

Planning Committee Report – 22/0361/FUL

1.0 Application Information

Number:	22/0361/FUL
Applicant:	Mr Sean Keaney
Proposal:	Single-storey rear extension to dwelling, with associated modifications.
Site Address:	13 Monkswell Road Exeter Devon
Registration Date:	4 th April 2022
Link to application:	https://publicaccess.exeter.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R8SKJZHBMFO00
Ward Member(s):	Pennsylvania Ward: Zion Lights, Josie Parkhouse, Martyn Snow.

Reason application is going to Committee: The applicant is an Exeter City Council staff member. Under the terms of the City Council's constitution, the application must be reported to the planning committee for transparency.

2.0 Summary of recommendation

Approve subject to conditions.

3.0 Reason for the recommendation: as set out in Section 18 at the end of the report

- The design is acceptable in relation to the existing dwelling's character.
- The design is acceptable in relation to the street scene and the broader setting of the development.
- There are no detrimental impacts on neighbouring amenities created by the proposed development.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The principle of development is acceptable.

Scale, design, impact on character and appearance	The design is acceptable
Impact on amenity	No impact on neighbouring amenities

5.0 Description of the site

The site is located on Monkswell Road within Pennsylvania ward. The proposal relates to a two-storey mid-row terraced dwelling. The terrace steps down with the declining gradient towards the north. A wall encloses the dwelling's rear garden, which provides privacy to the applicants and neighbours. In common with many terraced houses in Exeter, the dwelling has a rear projecting tenement. It covers approximately three-quarters of the width of the dwelling, leaving a gap to the neighbouring property. This gap has been infilled with a small conservatory. The adjoining neighbour to the south does not have a similar tenement but does have a conservatory adjoining the boundary.

6.0 Description of development

The proposal is to demolish the existing conservatory and replace it with a rear/side infill extension. The extension would have a glazed lean-to roof and form part of an enlarged kitchen.

It is also proposed to demolish an outside toilet on the rear elevation next to the northern site boundary and to introduce an enlarged window on this elevation. The demolition and replacement of windows are permitted development and are not being considered part of this application.

7.0 Supporting information provided by the applicant

Site Location Plan – DWG No: 001 – Date Received: 15/03/2022

Amended Proposed Elevations – DWG No: 301 Rev C – Date Received: 30/05/2022

Amended Proposed Ground Floor Plans - DWG No: 101 Rev C – Date Received: 30/05/2022

8.0 Relevant planning history

NA

Reference	Proposal	Decision	Decision Date

9.0 List of constraints

Article 4 Student
CIL Habitat Buffer

CIL Habitat SANGS

Impact Risk Zone – Aviation

LDO

10.0 Consultations

All consultee responses can be viewed in full on the Council's website.

No consultations have been received.

11.0 Representations

No representations have been received.

12.0 Relevant policies

Government Guidance

National Planning Policy Framework (NPPF)
12. Achieving well-designed places

Planning Practice Guidance (PPG)

Core Strategy (Adopted February 2012)

CP17 – Design and Local Distinctiveness

Development Delivery Development Plan Document (Publication Version, July 2015)

DD25 - Design Principles

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

DG1 - Objectives of Urban Design
DG4 – Residential Layout and Amenity

Exeter City Council Supplementary Planning Document

Householder's Guide to Extension Design Supplementary Planning Document 2008

13.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

Considering the application following Council procedures will ensure that the views of all those interested are taken into account. All comments from interested parties have been considered and reported within this report in summary, with full text available via the Council's website.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling land development. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

14.0 Public sector equalities duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions, must have "due regard" to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and people who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that is connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that is different from the needs of other persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to remove any disadvantage entirely, the Duty is to have “regard to” and remove OR minimise disadvantage. In considering the merits of this planning application, the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

15.0 Financial Issues

The requirements to set out the financial benefits arising from a planning application are in s155 of the Housing and Planning Act 2016. This Act requires that local planning authorities include financial benefits in each report which is:-

- a) made by an officer or agent of the authority for a non-delegated determination of an application for planning permission; and
- b) contains a recommendation for how the authority should determine the application following section 70(2) of the Town and Country Planning Act 1990.

The information or financial benefits must include a list of local financial considerations or benefits of a development that officers consider are likely to be obtained by the authority if the development is carried out, including their value if known and should include whether the officer considers these to be material or not material.

Material considerations

N/A

Non-material considerations

The proposal is not CIL liable.

16.0 Planning assessment

Principle of Development

The development seeks to construct a rear/side infill extension. The proposal would infill the space between the rear wings side wall and the dividing wall with the neighbour at 15 Monkswell Road. An extension of this type is acceptable in principle, subject to consideration of the design and impact on neighbours.

Acceptability of design and visual impact.

Policy CP17 of the Exeter Core Strategy requires development to complement or enhance Exeter's character and reflects Objective 9 of the strategy, which seeks to achieve excellence in design. Policy DG1 of the Exeter Local Plan, amongst other considerations, requires the massing and shape of development to relate well to and be appropriate to the surrounding townscape, be subservient to the original house, and have a design that does not harm the character of the existing dwelling to an unacceptable degree.

The proposed rear extension is acceptable in design terms. The proposed materials, scale, shape, details, and massing are all complementary to the existing dwelling and comply with relevant policies and guidance.

Impact of design on Street scene

Concerning Local Plan policy DG4, the extension will not impact the wider street scene or setting.

Policy DG1 is amplified by the Householder's Guide to Extension Design Supplementary Planning Document, adopted in 2008, which seeks to raise the standard of proposals, and provides 12 general design principles. The guide in requires extensions to be subservient to the original house. In this case, the proposed extension would not be visible from the street and would be subservient to the original house.

The impact on neighbouring amenities

Regarding the impact on neighbouring amenities, Local Plan policy DG4 seeks to ensure proposed extensions will not have a detrimental effect on neighbours by overlooking, overshadowing and overbearing. The proposal will not adversely affect the amenity of neighbours and complies with this policy.

17.0 Conclusion

For the reasons outlined above, the proposed rear extension complies with the relevant policies of the Development Plan and is therefore recommended for approval subject to appropriate conditions.

18.0 Recommendation

APPROVE subject to the following conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years, starting with the date on which this permission is granted.
Reason: To ensure compliance with sections 91 and 92 of the Town and Country Planning Act 1990.

2) The permitted development shall be carried out in strict accordance with the submitted details received by the Local Planning Authority. These details and drawings are as follows:

Site Location Plan - DWG No: 001 - Date Received: 15/03/2022

Amended Proposed Elevations - DWG No: 301 Rev C - Date Received: 30/05/2022

Amended Proposed Ground Floor Plans - DWG No: 101 Rev C - Date Received: 30/05/2022

Reason: To ensure compliance with the approved drawings.

Informatives:

1) Under the Conservation of Habitats and Species Regulations 2017, this development has been screened regarding the need for an Appropriate Assessment (AA). Given the nature and scale of the development, it has been concluded that the proposal does not require an AA.

2) Following Paragraph 38 of the National Planning Policy Framework, the Council has worked positively and proactively and has imposed planning conditions to enable the granting of planning permission.