

Planning Committee

Appeal Decisions

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

Application Number	14/00093/FUL
Appeal Site	31 FURZEHATT WAY PLYMOUTH
Appeal Proposal	Retrospective application for decking, fencing and wall to rear garden
Case Officer	Jody Leigh
Appeal Category	
Appeal Type	Written Representations
Appeal Decision	Allowed
Appeal Decision Date	12/11/2014
Conditions	1) Except in respect of the matters required by condition the development hereby permitted shall be carried out in accordance with the following approved plan: Drg 1 Amended 24/4/2014. 2) The development hereby permitted shall be removed within 28 days of the date of failure to meet the following requirement: Within three months of the date of this decision the height of the fences hereby permitted shall be reduced to a maximum of 2.3m for the lattice fence and 2.1m for the close boarded fence.
Award of Costs	Awarded To

Appeal Synopsis

This retrospective planning application was refused at the Planning Committee of 15th May 2014 on the grounds of Core Strategy Policy 34:4. The main concern related to the height of the fencing, which was considered to be having an unacceptable impact on the amenity of the occupiers of the immediate neighbouring property. In summary, the Planning Inspector considered that a fence of reduced height, to maximum 2.30m for the trellis fence and maximum 2.10m for the close-boarded fence, would not have a significant impact on the occupant of no 33 in terms of sunlight or daylight availability, or outlook, and therefore, in her opinion, did not conflict with CS34 of the Core strategy (Planning Considerations) of the Local Development Framework (2006-2012), Plymouth City Council's Development Guidelines - Supplementary Planning Document 2013 and the National Planning Policy Framework 2012 which protect residential amenity.

Application Number	14/01027/FUL
Appeal Site	3 BEECHWOOD AVENUE PLYMOUTH
Appeal Proposal	Change of use from single dwelling to 4 bed HMO for students
Case Officer	Kate Price

Appeal Category	
Appeal Type	Written Representations
Appeal Decision	Dismissed
Appeal Decision Date	09/12/2014
Conditions	
Award of Costs	Awarded To

Appeal Synopsis

Planning permission was required for this proposed C4 Class House in Multiple Occupation by virtue of the Article 4 Direction dated 14/09/12. This planning application was refused on 30th July 2014 on the grounds of NPPF paragraph 50 and Core Strategy Policies CS01 and CS15 – harmful to Community balance. The main concern related to the loss of a single family dwelling which was considered to have an unacceptable impact on the amenity and social make-up of the locality. In summary, the Planning Inspector considered that the figures presented by the Local Authority - between 41% and 60% of HMOs in the immediate area - were sufficient to show that the loss of another single family dwelling in the area was unacceptably above the threshold of 25% and that the proposal would not result in the creation of sustainable and inclusive mixed communities and would have a detrimental effect on the character of the area. The appeal was dismissed in consideration of the Development Framework (2006-20121) - Core Strategy Policies CS01 and CS15, and the National Planning Policy Framework 2012 which protect residential amenity.

Note:
Copies of the full decision letters are available on the Plymouth City Council website at www.plymouth.gov.uk