

Planning Committee

Appeal Decisions

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

Application Number **14/01228/FUL**
Appeal Site **ROYAL EYE INFIRMARY, APSLEY ROAD PLYMOUTH**
Appeal Proposal Change of use, conversion and alterations to existing building to provide 12 apartments and new 4/5 storey building containing 30 cluster flats with 164 bed spaces with ancillary car parking, cycle and refuse storage (demolition of existing extension)
Case Officer Robert Heard

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 24/03/2015
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The appeal was allowed. The Inspector commented that the proposed development would be very sustainably located; it would meet an important economic and social need in the city; and it would not inhibit the development of sustainable linked communities. He also stated that the proposal would not harm the living conditions of existing neighbouring occupiers. As such, it was concluded that the proposal would not be contrary to the relevant policies in either the Core Strategy, particularly CS01, or the NPPF. Despite the appellants making a claim for costs, this was refused and no costs were awarded.

Application Number **14/01952/FUL**
Appeal Site **6 CATALINA VILLAS PLYMOUTH**
Appeal Proposal First floor rear extension
Case Officer Liz Wells

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 28/03/2015
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Appeal allowed and permission granted.

The Inspector identified the main issue as the effect of the proposed development on the living conditions of the neighbouring residential occupiers with particular reference to outlook and privacy. He noted that the proposal, would accord with the separation distances suggested in the Council's Development Guidelines SPD and considered the increased gap, in addition to the difference in levels, would ensure that the proposal would not be dominant or overbearing in relation to the outlook from no. 41, and for the same reasons there would be no overshadowing or loss of light.

Regarding the objection to the design and massing of the proposed development and its effect on the character and appearance of the area, he noted the property is well set back from the footpath, and considered the defining edge in visual terms is the prominent stone wall which catches the eye from Lawrence Road rather than the two storey building line.

The application for the award of cost was refused. The Inspector noted that the reasons for refusal give the actual reason for the harm, where the harmful impact would be felt and a summary of the relevant policies from the Core Strategy and the Framework to explain why it considers the appeal proposal was unacceptable. The fact that the Council did not follow the recommendations of its officers is not of itself unreasonable behaviour. There is evidence that the Council has demonstrated, both through its involvement with all the principal parties or agents prior to the Planning Committee decision and, following a full Committee discussion, that the decision was made based on material considerations

Note:

Copies of the full decision letters are available on our website at www.plymouth.gov.uk