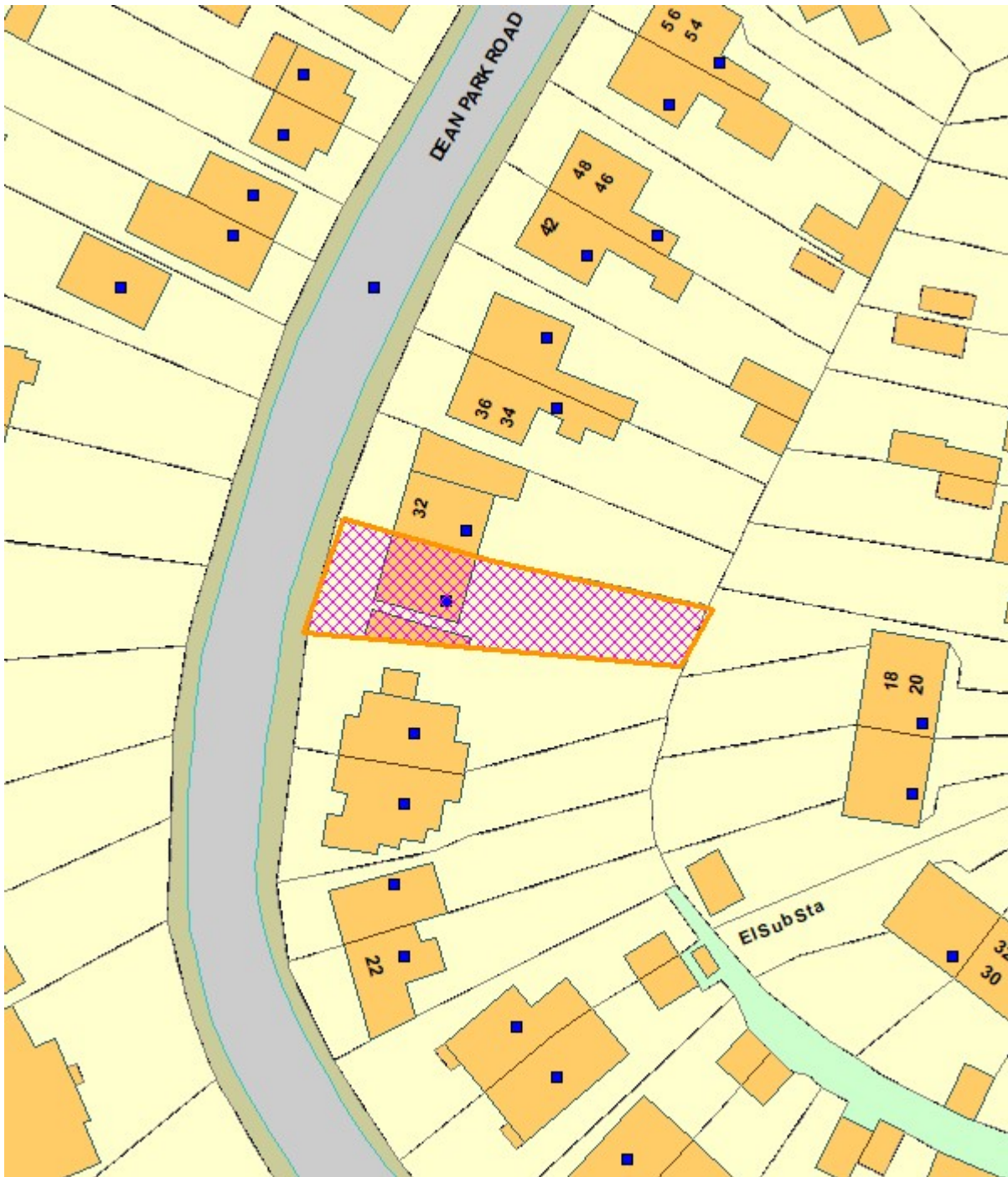


PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01955/FUL	Item	01
Date Valid	26.11.2018	Ward	PLYMSTOCK RADFORD
Site Address	30 Dean Park Road Plymouth PL9 7NZ		
Proposal	Front porch, single storey side and rear extension and rear garden summer house		
Applicant	Mr & Mrs King		
Application Type	Full Application		
Target Date	21.01.2019	Committee Date	18.01.2019
Extended Target Date	N/A		
Decision Category	Councillor/PCC Employee		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Grant Conditionally		



This application has been brought to Planning Committee, as it is an Employee application.

I. Description of Site

30 Dean Park Road is a semi-detached dwelling located within the Plymstock Radford neighbourhood. The property occupies a relatively large residential space, with parking/landscaping to the front and an elongated rear garden. The site is within an established residential area and the property is bound by timber and block treatment of which the east and north are in a poor state of repair.

The site is relatively level to the east and north and slopes slightly to the south.

2. Proposal Description

The proposal seeks to construct a front porch, a side and rear extension including a detached summer house to the east of the site. The intention is to create more useable space for habitable rooms and general enjoyment to the main dwelling.

3. Pre-application enquiry

None requested

4. Relevant planning history

None for this site

5. Consultation responses

Local Highways Authority: No objection

6. Representations

One Letter of Representation: Loss of light to rear extension.

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).

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 I 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, 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 draft JLP, the Framework and other material policy documents as set out in Section 7.

2. The main consideration in assessing this proposal is the impact on the neighbouring amenities, the street scene and local highway considerations. The application turns on policy CS02, CS28 CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1 (Protecting Health and Amenity), DEV20 (Place shaping and the quality of the built environment) and DEV31 (Specific Provisions relating to transport) of the JLP, and the National Planning Policy Framework (NPPF) 2012. The primary planning considerations in this case are the impact on neighbour amenity, the impact on the character and appearance of the area and the amenity of future occupants.

3. Principle of Development

4. The site has an established use as a residential dwelling. Its purpose to add value to the property is not uncommon for similar residential extensions. It is therefore acceptable in principle as it meets the policies and guidance as discussed below.

5. Design/Streetscene

6. The proposed front porch and side extension will be visible from the street and is proposed to be flat roofed with contemporary design and set well below ridge height. The front porch is approximately 2.7m (width) x 3.5m (height) x 1.3m (depth) allowing for a new floor space of approximately 3.5m². It will form part of the new main access door which is now repositioned to the side fronting the south elevation including elongated front facing windows.

7. The side extension will take on the original layout and most of the footprint of the existing garage and rear storage area to appear less dominant whilst maintain the existing off street parking facility. The dimensions of the extension are predominantly similar to the existing 3.8m (width) x 11.1m (depth) x 2.9m (height) side garage dimensions to include a flat roof finish.

8. The proposals for a modern design and materials to the porch and side extension were amended to be in keeping with the finished render on the main dwelling and although flat roofed it is considered acceptable in design terms, as it predominantly retains the original built form of the main dwelling, whilst not creating any demonstrable harm to the streetscene.

9. The rear extension will also introduce contemporary features for a flat roof, larger bi-folding doors and partial timber cladding. The proposed dimensions are approximately 6.5m (width) x 3.4m (depth) x 3m (height) which are close to permitted development levels. Although the features of the rear extension are at odds in terms of finished materials, it is not considered detrimental as it would not be immediately visible from the street.

10. The final element of the proposal is the detached summer house which will be situated to the eastern end of the rear garden. It will take on a slightly different form to include a shallow pitched roof, timber frame and composite wall cladding, a combination of window designs which is common for a summer house. The proposed dimensions are approximately 4m (depth) x 6m (width) x 2.95m (height) against a 1.8 metre fence panel. The summer house would be ancillary to the enjoyment of the main dwelling and this is secured by condition. The summer house is not considered to have adverse impact on the main dwelling or the character of the area.

Amenity

11. Light – A letter of objection was received siting loss of light to the nearest habitable room at no.32 as a result of the rear extension. Officers note that the rear extension is east facing therefore given the orientation of the sun and the positioning of the extensions, officers do not consider that the proposal would result in adverse loss of light to the immediate neighbours.

The SPD guidance on light focuses on the impact on light to windows/rooms. Officers do not consider the loss of light to the neighbouring windows/rooms would be unreasonable that it should justify a refusal. Similarly, the proposed extensions would not result in further impact on the 45

degree rule to the adjoining neighbour for the reasons mentioned above which is typical of an east facing rear extension.

12. Outlook- None that would raise serious concern given the scale, form and positioning the extensions. The side extension which appears relatively larger is no more than the existing that it should justify a refusal.

13. Privacy: As above, the side elevation walls will remain predominantly blank where they meet the Party Walls along the perimeter of the property boundary. There is a side facing high window on the summer house which fronts the southern boundary. Officers note that this is raised at 1.8 metres above floor level which offers adequate privacy levels to the south and is therefore acceptable.

Impact parking and highway safety

14. Local Highways Authority was consulted and initially recommended refusal because the conversion of the existing garage which would result in the loss of one off street parking space. Officers discussed this with the applicant and were able to negotiate an amended scheme to include an additional off street parking provision. The new parking space would lie adjacent to the existing off street parking facility to be in keeping within minimum residential parking standards and compliant with highway policies.

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 proposal will not attract any Community Infrastructure Levy under the current charging schedule.

11. Planning Obligations

Not applicable for 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

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and specifically policies CS02, CS28, CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1, DEV20, and DEV31 of the JLP, and the National Planning Policy Framework (NPPF) 2012 and has 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 26.11.2018 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

001/1a - received 29/12/18
001/2a - received 29/12/18
001/3a - received 29/12/18
001/5a - received 29/12/18
001/4b received 07/01/19
Site Location plan 12112018 - received 15/11/18

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 124, 127, 130 and 131 of 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: ANCILLARY OR INCIDENTAL USE

The proposed Summer House hereby approved; shall only be used for purposes incidental or ancillary to the primary use of the premises as single dwelling.

Reason:

Whilst the proposal for such ancillary use is acceptable to the Local Planning Authority, the independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 and 123 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 (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.