

Appeal Decisions Received between 01/08/09 to 31/08/09

Reference Number	Parish	Proposal Description and Location	Appeal Decision & DATE	Comments
41/2083/08/F	SALCOMBE	Third floor extension – 77A Fore Street, Salcombe, TQ8 8BY	ALLOWED On 30.7.09	In allowing the appeal the Inspector disagreed with the Council's opinions that the resulting building would be overly tall and dominant within its surroundings with resulting harm to the Conservation Area and AONB. He considered that, despite the nearest neighbouring properties being two stories in height, there are several three storey buildings in the vicinity and the existing variety in roof heights adds to the interest of this central part of the Conservation Area. He referred to the Government's design guidance "By Design" which advises that corner buildings can provide identity and points of orientation, especially if they are higher than the surrounding buildings. There is an existing three storey property on the opposite corner to the appeal site and the Inspector concluded that the increased height of the appeal property would add visual interest in its corner location and would not detract from the character and appearance of the Conservation Area or AONB.
58/0751/08/0	WEMBURY	Outline permission for the erection of two dwellings – Pendency, Beach Road, Heybrook Bay, Plymouth PL9 0BS	DISMISSED On 28.7.09	The appeal for the erection of 2 dwellings on an open piece of land within the development boundary and AONB was dismissed. In dismissing the appeal the inspector considered that the undeveloped piece of land did not significantly contribute to the character of the surrounding development or AONB but agreed with the Council that the proximity of the two dwellings to each other and with the boundaries of the plots would be at odds with the relatively spacious character of the surroundings and would undermine the existing pattern of development in the area and detrimentally effect the character and appearance of the area when viewed from the coastal footpath. The Inspector also agreed that the development would have a significant adverse impact upon the privacy of the occupiers of

				<p>Pendyce, but did not consider that the impacts on prospective occupiers of 2 adjacent dwellings that had been granted permission but which had since lapsed, was material.</p> <p>She considered that the small size of the plots would contrast unfavourably with the rhythm of sizeable detached residences along Heybrook Drive and was not convinced by the information submitted that it would be possible to erect two dwellings on the site without significant harm to both the character and appearance of the area and to the privacy of occupiers of Pendyce. She concluded that although the owner of Pendyce had raised no concerns over loss of privacy, regard must be had to the needs of future occupiers.</p>
23/0067/09/F	HARBERTON	Resubmission of 23/1927/08/F for construction of timber cat pens with exterior runs and kitchen facility – Smoke Cottage, Harbertonford, Devon TQ9 7PS	DISMISSED 13.08.09	<p>Planning permission for the creation of a ten cat cattery was refused by the LPA on the grounds of unacceptable increased use of a dangerous vehicular access from the highway and the non-sustainable location of the cattery in the countryside. In dismissing the appeal the Inspector accepted that the cattery may not generate a lot of vehicular traffic, as a collection and delivery service would be available, but considered that any increase in the use of the sub-standard access should be discouraged. With regards to the sustainability of the development, the Inspector considered that there would not be undue reliance on the use of private vehicles and the benefits of siting the cattery away from built up areas, given the potential for conflict with neighbouring uses, outweighed the harm that would be caused through increased car usage.</p> <p>Nevertheless, this did not overcome his deep concern relating to highway safety.</p>
28/0535/09/F	KINGSBRIDGE	Replacement uPVC windows, doors, fascia, soffits and rainwater goods – 3 Garden Cottages, Fore Street, Kingsbridge, TQ7 1NY	DISMISSED on 19th August	<p>The inspector concluded that the development would harm the character and appearance of the Conservation Area. The inspector considered that the use of timber as a traditional material within a Conservation Area makes a pleasing contribution to the overall character and appearance of the area. He considered that the proposed materials would contrast</p>

				awkwardly with the existing building fabric. The inspector suggested that the Council should consider enforcement action to remedy existing harmful breaches of planning control.
27/1334/08/F	IVYBRIDGE	Two storey side extension with integral front porch, 14 Dunsterville Road, Ivybridge, PL21 0JT	DISMISSED on 12th August	The inspector concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of no. 16 Dunsterville Road. The inspector considered that the proximity and height of the development would have an overbearing and oppressive impact on the residents of no. 16 from within their conservatory.