

Planning Appeal Decisions between 13/12/2024 and 13/01/2025

Date of Decision	30/12/2024
Ward	Efford and Lipson
Application Number	23/00791/FUL
Decision	Appeal Dismissed
Address of Site	29 & 31 Alexandra Road Mutley Plymouth PL4 7EE
Proposal	To provide vehicle access and hardstand to both 29 & 31 Alexandra Road, Plymouth. (Resubmission of application 23/00461/FUL)
Appeal Process	Written Representations
Officers Name	Cody Beavan
Synopsis of Appeals	The Planning Inspector found the proposed alterations to the boundary walls would harm the character and appearance of the area. This was in line with the officer's views that the proposal would be in breach of DEV20 of the JLP. Additionally, the proposed parking was found likely to cause an unacceptable effect on highway safety due to the existing on-street car parking arrangements and height of the boundary wall. This was also in line with the officer's views that the proposal would be in breach of DEV29 of the JLP.

Planning Appeal Decisions between 13/12/2024 and 13/01/2025

Date of Decision	09/01/2025
Ward	Compton
Application Number	22/01994/FUL
Decision	Appeal Allowed
Address of Site	Land At Petersfield Close Plymouth PL3 6QP
Proposal	Erection of four dwellings with associated landscaping and construction of vehicular access (re-submission of 22/00651/FUL)
Appeal Process	Written Representations
Officers Name	Miss Amy Thompson
Synopsis of Appeals	<p>Planning permission was refused for the erection of four dwellings with associated landscaping and construction of vehicular access at Land at Petersfield Close. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV29, DEV26, DEV10, DEV20 and DEV23. Having reviewed the application, and visited the site, the Inspector agreed with the Councils view that proposed development would harm the character and appearance of the surrounding area and would harm on-site biodiversity. They did not support the councils view that the proposal would not have an unacceptable impact on highway safety. When considering the planning balance, the Inspector considered that the proposed development conflicts with the development plan as a whole. The Inspector however considered and gave significant weight to the fallback position of a previous extant planning permission on site. The Inspector stated that based on evidence submitted the previous permission represents a practicable fallback scenario and there is more than a theoretical possibility that the fallback scheme could be implemented. The Inspector concluded that planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the fallback scheme would result in greater harm than the appeal proposal to the character and appearance of the surrounding area and on-site biodiversity. The appeal proposal would also likely provide more sustainable drainage, greater energy efficiency and low carbon measures than the fallback scheme. The Inspector stated that the material considerations outweigh the harm that would arise from the proposed development and the resulting conflict with development plan policies. The Inspector therefore stated that permission should be granted. The appeal was allowed. An application for costs was made by the applicant but no costs were awarded.</p>