

Planning Appeals

App no	Decision	Address	Proposal	Case Officer	Appeal Type	Decision Date	Synopsis
16/00163/FUL	ALLOWED WITH CONDITIONS	LAND ADJACENT PLUMER ROAD, PLYMOUTH, PL6 5DZ	Residential development of two apartment blocks containing a total of 61 apartments, undercroft parking, landscaping & associated works	Katie Saunders	Inquiry	17/05/2017	The appeal was allowed as the Inspector considered that whilst the issue of impact on residential amenity was a subjective matter, on balance the effect of the development on the outlook of existing residents in The Limes was not unreasonable. In terms of the parking reason for refusal the Inspector noted no evidence was submitted by the council to demonstrate that the development would significantly increase the demand for on-street parking. The Inspector considered existing residents would not be seriously inconvenienced by the proposal and whilst no resident has the right to park on the street, space was still likely to remain during evenings and weekends. The Inspector therefore considers that the development accords with Policy CS28 and CS34 of the Core Strategy. The Inspector agreed with the conditions suggested by the LPA and a S106 was secured delivering an off-site contribution towards affordable housing, highways improvements, greenspace and playspace. The LPA made a claim for partial costs against the appellant for the changed position put forward on affordable housing and the appellant made a claim for a full award of costs against the LPA based on the fact that there were no technical objections to the proposal and the development was policy compliant. The Inspector found that the LPAs consideration of outlook was reasonable, however, given the lack of evidence to support the parking reason for refusal, this was considered as unreasonable behaviour and a partial award of costs against the council was made. However, the Inspector also agreed that the appellant had acted unreasonably departing from their previously agreed position on affordable housing and a partial award of costs was made against the appellant.
16/01916/FUL	DISMISSED	63 CHURCH ROAD PLYMSTOCK, PLYMOUTH, PL9 9AT	Vehicle hardstanding and access onto classified road (retrospective)	Liz Wells	Written Representations	17/05/2017	Planning permission was refused for a retrospective vehicle hardstanding and access onto classified road. The Inspector supported the Council's view that the development, in the absence of an appropriate turning facility, would be likely to have a severe adverse impact upon highway safety along Church Road in conflict with the NPPF and policies CS28 and CS34 insofar as they relate to the safety and suitability of an access, agreeing with policies referred to in the LPA refusal. The Inspector noted that although Church Road ends as a cul-de-sac, No 63 is positioned where vehicles passing and heading south can make an onward journey by turning into a number of other roads before Church Road reaches its terminal point. He saw during the time of his visit that this part of Church Road was fairly frequently accessed by through traffic. His concern was further compounded by the absence of any visibility splays for vehicles emerging from the appeal site due to the high and solid boundary enclosures that adjoin the edge of the highway to either side. He considered the other examples of frontage parking along this road with no turning facilities but found none directly comparable to the appeal property in terms of their location or sight lines provided. Neither were there other examples in such numbers as to demonstrate drivers would be familiar with cars reversing onto the road. No applications were made for costs by either side and no costs were awarded by the Inspector.
16/02044/FUL	DISMISSED	58 COOMBE WAY, PLYMOUTH, PL5 2HB	Retrospective application for raised decking and screening	Amy Thompson	Written Representations	17/05/2017	Planning permission was refused for a retrospective application for raised decking and screening as it was considered to be contrary to Local Development Framework Core Strategy Policies CS02 Design and CS34 Planning Application Considerations. It was also considered contrary to guidance contained in the Council's Design Guidelines Supplementary Planning Document, policy 30 of the emerging, PLYMOUTH, Plan Part One and Paragraphs 64 to 66 of the National Planning Policy Framework. Having reviewed the application, and visited the site, the Inspector supported the Council's view that, given the design and size of the decking and screening, it would have an unacceptable effect on the living conditions of the neighbouring properties, specifically privacy and outlook. The Inspector also noted that given the characteristics and the topography of the area, the decking and screening would appear overtly prominent and out of keeping. No applications were made for costs by either side and no costs were awarded by the Inspector.