



Appeal Decision

Site visit made on 15 October 2024

by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2024

Appeal Ref: APP/N1160/D/24/3344205

112 Pemros Road, Plymouth PL5 1NG

- 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 Mrs Vicky Gould against the decision of Plymouth City Council.
 - The application Ref is 24/00289/FUL.
 - The development proposed is formation of two front bay windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and the personal circumstances of the appellant.

Reasons

3. The appeal site is set in an elevated position and has an excavated frontage and parking area. These features make the site particularly prominent in the street scene. This part of the road comprises primarily single storey properties arranged in pairs. Most have bay windows of different styles, with canted bays on the appeal property and its neighbours, and angled bays on the opposite side of the road. In this respect the appeal property and its attached neighbour are characteristic of this part of the road.
4. Many properties have been altered and extended, with a variety of porches and frontage treatments present. Despite this, bay windows remain largely consistent features and give this part of the road a distinct character and rhythm which differs from further down the road where two-storey dwellings become more common.
5. The proposal would replace the existing canted bays with rectangular bays with glazing extending down almost to floor level. The proposed bays would project to the same height and depth as the existing porch. The result would be a wide, glazed box-like structure across almost the whole frontage of the dwelling and the articulated frontage which is typical of this area would be lost.
6. Furthermore, the extent of glazing would not reflect the proportions of the existing windows or those of neighbouring properties, and the vertical divisions that characterise the canted bays would be lost. The resulting bays would be markedly different in appearance to most bay windows in this part of the road.

Consequently, although quite small in overall size, the proposal would have a significant effect on the appearance of the front elevation of the host property.

7. The appeal site and its attached neighbour No 114 have some differences in terms of porches, rooflights and frontage treatments but nevertheless retain a significant degree of symmetry in form, with the canted bay windows forming a key commonality of design. By significantly changing the shape and projection of the bay windows and glazing, the proposal would create a distinct difference in appearance between the pair of dwellings. This would detract from their contribution to the street scene.
8. Accordingly, the proposal would result in the loss of features which are part of the distinctive character of the area and would not follow the architectural style of the original dwelling, the pair or the local area. As a result, the shape and size of bay windows proposed would have an incongruous and harmful appearance in the street scene.
9. There are other examples in the area where each half of a pair of properties has been extended or altered in different ways, and various types of front extension are present throughout the road. In most cases however, the bay windows have been retained, including at No 157 opposite the site.
10. In a small number of instances the bays have been entirely removed, resulting in an unbalanced appearance across a pair of dwellings. These less sympathetic alterations are however in the minority and have not materially altered the predominant character of the area. The front extension at No 92 is on a two-storey house of different appearance to the appeal site, and in any event retains some articulation due to the variable depth of the extension. Consequently, these other examples are not comparable to the appeal proposal and do not justify the harm I have identified.
11. Accordingly, for the reasons above the proposal would harm the character and appearance of the area. It would therefore conflict with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (adopted 2019) which requires development to meet good standards of design, contribute positively to townscape and have proper regard to the wider context and surroundings in terms of style, local distinctiveness, detailing and character.
12. Furthermore, there would be conflict with guidance in the Plymouth and South West Devon Supplementary Planning Document (adopted July 2020) which advises that extensions should relate well to the main dwelling and character of the area.

Personal circumstances

13. The appellant advises that they have a disability and spend nearly all their time in the appeal property. They also advise that the living room and bedroom are currently quite dark, and that the proposal would provide additional light to both of these front rooms.
14. The Council has provided Policy DEV1 of the Local Plan, which requires that development proposals safeguard the health and amenity of local communities and provide for satisfactory daylight and sunlight, amongst other things. It also requires that developments are designed to be accessible to all people, including people with disabilities.

15. By increasing the amount of glazing, the proposal would allow more light into two important habitable rooms. This would improve the living conditions of the appellant and would comply with the requirements of Policy DEV1.

Conclusion

16. I have found that the proposed alterations to the front bay windows would harm the character and appearance of the area. Given the importance afforded to high quality design in local and national planning policy, I attach substantial weight to this finding against the appeal proposal.
17. It is a positive consideration that the proposal would improve the living conditions of a disabled person by increasing light into their main habitable rooms. Dismissing the appeal would mean that the appellant would continue to live with quite dark living spaces, which would be likely to have a greater effect on them than it might on other occupiers, due to their disability and the amount of time they spend in the property as a consequence. However, it has not however been demonstrated that similar or the same benefits could not be achieved through a less harmful design. Accordingly, I can only attach moderate weight to the benefits that the development would afford the appellant.
18. I have had due regard to the Public Sector Equality Duty (PSED) set out under s149 of the Equality Act 2010, but on balance, I find that the harm that the proposal would cause to the character and appearance of the area would outweigh its benefits in terms of eliminating discrimination against persons with the protected characteristics of disability, advancing equality of opportunity for those persons and fostering good relations between them and others. Therefore, I conclude that it is proportionate and necessary to dismiss the appeal.

L McKay

INSPECTOR