

Planning Committee

Appeal Decisions

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

Application Number **12/00151/LBC**
Appeal Site **9 ALFRED STREET PLYMOUTH**
Appeal Proposal Retrospective application for satellite dish to the rear of the building
Case Officer Olivia Wilson

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 04/11/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector allowed the appeal on the grounds that the satellite dish is a replacement for aerials and is considered to be a less intrusive solution. While the dish has an impact on the appearance of the listed building, it is small and any harm caused is offset by the benefits of removing an aerial that was more prominently located. Satellite dishes are now commonplace installations that do not necessarily appear unacceptable provided that they are carefully sited and limited in diameter. The very limited glimpses of the installation are acceptable.

Application Number **12/01672/FUL**
Appeal Site **47 MUTLEY PLAIN PLYMOUTH**
Appeal Proposal Change of use of first and second floors to student house in multiple occupation (6 persons), change of use of basement to one bedroom self-contained flat and demolition of existing garage to form parking area for 3 vehicles
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 10/10/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector agreed that the proposed basement flat would suffer from poor levels of daylight and outlook due to being at a low level, hemmed in by retained high walls, and further constrained by the parking of cars and the bin store and screen

Application Number **12/01786/FUL**
Appeal Site **9 BEAUMONT AVENUE PLYMOUTH**
Appeal Proposal Change of use and conversion of single dwellinghouse to five self-contained residential units
Case Officer Kate Saunders

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 14/11/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector agreed that the standard of accommodation of the second floor flat would be poor. In addition he considered overlooking between units would occur and there would be inadequate space to store refuse and cycles. The inspector did not agree that the development would not result in the loss of a small family dwelling. The appeal was dismissed.

Application Number **12/01850/FUL**
Appeal Site **41 STATION ROAD KEYHAM PLYMOUTH**
Appeal Proposal Change of use and conversion from a flat and maisonette to 3 flats
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 14/10/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector agreed that on-street parking is the issue, but disagreed with the Council that further on-street parking arising from the proposals would result in a risk to highway or public safety, and that local residents would not be inconvenienced to any material extent. The Inspector also considered that the single bus service nearby would be reasonable for this one-bedroom property and that the topography of the area would not necessarily put people off from cycling, especially as ample cycle parking is proposed.

Application Number **12/01934/FUL**
Appeal Site **6 PATNA PLACE PLYMOUTH**
Appeal Proposal Change of use and conversion of single family dwelling house (Class C3) to a five bedroom house in multiple occupation (Class C4)

Case Officer Chris Watson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 22/10/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Planning Inspector agreed with the Council that there is a significant concentration of multiple occupation properties near to the appeal property, and that to allow the proposed

C4 Class house in multiple occupation would worsen the imbalance between these properties and single family dwellings, to the detriment of the locality. The appeal has therefore been dismissed.

The Planning Inspector noted that this property has an unimplemented planning permission for use as two self contained flats, but did not regard this a reason for allowing the appeal given that each of the flats is of a reasonable size and layout, and each is capable of family occupation.

This is the third planning appeal in Plymouth involving proposed Class C4 houses in multiple occupation following the introduction of the C4 Article 4 Direction in September 2012, and in each case the Inspector has supported the Council in opposing these proposed developments.

Application Number **13/00227/FUL**
Appeal Site **8 CLIFTON STREET PLYMOUTH**
Appeal Proposal Change of use from single dwelling house (use class C3) to 5 bed house in multiple occupancy (use class C4)

Case Officer Mike Stone

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 16/10/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

This appeal was one of the first against a refusal stemming from the Article 4 Direction that removed permitted development rights to convert single dwellings into HMOS. The inspector accepted the Council's view that, although data suggested almost 85% of properties within 100 metres of the house were in some form of multiple occupation, the street had not reached a tipping point. The inspector said that the absence of any HMOS in Clifton Street meant that properties here remained attractive and viable family homes. The introduction of a HMO would be harmful to the character of the area and prejudice the Council's objective of creating sustainable, well-balanced communities. He added that he did not feel that the introduction of a management plan condition would be sufficient to out-weigh the harm caused by the loss of a family home.