



Appeal Decision

Site visit made on 16 June 2020

by Mrs H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2020

Appeal Ref: APP/N1160/W/20/3247029

10 Pollard Close, Plymouth PL9 9RR

- 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 QH Properties Ltd against the decision of Plymouth City Council.
 - The application Ref 19/01703/FUL, dated 24 October 2019, was refused by notice dated 17 December 2019.
 - The development proposed is demolition of ancillary buildings to number 10 Pollard Close and construction of a new attached dwelling house.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by QH Properties Ltd against Plymouth City Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effects of the proposal on the character and appearance of the area and on the living conditions of future occupiers, with particular regard to the adequacy of floorspace.

Reasons

Character and appearance

4. The surrounding area predominantly comprises two storey dwellings, albeit that there are some dormer bungalow style dwellings on the opposite side of Pollard Close to the appeal site. There is a strong pattern of semi-detached pairs in the area, but also some larger detached dwellings and short terraces. A number of dwellings have attached two storey side extensions which take a range of forms and which have resulted in narrowed gaps between the respective buildings.
5. The proposal would remove an attached garage and extension to the side of No 10 Pollard Close and introduce a semi-detached dwelling in the available space. The existing front garden to the host dwelling would be hardsurfaced to provide a driveway, where it is presently an enclosed lawn. Despite that it would be built from matching materials, the new dwelling would be narrower than the host dwelling and it would also have a higher ridge.
6. Notwithstanding that the side garage and extension would be removed, the available space for the dwelling is small and tucked into a corner, with the

retaining wall and driveway of the adjacent house in close proximity. Owing to its siting, layout and the lack of space for the dwelling, the proposal would appear incongruous in the streetscene. It would have little road frontage, only wide enough for a single driveway at an angle to the road. The increase in hardsurfacing to the front of the host dwelling would also further erode the existing modest sense of space that presently exists.

7. Whilst I accept that the ridgeline of the neighbouring dwelling, No 8 Pollard Close, is at a higher level, and that its garden retaining wall adjacent to the site would be approximately half of the height of the proposed dwelling, these factors would not sufficiently mitigate the impact of a new dwelling with a higher ridge height than its adjoining counterparts. Though there may be limited guidance on this topic in the SPD, and there may not be a need for the proposal to appear subservient to the adjoining host dwelling, there is still a need to maintain a logical approach to proportion. As a dwelling of smaller proportions overall, it would appear irregular for it to have a more dominant roof form than the dwellings it has been designed to replicate.
8. Though I note that the existing garage and extension do not have materials to match the host dwelling, they are modest in size and are unobtrusive in the street scene. In addition, they have some similarities with the adjoining retaining wall belonging to the neighbour which would remain in any case. As such, their removal would not amount to an improvement that would otherwise justify the proposal.
9. In view of this main issue, the proposal would harm the character and appearance of the area, contrary to Policies DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan 2019 (JLP). Collectively, amongst other things, these Policies seek to ensure that housing developments are designed to be integrated with adjacent developments and deliver locally distinctive design. For similar reasons, the proposal would also conflict with the policies of the National Planning Policy Framework and paragraph 2.8.12 of the Development Guidelines Supplementary Planning Document First Review 2013.

Living conditions of future occupiers

10. The dwelling would have two bedrooms, a kitchen/diner, lounge and family bathroom split over two floors.
11. JLP Policy DEV10 requires that new dwellings are built to a sufficient size and layout to provide good quality accommodation in line with the '*Nationally Described Space Standards*¹ (NDSS). In this case, the proposal would provide an undisputed 56 sqm of floorspace which falls short of the required minimum of 70 sqm for a two bedroom dwelling. This is a sizeable shortfall relative to the size of the dwelling overall.
12. The appellant indicates that the proposal can be amended to meet the NDSS minimum size, although no plans have been submitted to indicate how that would be achieved in this instance. In the absence of any amended plans of this nature, I consider that the shortfall in floorspace would be detrimental to future occupiers.

¹ Ministry of Housing, Communities and Local Government: Technical housing standards - nationally described space standard (2015)

13. Though the application of JLP Policy DEV10 and the NDSS has occurred relatively recently (since adoption of the JLP in 2019), and the Council may wish to continue to monitor any implications for housing delivery that arises therefrom, there is no evidence to suggest that this policy is to be attributed anything other than full weight at this time. Whilst I understand the appellant's desire for a flexible approach to space standards, the Council has set a clear expectation through its recently adopted plan to ensure that new homes are built to be fit for purpose.
14. In view of this main issue, the proposal would harm the living conditions of future occupiers in respect of the adequacy of floorspace. It would therefore conflict with Policies DEV1 and DEV10 of the JLP, which seek to ensure that new development protects health and amenity and that dwellings are built to provide good quality accommodation to meet the needs of their occupants.

Other Matters

15. The appellant indicates that issues in respect of overlooking of neighbouring occupiers were resolved prior to the determination of the appeal application. The absence of harm is a neutral factor in the overall planning balance.
16. I note that the appellant argues that the proposed dwelling could be a starter home. A planning obligation to restrict the dwelling to a 'starter home' has not been submitted in this instance and it therefore falls to be considered as a typical open market dwelling. Whilst I accept that its size and price would be likely to be more attractive to first-time buyers, this factor does not outweigh the identified harm.

Conclusion

17. The proposal conflicts with the Development Plan in respect of its effects on the character and appearance of the area and the living conditions of future occupiers. There are no considerations of sufficient materiality to outweigh the identified harm.
18. For the reasons set out above, the appeal is dismissed.

Hollie Nicholls

INSPECTOR