

Planning Committee

Appeal Decisions

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

Application Number **15/01115/FUL**
Appeal Site **145 PIKE ROAD PLYMOUTH**
Appeal Proposal Construction of hardstanding to allow off road parking
Case Officer Amy Thompson

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Allowed
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 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 **15/01251/FUL**
Appeal Site **47A NORTH ROAD EAST PLYMOUTH**
Appeal Proposal Demolition of existing building and replace with student accommodation (39 apartments)
Case Officer Christopher King

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 26/05/2016

Conditions

Award of Costs Awarded To

Appeal Synopsis

The Inspector concluded that the proposed development would contribute to economic objectives, notably by the employment generated during the construction phase and more significantly, by lending support to the continued expansion of the University in accordance with Policy CS05 of the Core Strategy and Proposal CC16 of the City Centre and University AAP. The inspector noted that significant weight was given to the benefits of the proposal, and stated that there is no firm evidence that the proposal would have a negative impact on the range of employment opportunities available for local people in the neighbourhood and there is no firm evidence that it would adversely affect existing businesses in the locality.

Furthermore, and in terms of the social benefits, the Inspector determined that the proposal will provide a considerable number of additional housing units designed to meet the needs of students and it would reduce the pressure on the existing housing stock, resulting in a more integrated community. The Inspector noted that as the Council cannot demonstrate a five-year housing land supply, the benefit of providing a considerable number of new housing units has been afforded substantial weight.

When considering design, the Inspector determined that the proposal would achieve environmental benefits due to its high

standard of design, which would improve the appearance of the site and would integrate well with surrounding development in accordance with policy CS02 of the Core Strategy. The Inspector concluded that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in NPPF when taken as a whole, and in particular, the development would reinforce locally distinctive characteristics in a contemporary manner and contribute positively to making a better place for people

When considering residential amenity, the Inspector found that the proposal would not result in an unacceptable loss of outlook, light or privacy, to adjoining and nearby residential properties. Consequently, the Inspector determined that the proposal would accord with CS Policy CS34, as it would protect residential outlook, light and privacy and it would also be consistent with the Framework at paragraph 17, which seeks to ensure a good standard of amenity for all existing and future occupants of buildings. The inspector also found that the proposal was acceptable with respect to paragraphs 2.2.23 (separation distances), 2.2.21 (densely developed neighbourhoods) and 2.8.46 (purpose built student accommodation) of the Development Guidelines SPD.

The Inspector makes no reference to improper use of polices in the refusal reasons; however, and as noted above, the Inspector concluded that the proposal did in fact accord with polices contrary to the view of the committee. The Inspector does note that in view of the relatively early stage in the adoption process of the Plymouth Plan, Policy 12 was given limited weight in the decision.

Notwithstanding the fact that the applicant had agreed to a S106 agreement (£26,865.54) for Local Greenspace and Playing Pitches), the Inspector concluded that the Local Planning Authority did not supply any evidence which demonstrated that the Obligation would meet the tests, and therefore had not been persuaded either that the obligation is necessary or if it was, that it could lawfully amount to a reason for granting planning permission.

Note:

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