

Appeal Decision

Site visit made on 31 October 2017

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 November 2017

Appeal Ref: APP/N1160/D/17/3180610
79 Hemerdon Heights, Plymouth, LP7 2EZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Goodwin against the decision of Plymouth City Council.
 - The application Ref 17/00598/FUL, dated 13 December 2016, was refused by notice dated 18 May 2017.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs has been made by the Appellant against Plymouth City Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposal on i) living conditions for neighbours and ii) the character and appearance of the host property and the locality.

Reasons

4. The appeal property is a semi-detached two storey dwelling with a flat roofed attached garage to the side and it lies within a cul-de-sac. The street includes a variety of house designs with the style of the appeal property being one which is found a number of times. The appeal proposal is as described above and would provide accommodation set to the rear of the side garage and porch giving living, bedroom and bathroom facilities.

Living conditions

5. The planned two storey extension would be such that the principal side vertical wall would be almost on the shared rear side boundary and would lie alongside neighbours' outside amenity space. The neighbouring garden in question is of reasonable size but given the levels the part nearest the house is most likely to be used and the area alongside the planned extension would offer westerly sunshine at times towards the end of the day. The proposal would introduce a large extent of walling and massing in close proximity to anyone in the garden of No 80 whether one was directly or obliquely next to it and to my mind the relationship would be an uncomfortable one. With the proposal's northern orientation there would not be loss of sunlight or daylight but there would
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certainly be an impact through the scheme being overbearing and unduly dominant. A sense of space and openness which should be safeguarded would be lost.

6. Policy CS34 of the City of Plymouth Local Development Framework 2007 (LDF) and Policies DEV1 and DEV20 of the Joint Local Plan 2014-2034 (JLP) seek to ensure suitably designed development that would not unduly impact upon residential amenity. This is also a key objective of the detailed guidelines set out in the Development Guidelines Supplementary Planning Document First Review (SPD). I conclude that there would be conflict with these policies and the SPD on the matter of protecting the living conditions of neighbours.

Character and appearance

7. For the most part this cul-de-sac includes pairs of semi-detached homes which have gaps between them at upper floor level. This typical scale of property and the sense of space and vistas which ensue make a very important contribution to the character of the street. Notwithstanding that the proposed extension would be set back as normally advised and would, if taken solely in its own right, be of reasonable design; the closing of a space here would be visually regrettable. Furthermore effectively a complete terrace would be formed if the neighbouring property was to emulate this. The relatively elevated level of the row of properties makes the views through particularly open in nature from the front whilst from the small area of open space to the rear the bulk of development on higher ground would look ungainly.
8. I would agree with the Appellant that materials here need not be a determining factor. However to my mind this property should not be extended at upper floor level at this scale up to, virtually, a position on the side boundary whatever materials are used.
9. Previously cited Policy CS34 of the LDF and Policy DEV20 of the JLP, taken together and amongst other matters, seek well designed new development that should protect local distinctiveness, complement the host property and its locality, have regard to massing, layout and siting, and not detract from the existing street scene. For the reasons given above I conclude that the appeal scheme would run contrary to these policies. It would also conflict with the parallel key design objective of the SPD albeit that document cannot be expected to cover every eventuality.

Other matters

10. I can appreciate the wish to extend this property and can see that the attempts to achieve this have been long running and involved dialogue with the Council and led to some sense of frustration. I considered examples of extensions erected locally. I would conclude that some work successfully in visual terms, others less so and should not be used as a benchmark. In any event for reasons of position, scale or form none are directly comparable to the appeal scheme which I must assess on its own merits. I do agree with the Appellant that had my concerns been centred on the selection of external materials then a planning condition would have been an appropriate means of resolution. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues identified above.

11. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within the Framework.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on living conditions for neighbours and on the character and appearance of the host property and the locality. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR