

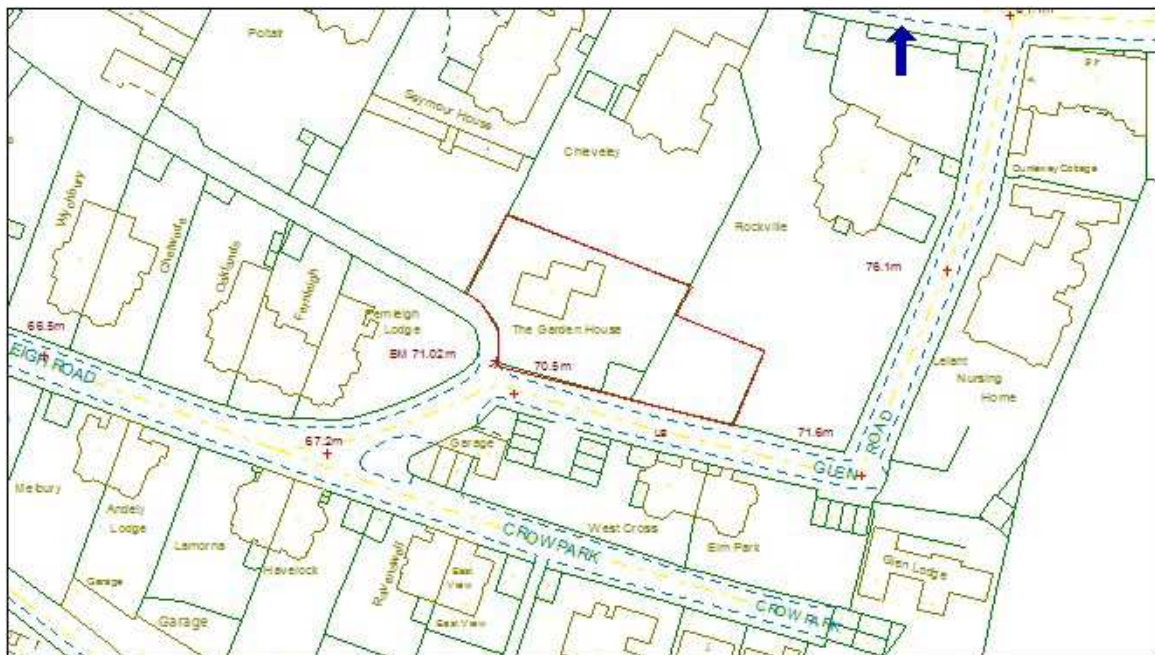
# PLANNING APPLICATION REPORT



<b>Application Number</b>	16/00444/FUL	<b>Item</b>	03
<b>Date Valid</b>	23/03/2016	<b>Ward</b>	Compton

<b>Site Address</b>	THE GARDEN HOUSE, GLEN ROAD, MANNAMEAD, PLYMOUTH		
<b>Proposal</b>	Replace attached garage with garden room		
<b>Applicant</b>	Mr Frederick Hill		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>18/05/2016</b>	<b>Committee Date</b>	<b>Planning Committee: 09 June 2016</b>
<b>Decision Category</b>	Member/PCC Employee		
<b>Case Officer</b>	Amy Thompson		
<b>Recommendation</b>	Grant Conditionally		

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This application has been brought to Planning Committee because the applicant is directly related to an employee of the Council who also resides at the application property.

### **1. Description of site**

The Garden House is a two-storey detached property sited in the Mannamead Conservation Area.

### **2. Proposal description**

Replace attached garage with a single storey, flat roofed extension for use as a garden room.

### **3. Pre-application enquiry**

No formal advice given.

### **4. Relevant planning history**

09/01782/FUL- Provision of pitched roof to replace flat roof on two-storey rear extension- Granted conditionally.

09/01071/FUL- Conversion, alteration and extension of private motor garage, including removal of roof and asbestos cement clad walls, to form private motor garage with storage space in newly-formed roofspace and side area- Granted conditionally.

### **5. Consultation responses**

Historic Environment- Recommends conditions regarding external materials.

Local Highway Authority- No objections.

### **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 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:

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document

## 8. Analysis

(1) This application has been considered in the context of the development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7. 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 1<sup>st</sup> 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 Conservation area.

(2) The Garden House is a modern house in a traditional style located within the Mannamead Conservation Area, but it is not situated close to any listed buildings. At present there is an attached flat roofed garage set back on the north eastern side of the main house. The proposal seeks to remove this garage and replace it with a garden room.

(3) The proposal does not adversely impact on any neighbour's amenity. The property is set well within its own boundary and is surrendered by a high boundary wall. Due to the distance between the neighbouring properties and the proposed extension, the proposal is not considered to have an unreasonable impact on the amenities of the neighbours. The proposal complies with the 45 degree

Supplementary Planning Document guideline that considers the loss of light to neighbouring properties and is not considered to have a detrimental impact on the neighbours outlook or privacy.

(4) The proposal is also considered to be in keeping with the character and appearance of the property and the surrounding Conservation Area. The site is largely screened and the proposal would only be visible from the road directly in front of the property. The proposed garden room will cause a minor change to the appearance of the property as it currently stands. The Councils Historic Environment Officer, recommends that good quality materials be used to complement the existing property, therefore conditions would be added to ensure that details of the proposed doors and windows are submitted and approved. It is noted by the Historic Environment Officer that the existing windows in the main house are 'Crittall' style of metal construction, and it is proposed to use powder coated aluminium for the windows and doors in the new garden room, which is considered appropriate subject to approval of further details.

## 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

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

## 11. Planning Obligations

Not applicable.

## 12. Equalities and Diversities

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

## 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. The application is therefore recommended for conditional approval.

## 14. Recommendation

In respect of the application dated **23/03/2016** and the submitted drawings Site location plan, DRG 7, DRG 3a, DGR 3, DRG 1, DRG 2, DRG 4, DRG 5, DRG 6.,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: Site location plan, DRG 7, DRG 3a, DGR 3, DRG 1, DRG 2, DRG 4, DRG 5, DRG 6.

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.

## **Pre-commencement Conditions**

### **PRE-COMMENCEMENT: FURTHER DETAILS OF WINDOWS AND DOORS**

(3) No development shall take place until details of the proposed windows and doors aspects of the development have been submitted to and approved in writing by the Local Planning Authority. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

To ensure that the development can reasonably accommodate the external materials that are acceptable to the local planning authority.

## **Informatives**

### **INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)**

(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 imposed planning conditions to enable the grant of 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).