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# Appeal Decision

Site visit made on 8 May 2024

**by E Worley BA (Hons) Dip EP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 May 2024**

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**Appeal Ref: APP/N1160/W/23/3330959**  
**90-92 Plymstock Road, Plymouth PL9 7PJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr S Shirley against the decision of Plymouth City Council.
  - The application Ref is 23/00319/FUL.
  - The development proposed is the change of use from residential care home (Use Class C2) to single dwelling house, removal of glazed link between 90 and 92, construction of garage, form balcony on rear elevation, alterations to building elevations and fencing of site.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and highway safety, having particular regard to turning provision within the site.

## Reasons

### *Character and appearance*

3. The appeal property is located in a predominately residential area, where it fronts onto Plymstock Road. The site benefits from planning permission<sup>1</sup> for the change of use from part of a residential care home to a detached 4 bedroom dwelling. The appeal proposal is an amended scheme which would see the construction of a garage to the front of 92 Plymstock Road, and a turntable to enable vehicles to enter and leave the site in a forward gear.
4. The dwellings on this side of the road are set back varying distances from the highway, with gardens and parking areas to the front, enclosed in most cases, by low boundary walls. This contributes positively to a pleasant sense of openness and uniformity to the street scene.
5. The proposed detached garage would be positioned to the front of the main building, forward of the front elevation and closer to the highway. By virtue of its scale and siting, the garage would be clearly seen from the road, where it would be an anomalous feature that would be visually conspicuous in the street scape, at odds with the prevailing layout of the area. As such, the proposal would diminish the character and appearance of the area.

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<sup>1</sup> PP 22/00451/FUL.

6. The proposed garage would be subservient in terms of scale to the host building and would be constructed using materials that would match it. The hipped roof design would also go some way to minimising the overall bulk of the building. However, these factors would not overcome the harm identified above.
7. Whilst the existing planting within neighbouring front gardens would offer a degree of screening in some views along Plymstock Road towards the garage, the wellbeing and longevity of the planting cannot be relied upon in perpetuity. Moreover, even if there was scope for the provision of soft landscaping between the garage and the boundary wall to the front of the site, it has not been demonstrated that this would be sufficient to mitigate the effects of the proposal.
8. I note the appellants suggestion that the proposal would offer benefits in terms of the appearance of the site through the reduction of hard surfacing and parking to the front of the dwelling. Nevertheless, from my observations on site it was evident that the existing arrangements, which includes parking to the front of the appeal property and others nearby, which is not an uncommon feature in a residential area, is not particularly unsightly. Consequently, any perceived benefits in that regard would be of very limited weight.
9. By virtue of the staggered layout and the curvature of the carriageway, there are properties that are closer to highway elsewhere on some parts of the road, including one example where the flank gable of the building abuts the edge of the pavement. However, these examples are set away from the appeal site and have a different effect on the character and appearance of the area to the proposed development.
10. My attention is drawn by the appellant to examples of garages sited to the front of properties. However, I do not have full details in respect of such works so I cannot be sure of the circumstances of these cases. In any case, I have determined the appeal on its own merits, based on the evidence before me.
11. In light of the above considerations, I conclude that the proposal would harm the character and appearance of the area. Accordingly, it would conflict with policy DEV20 of the Plymouth & South West Devon Joint Local Plan 2014-2034, adopted March 2019 (the JLP) which requires development to achieve good standards of design, to contribute positively to townscape and protect the quality of the built environment. It would also fail to accord with advice in the Plymouth and South West Devon Supplementary Planning Document, adopted July 2020 (SPD) which resists garages on prominent sites where they would detract from the street-scene, and the aims of the National Planning Policy Framework with regards to achieving well-designed and beautiful places and development that is sympathetic to local character.

#### *Highway safety*

12. Access to the site is from Plymstock Road, which is a classified Road. In accordance with the SPD, in such cases, there is an expectation that there should be room within the site for vehicles to enter and exit the public highway in a forward gear. The council's main concern is that the construction of the garage in the position shown, would make it difficult for vehicles to manoeuvre within the site so as to leave in a forward gear, and that subsequently vehicles reversing onto the highway would harm highway safety.

13. The 4 bedroom property triggers a requirement for 3 parking spaces, which are shown on the proposed site plan<sup>2</sup>. The appellant highlights that, in addition to the 3 notational external spaces shown, 2 further parking spaces would be available within the garage itself, and that the manoeuvring space to the front of the garage would enable vehicles to leave the site in a forward gear.
14. Consequently, the total number of parking spaces to be provided on the site would therefore exceed the required amount. The provision of 2 spaces within the garage and a single external space, would be adequate to serve the property in this instance. Without 2 of the additional external spaces, there would be ample room for manoeuvring capacity within the site to enable vehicles to turn, so that drivers could egress the site in a forward gear, without the provision of a turntable.
15. I note that the garage and turntable were removed from an earlier scheme for which planning permission was granted by the Council, nonetheless, I have reached my own findings based on the information before me.
16. For the foregoing reasons I therefore conclude that the proposal would not cause unacceptable harm to highway safety, having particular regard to turning provision within the site. In that regard it would accord with Policy DEV29 of the JLP which requires a safe access to be provided and the related advice in the SPD.

## **Conclusion**

17. While the proposal would not give rise to harm to highway safety, I have found that it would harm the character and appearance of the area. Therefore, the appeal scheme would conflict with the development plan taken as a whole, and there are no other material considerations to indicate that a decision should be taken otherwise than in accordance with it.
18. For the foregoing reasons, the appeal is dismissed.

*E Worley*

INSPECTOR

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<sup>2</sup> dwg no. 840/16A