

Planning Committee

Appeal Decisions

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

Application Number	11/01791/FUL
Appeal Site	64 SALISBURY ROAD PLYMOUTH
Appeal Proposal	Continuation of use as 10-bed HMO for student accommodation including alterations to windows at ground and first floor levels, installation of roof windows on front and side roof elevations and dormer windows to rear
Case Officer	Olivia Wilson
Appeal Category	REF
Appeal Type	Written Representations
Appeal Decision	Allowed
Appeal Decision Date	25/10/2012
Conditions	
Award of Costs	Awarded To

Appeal Synopsis

- a) The National Planning Policy Framework requires local planning authorities to plan for a mix of housing, and student housing is an important part of this mix. Currently, the Mount Gould area has a low proportion of student housing which means that the cumulative impact from noise and disturbance is likely to be low compared to areas closer to the University. He therefore concludes that it is not detrimental to the area's character and appearance in accordance with SPD1.
- b) The number of occupiers of a 10-bed HMO compared to 2 4-bed maisonettes is not significant and so can't be given much weight in the decision. The property is located on a relatively busy road junction where it is less likely to have a detrimental impact than if it were in a residential side street. Concerns expressed over the ground floor window openings and bin storage provisions can be overcome by conditions requesting these changes. He therefore concludes that the development will not cause unacceptable noise and nuisance to neighbouring residential properties and complies with policies CS22 and CS34.
- c) He considers that the property is located near to a regular bus service, local shops are within easy walking distance and the University is within a longer walking distance, which help to offset the parking requirement. He notes that the property is for occupation by full time students, and this can be conditioned. He considers that conditions requiring cycle storage and provision of an additional parking space will overcome parking and highway concerns and complies with policy CS28 and SPD1.
- d) He notes that the Council has issued an HMO licence for 5 years which indicates that the property offers an acceptable standard of accommodation.
- e) The fact that the appellant converted the property first and applied for permission afterwards is not a material planning consideration.

The applicant applied for costs on the basis that members failed to provide reasonable planning grounds for overturning the officer recommendation and the Local Planning Authority failed to substantiate their reasons for refusal by not submitting an appeal statement. The Inspector did not award costs because the reasons for refusal were based on planning policies and the fact that no appeal statement was submitted was not unreasonable behaviour on the part of the Authority as all other required paperwork was submitted.

Application Number **11/01863/FUL**
Appeal Site **FORMER BLUE MONKEY SITE, 538 CROWNHILL ROAD PLYMOUTH**
Appeal Proposal Development of site by erection of 5 terraced dwellinghouses, with 5 off street parking spaces and new footpath
Case Officer Carly Kirk

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 05/11/2012
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agrees with the Council's view that the height and mass of the proposed terrace would dominate the adjacent Green and that the lack of ground floor windows would diminish its active frontage making natural surveillance more difficult contrary to the Design Guidelines SPD. He agrees with the Council's view that the poor relationship with the Green is exacerbated by the dominance of integral garaging at ground floor level. He also considers that the modern design and use of contemporary materials would further detract from the setting of the listed building. The Inspector therefore concludes that the proposal would harm the character and appearance of the Green, the setting of the church and the neighbouring dwellings to the north contrary to the NPPF and Core Strategy policies CS02 and CS03.

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.