

Planning Committee

Appeal Decisions

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

Application Number **10/02138/FUL**
Appeal Site **20 PEVERELL PARK ROAD PLYMOUTH**
Appeal Proposal Change of use and conversion of dwellinghouse to a house in multiple occupation (nine bedrooms) for use as student accommodation
Case Officer Chris Watson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 20/09/2011
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The appeal has been dismissed with the Planning Inspector concluding that the use of this mid-terraced three-storey property as a nine-bedroom student accommodation house in multiple occupation (HMO) is unacceptable on residential amenity impact and parking grounds, and he concludes this use is contrary to the Council's Local Development Framework Policies CS34 and CS22, and the Council's Supplementary Planning Guidance advice in respect of HMOs.

The Inspector notes that the property is located in a mainly single family dwelling area, and so the impact of intensive student use is more noticeable and undesirable than it otherwise might be. In doing so, he has given significant weight to neighbour's reports of problems they have experienced since this use began without planning permission approximately 12 months ago.

The property has no off-street parking spaces, and the Inspector has also endorsed the Transport & Highways Officer's refusal recommendation, given the likely demand for more on-street parking, and the generally busy nature of Peverell Park Road.

Application Number **11/00192/FUL**
Appeal Site **4 NETTLEHAYES PLYMOUTH**
Appeal Proposal Develop part of rear garden by erection of detached two-storey dwelling and attached single private motor garage plus basement private motor garage and ground source heat pump plant
Case Officer Mike Stone

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 16/12/2011
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agreed that the size, scale and contemporary design would be out of character and appearance in the area, and that the massing and proximity of the building to No.6 Nettlehayes would be overbearing and dominant harm the outlook from that property, and that it would also dominate the outlook from 3 Pepper Lane (although he didn't mention the pattern of windows contributing to the impact on No.6).

Application Number **11/00713/FUL**
Appeal Site **14 WINDSOR PLACE PLYMOUTH**
Appeal Proposal Installation of solar panels on rear roof
Case Officer Olivia Wilson

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 16/11/2011
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector considers that the elevation where the solar panels would be installed would be reasonably enclosed and screened by trees in the park. When viewed from the Hoe, the dwelling forms only a small part of a much larger vista, and there is no overriding pattern or dominant form of architecture. The installation of solar panels would not appear to be prominent or incongruous in this context and their form would have no harmful effect on the character and appearance of the Hoe Conservation Area and will help to promote sustainable energy.

Application Number **11/00789/FUL**
Appeal Site **WHITLEIGH PENTECOSTAL CHURCH, 391-397 BUDSHEAD ROAD PLYMOUTH**
Appeal Proposal Change of use and conversion of church into private members club
Case Officer Janine Warne

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 17/01/2012
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector agreed with the refusal reasons given by the Council. Firstly, with specific reference to noise, the Inspector concluded that, in light of the very close relationship and potential impact on nearby properties, the proposed social club could not operate without materially harming the living conditions of the occupiers of neighbouring dwellings. Secondly, with specific reference to Transport considerations, the Inspector was not satisfied that the proposal could operate without a material increase in traffic and parking on the local road network and therefore this would be detrimental to the safe and free flow of traffic. The appeal was therefore dismissed.

Application Number **11/00886/ADV**
Appeal Site **SALT QUAY HOUSE PLYMOUTH**
Appeal Proposal Internally illuminated fascia sign (sign A) - approved, Two internally illuminated fascia signs (signs B and C) - refused
Case Officer Katie Beesley

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 17/01/2012
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector supported the Core Strategy policies used but said that the main considerations should have been the advertising regulations and the requirement that decisions be made in the interests of amenity and public safety. The inspector agreed that the red background would be out of keeping with the area and that the signs would conflict with the subtle architecture of the building and would appear intrusive. He added that commercial need can not be a consideration in determining applications or appeals.

Application Number **11/01124/FUL**
Appeal Site **158 UNION STREET PLYMOUTH**
Appeal Proposal Retrospective demolition of 2 storey structure to rear. Alterations and ext to shop premises, formation of 2 flats above shop. Erection of new 2 storey dwelling in rear yard with associated parking, amenity and refuse area.
Case Officer Karen Gallacher

Appeal Category
Appeal Type Written Representations
Appeal Decision Split
Appeal Decision Date 06/12/2011
Conditions
Award of Costs Awarded To

Appeal Synopsis

The application was for the conversion of the property into flats and for a new dwelling to the rear. The application was refused because the new dwelling to the rear was out of character and harmful to the conservation area, and because there was inadequate parking and amenity for this additional dwelling. The inspector split the decision to allow the property to be converted into flats, as this element had not been contested by the LPA. The inspector dismissed the new dwelling because he agreed with the LPA that its design and impact on the conservation area was unacceptable. However, because of the proximity of the city centre and a local park, he did not agree that the proposal would have inadequate parking or amenity.