

Planning Committee

Appeal Decisions

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

Application Number	Planning Compliance Case 13/00230/OPR	
Appeal Site	St Anne's House, Jennycliff Lane, Hooe, Plymouth, PL9 9SN	
Appeal Proposal	Appeal against a planning enforcement notice alleging breach of planning by the erection of a wooden structure close to the entrance of St Anne's House	
Case Officer	Ms Jody Leigh	
Appeal Category	Enforcement Notice	
Appeal Type	Written Representations	
Appeal Decision	Appeal Dismissed	
Appeal Decision Date	26 August 2014	
Conditions	None, as appeal dismissed.	
Award of Costs	No costs application submitted by either side.	Awarded To None awarded

Appeal Synopsis

A large wooden structure of inappropriate materials and appearance was erected near the entrance of St Anne's House - impacting the the setting of a listed building - the house being a grade II listed building– a former 19th century vicarage and the street scene. Complaints were received in February 2013 and an Enforcement Notice was served in August 2013 after the appellant did not dismantle the structure as requested.

The Planning Enforcement Notice was issued requiring the building to be dismantled and the dismantled materials to be removed from the land. The grounds for breach of planning control were the impact on the listed building and also on the character of the area. The appellant's grounds for appeal were that the structure was always there but this was not accepted by the Appeals inspector. The Planning Enforcement Notice issued required the building to be dismantled and then the dismantled materials to be removed from the land.

An appeal was lodged against the Enforcement Notice and, after visiting the premises, the Planning Inspector agreed that the Enforcement Notice was justified and appropriate, and has upheld its requirements. The inspector paid particular heed to the presence of the structure in the setting of the listed building as well as the character and appearance of the area. Although the appellant has offered to work with Plymouth City Council to adapt the structure the Inspector gave little weight to this suggestion.

Having considered all grounds for appeal, and other observations made, the Inspector found that none outweighed the finding of harm to the designated heritage asset and to the character and appearance of the area. He ruled that the appeal should be dismissed.

The timetable for the dismantling of the structure is 3 calendar months, and the removal of materials 4 calendar months, all from the date of the appeal dismissal.

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.