

Planning Committee

Appeal Decisions

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

Application Number **14/02351/FUL**
Appeal Site **3 AND 4 SHERWELL ARCADE, GIBBON LANE PLYMOUTH**
Appeal Proposal Raised central roof deck and spiral staircase
Case Officer Opani Mudalige

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 10/02/2016
Conditions
Award of Costs Awarded To

Appeal Synopsis

Appeal dismissed. Inspector did not agree with the use of CS02 to refuse the application in that the he did not agree with Case Officer that there would be an impact to the character of the area. He was of the mind that the "immediate locality [was] diverse" and that the "proposal [was] reasonably subservient...and would be complementary to its setting". The Inspector did agree with the Case Officer on the use of CS13, CS22, and CS34 to refuse the application, as the proposal would have a major impact on the noise amenity of neighbouring properties due to its proposed elevated deck - thereby intensifying the use.

Application Number **15/00414/FUL**
Appeal Site **LAND OFF CUNDY CLOSE PLYMOUTH**
Appeal Proposal Variation of condition 17 of planning permission 11/00149/FUL for 12 detached dwellings to amend the energy strategy for the site by replacing the approved Energy Report by Carbon.gc Limited with the Energy Statement by JPS Sustainability Limited dated February 2015, resulting in a reduction in the amount of photovoltaic cells to be provided at the site
Case Officer Kate Saunders

Appeal Category
Appeal Type Informal Hearing
Appeal Decision Dismissed
Appeal Decision Date 11/02/2016
Conditions
Award of Costs Awarded To

Appeal Synopsis

The inspector agreed with the LPA that the purpose of Policy CS20 was not solely to reduce carbon emissions but also to promote renewable energy production. Whilst the use of a "fabric first" approach by the appellant has contributed to a reduction in carbon emissions from the development the PV cells installed on only 3 of the dwellings fall considerably short of the 15% target for offsetting predicted carbon emissions through on-site renewable energy production. The development therefore unacceptably conflicts with Policy CS20.

The inspector considered that Policy CS20 was in compliance with Paragraphs 96 and 97 of the NPPF. The Inspector noted Policy 25 of the emerging Plymouth Plan but gave this little weight in his decision given it is not at a well advanced stage.

Application Number **15/00543/FUL**
Appeal Site **THE OLD COACH-HOUSE, SEATON LANE MUTLEY PLAIN PLYMOUTH**
Appeal Proposal Change of use from storage (B8) to residential dwelling (C3)
Case Officer Aidan Murray

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 11/02/2016
Conditions
Award of Costs Awarded To

Appeal Synopsis

Application Number **15/00621/FUL**
Appeal Site **LAND ADJACENT TO 859 WOLSELEY ROAD PLYMOUTH**
Appeal Proposal Erection of 4 storey dwelling with integral garage
Case Officer Karen Gallacher

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/02/2016
Conditions
Award of Costs Awarded To

Appeal Synopsis

Application Number **15/00832/FUL**
Appeal Site **51 TAVISTOCK ROAD PLYMOUTH**
Appeal Proposal Erection of swimming pool for domestic and commercial use
Case Officer Amy Thompson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 24/02/2016
Conditions
Award of Costs

Awarded To

Appeal Synopsis

Planning permission was refused for an additional training pool 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 the Inspector supported the Council's view that, given the limited size of the site and the additional vehicle movements and demand for parking on and around the site, the proposal would be detrimental to the safe and efficient operation of the highway network in the vicinity of the appeal site. The Inspector also noted that the sites access is highly restricted and close to a busy junction and the proposal would result in severely adverse highway safety impacts.

No appeal costs claims were submitted by, and/or awarded to, either party in this appeal

Application Number **15/00921/FUL**
Appeal Site **26 PIKE ROAD PLYMOUTH**
Appeal Proposal Vehicle hardstanding
Case Officer Aidan Murray

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 02/02/2016
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 disagreed with the Council's assessment. Although the limited size of the front garden, means 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, the Inspector observed several existing similar parking arrangements within a short distance of the appeal property that involve similar manoeuvres. The Inspector therefore concluded that, given these similar frontage parking areas nearby, the addition of another hardstanding would not have a severe adverse impact upon the existing function of Pike Road in terms of highway safety, and concluded that in this particular case there was no conflict with National Planning Policy Framework nor the aims and objectives of Policies CS28 and CS34 of the Core Strategy.

No appeal costs claims were submitted by, and/or awarded to, either party in this appeal.

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 for users of the pavement at this point.

Application Number **15/01429/FUL**
Appeal Site **385 BLANDFORD ROAD PLYMOUTH**
Appeal Proposal Alterations to disabled access of front garden for car/bike off road parking (disabled access no longer required)
Case Officer Amy Thompson

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 03/02/2016
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 disagreed with the Council's assessment. Although the limited size of the front garden, means 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, the Inspector observed several existing similar parking arrangements within a short distance of the appeal property that involve similar manoeuvres. The Inspector therefore concluded that, given these similar frontage parking areas nearby, the addition of another hardstanding would not have a severe adverse impact upon the existing function of Blandford Road in terms of highway safety, and concluded that in this particular case there was no conflict with National Planning Policy Framework nor the aims and objectives of Policies CS28 and CS34 of the Core Strategy.

No appeal costs claims were submitted by, and/or awarded to, either party in this appeal.

Note:

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