between the rear elevation and the nearest habitable room to the east is approximately 21m

and is deemed acceptable according to Supplementary Planning Guidelines paragraph 2.2.23 which is 21m for a two storey extension.

5. The proposed detached side garage would be approximately 7.6 metres in length and 3.1 metres wide, flat roof and concrete render finish. Given the garage proximity to the boundary wall, a Party Wall Act will be conditioned to safeguard proposed works on shared boundary.
6. The proposed extension is not considered to significantly impact upon the surrounding neighbours amenity. The development does not meet the 45 degree SPD guideline but is considered to be acceptable having taken into account the position and orientation of the proposal and the position and type of neighbouring window.
7. It is not considered that the extension will have a detrimental impact upon the neighbouring properties or the character of the area. 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 and is generally acceptable in appearance.
8. Consultation response from the Transport and Highways Agency to be noted in that there will be no further considerations/approval for an extended vehicle crossing at the property.

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

None

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

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.

14. Recommendation

In respect of the application dated **26/11/2015** and the submitted drawings Winch/DF/EL01/2014; Winch/DF/EL02/2014; Winch/DF/EL03/2014; Winch/DF/EL04/2014; Winch/DF/EL05/2014; Winch/DF/EL06/2014; Winch/DF/PL01/2014; Winch/DF/PL02/2014, 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: Winch/DF/EL01/2014; Winch/DF/EL02/2014; Winch/DF/EL03/2014; Winch/DF/EL04/2014; Winch/DF/EL05/2014; Winch/DF/EL06/2014; Winch/DF/PL01/2014; Winch/DF/PL02/2014.

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: (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: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

(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 granted planning permission.

INFORMATIVE: PROPERTY RIGHTS

(3) Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.