
Appeal Decision

Site visit made on 10 June 2020

by Nick Davies BSc(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2020

Appeal Ref: APP/N1160/D/20/3247076

176 Plymouth Road, Plymouth PL7 4NR

- 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 Gary Bailey against the decision of Plymouth City Council.
 - The application Ref 19/01567/FUL, dated 30 September 2019, was refused by notice dated 25 November 2019.
 - The development proposed is a single storey extension to the front of the property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The extension has already been constructed, so I am dealing with this appeal retrospectively.

Main Issues

3. The main issues are:
 - a) The effect of the development on the character and appearance of the area; and,
 - b) The effect of the development on the living conditions of the occupants of 174 and 178 Plymouth Road with regard to outlook and privacy.

Reasons

Character and appearance

4. 176 Plymouth Road is one of a row of two-storey semi-detached houses set at a higher level than the busy Plymouth Road, which runs in front. In common with most others, it has an excavated car-parking space at road level and steps up to the front garden. The houses are arranged on a regular building line, which gets closer to the road from west to east. Most of the houses have front extensions of some form at ground floor level. As these are often of modest proportions, and hidden by front boundary fences or hedges, the consistency of the building line, particularly at first floor level, remains a characteristic feature of the street scene. There is also a level of uniformity in the two-storey scale, hipped roof form, and set back from the road, which gives this row of houses a cohesive appearance.

5. The extension projects further from the front elevation of the house than any others in the row. It also covers almost the full width of the front elevation, and has a bulky, flat-roofed design. Its looming presence is clearly visible over the front boundary fence from the pavement in front of the site. Viewed from here, the extent of its forward projection, combined with its width and height, results in the extension obscuring views of the upper levels of the house and its neighbour. As a result, it is a more noticeable feature in the street scene, and more visually disruptive of the characteristic pattern of development, than the other front additions. As it does not reflect the scale and pattern of local development, it appears as an incongruous addition to the townscape, and is harmful to its character.
6. I am mindful that the extension replaced a previous conservatory, which extended almost as far. However, the conservatory was only about half the width, and had a lower eaves level and a pitched roof. It would, therefore, have been much less bulky in appearance, and more in keeping with the character of the other front extensions. It would not, therefore have had such a visually disruptive effect on the street scene.
7. The appellant has suggested that the size of the extension could be reduced by removing the overhanging roof, and that the external materials could be negotiated. However, the overhanging roof does not add considerably to the overall bulk of the extension, therefore its removal would not significantly reduce its prominence in the street scene. As a large proportion of the extension is made up of full height windows, the external materials are not a major factor in its appearance. I therefore find that a condition requiring these alterations would not overcome the harm that I have identified.
8. For the reasons given above, I find that the extension is harmful to the character and appearance of the area. The development therefore conflicts with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) (the Local Plan), which seeks to ensure that proposals contribute positively to townscape, and have proper regard to the pattern of local development. The proposal also does not meet the aims of the National Planning Policy Framework (the Framework) to achieve well-designed places.

Living conditions

9. 174 Plymouth Road is the semi-detached partner of the appeal property, and it has the same original front building line. The extension projects almost five metres from the front of the building, close to the property boundary. Paragraph 2.2.30 of the Council's Development Guidelines Supplementary Planning Document (2013) (the SPD) advises that an extension should not be constructed near a neighbouring property where it would have an unacceptable overbearing effect on a household's outlook. As No 174 also has a flat-roofed conservatory projecting from its front elevation, the impact of the extension on the outlook from this property is reduced. I am also mindful that there was previously a conservatory of almost the same extent, in a similar position, which would have had a comparable impact. Therefore, the extension has not resulted in an unacceptable overbearing effect for the occupants of No 174.
10. The extension has full length windows in its east elevation, which look towards No 174 from very close to the boundary. I saw, however, that views out of these windows to the neighbouring conservatory and garden are entirely screened by the boundary fence and vegetation. I appreciate that the extent

and nature of boundary vegetation can change, such that it may not provide the same screening effect over time. However, the appellant has indicated a willingness to apply obscure film to the windows and, had I been minded to allow the appeal, I could have secured this through the imposition of a planning condition. This would have ensured that there would be no harm to the occupants of No 174 through loss of privacy.

11. 178 Plymouth Road lies to the west of the appeal site, on a similar building line. It has a conservatory on its front elevation, approximately two metres from the boundary. The extension projects further than the conservatory, but is about three metres from the boundary, so there is a significant gap between the two. The appellants have submitted evidence to show that the extension complies with the 45° guideline in the SPD, which is used to indicate whether there would be a harmful loss of light. Occupants of the conservatory therefore retain a largely open outlook to the south, so the extension does not have an unacceptably overbearing impact.
12. The full-length windows in the west side elevation of the extension are quite close to the boundary with No 178. I saw that the upper parts of the windows of the conservatory could be seen from within the extension, over the boundary fence. The resultant overlooking is much greater than would have been possible from the original conservatory, which was much further from the boundary. However, the fence prevents the possibility of looking down into the accommodation, so the loss of privacy is still limited. In any event, the application of obscure film could have been required through a planning condition to ensure that there was no harmful loss of privacy in the conservatory or garden.
13. I therefore find that the extension does not result in harm to the living conditions of the occupants of 174 and 178 Plymouth Road through loss of outlook and privacy. The development therefore complies with Policy DEV1 of the Local Plan, and the advice in the SPD, which seek to ensure that new development protects the amenity of existing residents. The proposal also meets the aims of the Framework to create places with a high standard of amenity for existing and future users.

Other Matters and Planning Balance

14. I am mindful of the personal reasons set out by the appellant to explain the need for additional accommodation. I also understand the desire to maintain outdoor space to the rear of the building, where there is greater protection from traffic noise. At the time of my visit, traffic was under light-signalled control in front of the appeal site, so I was unable to witness normal traffic conditions. However, the level of noise at the front of the house was not markedly different to that at the rear. I am not therefore persuaded that the front garden would be unusable for outdoor amenity purposes. In the absence of evidence to demonstrate that the desired accommodation could not be achieved in a different way, I can only give the personal circumstances limited weight. They are therefore outweighed by the harm that I have found to the character and appearance of the area.
15. The absence of harm to the living conditions of the occupants of neighbouring properties is a neutral factor, and does not therefore weigh in favour of the proposal.

Conclusion

16. For the reasons given above, I conclude that the appeal should be dismissed.

Nick Davies

INSPECTOR