

Appeal Decisions between 14/06/2019 and 05/07/2019

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
19/06/2019	18/01504/FUL	2018/0030	Appeal Dismissed	APP/N1160/W/18/3219266
Ward				
Plymstock Dunstone				
Address				
69 Church Road Plymstock Plymouth PL9 9AU				
Application Description				
Erection of 1 dwelling, domestic garage, creation of vehicular and pedestrian access and associated works				
Appeal Process		Officers Name		
Written Representations		Mr Oliver Gibbins		
Synopsis				
<p>Planning permission was refused for the erection of a single dwelling and associated garage and access at 69 Church Road. The proposal was considered to be contrary to Local Development Framework Core Strategy Policies CS03, CS18, CS22 and CS34, policies DEV1, DEV10, DEV22, DEV28 and DEV30 of the Plymouth and South West Devon Joint Local 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 setting and significance of the listed Grade II listed building. The Inspector also stated that the proposed access through the gardens of number 67 and 69 Church Road which would severely restrict the garden area and cause disturbance to the occupiers therefore having a detrimental impact on their living conditions. The appeal was therefore dismissed. 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
19/06/2019	18/01505/LBC	2018/0031	Appeal Dismissed	APP/N1160/W/18/3219267
Ward				
Plymstock Dunstone				
Address				
69 Church Road Plymstock Plymouth PL9 9AU				
Application Description				
Erection of 1 dwelling, domestic garage, creation of vehicular and pedestrian access and associated works				
Appeal Process		Officers Name		
Written Representations		Mr Oliver Gibbins		
Synopsis				
<p>Listed building consent was refused for the erection of a single dwelling and associated garage and access at 69 Church Road. The proposal was considered to be contrary to Local Development Framework Core Strategy Policy CS03, policy DEV22 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework. Having reviewed the application, and visited the site, the Inspector supported the Council's view that the proposed development would harm the setting and significance of the listed Grade II listed building. The appeal was therefore dismissed. 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
25/06/2019	18/00830/FUL	2018/0028	Appeal Dismissed	APP/N1160/W/18/3217910
Ward				
Drake				
Address				
Units 9 & 10 Sherwell House 30 North Hill Plymouth PL4 8ET				
Application Description				
Retrospective continuous C4 Use (Houses of Multiple Occupation) for apartments 9 and 10				
Appeal Process		Officers Name		
Written Representations		Mr Chris King		
Synopsis				
<p>The Local Planning Authority (LPA) refused permission on two counts, those being Overconcentration of HMOs and Substandard Accommodation. On the first matter, the Inspector agreed with the LPA, concluding that the proposed development would result in two additional HMOs in the area, which already has a significant number of such properties. Adding to this would result in an increasingly unbalanced community to the detriment of the character of the area. As such, the proposal would be contrary to the terms of JLP Policies DEV10 and DEV11. On the second matter, and having had a site visit, the Inspector found that the units would have been of sufficient size and of an appropriate layout to provide good living conditions for future occupants, according with policy DEV10, however the benefits of this did not outweigh the impacts the change of use would have on the balance of the community.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
01/07/2019	18/01620/FUL	2019/0005	Appeal Dismissed	APP/N1160/D/19/3222288
Ward				
Budshead				
Address				
633 Budshead Road Plymouth PL5 4DW				
Application Description				
Erection of hardstanding				
Appeal Process		Officers Name		
Written Representations		Mr Chris Cummings		
Synopsis				
<p>Planning permission was refused for erection of a hardstanding as it was contrary to Policy CS34 of the Local Development Framework Core Strategy and Policy DEV31 (now DEV29) of the emerging Plymouth and South West Devon Joint Local Plan. It was also considered contrary to the Development Guidelines Supplementary Planning Document First Review and the National Planning Policy Framework. Having reviewed the application, the Inspector supported the Council's view that the development results in unacceptable highway safety issues due to lack of turning to allow entering and exiting to a classified road in a forward gear and the positioning close to a pedestrian crossing. Any reversing vehicles would also have to cross a grassed area and two footways, adding to additional conflict between pedestrians and vehicles. The Inspector noted evidence from the appellant of other parking facilities without turning areas on Budshead Road and the lack of on-street parking, advising that each appeal must be considered on its own merits and the highway safety issues from the proposal outweigh any public benefit from parking off-street. No applications for costs were submitted and no costs were awarded by the Planning Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
01/07/2019	18/01825/FUL	2019/0018	Appeal Dismissed	APP/N1160/W/19/3223762
Ward				
Drake				
Address				
47 Ford Park Road Plymouth PL4 6NU				
Application Description				
Change of use from dwelling (Class C3) to 5-bed HMO (Class C4) (retrospective)				
Appeal Process		Officers Name		
Written Representations		Mr Chris Cummings		
Synopsis				
<p>Planning permission was refused for a change of use to a 5-bed HMO (Class C4) as it was contrary to Policies CS01 and CS15 of the Local Development Framework Core Strategy and Policies SPT2 and DEV11 of the emerging Plymouth and South West Devon Joint Local Plan. It was also considered contrary to the Development Guidelines Supplementary Planning Document First Review and the National Planning Policy Framework. Having reviewed the application, the Inspector supported the Council's view that the development would be harmful to the balance and sustainability of the surrounding community, which already suffers from an imbalance. The application and appeal were submitted prior to adoption of the Plymouth and South West Devon Joint Local Plan and the Inspector noted that although the proposal met Development Guideline Supplementary Planning Document threshold levels, it was contrary to the threshold levels set out in Policy DEV11 of the Joint Local Plan and greater weight must be given to the Joint Local Plan policy. No applications for costs were submitted and no costs were awarded by the Planning Inspector.</p>				