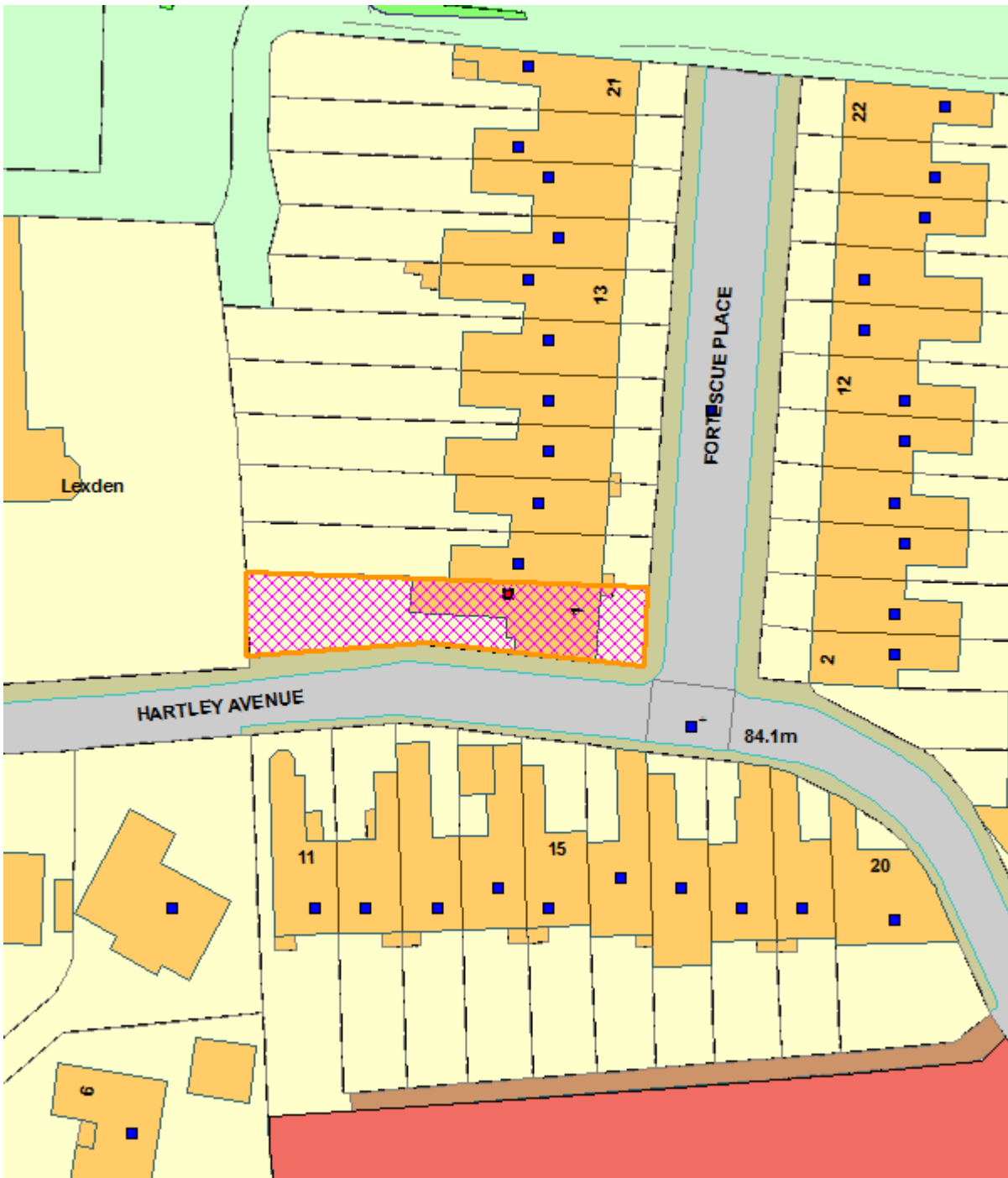


PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01054/FUL	Item	01
Date Valid	13.06.2018	Ward	COMPTON

Site Address	1 Fortescue Place Plymouth PL3 5HT		
Proposal	Hip to gable roof with rear dormer (resubmission of 17/00902/FUL)		
Applicant	Mr Roger Greenaway		
Application Type	Full Application		
Target Date	08.08.2018	Committee Date	13.09.2018
Extended Target Date	17.09.2018		
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 application property is a two-storey end terraced dwellinghouse at the junction of Fortescue Place and Hartley Avenue in the Higher Compton and Mannamead neighbourhood. Fortescue Place is a short cul-de-sac of 22 houses arranged in two terraces either side of the road.

2. Proposal Description

Hip to gable roof with rear dormer (resubmission of 17/00902/FUL).

3. Pre-application enquiry

A post-refusal meeting was held with the applicants that highlighted the refusal reason and how it could be addressed.

4. Relevant planning history

17/00902/FUL - Hip to gable roof with rear dormer – Refused, the size of the dormer was considered to be too large in this location.

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 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 an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself and the guidance in the National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- * Development Guidelines SPD (First Review) (Adopted May 2013).

8. Analysis

1. This application has been considered in the context of the development plan, the draft JLP, 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, policies DEV1 (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the JLP, 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 the character and appearance of the area and the impact on neighbour amenity.

3. Hip to gable roof conversion.

The subject property is an end terraced dwelling with a hipped pitched roof that matches the roof on the other end terraced property opposite. Changing one side would impact on the symmetry of the streetscene. However, hip to gable conversions can be carried out under householder permitted development rights, subject to conditions, so this would override any concerns about the adverse impact on the character of the area. The applicants have indicated that they will use materials to match the existing roof, in line with SPD guidance and therefore a condition has been added to formalise this.

4 .Rear dormer

Paragraph 2.2.55 of the SPD states that:

“Proposals for dormer windows will be considered based on their impact on the dwelling, the street-scene and neighbours’ amenity. Dormer windows should not dominate a building and should sit comfortably within the roof space.”

5. Paragraph 2.2.56 continues:

“Dormer windows should relate well to the building with respect to materials, scale, shape and angle of roof.”

6. In the 2017 application, the case officer considered that the size of the proposed dormer would appear dominant in this prominent corner location. The current proposal reduces the size of the dormer in line with SPD guidance and is now considered to be acceptable.

7. Hip to gable roof conversion.

As stated above this can be carried out under permitted development. The property is at the corner of the street so the new gable would face the rear elevations of properties in Hartley Avenue some distance away. The case officer does not consider that there would be any significant harm in terms of loss of light or overbearing appearance from the development.

8. Rear dormer

No side windows are proposed. The property has a long rear garden and the distance to the property behind would be over 21 metres distant. This is Lexden, a large detached property set in its own grounds with tall mature trees on the boundary. Given the distance, the good levels of screening and the fact that a similar scheme could be carried out under permitted development, the case officer considers that the proposed dormer is acceptable.

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

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

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 LDF Core Strategy policies CS02 (Design) and CS34 (Planning applications considerations), policies DEV1 (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the JLP, 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 13.06.2018 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 Location Plan 13062018 - received 13/06/18

Block Plan 13062018 - received 13/06/18

Proposed First Floor and Loft Plans 13062018 - received 13/06/18

Proposed Rear Elevation 13062018 - received 13/06/18

Reason:

For the avoidance of doubt and in the interest of good planning, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework 2018.

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.

3 CONDITION: MATCHING MATERIALS

The materials to be used in the construction of the external surfaces of the rear dormer hereby permitted shall match those used in the main house.

Reason:

To ensure that the materials used are in keeping with the appearance of the existing building and the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 124, 127, and 130 of the National Planning Policy Framework 2018.

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 proactive way and has imposed planning conditions to enable the grant of planning permission.