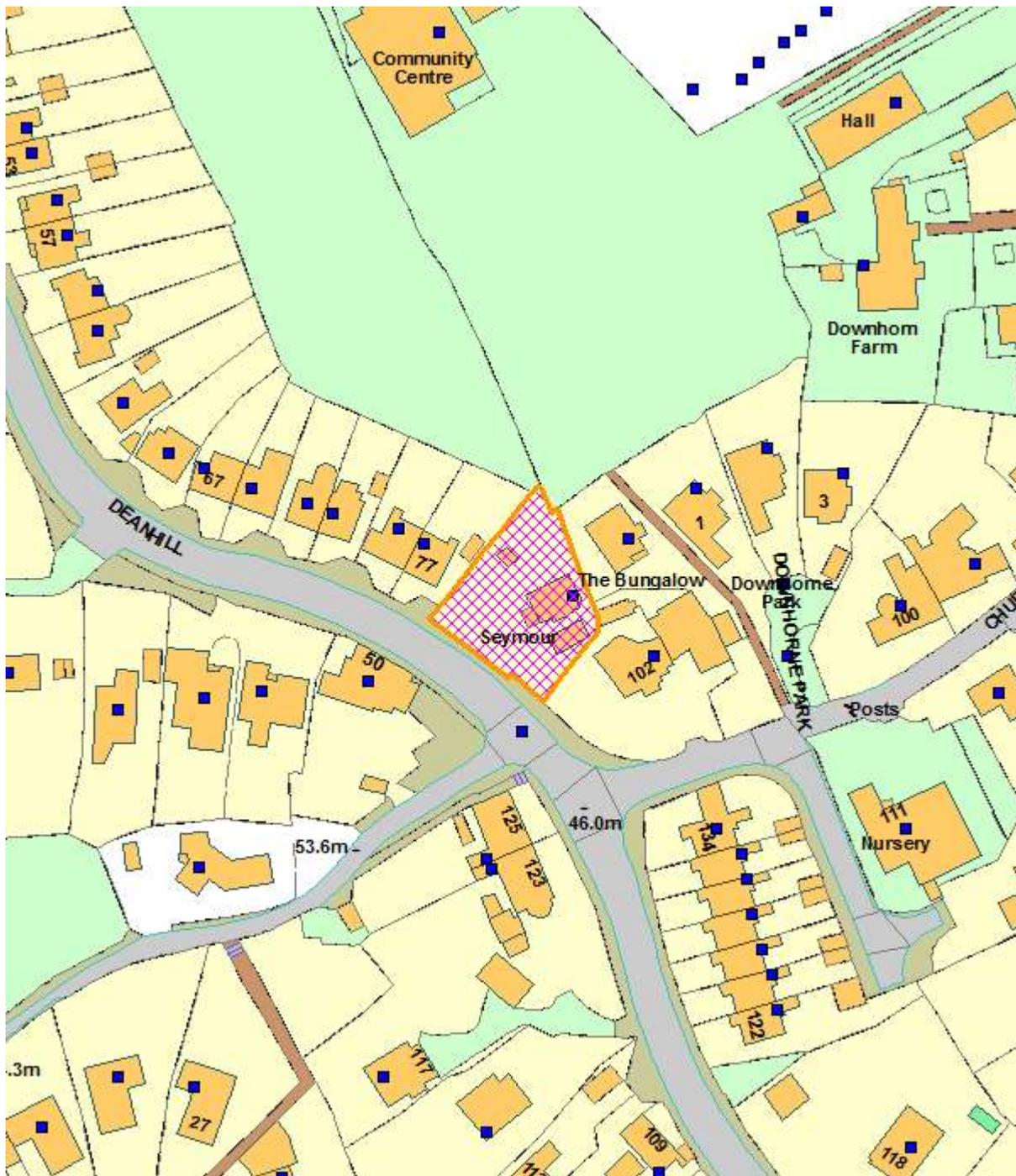


PLANNING APPLICATION OFFICERS REPORT



Application Number	22/00195/FUL	Item	01
Date Valid	10.02.2022	Ward	PLYMSTOCK RADFORD
Site Address	79 Dean Hill Plymouth PL9 9AF		
Proposal	Two-storey extension to south east (side) elevation, single storey extension to south west (front) elevation, single storey extension to north east (rear) and north west (side) elevations and detached garage and additional upper floor side window to south west elevation of main house		
Applicant	Mrs Hayley Johns		
Application Type	Full Application		
Target Date	07.04.2022	Committee Date	14.04.2022
Extended Target Date	21.04.2022		
Decision Category	PCC Employee		
Case Officer	Mr Mike Stone		
Recommendation	Grant Conditionally		



This application comes before the Planning Committee because the applicant is an employee of Plymouth City Council.

I. Description of Site

Number 79 Dean Hill is a detached, two storey dwellinghouse set in its own grounds near the junction with Church Road in the Plymstock and Radford Neighbourhood. The property is set back just over 12 metres from and is at an angle to Dean Hill. On the south west elevation closest to the road there is a large conservatory. The applicants describe this as the front elevation with the conservatory acting as a lobby/hallway with the main front door.

As well as the conservatory, there is also a small, single storey extension on the south east (side) elevation and a larger mono-pitched roof extension on the north east (rear) elevation. Two metres to the south east of the house is a large detached garage. There is a high stone boundary wall

running along Dean Hill that is topped with a stepped, timber fence bringing the height up to roughly 2 metres.

2. Proposal Description

Two-storey extension to south east (side) elevation, single storey extension to south west (front) elevation, single storey extension to north east (rear) and North West (side) elevations and detached garage and additional upper floor side window to south west elevation of main house.

The existing small single storey extension on the south east side elevation would be demolished and replaced with a two storey one. The two storey extension would be 4.5 metres deep and 7 metres wide, the eaves height would be 5.2 metres and roof height 8.2 metres, the same as on the main house.

The existing conservatory on the south west (front) elevation would be demolished and replaced with a single storey extension. The single storey extension would be 8.3 metres wide and just over 2 metres deep. It would have a hipped, pitched roof 2.2 metres to the eaves and 3.2 metres to the ridge. This would form a new front entrance lobby space.

The single storey extension on the north east elevation would largely follow the footprint of an existing extension but would continue 3.7 metres past the North West elevation of the house to form a garden room. Side steps would lead down to the garden.

The new garage would be located just south west of the main house. The garage would be 6.6 metres by 5.3 metre with a 4 metre high pitched roof.

3. Pre-application enquiry

There was no pre-application enquiry.

4. Relevant planning history

88/01781/FUL - Extension to dwelling house - Granted Conditionally.

83/01242/FUL - Extension to dwelling house to form a granny flat with integral garage - Granted Conditionally.

83/03931/FUL - Extension to dwelling house and erection of garage - Granted Conditionally.

5. Consultation responses

Local Highway Authority - no objections.

6. Representations

One letter of representation was received that objected to the application on the grounds that an upper floor window would overlook their garden and habitable room windows. Following negotiations and amendments to the plans, the objector withdrew their objection.

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. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, and Plymouth City Council's Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030. Additionally, the following planning documents are also material considerations in the determination of the application:

- o The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020).

8. Analysis

1. This application has been considered in the context of the development plan, the adopted Joint Local Plan, the Framework and other material considerations as set out in Section 7. The relevant policies are: DEV1 (Protecting health and amenity), DEV20 (Place shaping and the quality of the built environment) and DEV29 (Specific provisions relating to transport).
2. Principle of Development
Joint Local Plan policies indicate that the proposal is acceptable in principle.
3. Negotiations Undertaken
The original plans submitted were considered unacceptable and the assessment has been based on the revised plans.
4. Visual Impact
Officers have considered the visual impact of the development against the guidance in the SPD and consider it acceptable.
5. The Permitted Development Technical Guidance document defines the Principal elevation as follows:
"In most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house.
6. There will only be one principal elevation on a house. Where there are two elevations which may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation."
7. The applicants consider the south west elevation with the conservatory to be the front of the house. It is the part of the house closest to the main road from which the address is derived and the conservatory serves as a large "porch" and includes the entrance door to the property. The main architectural features are the twin full height bay windows on the North West elevation, this faces the garden and could not be considered the principal elevation. The case officer accepts that the south west elevation is the front of the house.
8. Front extension (South west elevation)
The SPD says that extensions that project forward of the existing house will generally be resisted. This guidance is designed to protect the character of a street where there is a clear and defined building line. The subject property is a detached building in its own grounds, set well back from the main road and away from other residential development.

9. The new front extension would replace the current conservatory. Plans from 1983 show the conservatory in place on the front elevation of the house. The case officer considers that the removal of the large conservatory, which is clearly visible from the road, and its replacement with a front extension of a more traditional appearance would result in an improvement to the street-scene.
10. Two storey side extension (south east elevation)
The SPD says that side extensions should generally be subordinate to the main house. This is achieved by having the roof set down and the front elevation setback at least one metre. This would not be the case here with only a 500mm setback from the front elevation and the roof height the same as on the main house. The SPD does allow for exceptions to the guidelines for detached buildings, like the subject property, that have their own individual design.
11. The property is detached and well separated from neighbours, so the case officer has no "terracing effect" concerns.
12. The other single storey extensions at the rear (North East) and the side (North West) would not be visible from the public street.
13. The front (south west) elevation of the two-storey extension and the single storey front extension would be finished in natural stone. Natural stone forms the boundary wall and is a feature of the immediate area. The Case Officer does not feel that this would have a harmful impact on the character and appearance of the area. A pre-commencement condition requiring details of the proposed stone to be approved by the LPA is recommended. The rest of the development would use materials to match the main house.
14. New garage
The new garage would be built roughly one metre in front of the house. The SPD states that "in urban areas, garages in front gardens will generally be resisted as these are prominent sites and can detract from the street-scene." There is a high stone boundary wall running along Springfield Road topped with a timber fence to bring the height to roughly 2 metres that would screen the bulk of the garage. There is no planning history for the timber fencing, but evidence from Google Street View show it in place since at least July 2009, so exempt from any compliance action.
15. The Case Officer does not consider that there would be any significant harm to the street scene and the impact would be less than from the current large conservatory. A condition requiring the boundary wall to be retained to protect the visual amenity of the area and an incidental use condition for the garage are recommended.
16. Amenity
Officers have considered the impact on neighbouring amenity against the guidance in the SPD and consider it acceptable.
17. No new upper level windows are proposed facing the neighbour to the south east, 102 Church Road. New upper floor windows in the south west elevation of the two storey extension and one additional window in the main house would overlook the main road. On the north east elevation of the extension, the upper floor bedroom window would face the rear garden of 102A Church Road.
18. A letter of objection from 102A Church Road raised concerns about overlooking from this window. Following negotiations, an amended scheme was submitted that made all the upper floor windows facing 102A obscure glazed and added a roof light for the amenity of the

occupants of the bedroom. The objector expressed their satisfaction with the amendment and withdrew their objection.

19. Given the good levels of separation between the subject property and the neighbour to the North West and the high boundary wall to the north east, the case officer does not feel that either of these single storey extensions present any problems in terms of neighbour amenity.

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 is acceptable and accords with policies DEV1, DEV20 and DEV29 and national guidance and is recommended for approval.

14. Recommendation

In respect of the application dated 10.02.2022 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

I CONDITION: APPROVED PLANS

Existing and Proposed Plans 3079 - Rev A received 24/03/22

Site Plan 1022022 - received 10/02/22

Location Plan 1022022 - received 10/02/22

Garage elevations and section 22022022 - received 22/02/22

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

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 EXTERNAL MATERIALS

PRE-COMMENCEMENT

No development shall take place until details of the materials to be used in the construction of the external surfaces of the front (south west elevation) of the two storey extension and the single storey front (south west) extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2019) and the National Planning Policy Framework.

Justification:

To ensure that the proposed external materials for the development are acceptable to the Local Planning Authority.

4 CONDITION: MATCHING MATERIALS

The materials to be used in the construction of the external surfaces of the two-storey side extension (south east), rear extension (north east), single storey side extension (North West) and garage hereby permitted shall match those used in the existing building.

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 DEV20 of the Plymouth and South West Devon Joint Local Plan (2019) and the National Planning Policy Framework.

5 CONDITION: USE RESTRICTION (GARAGE)

The proposed private motor garage shall only be used for purposes incidental to the enjoyment of the dwellinghouse as such and shall at no time be converted to, or occupied as a residential annexe.

Reason:

To ensure that no adverse effect upon the amenities of the neighbourhood may arise out of the proposed development in accordance with Policies DEV1, DEV20 and DEV29 of the Plymouth and South West Devon Joint Local Plan (2019) and the National Planning Policy Framework.

6 CONDITION: EXISTING BOUNDARY TREATMENT TO BE RETAINED AND PROTECTED

The stone boundary wall along Springfield Road shall be retained, protected and properly maintained at all times thereafter.

Reason:

To ensure that the existing boundary treatment is retained, protected and properly maintained thereafter to screen the visual appearance of the proposed garage in accordance with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2019) and the National Planning Policy Framework.

7 CONDITION: OBSCURE GLAZING

Notwithstanding the provisions of 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 windows at first floor level in the north east elevation of the two-storey extension and the north east elevation of the main house, 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 DEV1 of the Plymouth and South West Devon Joint Local Plan (2019), as permitted by article 4 paragraph 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

8 CONDITION: NO FURTHER WINDOWS

No additional windows or openings shall be inserted into the rear (north east) elevation of the enlarged property at the first floor level without the grant of a further specific permission from the Local Planning Authority.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy DEV1 of the Plymouth and South West Devon Joint Local Plan (2019).

9 CONDITION: BIODIVERSITY GAIN

To promote biodiversity, the applicant shall provide for the installation of 2 no. enclosed bird bricks or bat boxes, at eaves height, within the elevations of the building.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Policies SPT11 and DEV26 of the Plymouth and South West Devon Joint Local Plan (2019) and Government advice contained in paragraphs 174 and 180 of the NPPF 2021.

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 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.