

Appeal Decisions between 17/05/2019 and 16/06/2019

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
31/05/2019	17/02275/FUL	2018/0012	Appeal Dismissed	APP/N1160/W/18/3204399
Ward				
St Peters & the Waterfront				
Address				
48 Southside Street Plymouth PL1 2LD				
Application Description				
Erection of 4 flats				
Appeal Process		Officers Name		
Written Representations		Mr Oliver Gibbins		
Synopsis				
<p>Planning permission was refused for the erection of 4 flats above outbuildings to the rear of 48 Southside Street. The proposal was considered to be contrary to Local Development Framework Core Strategy Policies CS01, CS02, and CS34, policies DEV10, DEV20, DEV21 and DEV22 of the Plymouth and South West Devon Joint Local Plan, the principles outlined in the Barbican Conservation Area Management Plan and the National Planning Policy Framework. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the proposed development would harm the character and appearance of the Barbican Conservation Area and would harm the living conditions of the neighbouring occupiers with regard to light and outlook. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
06/06/2019	17/02456/FUL	2018/0017	Appeal Dismissed	APP/N1160/W/18/3210905
Ward				
Plymstock Radford				
Address				
White Lady Road Plymouth PL9 9GA				
Application Description				
Proposed change of primary use of the Bird Hide building to an "Outdoor Preschool and After School Club" (Class D1)				
Appeal Process		Officers Name		
Written Representations		Mr Jon Fox		
Synopsis				
The Inspector found that while the proposed use would not have a significant impact on the highway network, it would prejudice highway safety by leading to parking on a bend, which in turn would obscure visibility for drivers and pedestrians at this point, contrary to JLP policy DEV29.				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
16/04/2019	18/00201/ENF	2019/0002	Appeal Allowed with Costs	APP/N1160/C/18/3208856
Ward				
Compton				
Address				
9 - 10 Ermington Terrace Plymouth PL4 6QG				
Application Description				
Appeal against, alleged breach of condition relating to provision of managers flat				
Appeal Process		Officers Name		
Written Representations		Mr Ben Wilcox		
Synopsis				
<p>Planning permission was granted for the change of use of this property from a D1 (Clinic) to a House in Multiple Occupation, including ancillary minor alterations to the property, following application 14/01685/FUL. The approved plans showed a ground floor manager's/warden's, flat and a condition required the development to be carried out in accordance with the approved plans. A further condition required approval of the detailed management arrangements for the property. The management arrangements were subsequently approved, but did not include specific references to there being an on-site warden living at the property. A Planning Enforcement Notice was issued on the property owner following the receipt of a complaint that alleged the ground floor manager's flat had not been provided. Disappointingly, though, the Inspector concluded that because the subsequent management Condition Discharge details applications did not specifically refer to a manager's flat, that there was in fact no obligation for it to be provided. The owner's appeal was therefore allowed, and the enforcement notice has been quashed. An application for appeal costs was made by the appellant, and an award of cost made to them by the Inspector.</p>				