

PLANNING APPLICATION REPORT



Application Number	16/01806/FUL	Item	01
Date Valid	07/10/2016	Ward	Plympton St Mary

Site Address	17 RHODES CLOSE PLYMOUTH		
Proposal	Two storey side and rear extension		
Applicant	Mr Steven Didymus		
Application Type	Full Application		
Target Date	02/12/2016	Committee Date	Planning Committee: 15 December 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 a spouse of an employee of Plymouth City Council

1. Description of site

17 Rhodes Close is a semi-detached dwelling located within a cul de sac linked to Efford Crescent in a predominantly residential area. To the north of the site, the property backs onto a woodland within the Plympton St Mary neighbourhood.

2. Proposal description

The proposal seeks permission to construct a two storey side extension and a single rear extension.

3. Pre-application enquiry

None requested

4. Relevant planning history

11/01871/FUL- Front porch with extension to garage and pitched roof over, Conditional Approval;

07/01615/FUL- Loft conversion including side dormer window to roof, Conditional Approval;

05/00650/FUL- Two-storey side extension (existing porch to be removed), Conditional Approval.

05/00274/FUL- Pitched roof to replace flat roof to two-storey side extension, 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 elevated at approximately 45 degrees above street level and gradually slopes upward toward the rear garden. The same row of houses along the east of Rhodes Close are generally the same gradient with slightly varied building lines as the road bends toward the end of the cul-de-sac.
4. The proposal seeks to construct a two storey side extension and a single storey replacement rear extension. The two storey side extension will be set down from the original dwelling providing additional kitchen and utility at ground floor and a new en-suite bedroom at first floor level. The rear extension replaces the existing conservatory and wraps the existing rear wall, creating a new sitting room with bi-folding doors fronting the rear garden. With the

proposed design and materials, the rear extension is not considered to impact on neighbouring amenity.

5. Officers also note that one new and replacement window will be installed at ground floor level on the northern (side) elevation, maximising natural light. This will ensure compliance with *Development Guidelines, Supplementary Planning Document (2013)*, (SPD) paragraph 2.2.18 -2.2.19 for achieving a unified exterior to correspond with the existing dwelling and ensure maximising available daylight and sunlight without compromising neighbouring amenity through loss of light, privacy or outlook. It is to be noted that there is precedence in the area for a two storey side elevation.
6. 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 and the position and type of neighbouring window.
7. Officers consider that the rear extensions will not 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. The proposal has no significant impact on the neighbouring properties due to its size and is generally acceptable in appearance.

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 required

11. Planning Obligations

None required

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 conditional approval.

14. Recommendation

In respect of the application dated **07/10/2016** and the submitted drawings Existing Floor Plans 07102016, Existing and Proposed Elevations rev A, Proposed First Floor Plan 20092016, Proposed

Ground Floor Plan 20092016, Site Plan 20092016, Site Location Plan, 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: Existing Floor Plans 07102016, Existing and Proposed Elevations rev A, Proposed First Floor Plan 20092016, Proposed Ground Floor Plan 20092016, Site Plan 20092016, Site Location Plan.

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.