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 15/00447/FUL

Appeal Site 24 MERAFIELD ROAD PLYMOUTH

Appeal Proposal Erection of 2 no. three bedroom detached dwellings

Case Officer Kate Saunders

Appeal Category REF

Appeal Type Written Representations

Appeal Decision Allowed
Appeal Decision Date 19/01/2016

Conditions

Award of Costs Awarded To

Appeal Synopsis

The appeal was allowed as the Inspector agreed with officers that a lower level of outdoor amenity space could be supported based on the character of existing development in the area. The Inspector considered the outdoor amenity space would not be unusually small when compared to existing dwellings in Lavinia Drive and Brookingfield Close and the development would therefore be in accordance with CS15, CS34 and the Development Guidelines SPD. The Inspector also deemed the living conditions of future occupiers would be good and the amenities of neighbouring occupiers would not be unduly impacted by the proposal.

The Inspector noted our lack of 5 year land supply however he advised this could only carry limited weight in this case given the application was only for two dwellings.

A costs claim submitted by the appellant was not supported as the Inspector considered that Councillors can sometimes come to a different conclusion from their professional advisors based on the evidence in front of them and that, in itself, is not unreasonable. Whilst the Inspector judged that the application met the requirements of the SPD guidance relating to a lower level of outdoor amenity space provision in more densely developed areas, he stated this was a matter of planning judgement.

Application Number 15/00623/TPO

Appeal Site 21 MUTLEY ROAD PLYMOUTH

Appeal Proposal One lime tree - Fell

Case Officer Jane Turner

Appeal Category

Appeal Type Written Representations

Appeal Decision Dismissed
Appeal Decision Date 03/11/2015

Conditions

Award of Costs Awarded To

Appeal Synopsis

The inspector concluded that the removal of the Lime would have some impact upon the appearance and setting of the Mannamead Conservation Area.

In addition the relationship of the tree to the consented but not yet built dwelling may or may not be satisfactory. However at the present time there is no guarantee that a building will be erected.

The inspector therefore considered that the proposal to remove the tree was premature and accordingly dismissed the appeal.

The outcome supports Core Stategy Policy CS03 and CS18 (4).

Application Number 15/01345/FUL

Appeal Site 1 SOUTH HILL HOOE PLYMOUTH
Appeal Proposal Formation of driveway and hardstanding.

Case Officer Mike Stone

Appeal Category

Appeal Type Written Representations

Appeal Decision Dismissed
Appeal Decision Date 25/01/2016

Conditions

Award of Costs Awarded To

Appeal Synopsis

Planning permission was refused for this front garden hardstanding, with access onto a classified road, as it was considered to be contrary to Local Development Framework Core Strategy Policies CS28 Local Transport Considerations) and CS34 (Planning Application Considerations). It was also considered contrary to guidance contained in the Council's Design Guidelines Supplementary Planning Document.

Having reviewed the application, and visited the site, the Inspector supported the Council's view that, given the limited size of the front garden, it would not be possible for a vehicle to enter and exit the site without being required to undertake some reversing manoeuvres on the highway. He concluded that this would be likely to endanger road users and pedestrians. The Inspector also noted that the presence of the front retaining wall would create concerns about pedestrian safety fo

Note:

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