

# Planning Committee

## Appeal Decisions

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

Application Number **15/01980/FUL**  
Appeal Site **1 LOPWELL CLOSE PLYMOUTH**  
Appeal Proposal **Erection of dwelling**  
Case Officer **Rebecca Boyde**

Appeal Category  
Appeal Type **Written Representations**  
Appeal Decision **Dismissed**  
Appeal Decision Date **22/08/2016**

Conditions  
Award of Costs **Awarded To**

### Appeal Synopsis

This appeal has been dismissed with the Inspector agreeing with the Council's assessment that a proposed dwelling on this site would be unacceptable on tree impact grounds.

The inspector agreed that the trees make a significant contribution to the appearance of the surrounding area. The loss of an important Turkey Oak on the site would be significant and contrary to Local Development Framework policy CS18 which seeks to safeguard important trees and hedgerows.

No costs claims were submitted in respect of the appeal, and none were awarded by the Inspector.

Application Number **15/02125/FUL**  
Appeal Site **ROSEMARY, RAYMOND WAY PLYMOUTH**  
Appeal Proposal **Raise roof height and incorporate rear dormer**  
Case Officer **Mike Stone**

Appeal Category  
Appeal Type **Written Representations**  
Appeal Decision **Allowed**  
Appeal Decision Date **09/08/2016**

Conditions  
Award of Costs **Awarded To**

### Appeal Synopsis

This appeal has been allowed and planning permission for this bungalow roof extension has been granted.

The Inspector did not agree with the Council's view that the proposed rear projection would have a detrimental impact on the amenity of the neighbouring property in terms of its overbearing appearance due to the distance between the properties, despite the relatively close degree of separation between them.

The Inspector did not agree that the development was contrary to the Council's Local Development Framework 2007 Policy CS34 (Planning Application Considerations).

The Inspector awarded costs against the Council because he considered that in his opinion the Council failed to conclude that the development accords with its adopted Development Guidelines Supplementary Planning Document First Review (2013). The Council argued that the type of development proposed was not specifically addressed in the SPD but the Inspector did not accept this was a valid reason not to refer to the SPD.

Application Number **16/00450/FUL**  
Appeal Site **10 CONQUEROR DRIVE PLYMOUTH**  
Appeal Proposal Retrospective application for erection of garden fence  
Case Officer Rebecca Boyde

Appeal Category  
Appeal Type Written Representations  
Appeal Decision Dismissed  
Appeal Decision Date 24/08/2016

Conditions  
Award of Costs Awarded To

#### Appeal Synopsis

This appeal has been dismissed with the Inspector agreeing with the Council's decision. The inspector agreed that this recently installed, but unauthorised, back-garden type fence, is uncharacteristic of the property frontages in this area, and is therefore visually intrusive. It was concluded that the development would have an adverse effect on the character and appearance of the area, and is therefore contrary to Local Development Framework policies CS02 and CS34.

No costs claims were submitted in respect of the appeal, and none were awarded by the Inspector.

A concurrent enforcement notice appeal is being considered separately by the Planning Inspectorate, and the outcome of this second appeal will determine whether the fence will need to be removed.

#### Note:

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