
Appeal Decision

Site visit made on 9 July 2019

by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2019

Appeal Ref: APP/N1160/D/19/3228370
24 Rowland Close, Plymouth PL9 9TH

- 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 Neil Rogers against the decision of Plymouth City Council.
 - The application Ref 18/02141/FUL, dated 21 December 2018, was refused by notice dated 13 February 2019.
 - The development proposed is ground and first floor extensions to the front of the property.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant's name is spelled differently in the application form, design and access statement and appeal form. The appellant has confirmed the correct spelling is as set out in the banner heading above.
3. Since the Council refused planning permission it has adopted the Plymouth & South West Devon Joint Local Plan 2014-2034 (the JLP). Policies CS02.3 and CS34.4 of the Plymouth Local Development Framework 2007, quoted in the Council's decision, have been replaced by policies DEV1 and DEV20 of the JLP. Both sets of policies were included in the Council's reason for refusal and their aims are similar. The parties have therefore had the opportunity to comment on the implications of this change to their respective cases. I have dealt with the appeal on this basis.
4. As part of the appeal the appellant has included a revised plan (ref 051/05E) showing smaller extensions and amended window arrangements. The changes shown materially alter the scheme that was before the Council when it made its decision. Although the appellant has apparently discussed the revised plan with the Council since its decision was issued, I have no evidence that it has been subject to any consultation or publicity. In my view, acceptance of the amended plan at this stage would potentially prejudice the interests of interested parties. As such I have not had regard to the revised plan and have determined the appeal on the basis of the plans referred to on the decision notice.

Main Issues

5. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the area; and
 - b) the living conditions of the occupants of 25 Rowland Close, particularly in relation to privacy.

Reasons

Character and appearance of the area

6. There are a number of different styles of dwelling in the street, which share a common palette of brick and render and which are set back a similar distance from the highway. Wide front porches with a pitched roof are a characteristic feature across front elevations.
7. The proposed first floor extension would extend over the whole of the existing porch and would be out of scale with the existing dwelling. It would appear as a large and prominent feature in the street and the grey weatherboarding would be incongruous and out of keeping with the area. Although there are some other gables in the street, they are not of this scale and use brick or render, so are not directly comparable to this proposal.
8. The extension of the porch across the full width of the dwelling would remove the partial gap that exists on other properties. Although the materials, depth and roof pitch of the porch would be consistent with those in the street, taken as a whole, the extension would adversely affect the appearance of the host property and the character of the area.
9. I conclude that due to its scale and use of unsympathetic materials, the proposal would harm the character and appearance of the area. It would be contrary to Policy DEV20 of the JLP which requires proposals to meet good standards of design. It also would not accord with policies of the National Planning Policy Framework (the Framework) which seek to achieve well designed places. Furthermore, it would be contrary to the aims of the Development Guidelines Supplementary Planning Document First review (adopted May 2013) (the SPD), which seeks to resist unsympathetic front extensions.

Living conditions

10. The proposed new bedroom window would face towards the garage roof, blank side elevation and front garden of 25 Rowland Close. All of these are clearly visible from the public realm and are not private areas. Consequently, the introduction of a bedroom window in this location would not have a significant adverse effect on the privacy of the occupiers of No 25. I therefore find no conflict with policy DEV1 of the JLP which seeks to safeguard amenity, or with paragraph 127 of the Framework.
11. The Council refers to paragraphs 2.2.30 and 2.2.31 of the SPD which relate to protecting outlook. These parts of the SPD are not directly relevant to this appeal which concerns privacy. In any event I find no harm to outlook because the window would have a relatively open outlook over the garage and porch

roofs of No 25 towards its open front garden, and therefore would not be unduly constrained.

Conclusion

12. I find that the proposal would harm the character and appearance of the area. While I have found no harm in respect of the living conditions of No 25, this does not outweigh the harm identified. Therefore for the reasons given above, the appeal is dismissed.

L McKay

Inspector