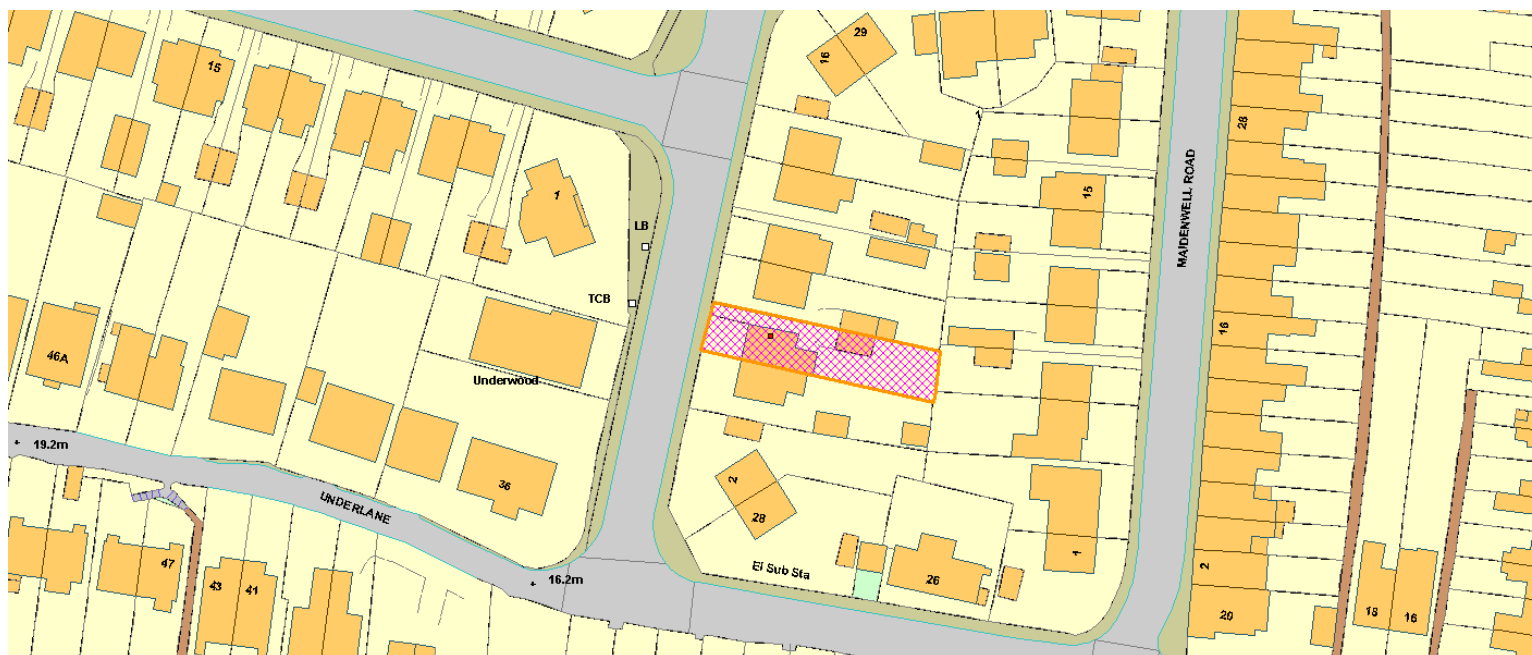


PLANNING APPLICATION OFFICERS REPORT



Application Number	17/00129/FUL	Item	01
Date Valid	24.01.2017	Ward	PLYMPTON ERLE

Site Address	6 Linketty Lane Plymouth PL7 1RE		
Proposal	Rear extension		
Applicant	Mr Chris Mavin		
Application Type	Full Application		
Target Date	21.03.2017	Committee Date	09.03.2017
Extended Target Date	N/A		
Decision Category	Member/PCC Employee		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Grant Conditionally		



This application is being brought to Planning Committee because the applicant is a Councillor.

1. Description of Site

6 Linketty Lane is a semi-detached dwelling located to the south of Valley Road Industrial Estate within the Plympton Erle neighbourhood.

2. Proposal Description

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

3. Pre-application enquiry

None requested

4. Relevant planning history

None

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 Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation, with the pre-submission version formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered consistent with the policies of the Framework, as well as based on up to date evidence. However, until the Regulation 19 stage has concluded, and the scale and nature of representations known, it is considered that the JLP's policies will generally have limited weight within the planning decision. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). 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 approved Plymouth and West Devon Local 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 is its impact on neighbouring amenity and the impact on the character and appearance of the area.

3 6 Linketty Lane is elevated at approximately 45 degrees above street level and plateaus toward the end of the rear garden. To the eastern/rear elevation an existing conservatory is in situ, which is proposed to be replaced under this consent for a single rear extension. Officers note that similar structures exist within rear curtilages of adjacent properties.

4 The proposed extension dimensions are approximately 3m(height) x 4m(depth) x 3.8m (width) which will create additional kitchen space. The extension will be set down and set in from the original rear wall of the property with materials to match. The side elevation will include a north facing window set away from nearest habitable room without detrimentally impacting on privacy for the adjacent neighbour.

5 With regard to character and appearance, the rear extension will not be prominent from street scene and is consistent with paragraph 2.2.51 of the Development Guidelines, Supplementary Planning Guideline, (SPD) 2013 which states that 'a rear extension should be in keeping with the main dwelling and the character of the area'.

6 Given the slight alterations to the proposed dimensions, it is not considered to deviate considerably from the 45 degree SPD guideline paragraphs 2.2.33 and 2.2.34 and is therefore acceptable having taken into account the position and orientation of the proposal and the position and type of neighbouring window. This will ensure compliance with 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.

7 The rear extension is not considered to unreasonably impact on neighbouring amenity or the character and appearance of the surrounding area. The form, detailing and materials of the proposal will match the existing features of the dwelling and would have no significant impact on the neighbouring properties due to its size.

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 the Council's adopted planning policy, supplementary planning documents and national guidance, and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated **24.01.2017** it is recommended to **Grant Conditionally**

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1. CONDITION – APPROVED PLANS

Elevations - Proposed ABO3 Version: A received 24/01/17

Site Location Plan AB06 Version: A received 24/01/17

Elevations - Existing AB01 Version: 1 received 04/01/17

Floor Plans - Existing AB02 Version: 1 received 04/01/17

Elevations - Proposed AB03 Version: 1 received 04/01/17

Floor Plans - Proposed AB04 Version: 1 received 04/01/17

Site plan AB05 Version: 1 received 04/01/17

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.

2) 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.

Informatives

1) **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).

2) **INFORMATIVE: CONDITIONAL APPROVAL NO NEGOTIATION**

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.