

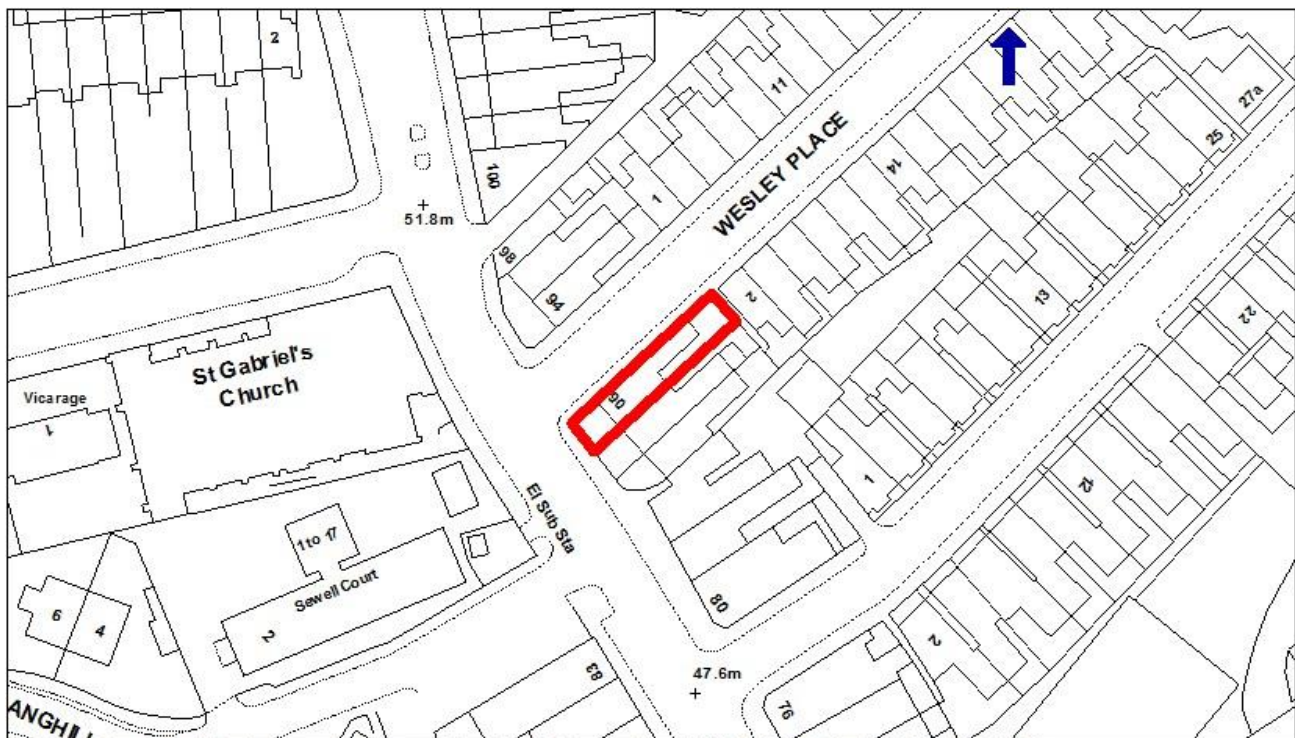
PLANNING APPLICATION REPORT



Application Number	16/00533/FUL	Item	01
Date Valid	12/05/2016	Ward	Peverell

Site Address	90 HYDE PARK ROAD PLYMOUTH		
Proposal	Retrospective application for external wall insulation on side elevation		
Applicant	Miss Natalie Robertson		
Application Type	Full Application		
Target Date	07/07/2016	Committee Date	Planning Committee: 07 July 2016
Decision Category	Member/PCC Employee		
Case Officer	Chris Cummings		
Recommendation	Grant Conditionally		

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This application has been referred to Planning Committee as the applicant is an employee of Plymouth City Council

1. Description of site

90 Hyde Park Road is an end terrace 2-storey dwelling house in the Peverell ward of Plymouth. It is situated on the corner of Hyde Park Road and Wesley Place, with the side elevation fronting directly onto Wesley Place.

2. Proposal description

Retrospective application for external wall insulation on Wesley Place side elevation only.

3. Pre-application enquiry

None

4. Relevant planning history

16/00284/OPR – Planning compliance case - External wall insulation – Current investigation.

5. Consultation responses

Local Highway Authority – Impact of impinging on the public footpath and public realm, on land that is outside of the applicant's control. The external wall cladding compromises the safe use of the public footway. Object to the application, unless cladding is situated 2.4 metres above the surface of adjacent footway.

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 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. External wall insulation for a single-family dwelling such as this can be primarily dealt with under permitted development. However, the side elevation of this property faces directly onto Wesley Place so planning permission is required. External wall insulation has been applied only to this elevation.

Sustainability

3. External wall insulation is a widely used method of improving the thermal efficiency of buildings. This proposal supports Core Strategy Policy CS20 (Sustainable Resource Use), reducing the energy consumption of the property.

Design

4. The installed external wall insulation extends approximately 10 cm from the existing side elevation, with a render finish. It has been rendered grey, matching the colour of the other elevations. There is a small gap at the rear of the external wall insulation separating it from the pavement. There was an existing BT service cabinet positioned adjacent to the side

elevation, and the external wall insulation has gone around this, leaving a gap to allow access to the box. The existing streetscene on Wesley Place has a mix of render types along the street, limiting impact of this application's render. Despite the inset area surrounding the BT box, the cladding is not considered to significantly impact on the visual aspects of the streetscene.

Amenity

5. As advised by the Local Highways Authority the footway in Wesley Place is of the older standard width of 1.8 metres wide, while the new regulations are 2 metres. There is a BT service cabinet situated in the footway close to the wall of the house and the insulation has been fitted around the outside of the cabinet, which could cause difficulties should the cabinet need to be altered or upgraded to a different size. This is a consideration that speculates about possible impacts, rather than a confirmed material impact caused by the development.
6. The Local Highways Authority also advised that the cladding could harm the utility and safety of the local highway and object to the application. However, the external wall insulation only protrudes 10cm, covering the whole of the side elevation. Properties on Wesley Place face directly onto the pavement and have assorted cladding types, including pebbledash, so this protrusion is not considered to produce a significant impact on the existing highway safety.
7. The Local Highways Authority recommended that if approved the external wall insulation should be restricted to the first floor only, 2.4 metres from the surface of the public highway. This amendment is not considered appropriate as it would create a visually unusual side elevation and would be harmful to the appearance of the street.
8. Despite some very limited impact on the amenity of the area, the overall benefits of improving the energy efficiency of the existing property, in line with Paragraph 95 of the NPPF. These improvements, alongside the limited design impacts, are considered to outweigh the matters raised by the Local Highways Authority. As such, the application is recommended for approval.

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

No charge under current schedule

11. Planning Obligations

No planning obligations have been sought:

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 recommends approval.

14. Recommendation

In respect of the application dated **12/05/2016** and the submitted drawings Site location plan, site plan, sectional plans, pre-work photographs, post-work photographs, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, site plan, sectional plans, pre-work photographs, post-work photographs.

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 (as amended).