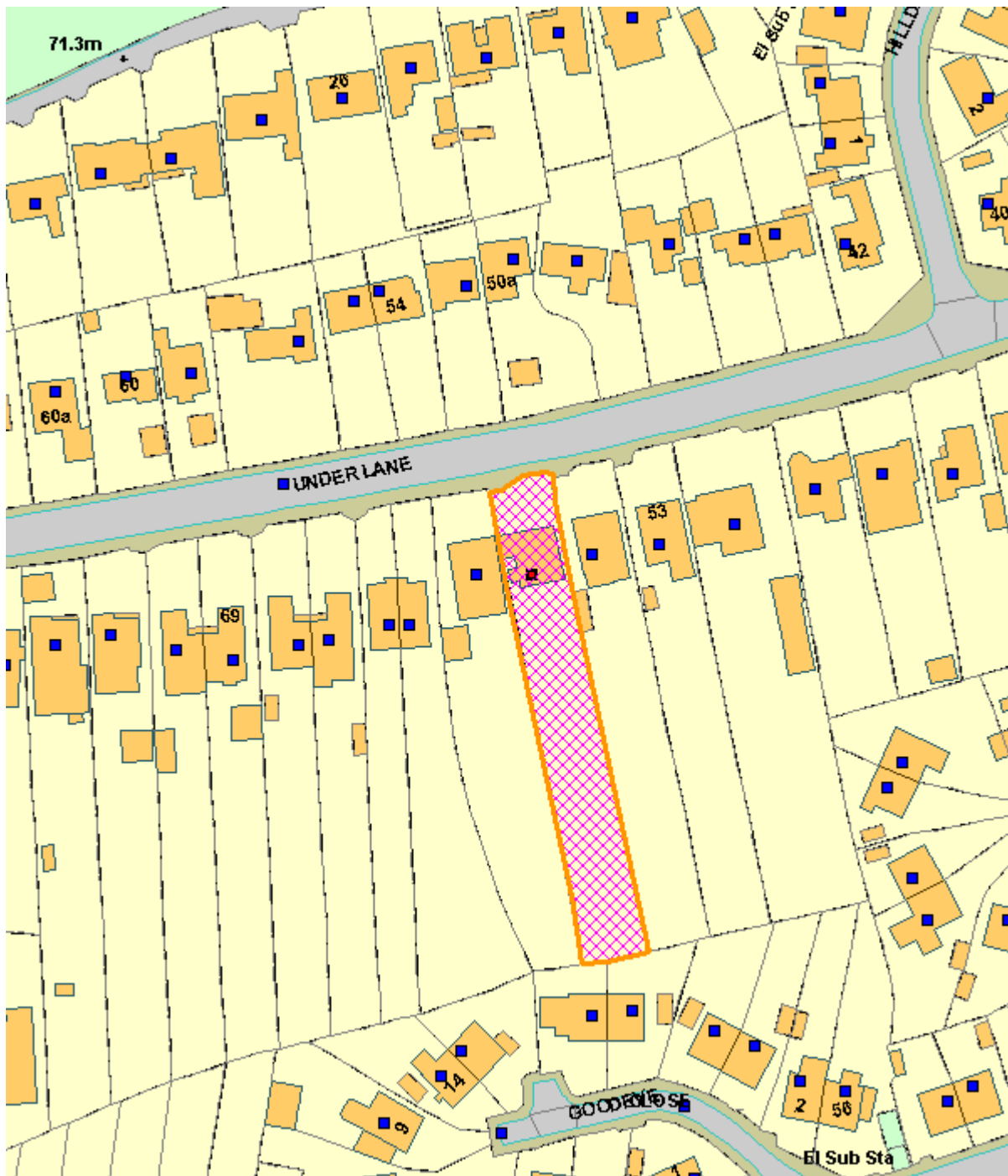


PLANNING APPLICATION OFFICERS REPORT



Application Number	19/00177/FUL	Item	01
Date Valid	11.02.2019	Ward	PLYMSTOCK RADFORD
Site Address	57 Underlane Plymstock Plymouth PL9 9LA		
Proposal	Two-storey rear extension including a raised balcony		
Applicant	Mr Andrew Kings		
Application Type	Full Application		
Target Date	08.04.2019	Committee Date	15.03.2019
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Grant Conditionally		



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

1. Description of Site

57 Underlane is a detached bungalow situated within the Plymstock Radford neighbourhood. The dwelling fronts a classified road with a sloping rear garden south of the site. The site is relatively level to the east and north and recedes slightly to the south.

2. Proposal Description

The proposal seeks to construct a two-storey rear extension including a balcony area at ground floor level.

3. Pre-application enquiry

None requested

4. Relevant planning history

None for this site

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).

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, 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 primary planning considerations in this case are the impact on neighbouring amenity, the impact on the character and appearance of the area and the amenity of future occupants. The application has been considered under policies CS02 and 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.

3. Principle of Development

4. The site has an established use as a residential dwelling. It is considered acceptable in principle as it meets the policies and guidance as discussed below.

Design/Streetscene

5. The proposal seeks to construct a two storey rear extension at both ground floor and lower ground floor level. The scheme will allow for living and bedroom space at lower ground floor with balcony and kitchen/dining extension at ground floor level.

6. The proposed depth of the extension is approximately 6 metres at both levels with a balcony depth of 2 metres and 4 metres on the ground floor extension. It includes two side elevation 1.8 metres high screening enclosures to protect neighbouring amenity.

7. The Development Guidelines Supplementary Planning Document makes reference to detached dwellings with flexibility in terms of design which in this instance seeks to incorporate a contemporary design. This is not uncommon for similar ones in close proximity to the site where the adjacent properties are predominantly detached, some of which feature their distinctive designs. The proposed materials include grey aluminium door and window frames with render finish.

8. Given the above assessments, officers are of the view that the extension would not be immediately visible from street scene and that it is not considered to pose significant visual harm to the character of the area and is therefore acceptable.

Amenity

9. Light – The property is detached and the proposed rear extension is set away from the boundary and consequently the adjacent dwellings. Officers note that given its positioning, the impact on loss of light is marginal. The scheme also meets the 45 degree rule.

10. Outlook- For a detached dwelling and as mentioned above, along with the change in topography, officers note that the outlook against the existing boundary treatment is not considered to result in severe loss of outlook.

11. Privacy – The scheme was assessed as having some impact on privacy particularly for the adjacent neighbours to the east and west. Officers noted the views resulting in overlooking would potentially result in adverse harm to neighbours therefore screening options were explored in order to ensure privacy issues are mitigated. A screening condition has also been attached. Amended plans were submitted as a result of further negotiations with the applicant. Officers also note that two new windows are proposed on the side elevations at lower ground floor level and given its positioning at lower level and obscured by the existing boundary treatment, they are not considered to pose significant loss of privacy.

Impact parking and highway safety

12. None that would raise cause for highway concern.

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, CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1 and DEV20 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 11.02.2019 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**

Existing and Proposed Elevations 20022019 -- received 19/02/19

Site Location Plan 08022019 - received 08/02/19

Existing and Proposed Floor Plans 08022019 - received 08/02/19

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: ENCLOSURE AND SCREENING**

The extension hereby submitted and approved in writing by the Local Planning Authority requires that all means of enclosures including the east and west side elevations balcony screening are in place prior to first occupation of the entire balcony area and that the screening is maintained in perpetuity.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 91,124, 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 (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 with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.