

Planning Committee

ENFORCEMENT APPEAL DECISIONS

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

Application Number

Appeal Site

19 Tithe Road, Plympton, Plymouth, PL7 4QQ

Appeal Proposal

Planning Enforcement Notice against unauthorised first floor front extension.

Appeal Category

Planning Enforcement Notice

Appeal Type

Appeal Decision

Appeal dismissed and planning enforcement notice upheld.

Appeal Decision Date

06 August 2013

Conditions

Award of Costs

No

Awarded To

Appeal Synopsis

Members of the Planning Committee considered a planning application in March 2013 seeking retrospective planning permission for a house extension that had been refused planning permission by the Council in 2009, and a subsequent appeal to the Planning Inspectorate at that time had been dismissed. The applicant/appellant proceeded with the work, and the existence of the extension and its unauthorised status, only recently came to light following a chance enquiry to the Council by the owner of a nearby property.

The Planning Committee refused planning permission again for the development, and agreed that an enforcement notice should be issued. Members agreed, however, that a longer than usual time should be specified for the works to be carried out, in view of the particular circumstances of the case, and the fact that the extension had been in situ for approximately three years.

A planning enforcement notice was issued on 21 March 2013 requiring the removal of the unauthorised extension, and allowing 12 months for the work to be carried out, rather than 3 or 6 months as would be more usually required.

The applicant appealed against the enforcement notice arguing that despite the previous planning decisions the extension was not visually prominent, and that more recent developments nearby meant that there had been a material change of planning circumstances meaning that the extension could be permitted.

The Planning Inspector carefully considered the points raised by the appellant, but concluded there had been no material change in planning policy requirements in respect of this type of house extension since the previous planning appeal had been considered and turned down. The Inspector states that the extension remains contrary to the Council's Local Development Framework Core Strategy Policy CS34 and the Development Guidelines Supplementary Planning Document. The appeal was therefore dismissed, and the Inspector agreed that 12 months was a reasonable period for the extension to be removed, and the property reinstated to its former appearance.

Note:

Copies of the full decision letters are available to Members in the Ark Royal Room and Plymouth Rooms. Copies are also available to the press and public at the First Stop Reception.