

# Planning Appeal Decisions between 19/08/2024 and 09/09/2024

<b>Date of Decision</b>	29/08/2024
<b>Ward</b>	Honicknowle
<b>Application Number</b>	23/01761/FUL
<b>Decision</b>	<b>Appeal Allowed</b>
<b>Address of Site</b>	24 Carew Gardens Plymouth PL5 3PB
<b>Proposal</b>	Undeveloped land to be used and included as residential curtilage and the erection of an outbuilding and rear boundary fence. (Retrospective)(Resubmission of application 23/01198/FUL)
<b>Appeal Process</b>	Written Representations
<b>Officers Name</b>	Luke Valentine
<b>Synopsis of Appeals</b>	The appeal has been allowed. The inspector concluded that there was little to demonstrate that green undeveloped land was protected or held high amenity value under DEV28. Furthermore, they considered that the development retained a generous vista of green space both within and near the site. Consequently, the inspector did not consider there to be a conflict with DEV20 or DEV23. Furthermore, the inspector did not find there to be records of the green space accommodating vulnerable species. In addition, they considered to the proposed mitigation measures, the cherry laurel, wilding corner and onsite planting, to be sufficiently proportional to the scale of the development. Consequently, the inspector did not consider there to be conflict with DEV26. The inspector agreed with the LPA that there was no conflict with DEV1.

# Planning Appeal Decisions between 19/08/2024 and 09/09/2024

<b>Date of Decision</b>	30/08/2024
<b>Ward</b>	Budshead
<b>Application Number</b>	23/00835/S73
<b>Decision</b>	<b>Appeal Dismissed</b>
<b>Address of Site</b>	97 Lake View Drive Plymouth PL5 4LW
<b>Proposal</b>	Variation of Conditions 1 and 4 following enforcement appeal APP/N1160/C/22/3309917
<b>Appeal Process</b>	Written Representations
<b>Officers Name</b>	Mr Macauley Potter
<b>Synopsis of Appeals</b>	<p>Planning permission was refused to vary condition 1 (approved plans) and condition 4 (appointments and client numbers) on the grounds of being harmful to character and amenity. Specifically, it would have resulted in an increase in vehicular movements, general activity and disturbance with the frequent arrivals and departures of clients/visitors beyond what would ordinarily be associated with a single dwelling house. The permitting of such changes would set an unwanted and unsustainable precedent. The inspector agreed that the cumulative effect and extent of the proposed changes would be likely to result in harm to the living conditions of nearby residents and the character of the area and as such would have conflicted with policies DEV1 and DEV20 of the Joint Local Plan. Overall, the inspector concluded that the proposed development would fail to accord with the development plan as a whole and that there were no considerations individually or cumulatively that outweighed this. The appeal was therefore dismissed.</p>

# Planning Appeal Decisions between 19/08/2024 and 09/09/2024

<b>Date of Decision</b>	02/09/2024
<b>Ward</b>	Compton
<b>Application Number</b>	23/01258/FUL
<b>Decision</b>	<b>Appeal Allowed with Conditions</b>
<b>Address of Site</b>	7 Sarum Close Plymouth PL3 5SH
<b>Proposal</b>	Change of use of part of garage to beauty treatment room and new side door
<b>Appeal Process</b>	Written Representations
<b>Officers Name</b>	Mr Sam Lewis
<b>Synopsis of Appeals</b>	<p>Planning permission was granted for the change of use of part of the property's garage into a beauty treatment room. A condition was added limiting the number of appointments per week to 36 - with a 30 minute gap between each appointment. This was applied to preserve the area's residential character and amenity. Following an appeal made by the applicant relating to this condition (Condition 4), the Inspector considered that the condition was too restrictive. A separate condition limited the opening hours of the business and, due to the length of some of the appointments, the Inspector considered that the appointment numbers would be self-regulating due to the controlled opening hours. Condition 4 was therefore replaced with one stating that the business must operate on an appointment-only and a one-in-one-out basis - with no weekly appointment limit. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>