



Appeal Decision

Site visit made on 6 December 2022

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2022

Appeal Ref: APP/N1160/D/22/3291882

42 Langmead Road, Plymouth PL6 5TA

- 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 G Shorthouse against the decision of Plymouth City Council.
 - The application Ref 21/01882/FUL, dated 14 October 2021, was refused by notice dated 13 December 2021.
 - The development proposed is described as 'garage/workshop'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the living conditions of neighbouring occupiers with respect to outlook and daylight.

Reasons

3. The appeal site is located in a residential area with a predominance of bungalows. The appeal dwelling appears as a bungalow when viewed from Langmead Road and has a single garage to the side.
4. The proposed garage would occupy a similar position to the existing garage, between the appeal dwelling and the boundary with the neighbouring property, No 40 Langmead Road, a bungalow located on land at a slightly lower level. The rear elevation of No 40, with three existing windows and its only private garden area face the side elevation of No 42.
5. The existing garage at the appeal site has a gently sloping roof which runs from front to back and it does not extend across the full depth of the appeal property. By contrast, the replacement garage/workshop would have a pitched roof to the same height as the existing bungalow and would extend to the full depth of the dwelling. In addition, it would be located close to the boundary with No 40, which the Council says results in the proposed side elevation of the garage being within five metres of the rear elevation of No 40.
6. With a blank gable elevation at around 5.2m to the ridge and 3m to the eaves, it would result in the appeal proposal being dominant and overbearing on the outlook from No 40. In addition, its location to the south east of No. 40 would result in overshadowing of the rear garden to No 40 for parts of the day.
7. The proposal would result in the removal of existing windows on the side elevation facing No 40 but this does not overcome my concerns relating to the

impact of the built form which I find would be unacceptably harmful to the living conditions of the occupiers of No. 40 in terms of outlook and daylight.

8. As such, the proposal would be contrary to Policy DEV1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 adopted March 2019 which seeks to safeguard the health and amenity of local communities by ensuring that new development provides satisfactory daylight and outlook for existing residents.

Other Matters

9. Various concerns have been raised by interested parties in respect of parking, living conditions and traffic congestion, which I have noted. However, given my findings above it has not been necessary for me to address these matters further as the appeal has failed on the main issue.

Conclusion

10. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal has failed.

Alison Fish

INSPECTOR