

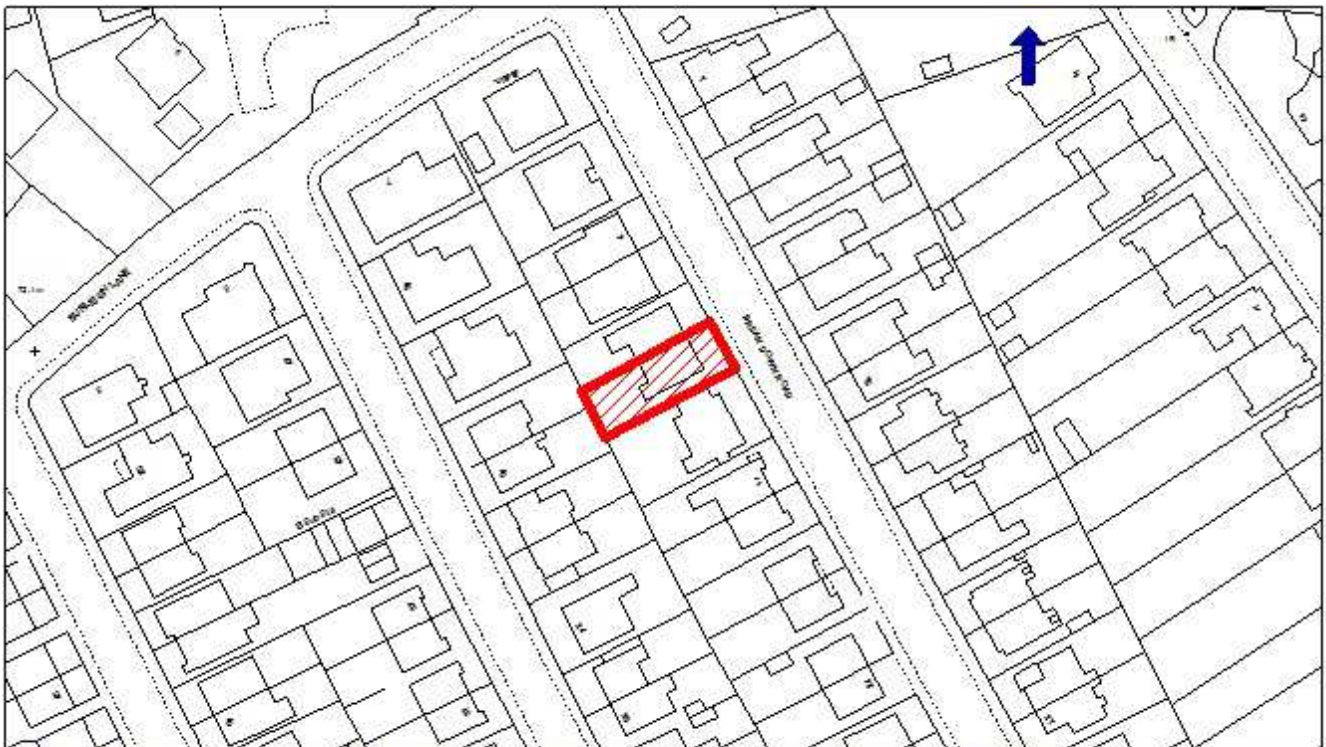
PLANNING APPLICATION REPORT



Application Number	16/01797/FUL	Item	03
Date Valid	19/09/2016	Ward	Peverell

Site Address	10 BREAN DOWN ROAD, PLYMOUTH		
Proposal	Rear extension		
Applicant	Mrs Katrina Houghton		
Application Type	Full Application		
Target Date	14/11/2016	Committee Date	Planning Committee: 24 November 2016
Decision Category	Member/PCC Employee		
Case Officer	Mike Stone		
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

The property is located in Brean Down Road about 50 metres from the junction with Burleigh Lane. From the front the property appears to be a conventional two storey semi-detached dwellinghouse. Ground levels fall away steeply at the back to create a lower ground floor level in use for storage only. At the rear of the house is a small extension that runs from the ground floor to the lower ground floor and covers roughly a third of the width of the house. There are steps leading from the extension to an area of raised decking and down to the garden.

2. Proposal description

Rear extension. The new extension would be at the lower ground floor level and would run the full width of the house. It would feature a green sedum flat roof and would include a barrel vaulted roof light and a wood burning stove flue. It would be 3.5 metres deep, 5.2 metres wide and 2.0 metres high. Large glass patio doors would open on the garden.

The drawings also show that external wall cladding is proposed but this does not form part of the application as this can be carried out under permitted development rights.

3. Pre-application enquiry

16/00259/HOU - Extend lower ground floor and first floor and remove existing extension (42 sqm) - Any works at the lower ground floor level are unlikely to have any impact on neighbours in terms of loss of privacy or light. Development on the ground floor would need to be designed to protect the amenity of neighbours at the side as discussed in the report. It would be advisable to include in any future application the existing raised decking in order to regularise that use.

4. Relevant planning history

06/01245/FUL - Single-storey side extension with decking and associated works – Granted conditionally.

06/00902/PRDE – construction of gable wall – Issue certificate.

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 First 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. Impact on neighbour amenity.**

No letters of objection have been received. There is high close boarded timber fencing on either side of the subject property. Due to the way that ground levels fall away from front to back the bulk of the new extension would be set below the level of the boundary fence.
4. Removal of the existing raised decking will remove a source of overlooking of neighbours. The new flat roof would be some distance below the existing large windows but an informative stating that it cannot be used as roof terrace is recommended to protect neighbour amenity.
5. The top of the roof and the flue would be visible but officers do not consider that this presents any concerns to neighbour amenity due to the relatively small scale of the development and the distance away.
6. At the rear there is a high close boarded fence running along the boundary that will mitigate any impact on the residential properties behind.
- 7. Impact on the character and appearance of the area.**

The works would be at the rear of the property and would not be visible from any public areas.
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

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.

No planning obligations have been sought in respect this matter.

12. Equalities and Diversities

There are 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, supplementary planning guidelines 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 **19/09/2016** and the submitted drawings 01, 02, 03, 04, 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: 01, 02, 03, 04.

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 including pre-application discussions 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).

INFORMATIVE: ROOF TERRACE

(3) Approval of the rear extension does not give consent for it to be used as a roof terrace.