

PLANNING APPLICATION REPORT



Application Number 16/02042/FUL

Date Valid 24/10/2016

Item 02

Ward Compton

Site Address 19 ROCKINGHAM ROAD, PLYMOUTH

Proposal Pitched roof above existing two storey side extension with first floor infill

Applicant Mrs Teresa Reed

Application Type Full Application

Target Date

19/12/2016

Committee Date

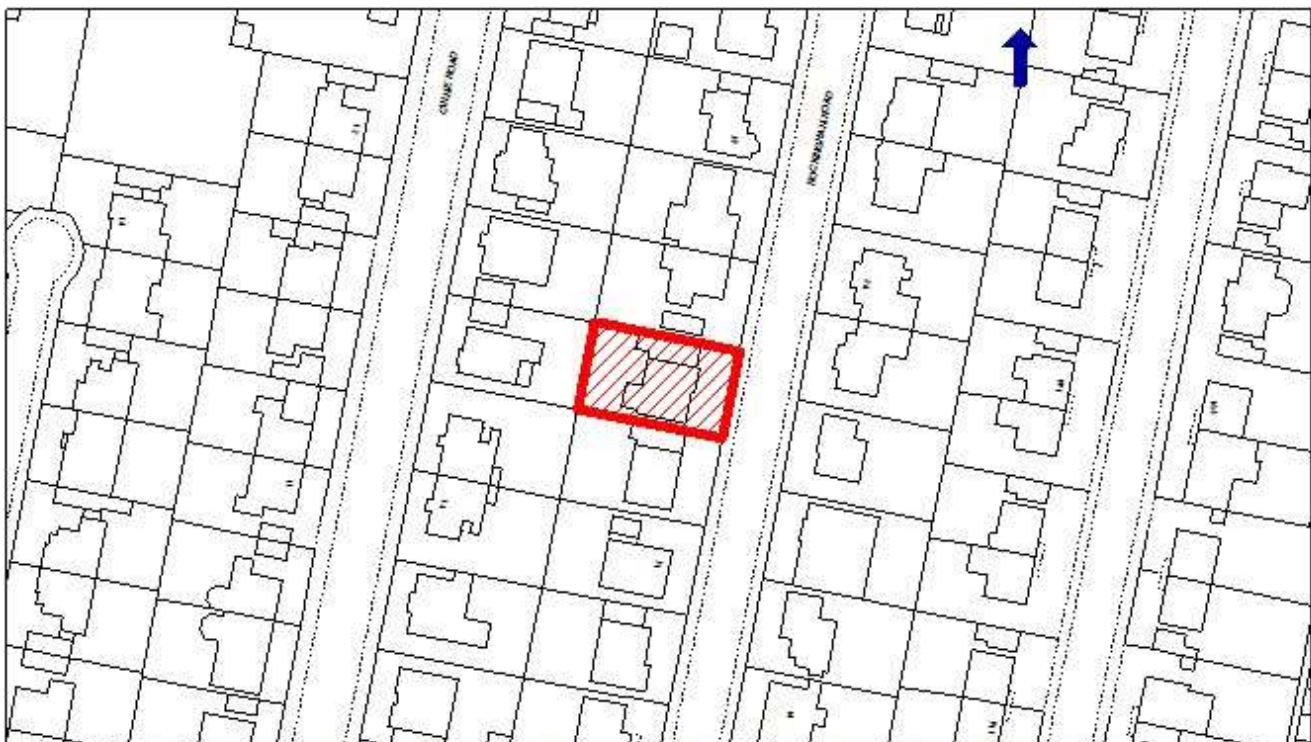
Planning Committee: 24
November 2016

Decision Category Member/PCC Employee

Case Officer Alumeci Tuima

Recommendation Grant Conditionally

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This application is being brought to Planning Committee because the applicant is an employee of Plymouth City Council.

1. Description of site

19 Rockingham Road is a two storey detached dwelling located in Compton.

2. Proposal description

The proposal seeks a pitched roof above an existing two storey side extension with first floor infill.

3. Pre-application enquiry

None requested

4. Relevant planning history

04/00125/FUL- Single-storey extension to rear of garage to provide family room - Conditional Approval.

5. Consultation responses

None requested

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. 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 its impact on neighbouring amenity and the impact on the character and appearance of the area.
3. The site is located to the east of Rockingham Road and the topography slopes toward the north. Predominantly residential, it features properties with varied designs, form and layout. To the side of the dwelling, a first floor extension is in situ with a flat roof that is set down in relation to the existing roof height and set back from the principle elevation by approximately 2 metres.
4. The proposal seeks to alter the side extension to construct an infill at first floor level of approximately 2m (width) x 1m (depth) and to raise the height of the first floor extension by approximately a metre with the inclusion of a pitched roof. It will be set down from the original roof ridge and set back from the principle elevation. The proposal is in keeping with the original form of dwelling.
5. Officers note that there is precedence in the area for similar minor householder developments and consider that the proposal is compliant with *Development Guidelines, Supplementary Planning Document (2013)*, (SPD) paragraph 2.2.48 which states that the

extension should be 'subordinate and appears less important than the original dwelling'. It also ensures maximising available daylight and sunlight without compromising neighbouring amenity through loss of light, privacy or outlook. Officers consider that the proposal complies with those guidelines.

6. Upon assessing the application it is noted that the development complies with the 45 degree SPD guideline paragraphs 2.2.33 and 2.2.34 and is considered to be acceptable having taken into account the position and orientation of the proposal, the position and the type of neighbouring window.
7. The proposed works would not unreasonably impact upon the neighbouring properties or the character of the area. The form, detailing and materials of the proposal match the existing features of the dwelling and are not considered to detract from the visual appearance of the surrounding area.
8. Officers consider that the proposal complies with Core Strategy Policy CS02 and parts 4 and 6 of Policy CS34 and 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

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

11. Planning Obligations

No planning obligations have been sought in respect of this matter.

12. Equalities and Diversities

There were no equalities and diversities issues.

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 planning policy, the development guidelines SDP and national guidance and specifically policies CS02 (Design) and CS34 (Planning applications considerations) and 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.

14. Recommendation

In respect of the application dated **24/10/2016** and the submitted drawings Site Location Plan 19RR-01, Block Plan 19RR-01, Existing Plans 19RR-03, Proposed Plans 19RR-04, Existing Elevations 19RR-05, Proposed Elevations 19RR-06, Existing and Proposed Roof Plans 19RR-07, 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 19RR-01, Block Plan 19RR-01, Existing Plans 19RR-03, Proposed Plans 19RR-04, Existing Elevations 19RR-05, Proposed Elevations 19RR-06, Existing and Proposed Roof Plans 19RR-07.

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: 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: 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.