

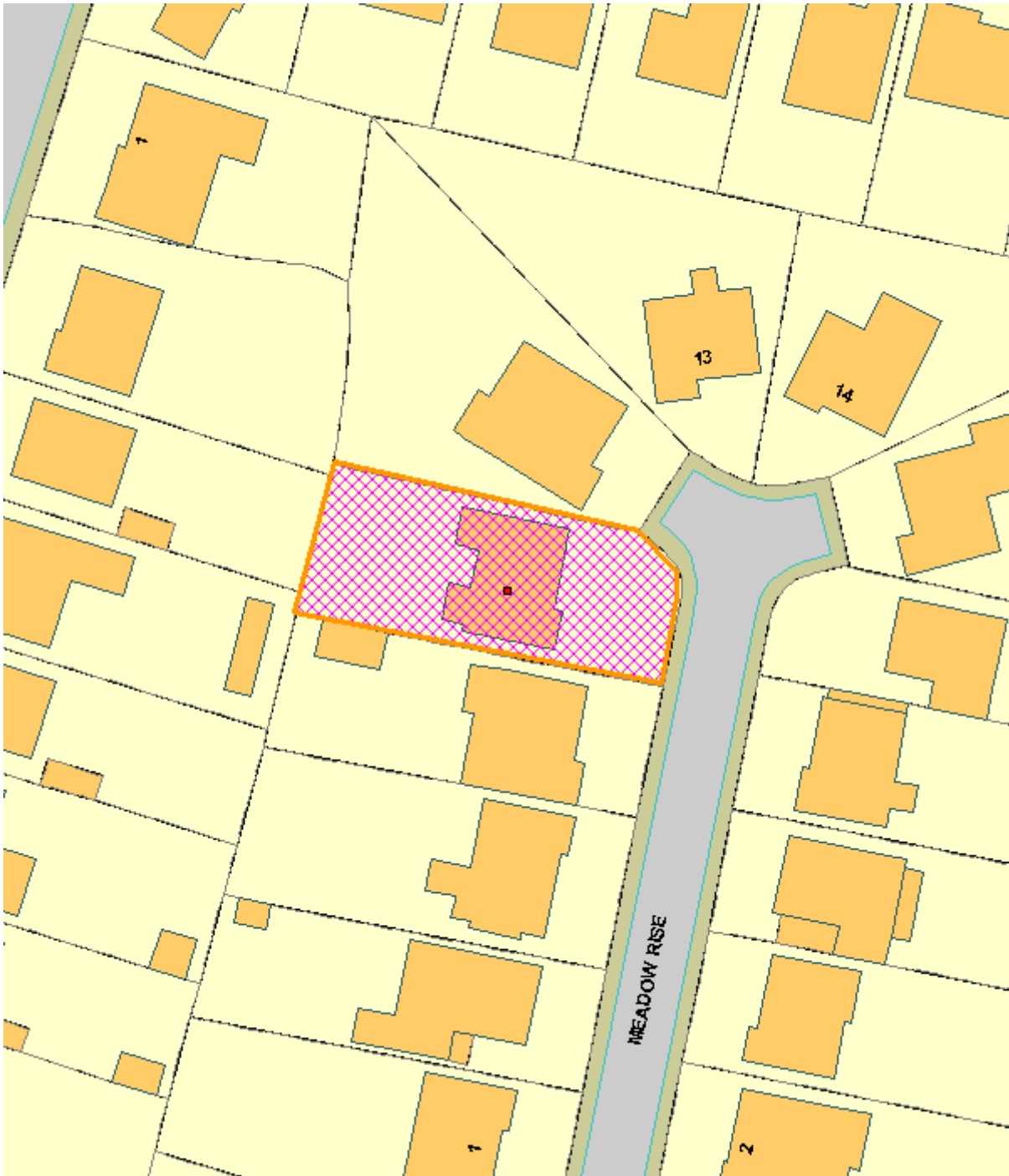
PLANNING APPLICATION REPORT



Application Number	16/02340/FUL
Date Valid	29.11.2016

Item	01
Ward	PLYMPTON ERLE

Site Address	9 Meadow Rise Plymouth PL7 1JL		
Proposal	Rear extension and raised patio.		
Applicant	Mrs & Mrs Keith Vowles		
Application Type	Full Application		
Target Date	24.01.2017	Committee Date	09.02.2017
Decision Category	Member/PCC Employee		
Case Officer	Mr Mike Stone		
Recommendation	Grant Conditionally		



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

1. Description of Site

The property is a detached bungalow close to the end of a cul-de-sac close to the junction with Lower Farm Road in the Plympton St Maurice and Yealmpstone neighbourhood. The street consists of a mix of bungalows of different styles, materials and orientation.

2. Proposal Description

The applicant is seeking consent for the construction of a rear extension and raised patio. The proposed extension would cover roughly the southern half of the rear elevation and would be 4.0 metres deep with a gable end pitched roof. It would include a 1.8 metres deep patio with steps leading down to the garden and would replace an existing smaller conservatory type extension.

3. Pre-application enquiry

None.

4. Relevant planning history

None.

5. Consultation responses

None required.

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 (NPPF) 2012. The primary planning considerations in this case are the impact on neighbour amenity and the impact on the character and appearance of the area.

Impact on neighbour amenity

3.No neighbour objections have been received. The new extension would replace a smaller conservatory type extension. The property is detached with reasonable levels of separation from neighbours thus minimising the possibility of loss of privacy or loss of light. The application would comply with the 45 degree guidance set out in the SPD. The extension would be directly north of the nearest neighbour so removing any overshadowing concerns.

4. The proposed raised patio would be connected to the new extension with steps leading down to the garden from folding doors. The scale of development here is modest and there are no significant privacy concerns here.

Impact on the character and appearance of the area

5.The proposed extension and the patio would be at the rear of the property and would not be visible from the street.

6. The case officer considers that the proposal complies with Core Strategy policies CS02 (Design) and CS34 (Planning application considerations) 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

Not applicable.

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 of this application.

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 policy and national guidance and specifically policies CS02 (Design) and CS34 (Planning applications considerations), the Development Guidelines Supplementary Planning Document (First Review) 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 **29.11.2016** and the submitted drawings BLOCK PLAN, 2796, it is recommended to **Grant Conditionally**

15. Conditions

1) CONDITION: COMMENCE WITHIN 3 YEARS

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.

2) CONDITION: APPROVED PLANS

The development hereby permitted shall be carried out in accordance with the following approved plans: Block plan, 2796.

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

- 1) INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)**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.

2) **INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

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).

3) **INFORMATIVE: PROPERTY RIGHTS**

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.