

Planning Appeal Decisions between 26/03/2021 and 13/06/2021

Date of Decision	21/04/2021
Ward	Plympton St Mary
Application Number	20/00622/S73
Decision	Appeal Allowed with Conditions
Address of Site	1 Galileo Close Plymouth PL7 4JW
Proposal	Removal of Condition 24 (Hours of delivery and refuse collection) of application 18/01234/FUL
Appeal Process	Written Representations
Officers Name	Mr Chris King
Synopsis of Appeals	The S73 application was refused for being contrary to policies DEV1 and DEV2. As part of the appellants Appeal Statement, having had the benefit of extended delivery hours due to Covid-19 pandemic (Feed the nation initiative), further evidence was provided to show no adverse noise events as a result of night-time deliveries. Public Protection therefore removed their objection and the LPA chose not to contest the appeal as it was clear the development did not conflict with Policies DEV1 and DEV2 of the JLP

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Date of Decision	27/04/2021
Ward	Peverell
Application Number	20/01605/FUL
Decision	Appeal Dismissed
Address of Site	27 Outland Road Plymouth PL2 3DA
Proposal	Part single storey and part two-storey rear and side extension and front porch (part retrospective)
Appeal Process	Householder Fast Track
Officers Name	Mr Mike Stone
Synopsis of Appeals	Planning permission was refused for a Part single storey and part two-storey rear and side extension and front porch. The two storey side extension was considered to be contrary to Policy DEV1 in terms of loss of light and to Policy DEV20 in having an adverse impact on the character and appearance of the area. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the development would have a harmful impact on the street scene and the important role the gaps between the properties played. The inspector did not agree with the Councils view that the two storey side extension would harm the living conditions of the neighbours and it did comply with Policy DEV1 and the SPD guidance. No applications were made for costs by either side and no costs were awarded by the Inspector.

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Date of Decision	18/05/2021
Ward	Plymstock Dunstone
Application Number	20/01184/FUL
Decision	Appeal Dismissed
Address of Site	Land At Bovisand Road Staddiscombe Plymouth PL9 9NB
Proposal	Proposed conversion of two barns to 2no. dwellings (Re-submission 19/00990/FUL)
Appeal Process	Written Representations
Officers Name	Mr Chris Cummings
Synopsis of Appeals	<p>Planning permission was refused for a change of use from agricultural building to two dwellings (Class C3) as it was considered contrary to Policies DEV20, DEV23, DEV25 and DEV61 of the Plymouth and South West Devon Joint Local Plan, Policies Lan/P1, Lan/P4, Lan/P5 and Lan/P7 of the South Devon Area of Outstanding Natural Beauty Management Plan and guidance with in the Plymouth and South West Devon Supplementary Planning Document and the National Planning Policy Framework. Having reviewed the application and visited the site, the Inspector supported the Council's view that due to the design and prominent visual position of the buildings within the South Devon Area of Outstanding Natural Beauty there would be unacceptable visual harm. The Inspector also agreed with the Council's view that there would be unacceptable light impacts to the intrinsically dark area through both internal and external lighting at the site. The appeal was dismissed. No applications for costs were made by either party and no costs were awarded by the Inspector.</p>

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Date of Decision	18/05/2021
Ward	St Budeaux
Application Number	20/01228/PIP
Decision	Appeal Allowed
Address of Site	Land At Savage Road Plymouth
Proposal	Residential Development (8-9 dwellings)
Appeal Process	Written Representations
Officers Name	Mr Jon Fox
Synopsis of Appeals	<p>The Inspector considered that the proposed dwellings are capable of being sited without adversely affecting residential amenity or the character of the area, which already includes residential properties set away from the highway. The Inspector said that the outside spaces could meet the standards of the Plymouth and South West Devon Supplementary Planning Document (adopted 2020). While the Inspector accepted that the geometry of the site poses potential constraints to the usable quality of these spaces, achieving these numerical standards is proportionate to meet the demands of this first stage in the PiP process in regard to these issues. Therefore it appears that the first stage of the PIP process cannot overly consider the quality of the outside spaces, which somewhat undermines policy DEV10 and the relevant section of the Supplementary Planning Document.</p>

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Date of Decision	04/06/2021
Ward	St Peters & the Waterfront
Application Number	20/01538/FUL
Decision	Appeal Allowed with Conditions
Address of Site	55 Admiralty Street Stonehouse Plymouth PL1 3RY
Proposal	First floor rear extension (resubmission of application 19/01937/FUL)
Appeal Process	Householder Fast Track
Officers Name	Mrs Alumeci Tuima
Synopsis of Appeals	<p>Planning permission was refused for a first floor rear extension resulting in the lack of outdoor amenity space, overdevelopment of site, loss of privacy and its overall impact on the Stonehouse Peninsula Conservation Area. These were contrary to Policy DEV1 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019, paragraphs 13.19-20 of the Joint Local Plan Supplementary Planning Document (2020), and paragraph 127(f) and 130 of the National Planning Policy Framework 2019. Having reviewed the application, the Inspector has allowed the appeal with conditions by establishing unwarranted intensification of use given the absence of any additional bedroom space (smallest bedroom repurposed for office) further justified by irregular rear building lines. Having acquired (i.e. the Appellant) the adjoining property, the Inspector whilst stating concerns in relation to impact on future occupiers of the acquired property did not deem it harmful as the current occupant is a relative of the appellant who was less likely to mind the extent of overlooking. The Inspector however, has recommended conditions to mitigate amenity impacts in this regard. In addition to the standard commencement condition, the Inspector has imposed a matching materials condition and the interests of the living conditions of neighbouring occupiers, conditions are required to ensure that the doors and window in the south elevation are provided with obscure glazing and maintained as such, and to preclude the insertion of any further openings in this elevation in the future. For similar reasons, a condition requiring the provision of the boundary division between the two gardens is necessary prior to the first use of the extension. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>