



Appeal Decision

Site visit made on 5 July 2022

by S Harrington MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2022

Appeal Ref: APP/N1160/D/22/3296020

14 Allerton Walk, Plymouth, PL6 5RZ

- 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 George against the decision of Plymouth City Council.
 - The application Ref 21/01966/FUL, dated 29 October 2021, was refused by notice dated 17 January 2022.
 - The development proposed is a raised decking area to be constructed above existing garage to extend garden area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. 14 Allerton Walk is a mid-terrace dwelling located within a suburban residential area. Due to the surrounding topography, the rear of the property is set above an access road which serves garages and parking spaces for both properties along Allerton Walk, and those located at Alden Walk.
4. Rear elevations of Allerton Walk, the access road and garages and parking areas are prominent in the wider street scene especially from Speedwell Crescent. Due to both the topography of the area contributing to a general step down and low garage heights, and the width of road, the access road has a spacious open character.
5. Boundary treatments in the area vary, but I saw at my site visit that those to rear gardens are largely timber fences of various heights, which tend to follow the boundary of demarcated gardens, behind the garages that stand closer to the road.
6. I note the area features a broad mix of design elements and materials including the various boundary treatments, rear extension designs, and differing scale of garages. However, the proposal would introduce decking and associated fencing that is clearly shown on the plans which, due to the height of the fence on the garage roof and its position close to the road, would be visually prominent, being seen as an incongruous and unduly dominant bulky feature protruding into the street scene. This would harm the open spacious character that I have identified.

7. My attention has been drawn to the existence of other examples of decking in the wider area. However, the context of these examples differs in both overall appearance and relationship with the street scene. They do not affect the street scene of the road on which the proposal is located. Any direct comparison with other examples does not therefore, indicate that the form of this proposal would sit comfortably within its setting and the existence of other examples does not justify further harm.
8. Guidance is set out within the Plymouth and South West Devon Supplementary Planning Document (2020) (SPD) regarding boundary walls and fences. The SPD advises that amongst other things, the height and appearance of walls and fences should reflect the character of the existing street scene.
9. Given the impact on the character of the area identified above, I find that the proposal would conflict with those aims of Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 that seek to ensure that development achieves good standards of design which contributes positively to the townscape, protecting and improving the quality of the environment, the design aims of the National Planning Policy Framework and guidance relating to boundary fences set out within the SPD.

Other Matters

10. The proposal would provide a benefit to the living conditions of the properties occupants by way of extending the useable garden space at this property. However, as the property already benefits from a private rear garden area, the weight I attribute to this is reduced and does not outweigh the identified harm.
11. The appellant has highlighted that the proposal will not result in overlooking of neighbouring properties as required by the 'decking, terraces and patios' guidance within the SPD, and the Council appear to accept that this is the case. I have no reason to disagree with this assessment. I have also had regard to the absence of objections from neighbours or any other interested parties. However, whilst this may be so, this does not diminish the identified harm and conflict with the development plan.

Conclusion

12. For the reasons given above, I find that the proposal would conflict with the development plan, read as a whole. No material considerations have been shown to have sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

S Harrington

INSPECTOR