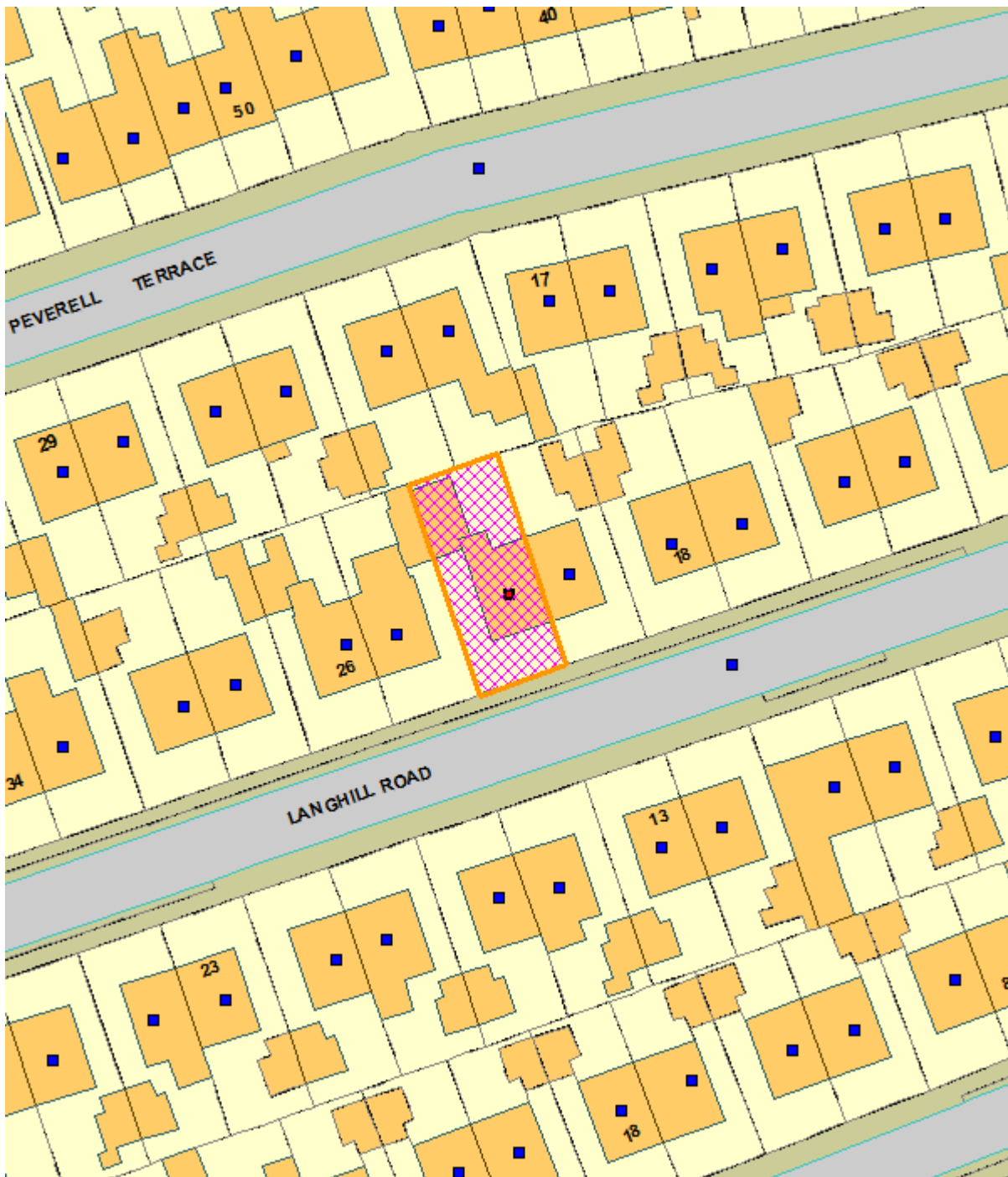


PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01226/FUL	Item	02
Date Valid	18.07.2018	Ward	PEVERELL

Site Address	22 Langhill Road Plymouth PL3 4JH		
Proposal	Rear and side extensions, and loft conversion with hip to gable and rear dormer		
Applicant	Mrs Connick And Mr Cox		
Application Type	Full Application		
Target Date	12.09.2018	Committee Date	13.09.2018
Extended Target Date	20.09.2018		
Decision Category	Member/PCC Employee		
Case Officer	Mr Macauley Potter		
Recommendation	Grant Conditionally		



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

1. Site Description

22 Langhill Road is a semi-detached two storey dwelling located within the Peverell/Home Park area of Plymouth. The property follows a building line of the same design along Langhill Road. Langhill Road leads on to Hyde Park Road (a Class C Classified Road). The property is finished in brown pebble dashed render and red brickwork (front elevation). 22 Langhill Road is situated outside of the Central Park Area Action Plan.

2. Proposal Description

The proposal seeks permission for a ground floor rear extension and side garage extension and a loft conversion with hip-to-gable and rear dormer. The rear extension measures approximately 5.6 metres in width, 4.4 metres in depth and 3.2 metres in height. The elevation facing the boundary with no. 20 extends out from the rear elevation by 1.7 metres before angling away to a maximum depth of 4.4 metres and is 0.4 metres off the boundary wall with no. 20. The rear extension features a roof lantern, rear patio doors (on an angled elevation facing north east) and a rear window. The materials of the roof and windows will consist of dark grey polyester coated aluminium fascia and trim. The materials of the walls are proposed western cedar cladding.

The proposed loft conversion will feature a hip-to-gable roof conversion minor external alteration in the form of a small window on the west elevation and the introduction of slate tiles on this side elevation to match the roof. The proposed rear dormer measures approximately 5.6 metres in width, 1.7 metres high and 3.4 metres in depth. The materials of the proposed dormer consist of western cedar cladding (to match proposed extension) and dark grey polyester coated aluminium windows and fascia and trim to the dormer roof.

The garage will extend from its existing 5 metre length to 9 metres with a width of 2.5 metres. There will be parking provision for 2 vehicles in tandem on the driveway which itself has a minimum 4.8 metre x 2.5 metre space inside with some additional room to the rear which meets standing advice.

Under the proposed works there is access to the main property via a doorway entrance into the garage and via the bi-fold patio doorway entrance on the proposed rear extension.

3. Pre-application enquiry

None.

4. Relevant planning history

No planning history at this address.

5. Consultation responses

Highway Authority - No objections

6. Representations

There are a total of 4 letters of objection. These letters collectively cite the following issues:

- adverse impact on parking,
- loss of light and privacy,

- not in-keeping with other dwellings in the building line, and
- building work noise.

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 (2018) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- o 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).
- o 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, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- o Development Guidelines Supplementary Planning Document.
- o The Town and Country Planning (General Permitted Development) (England) Order 2015.

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 is relevant to policies CS02 (Design) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy and DEV1(1) (Protecting Health and Amenity) and DEV20 (Place shaping and the quality of the built environment) of the emerging Joint Local Plan, as well as and the aims of the Council's Development Guidelines Supplementary Planning Document 1st review (2013), and the National Planning Policy Framework (2018). The primary planning considerations in this case are its impact on neighbouring amenity and the impact on the character and appearance of the area.

Design and Impacts on Amenity

3 Addressing the first part of the proposal the Development Guidelines SPD (paragraph 2.2.51) states that an extension at the rear of a dwelling is usually less visible than a side or front extension; however it can sometimes be seen from public areas. A rear extension should be in keeping with the main dwelling and the character of the area. An extension that follows an unusual layout may affect the character of the area and will therefore need careful consideration. Officers consider the proposed extension to be subservient to the main dwelling and not visible from public spaces. The proposed rear extension will feature modern materials such as western cedar cladding in mid-brown and slate cladding of which will both be similar in appearance to the existing material colours used on the original dwelling. One letter of objection has been received from no. 20 regarding loss of light. Officers consider that due regard has been given to minimising potential loss of light to the neighbouring property as the design of the rear extension is angled away from the boundary line and is considered to comply with the 45 degree guidance rule as set out in paragraphs 2.2.33-2.2.39 of the Development Guidelines SPD. It is important to note that the 1.7 metre side elevation next to the boundary can extend out 3 metres under permitted development. Whilst the rear extension does exceed the 3 metres allowed under permitted development, the triangular footprint of the extension is such that the parts that extend more than 3m are at least 1.75m away from the boundary shared with the neighbouring house to the east.

4 As the roof extension is a hip-to-gable extension and the applicant has agreed to use obscure glazing on the proposed new west elevation window (to be secured by condition), the roof extension would benefit from Permitted Development Rights. The western cedar (timber) cladding proposed does, however, differ in appearance from the materials used in the construction of the exterior of the existing dwelling house, and this necessitates a planning application. In this context, however, officers consider this material to be suitably high quality and consider it acceptable. Despite a neighbour objection at no. 24 for this part of the proposal, were this application to be refused the applicant could simply go ahead with this part of the proposal with a minor change to the materials to comply with Class B. It is important to note that the cubic content created from the dormer and hip-to-gable would equate to approximately 39 cubic metres (dormer = 15.23 & hip-to-gable = 23.81) and therefore in compliance with paragraph d(ii) of section B.1 of Class B of Schedule 2 of Permitted Development Rights.

5 With regard to character and appearance, Officers consider that the proposed design is not prominent from street scene in terms of scale, massing, style, layout and appearance.

6 One letter of objection was raised citing privacy as a concern. Officers consider there to be no significant privacy concerns for both the applicant and surrounding neighbours. The rear extension would feature bi-fold patio doors and a rear window facing the garden. The garden is surrounded by a boundary wall (as well as some vegetation in the north east corner) which obscures a significant amount of visibility from respective neighbouring gardens to the north, east and west. As there would be an obscure glazing condition on the proposed window on the west elevation officers consider there to be no significant overlooking concerns (if at all) for both no. 22 and 24 (note that this window would be situated above the loft staircase).

Car Parking

7 Two letters of objection were received regarding parking in the street. The Highway Authority was consulted and have no objections to the parking arrangement, noting that the driveway width is as existing and the property would still retain three parking spaces. Officers consider there to be no significant adverse impact (if at all) resulting from the proposed garage alterations. There will be parking provision for two vehicles outside the proposed garage which itself has a space inside with some additional room to the rear.

8 The proposal is considered to comply with policies CS02 (Design) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy as well as DEV1 (Protecting Health and Amenity) and DEV20 (Place shaping and the quality of the built environment) of the emerging Joint Local Plan.

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

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. The proposal has considered the proposed benefits to accommodate an elderly dependent relative.

13. Conclusions and reasons for decision

Officers have taken account of the NPPF (2018) 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 18.07.2018 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 12072018 - received 12/07/18

Block Plan 12072018 - received 12/07/18

Proposed Plans, Elevations and Sections DWG 2 of 2 - received 17/08/18

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: OBSCURE GLAZING

Notwithstanding the detail shown on the approved plans, or the provisions of Section 55(2) of the Town and Country Planning Act 1990, or Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the window at second floor level in the west elevation of the proposed roof extension, shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 as permitted by article 4 paragraph 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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 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 with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.