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 pitched roof to double garage.

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. In addition to the unauthorised extension, the owner of the property also subsequently erected, without planning permission, a pitched roof above a double garage at the front of the property. The applicant included this development in the same application as the extension.

The Planning Committee refused planning permission for both elements of the retrospective application, 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 element had been in situ for approximately three years.

A planning enforcement notice was issued on 21 March 2013 requiring the removal of the unauthorised pitched roof to the double garage, 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 more recent developments nearby, particularly an adjacent new dwelling in Cundy Close, meant that the visual impact of the pitched roof was not harmful to the overall appearance of the street.

The Planning Inspector carefully considered the points raised by the appellant, but concluded that the pitched roof was visually discordant with the uniformly open frontage of properties in Tithe Road, and therefore was 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 pitched roof to the double extension to be removed and the double garage 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.