

Planning Committee

Appeal Decisions

The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City

Application Number **08/01184/FUL**
Appeal Site **18 LAIRA AVENUE PLYMOUTH**
Appeal Proposal Erection of detached dwelling
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 28/10/2009
Conditions
Award of Costs Awarded To

Appeal Synopsis

Inspector agreed that proposals do not accord with policies to site development away from flood risk areas (She referred to PPS25 but not Core Strategy policy). Inspector added that development would have been crammed on the site.

Application Number **08/01518/FUL**
Appeal Site **96 BARNE ROAD ST BUDEAUX PLYMOUTH**
Appeal Proposal Formation of double vehicle hardstanding in front garden
Case Officer Kirsty Barrett

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 01/09/2009
Conditions
Award of Costs Awarded To

Appeal Synopsis

Inspectorate agreed that the removal of the frontage walling and the elevated nature of the parking area would be a discordant feature in the streetscene and would detract significantly from the existing front garden and intrude excessively on the front elevation. Concluded that the development would unacceptably harm the character and appearance of the streetscene and would be contrary to the objectives of CS34 and of the SPG to protect and promote the quality of local environments.

Application Number **08/01854/FUL**
Appeal Site **NUTLEY LODGE 43 SHERFORD ROAD ELBURTON PLYMOUTH**
Appeal Proposal Two-storey side extension to residential care home to provide two additional bedrooms
Case Officer Janine Pomphrey

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 01/09/2009
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector concluded that the site circumstances would not lead to the proposed extension appearing dominant or overbearing from the neighbouring property, No. 37. The inspector notes the 3-metre dense boundary hedge and driveway which distance and shield the neighbouring property from the proposal. In addition the inspector considers that the majority of the open aspect currently enjoyed by the neighbouring bay window will remain and the extension will occupy only a minor portion of the shared boundary. Furthermore the use of a condition to ensure obscure glazing in the first-floor side window will prevent a loss of privacy. The inspector therefore concludes that the proposal is not contrary to CS34.

Application Number **08/02097/FUL**
Appeal Site **51A NORTH DOWN ROAD BEACON PARK PLYMOUTH**
Appeal Proposal Retention of external staircase and first floor roof terrace
Case Officer

Appeal Category
Appeal Type
Appeal Decision Dismissed
Appeal Decision Date 13/10/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The inspector dismissed the appeal and agreed with the Authority that the proposal would have a significant impact on both neighbouring amenity and the character of the area.

Application Number **08/02198/24**
Appeal Site **JUNCTION OF KENSINGTON ROAD AND QUEENS ROAD ST JUDES PLYMOUTH**
Appeal Proposal Determination as to whether prior approval is required for the siting and appearance of a 12.5m high column with 3 integral antennas with 1 ground based equipment cabinet and ancillary
Case Officer Stuart Anderson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 23/10/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Inspector noted that the proposal would be seen from the windows of some neighbouring dwellings, but considered that the existing outlook is likely to be dominated by the surrounding buildings, roads, and to a lesser extent the existing street furniture. All of these features contribute to a rather compact urban scene. The proposal would be set back from the nearest windows and any loss of outlook is likely to be limited.

Inspector noted the height of the monopole and its sizeable girth and utilitarian appearance. He concluded that it would appear as a very conspicuous and prominent addition to the streetscenes of Kensington Road, Southern Terrace and Queens Road. The development would unacceptably intrude into the existing urban scene and considerably detract from the townscape qualities of the area, and be at odds with local planning policies aimed at protecting the character and appearance of the area.

Application Number **09/00331/FUL**
Appeal Site **COPPER BEECHES CARE HOME 90/92 PLYMSTOCK ROAD PLYMSTOCK PLYMOUTH**
Appeal Proposal Part two-storey, part single storey, extension to residential care home, extensions to enlarge day room and provision of overspill car parking (for day use only) (amended scheme)
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 13/10/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The inspector agreed that the visual impact of the scheme would be harmful to the neighbour's living conditions contrary to policy CS34 of the Core Strategy. He did not agree that noise and disturbance would occur.

Application Number **09/00360/FUL**
Appeal Site **19 VICTORIA ROAD ST BUDEAUX PLYMOUTH**
Appeal Proposal Develop land at rear by erection of two-storey dwellinghouse (amended scheme)
Case Officer Carly Francis

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 13/10/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agrees with the policies used and the weight afforded to them however does not accept that the proposed development would set a precedent for the development of the rear gardens of the terraced houses to the north. He states that although Barne Lane provides rear access to the properties along this side of Victoria Road, it is more than a service lane and the proposed dwelling would be part of the group of buildings making up this mixed use area, distinct from the terraced houses and their gardens to the north. The Inspector does not consider that the proposed development would harm the character or appearance of the area and therefore allows the appeal subject to conditions to secure the proposed car parking spaces and for the removal of selective permitted development rights to protect the living conditions of adjoining occupiers.

Application Number **09/00527/FUL**
Appeal Site **8 ROSEWOOD CLOSE PLYMSTOCK PLYMOUTH**
Appeal Proposal First-floor side extension above existing garage
Case Officer Simon Osborne

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 13/10/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The inspector considered that the non-subordinate side extensions already in the street do not cause significant harm. Therefore the proposal would have no significant effect on the character or appearance of the existing pair of semi-detached dwellings and the street within which they are located.

Application Number **09/00543/24**
Appeal Site **JUNCTION OF KENSINGTON ROAD AND LONGFIELD PLACE GREENBANK PLYMOUTH**
Appeal Proposal Determination as to whether prior approval is required for the siting and appearance of a 15m high column with three integral antennas with 1 ground based cabinet and ancillary
Case Officer Stuart Anderson

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 23/10/2009
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Inspector concluded that setting of Listed prison building would not be affected, as the slim line nature of the pole would ensure that the development does not obscure any important views of the building. The development would also be set well away from this building. Also, the inspector noted that the proposed development would be seen from the windows of some neighbouring dwellings. However, the existing outlook from these windows is likely to be dominated by the surrounding buildings, roads, and to a much lesser extent the existing street furniture. All of these features contribute to a rather compact urban scene. The proposal would be set back from the nearest windows and any loss of outlook is likely to be limited.

Inspector discusses need for the proposal and states that this is an important consideration that must be weighed in the overall balance when assessing the merits of the development. There is nothing to show that the Council undertook this necessary balancing exercise when it considered the application.

Inspector also addresses health concerns, but notes the guidance in PPG8, and bearing in mind that there is little objective evidence to support local fears, and that the emissions from the mast would be well within the ICNIRP guidelines, local residents health concerns are insufficient to justify withholding approval.

Application Number **09/00797/FUL**
Appeal Site **19 TITHE ROAD PLYMOUTH**
Appeal Proposal First-floor front extension (above existing porch)
Case Officer Kate Saunders

Appeal Category
Appeal Type **Written Representations**
Appeal Decision **Dismissed**
Appeal Decision Date **18/09/2009**
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The inspector agreed that the proposal would be harmful to the character and appearance of the streetscene and therefore dismissed the appeal.

Note:

Copies of the full decision letters are available to Members in the Ark Royal Room and Plymouth Rooms. Copies are also available to the press and public at the First Stop Reception.