

# Planning Committee

## Appeal Decisions

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

Application Number **11/01880/FUL**  
Appeal Site **20 MOORLAND ROAD PLYMOUTH**  
Appeal Proposal Change of use of former residential care home to provide a 10 bedroomed house in multiple occupancy and a separate one bedroomed ground floor flat  
Case Officer Jon Fox

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Allowed  
Appeal Decision Date 29/10/2012  
Conditions  
Award of Costs Awarded To

#### Appeal Synopsis

The Inspector considered the internal layout to be acceptable for studio flats and the external space also. He considered the units would have acceptable outlook. The Inspector considered the level of activity at the site would not be harmful to the character of the area. With regard to infrastructure contributions, the Inspector indicated that the Council had not indicated the costs involved and the detailed programme of implementation; he therefore concluded that Council's request for planning contributions has not met the exacting tests set out in the National Planning Policy Framework and that failure to provide for contributions is not a reason for dismissing the appeal.

Application Number **12/00539/FUL**  
Appeal Site **MILLBRIDGE GARAGE, WILTON ROAD PLYMOUTH**  
Appeal Proposal Continue use of premises for hand car wash/valet purposes for temporary period of 3 years  
Case Officer Olivia Wilson

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Allowed  
Appeal Decision Date 04/02/2013  
Conditions  
Award of Costs Awarded To

#### Appeal Synopsis

The principal issues are impact on the amenity of residents and land contamination risks. The inspector found that the level of noise generated by the use was not detrimental to residential amenity subject to an opening hours condition and a noise condition. This view was influenced by the consideration that the use is temporary, it creates employment and the previous use as a car sales garage would also have involved the washing and valeting of cars. In relation to land contamination the inspector found that conditions requiring land quality investigation would not pass the tests of Circular 11/95 in relation to a temporary use, bearing in mind that no ground works are proposed and therefore there will be no disturbance of the fuel tanks. Details of waste water from the car washing are requested by condition. The inspector found that the temporary use was compatible with policies CS22 and CS34 for a period of three years.

Application Number **12/00871/FUL**  
Appeal Site **34 ENDSLEIGH ROAD PLYMOUTH**  
Appeal Proposal First floor balcony to south gable  
Case Officer Mike Stone

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Allowed  
Appeal Decision Date 13/12/2012  
Conditions  
Award of Costs Awarded To

#### Appeal Synopsis

The inspector felt that, because of the lack of side widows at the neighbouring property and their large rear garden the impact of the balcony would be confined to a relatively small area. The proposed balcony would have a relatively lightweight structure and the deck would be at the neighbour's eaves height and forward of their rear elevation. On balance he felt that the proposed balcony would not appear so imposing and overbearing as to cause a harmful loss of outlook from the neighbours rear garden.