

Planning Committee

Appeal Decisions

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

Application Number **13/02114/FUL**
Appeal Site **RADFORD QUARRY PLYMOUTH**
Appeal Proposal Development of site by erection of 57 new dwellings, provision of public open spaces, access road, and other associated works
Case Officer Simon Osborne

Appeal Category
Appeal Type
Appeal Decision Dismissed
Appeal Decision Date 09/06/2015
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector agreed with the Council that there would be an adverse impact on the landscape and character of the area and that the proposed development would be in conflict with Policies CS18 and CS34 of the Core Strategy which are essentially in accordance with the NPPF. The inspector also agreed that there would be a loss of important trees which would be in conflict with Policy CS18 of the Core Strategy.

The inspector agreed that the proposed development would be harmful to biodiversity and that it would be in conflict with Policy CS19 of the Core Strategy. There was insufficient focussed and clear survey work and the potential mitigation could not ensure the long term biodiversity interests of the appeal site in general and the County Wildlife Site in particular.

The inspector agreed that there would be harm arising from the increase in traffic resulting from the proposed development but did not consider this warranted a refusal reason in its own right.

The inspector considered that the setting of the listed Radford Castle would be adversely affected and this provided considerable weight against the proposed development.

In conclusion the inspector agreed with the Council that that the adverse impacts of the development described above significantly and demonstrably outweighed the significant benefit of housing which included 30% affordable homes.

Application Number **14/01279/FUL**
Appeal Site **GULLAND HOUSE, WINSTON AVENUE PLYMOUTH**
Appeal Proposal Demolition of single-storey building and erection of 3-storey student accommodation block (resubmission of 13/00873/FUL)
Case Officer Olivia Wilson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 25/06/2015
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector concluded that the proposed building would be highly visually prominent and its height and massing would be made more dominant in the street scene due to the lack of a stepped design, unlike the adjacent dwellings in Winston Avenue which step down the hill. They concluded that the building would be a visually discordant presence. It would therefore have a harmful effect on the character and appearance of the area, contrary to policies CS02 and CS34. It would also conflict with paragraphs 17, 57, 58 and 64 of the NPPF.

Application Number **14/01530/FUL**
Appeal Site **56 STATION ROAD KEYHAM PLYMOUTH**
Appeal Proposal Change of use of first floor to 2 bedroom flat
Case Officer Rebecca Boyde

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 22/06/2015
Conditions
Award of Costs

Awarded To

Appeal Synopsis

PCC recommended refusal however the appeal was allowed. The inspector agreed that there will be some reliance on private car use but stated that a number of streets within close proximity can be used for parking as there are no restrictions in place. With this in mind the inspector did not consider that there would be illegal parking within Station Road due to the high volume of parking within the vicinity the proposal was there for deemed acceptable and conditions were attached relating to completion within three years and approved drawings. The inspector did not agree with the refusal reasons and policies CS28 and CS34.

Application Number **14/01884/FUL**
Appeal Site **60 WOODFORD AVENUE PLYMOUTH**
Appeal Proposal Erection of new dwelling
Case Officer

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 26/06/2015
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Appeal dismissed - Inspector agreed with the case officers decision based on policies CS02 and CS34. The inspector stated that the sub-division of this property and the creation of a new dwelling as proposed would be out of character with the existing layout and form of residential development prevalent in the area and harmful to local amenities. The inspector noted that a similar dwelling has been erected within the vicinity however this does not create a precedence for new dwelling within garden areas and the appeal was therefore dismissed.

Application Number **14/02068/FUL**
Appeal Site **854 WOLSELEY ROAD PLYMOUTH**
Appeal Proposal Retrospective application for extension and alterations to balcony (amendment to permission 14/00864/FUL)
Case Officer Liz Wells

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 16/06/2015
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agreed with the Council that the screen, as erected, was inadequate to protect the residential amenity of the neighbouring occupiers in terms of privacy contrary to policy CS34 of the Plymouth Local Development Framework Core Strategy (2007) and a core principle of the National Planning Policy Framework, which is to always seek to secure a good

standard of amenity for all existing and future occupants of land and buildings. The Inspector carefully considered the impact relative to the situation before the balcony and made reference to the differences between the screen erected and the higher screen previously granted planning permission. He noted that although the ability of persons on the balcony to look directly into the neighbour's living space would be limited to a deliberate act of them craning their neck, their presence in this location would be visually intrusive and perceived as being highly invasive.

Appeal dismissed and harm identified so compliance with the permitted scheme will be pursued.

Note:

Copies of the full decision letters are available at <http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>.