

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 REF
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 **12/01150/FUL**
Appeal Site **KUMARA, STATION ROAD TAMERTON FOLIOT PLYMOUTH**
Appeal Proposal Develop part of rear garden by erection of detached two-storey dwellinghouse with rooms in the roofspace and alterations to stone boundary wall to form vehicular access from Old Warleigh Lane to associated parking area to be created in rear garden of Chikama
Case Officer Robert McMillan

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 02/09/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The appeal was against the refusal of permission for a house in part of the back gardens of Kumara and Chikama, Station Road, Tamerton Foliot with access from Old Warleigh Lane. The proposal is for a two storey house with dormer windows sunken into the garden.

The Inspector decided that the proposal would not harm the setting of listed buildings or the character or appearance of the conservation area or the outlook from surrounding properties. But there would be a significant loss of privacy to Kumara and Chikama and overlooking to Milford Cottage harmful to the living conditions of these properties. As such it was contrary to Core Strategy policies CS15 and CS34 and a core principle of the NPPF and he dismissed the appeal.

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 **12/01934/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 **12/02107/FUL**
Appeal Site **KUMARA, STATION ROAD TAMERTON FOLIOT PLYMOUTH**
Appeal Proposal Develop part of garden by erection of detached two-storey dwellinghouse, alterations to stone boundary wall to form vehicular access from Old Warleigh Lane and site landscaping works
Case Officer Robert McMillan

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 02/09/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The appeal was against the refusal of permission for a house in part of the back gardens of Kumara and Chikamara, Station Road, Tamerton Foliot with access from Old Warleigh Lane. The proposal is for a two storey house sunken into the garden.

The Inspector decided that the proposal would not harm the setting of listed buildings or the character or appearance of the conservation area or the outlook from surrounding properties. Although the overlooking distances did not comply with the Council's guidelines he could not detect any loss of privacy to Kumara or Chikamara. As such, in his opinion, it did not conflict with Core Strategy policies CS15 and CS34 and he allowed the appeal.

Application Number **13/00053/FUL**
Appeal Site **FORMER BLUE MONKEY SITE, 538 CROWNHILL ROAD PLYMOUTH**
Appeal Proposal Development of site by erection of 4 terraced dwellinghouses with 4 off street parking spaces and new footpath
Case Officer Olivia Wilson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/12/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

While the Inspector considers that a number of concerns about design raised with a previous application have been addressed, the height and bulk of the proposed development remains considerable, particularly in relation to the moderate sized dwellings to the north of The Green. The staggered footprint of the building is insufficient to relieve the overall massing and the shallow depth of the site precludes the buildings from being set back from The Green. The Inspector considers that the development would have an unduly dominant and overpowering effect on the setting of The Green, which in turn detracts from the setting of the listed church, contrary to policies CS02, CS03 and CS34. The NPPF also places great importance to the design of the built environment.

Application Number **13/01429/FUL**
Appeal Site **61 BICTON CLOSE PLYMOUTH**
Appeal Proposal Erection of small conservatory to front of house
Case Officer Rebecca Exell

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/12/2013

Conditions
Award of Costs Awarded To

Appeal Synopsis

The proposal was for the erection of a conservatory to the front of the dwelling for a disabled child. The inspector agreed with the Local Authority and stated that the structure would appear dominant and fails to respect the existing building line.

The inspector stated that whilst there would be no impact upon the neighbouring properties the proposal would be detrimental to the character and appearance of the area and would appear incongruous within the street scene.

The appeal was dismissed