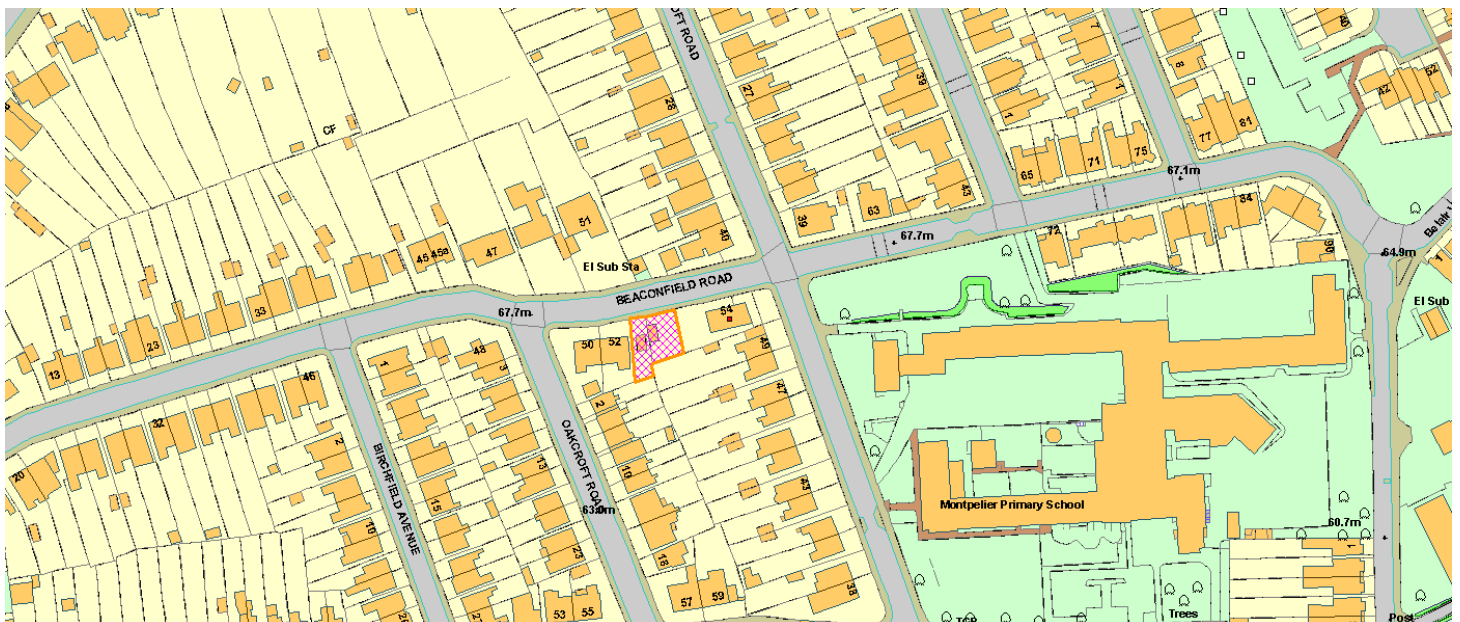


PLANNING APPLICATION OFFICERS REPORT



Application Number	17/00367/FUL	Item	
Date Valid	20.02.2017	Ward	PEVERELL

Site Address	54 Beaconfield Road Plymouth PL2 3LE		
Proposal	Resubmission of planning application 16/01628/FUL: detached dwelling		
Applicant	Mrs Hayley Johns		
Application Type	Full Application		
Target Date	17.04.2017	Committee Date	06.04.2017
Extended Target Date	N/A		
Decision Category	Member/PCC Employee		
Case Officer	Miss Amy Thompson		
Recommendation	Grant Conditionally		



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

1. Description of Site

54 Beaconfield Road is a two-storey detached property on a corner plot between Beaconfield Road and Fircroft Road and is located in the Beacon Park area of the city. The area is predominantly a residential area but there is a school and various local shops in the vicinity.

2. Proposal Description

New detached dwelling within the garden of 54 Beaconfield Road

3. Pre-application enquiry

16/00166/MIN- Erect a detached house in part of the garden fronting Beaconfield Road- Officer raised concerns in regard to the impact on the street-scene and neighbour amenity and recommended that a bungalow design should be considered.

4. Relevant planning history

15/01254/EXUS- Establish existing use as a single family dwelling- Certificate of lawfulness issued.

16/01628/FUL- New dwelling- Withdrawn by the applicant following a recommendation for refusal from Planning Committee on the 27th October 2016 to negotiate changes.

5. Consultation responses

Local Highway Authority- No objection subject to added condition.

6. Representations

3 letters of representation received objecting to the proposal with main concerns of;

- * Parking
- * Privacy
- * Out of character, loss of open feel
- * Impact on surface water and drainage

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

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document

5 year housing supply:

When determining applications for residential development it is important to give consideration to housing supply.

Paragraph 47 of the NPPF stipulates that "to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land"

Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

For the reasons set out in the Authority's Annual Monitoring Report (January 2016) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2016-21 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now
- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

Paragraph 14 of the NPPF states "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking...

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- 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, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted"

As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city's housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications

Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10 (music) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy DEV10 of the Plymouth and South West Devon Joint Local Plan.

8. Analysis

1. This application has been considered in the context of the development plan, the emerging Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

2. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework Core Strategy 2007 CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing

Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) 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), policies DEV1(1) (Protecting Health and Amenity) DEV20 (Place shaping and the quality of the built environment) and DEV10 (Delivering high quality housing) of the emerging Joint Local Plan and is considered to be compliant with National Planning Policy Framework guidance. The main planning considerations in this case are the impact on the character and appearance of the area, the effect on neighbouring amenity, highway safety and parking.

Planning History

3. This application is a resubmission of an application that was submitted in 2016 that sought to erect a detached property with integral garage in the garden of 54 Beaconfield Road. The application went to Planning Committee with the Officer recommending refusal due to the detrimental impact on the street-scene and the detrimental impact on neighbour amenity. The Committee agreed with the Officers reason to refuse the application due to the detrimental impact on neighbour amenity but removed the other reason to refuse the application on the impact on the street scene. The application was therefore refused with the following refusal reason:

The Local Planning Authority considers that the proposed dwelling, by virtue of its size and position, would have a detrimental impact to the outlook of No. 54 Beaconfield Road. The significant impact it would have on neighbouring amenity, would be contrary to Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and advice in the Development Guidelines Supplementary Planning Document (2010) (paragraph 2.2.31). The proposal is also considered to be contrary to Policy 29 (3) and 39 of the emerging Plymouth Plan and paragraphs 64 to 66 of the National Planning Policy Framework

4. Prior to the application being formally refused the applicant withdrew the application and a post withdrawal meeting was held with the applicant and the Officer to negotiate changes to the proposal.

5. The existing proposal seeks to erect a detached dwelling of a reduced size of the previous scheme with the width of the scheme being reduced from approximately 11 metres in total to 7.3 metres and the eaves height of the property reduced from 5.1 metres to 4.4 metres. The integral garage has been removed from the scheme and the applicant has purchased the detached garage that was neighbouring the site to the west of the site. The design of the proposed building has also been amended.

Principle of Development

6. The proposal seeks to replace an existing detached garage and erect a detached three-bedroom dwelling in the garden of 54 Beaconfield Road. Some of the garden relating to number 54 will be retained for the sole purpose of the donor property.

7. The application site itself is set within an established residential area, and would be of a comparable size to the adjacent developed plots. Officers consider that the proposal is an

appropriate development of a residential garden. It complies with policy DEV10 (6) which looks at preventing 'town cramming' development of garden space. It is considered that this garden development would not adversely affect the character and amenities of the area. The proposal therefore accords with paragraph 53 of the National Planning Policy Framework (NPPF) and Policies CS01, CS02, CS15 and CS34 of the Core Strategy and policies DEV10 of the emerging Joint Local Plan. The principle of this proposal is therefore considered acceptable.

Residential Amenity

8. It is important to consider the siting of the property to ensure that there is no significant impact on neighbour's amenity. The proposed windows on the rear elevation would face onto the garden of 49 Parker Road. The windows on the first floor to the rear would serve a bathroom therefore a condition will be added to ensure that these windows would be obscure glazed. There is also a window serving a bedroom. There are no proposed windows on the side of the proposed dwelling. These proposed windows would not directly overlook any neighbouring properties and no windows are proposed to face into any neighbouring habitable rooms. Therefore it is considered that the proposal complies with guidance set out in paragraph 2.2.23 of the Development Guidelines Supplementary Planning Document relating to privacy and would not have a detrimental impact on neighbours privacy.

9. The proposed dwelling would be located 12 metres away from the donor property. Paragraph 2.2.31 of the Development Guidelines Supplementary Planning Document states that the minimum distance between a main habitable room window and a blank wall should be at least 12 metres. Officers consider that this is a reasonable relationship in this instance.

10. The proposed dwelling meets the 45 degree guideline (set out in paragraph 2.2.37 of the Development Guidelines SPD) that considers the loss of light to neighbouring properties. It is also considered to be acceptable having considered the position and orientation of the property. It is therefore considered that the proposal would not have a detrimental impact on the neighbour's access to natural light.

11. The proposal is for a three bedroom two-storey dwelling house that will accommodate living room, living/ dining room and utility room on the ground floor and three bedrooms and a bathroom on the first floor. The dwelling exceeds the national space standards at 104m², with the minimum standard set for a three bedroom two storey dwelling stated as between 84m² and 102m² depending on the number of occupiers. It is considered that the proposal provides sufficient sized rooms and the dwelling is of a satisfactory size.

12. The proposed rear garden for the new dwelling would be approximately 34m² and the donor property would have a rear garden of approximately 160m². The size of the rear garden of the proposed dwelling is therefore considered lower than the recommended standard of 100 square metres for detached dwellings in paragraph 2.8.27 in the Development Guidelines SPD. However the SPD also states that within more densely developed neighbourhoods of Plymouth, it is reasonable to assume that outdoor amenity space provision might be lower, and it is also noted that the areas to the front of the proposed property could be considered as amenity space and is approximately 22m².

Although the garden falls short of the recommended amount of amenity space the garden is considered to be adequate and in character with development in the vicinity. Therefore, on balance, officers consider the plot is of an adequate size to accommodate an additional dwelling that would be in character with the area and have a satisfactory level of amenity.

Character and appearance of the area

13. Paragraph 4.10 and 4.11 of the Sustainable Design Supplementary Planning Document states that the scale of the development, which is the size and height, should relate to the surrounding buildings. It goes on to state that the massing of a building, which is the arrangement, volume and shape of a building should also relate to the buildings around the proposed site.

14. The proposed dwelling would be a two storey property with a detached garage, which would be located between the donor two-storey detached property and a bungalow at 52 Beaconfield Road. While it is noted that the immediate surrounding properties are mainly bungalows, the properties to the rear of the proposed site on Oakcroft Road and Parker Road are two storey dwellings, with a number of other two-storey dwellings along Beaconfield Road. Therefore it is considered that the proposed two-storey dwelling is a similar style and massing to other two storey properties on Beaconfield Road and therefore on balance is considered acceptable.

Transport Considerations

15. The proposed dwelling will be served by the detached garage situated to the west of the proposed dwelling. The garage would provide space for one car and the driveway in front of the garage would provide an additional space for another car. The proposal would therefore provide two off-street car parking spaces and complies with guidance.

16. The donor property has a car parking space to the front of the property that provides off-street car parking for the donor property. The Highway Authority have no objections to the proposal.

Housing Supply

17. Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply), paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy SPT3 (Provision of new homes) and DEV7 (Meeting local housing need in the Plymouth Policy Area) of the new Joint Local Plan.

Other Issues

18. A concern has been raised in the letter of representation that was received from residents at 2 Oakcroft Road regarding the loss of the tree and the additional footprint of the building would create additional surface water in wet weather and could result in issues with surface runoff and drainage. The application states that surface water would be disposed of through the soakaways. Development of this size would not normally be subject to Lead Local Flood Authority consultation. It is considered that the addition of surface water within this location to be acceptable. The plans also indicate the trees will be retained on site.

19. The proposal is considered to comply with policies DEV1(1) (Protecting Health and Amenity) DEV20 (Place shaping and the quality of the built environment) and DEV10 (Delivering high quality housing) of the emerging Joint Local Plan, as well as Policies CS02, CS15, CS22, CS28 and CS34 of the Local Development Framework Core Strategy. It is considered that the use of Joint Local Plan policies can be given moderate weight when determining this application as the policies used are similar to those used in the current development framework.

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

The provisional Community Infrastructure Levy liability (CIL) for this development is: £3,965.63 (index-linking applied, but subject to change before final liability confirmed). A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and will be index-linked. The applicant should check the current rates at the time planning permission first permits development, see Plymouth City Council website for guidance.

11. Planning Obligations

Planning obligations not required due to the nature and size of proposal.

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 **20.02.2017** 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

Site plan 27.01.2017 Version: 1 received 27/01/17

Site Location Plan 27.01.2017 Version: 1 received 27/01/17

Plans and Elevations 27.01.2017 Version: 1 received 27/01/17

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 2 YEARS

The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective 10 (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

3) CONDITION: CAR PARKING PROVISION

PRE-OCCUPATION

The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006- 2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

Informatives

1) INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATIONS

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 with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning p

2) INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.