

Appeal Decisions between 29/02/2020 and 05/06/2020

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
27/03/2020	19/00386/FUL	2019/0035	Appeal Allowed with Conditions	APP/N1160/D/19/3240857
Ward				
Plymstock Dunstone				
Address				
46 Furzehatt Road Plymouth PL9 8QT				
Application Description				
Extend existing roof pitch over two-storey side extension				
Appeal Process		Officers Name		
Householder Fast Track		Mrs Alumeci Tuima		
Synopsis				
<p>Planning permission was refused for a roof extension over the existing two storey flat roof side extension resulting in incongruous impact on street scene. It was considered to be contrary to Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and contrary to guidance contained in the Councils Development Guidelines Supplementary Planning Document First Review 2013 and the National Planning Policy Framework. Having reviewed the application, the Inspector has allowed the appeal with conditions. The Inspectorate whilst appreciating that a lowered roof may be desirable in some cases, the current proposal adds to an existing extension which detracts from the character and appearance of the building. It would therefore provide the dwelling with a more coherent and symmetrical appearance, without unbalancing the relationship with its adjoining neighbour. No applications were made for costs by either side and no costs were awarded by the Inspector. In addition to the standard commencement condition, the Inspector has imposed a condition that in the interests of the areas character and appearance, it is also necessary to impose a matching materials condition. Officers applied stringent design measures to ensure compliance with relevant planning guidance in determining this application which would in their opinion lead to undue harm to the character of the area.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
30/03/2020	19/01022/FUL	2019/0036	Appeal Dismissed	APP/N1160/D/19/3241885
Ward				
Stoke				
Address				
157 Stuart Road Plymouth PL1 5LG				
Application Description				
Front hardstanding				
Appeal Process		Officers Name		
Householder Fast Track		Mrs Alumeci Tuima		
Synopsis				
<p>Planning permission was refused for a hardstanding along the classified road due the lack of turning provision. It was considered to be contrary to Policy DEV29 of the Plymouth and South West Devon Joint Local Plan and contrary to guidance contained in the Councils Development Guidelines Supplementary Planning Document First Review (2013) and the National Planning Policy Framework. Having reviewed the application, the Inspector has dismissed the appeal . The Inspectorate whilst being empathetic with the applicant has concluded that it would not be in the public interest to permit a proposal that would potentially jeopardise the safety of other highway users. An application for award of costs was made by the appellatant but this was refused by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
30/03/2020	19/00945/FUL	2019/0037	Appeal Split	APP/N1160/W/19/3241884
Ward				
Plympton Chaddlewood				
Address				
2 Wain Park Plymouth PL7 2HU				
Application Description				
Proposed new detached Garage with storage and Annexe to first floor to front elevation of existing dwelling, to replace existing Garage to be converted into internal accommodation. New lean to roof to rear extension with raised timber decking				
Appeal Process		Officers Name		
Written Representations		Mr Dan Thorning		
Synopsis				
<p>The application was refused based on the proposed two storey garage and first floor annexe being contrary to policies DEV20 (Place shaping and the quality of the built environment) and DEV28 (Trees, woodlands and hedgerows) of the Joint Local Plan. Officers had no objections to the proposed lean-to extension and timber decking. The Inspector dismissed the appeal insofar as it relates to the front garage and annexe. The Inspector states that the garage and annexe would have a harmful effect on the character and appearance of the area contrary to Policy DEV20 of the JLP and that it would result in the loss or deterioration of trees contrary to Policy DEV28. The Inspector also noted that proposal did not adhere to the Development Guidelines SPD, which seeks to resist garages in front gardens. However, the Inspector allowed and granted planning permission for the lean-to extension and raised decking stating that it would be acceptable in the context of the character and appearance of the host dwelling and area; and that it preserves the character and appearance of the adjacent Plympton St Maurice Conservation area. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
20/05/2020	19/01369/FUL	2020/0001	Appeal Allowed with Conditions	APP/N1160/D/20/3244634
Ward				
Peverell				
Address				
66 Gifford Terrace Road Plymouth PL3 4JE				
Application Description				
Part single and part two-storey rear extension and roof terrace				
Appeal Process		Officers Name		
Householder Fast Track		Mr Mike Stone		
Synopsis				
<p>Planning permission was refused for a two storey rear extension with balcony on the grounds of overlooking, adverse impact on the streetscene and overbearing appearance. This was considered to be contrary to JLP Policies DEV1 and DEV20 and guidance contained in the Development Guidelines Supplementary Planning Document First Review and the National Planning Policy Framework. The Inspector concluded that the level of overlooking from the balcony would not be worse than from existing windows. He felt that the proposed extension was similar to others in the street and concluded that the overbearing appearance was not significantly harmful and mitigated by the extension being rendered in a similar finish to the house. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
21/05/2020	19/01468/OUT	2020/0003	Appeal Dismissed	APP/N1160/W/20/3245406
Ward				
Plymstock Radford				
Address				
72 Billacombe Road Plymouth PL9 7EX				
Application Description				
Outline planning permission for 2x semi-detached dwellings with all matters reserved				
Appeal Process		Officers Name		
Written Representations		Miss Amy Thompson		
Synopsis				
<p>Outlines planning permission was refused two semi-detached dwellings with all matters reserved at 72 Billacombe Road. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV1 DEV10, DEV20, DEV26, DEV28 and DEV29 Paragraph 2.8.11-2.8.12 of the retained Development Guidelines Supplementary Planning Document and paragraph 70 and 170 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the proposed development would be harmful to the established character and appearance of the area and likely result in the loss of a significant proportion of trees on site. The Inspector however did not support the view that the proposed development result in damage to amenity or have an adverse impact on highway safety, and considered that the proposal could provide adequate parking provision. The appeal was dismissed. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
26/05/2020		2020/0002	Appeal Dismissed	APP/N1160/W/20/3245614
Ward				
Plymstock Radford				
Address				
Land At 13 Westfield Avenue Plymouth PL9 9PE				
Application Description				
Permission in principle for 2 to 3 dwellings				
Appeal Process		Officers Name		
Written Representations		Miss Amy Thompson		
Synopsis				
<p>Permission in principle for 2 to 3 dwellings was refused at land at 13 Westfield Avenue. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV1, DEV10, DEV26, DEV27, DEV28 and DEV29 of the Plymouth and South West Devon Joint Local Plan and paragraphs 108, 109 110, 122, 127 and 175 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the proposed development would result in an uncharacteristic cluster of dwellings in closer proximity to each other than most in the area and due to their proximity and overhanging canopies, there would be pressure to cut back or even remove trees with high amenity value. The Inspector however did not support the councils view that the development would have a harmful impact on the living conditions of nearby neighbours or would lead to unacceptable impacts on highway safety for users of the lane adjacent to the site. The appeal was dismissed. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
03/06/2020	19/01530/FUL	2019/0039	Appeal Allowed with Conditions	APP/N1160/W/19/3243502
Ward				
St Peters & the Waterfront				
Address				
1 Bath Place Plymouth PL1 3NH				
Application Description				
Conversion of former motorcycle repair workshop to 4x 1-bed flats (Class C3), 1x commercial unit (Class A1/A2) on the ground floor and an additional storey to form a third floor (re-submission of 18/01472/FUL)				
Appeal Process		Officers Name		
Written Representations		Miss Amy Thompson		
Synopsis				
<p>Planning permission was refused for the conversion of a former motorcycle repair workshop to 4x 1-bed flats (Class C3), 1x commercial unit (Class A1/A2) on the ground floor and an additional storey to form a third floor at 1 Bath Place. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV1 and DEV10, Paragraph 2.2.23, 2.2.31, 2.2.24 , 2.8.15 and 2.8.23 of the retained Development Guidelines Supplementary Planning Document and paragraph 117 and 127 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector did not support the Councils view that the proposed development would result in substandard accommodation due to the close relationship with the existing neighbouring properties and restricted outlook and would fail to provide an adequate living environment for future occupiers due to poor levels of outlook and light. The Inspector considered that due to the dual aspect of the flat, the use of vision inhibiting windows and its location in a built up environment the development would not result in an unacceptable living environment for the occupiers. The appeal was therefore allowed and planning permission was granted subject to conditions. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				