

# Planning Appeal Decisions between 14/06/2021 and 12/07/2021

<b>Date of Decision</b>	24/06/2021
<b>Ward</b>	Sutton and Mount Gould
<b>Application Number</b>	20/00871/FUL
<b>Decision</b>	<b>Appeal Dismissed</b>
<b>Address of Site</b>	70 & 72 Embankment Road Plymouth PL4 9HY
<b>Proposal</b>	Change of use of ground floor retail units (Class E) to two residential flats (Class C3)
<b>Appeal Process</b>	Written Representations
<b>Officers Name</b>	Mr Chris Cummings
<b>Synopsis of Appeals</b>	<p>Planning permission was refused for a change of use from commercial units (Class E) to two flats (Class C3) as it was considered contrary to Plymouth and South West Devon Joint Local Plan Policies SPT1, SPT2 and DEV18. It was also considered contrary to Paragraphs 4.148 and 5.54 to 5.56 of the Plymouth and South West Devon Supplementary Planning Document and Paragraph 85 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector supported the Council's view that the proposal would harm the viability and vitality of the local centre through the permanent loss of the units and fragmentation of the shopping character. It was acknowledged that there would be a windfall gain of housing, however this would not outweigh the harm to the local centre. It was noted by the Inspector that recent effects of the COVID-19 Pandemic may have impacted on the viability of the previous use of part of the site as a hairdressers and that recent changes to the Use Class Order, which created the wider Class E, allow greater flexibility of use and that the appellant had not demonstrated promotion of. It was also noted that there are a range of other commercial uses nearby in Exeter Street and the City Centre, however the Inspector considered that the Joint Local Plan was relatively recently adopted and that the designation of the Embankment Road local centre took this into account and this did not alter the level of harm to the local centre. No applications were made for costs and no costs were awarded by the Inspector.</p>

# Planning Appeal Decisions between 14/06/2021 and 12/07/2021

<b>Date of Decision</b>	30/06/2021
<b>Ward</b>	Plymstock Radford
<b>Application Number</b>	19/01810/FUL
<b>Decision</b>	<b>Appeal Dismissed</b>
<b>Address of Site</b>	Turnchapel Wharf Barton Road Plymouth PL9 9RQ
<b>Proposal</b>	Demolition of Unit 38 and construction of a new industrial unit
<b>Appeal Process</b>	Written Representations
<b>Officers Name</b>	Mr Dan Thorning
<b>Synopsis of Appeals</b>	<p>Planning Committee overturned the officers recommendation to grant conditionally as Members considered that the proposal was contrary to policies PLY20 (Managing and enhancing Plymouths waterfront), DEV20 (Place shaping and the quality of the built environment), DEV21 (Development affecting the historic environment) and DEV23 (Landscape Character) of the JLP. The Inspector recognised there was no formal agreement for Thales to occupy the building leaving significant doubt as to whether the economic benefits would be realised. For this reason he reduced the weight of the public benefits to moderate. Compliance with the land allocation and economic policies did not diminish the considerable weight and importance that he placed on the harm to the settings of the Conservation Area and its listed buildings. He concluded that the less than substantial harm to the settings of the heritage assets outweighs the moderate potential public benefits of the development, thus the appeal conflicts with the heritage aims of PLY20, DEV20, DEV21 and DEV23 of the JLP, the NPPF and the National Design Guide.</p>