

Planning Appeal Decisions between 24/04/2025 and 26/06/2025

Date of Decision	15/05/2025
Ward	Compton
Application Number	24/00971/FUL
Decision	Appeal Dismissed
Address of Site	65 Mutley Plain Plymouth PL4 6JH
Proposal	Change of use from betting shop to hot-food (eat in and takeaway) (Sui Generis) and installation of extractor flue pipe
Appeal Process	Written Representations
Officers Name	Cody Beavan
Synopsis of Appeals	<p>Planning permission was refused for the conversion of a Class E unit to a Hot Food Takeaway along Mutley Plain on the grounds of the proximity to two secondary educational facilities within 400m. The inspector agreed that the hot food takeaway would be in easy walking distance of the school and college and therefore the proposal would have conflicted with Policy DEV6 of the Joint Local Plan. The Appellants Statement of Case proposed to amend the opening hours for the unit to be open from 1700 hours however, the LPA found that this would in turn be contrary to DEV18 and would result in an inactive frontage within a busy designated shopping centre. The inspector agreed that the revised opening hours would be harmful to the vitality and viability of Mutley Plain and thus contrary to policy DEV18. The NPPF 2025 re-worded paragraph 97a to "within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre", previously the reference to designated town centres was not included therefore the LPA did not know how this change would affect the appeal outcome. Overall, the inspector concluded that the proposed development would fail to accord with DEV6 and DEV18 and that there were no considerations individually or cumulatively that outweighed this. The appeal was therefore dismissed.</p>

Planning Appeal Decisions between 24/04/2025 and 26/06/2025

Date of Decision	30/05/2025
Ward	Stoke
Application Number	24/01031/FUL
Decision	Appeal Dismissed
Address of Site	132 Devonport Road Plymouth PL1 5RF
Proposal	Conversion of rear garage into 1no. dwelling (Class C3), inc. single storey rear extension and creation of second storey
Appeal Process	Written Representations
Officers Name	Mr Sam Lewis
Synopsis of Appeals	Planning permission was refused for the conversion and extension of the property's rear garage to create a dwelling. Officers considered that the scheme would have a negative impact on the Stoke conservation area due to the rear lane location proposed, would lead to poor living conditions for its future occupiers, and would lead to unacceptable parking/highway safety impacts. Following an appeal made by the applicant, the Inspector agreed with Officers on the first and second grounds - dismissing the appeal due to the proposal's impact on the conservation area and the poor living conditions which would ensue. The Inspector considered, though, that the underprovision of parking and the potential highway safety concerns identified were not sufficiently harmful to warrant being included as an additional refusal reason.No applications were made for costs by either side and no costs were awarded by the Inspector.