

Report to Planning Committee

Enforcement Ref: 0139/2020

Appeal Ref: APP/N3020/C/21/3273799 & APP/N3020/W/21/3270936

Location: 2 Rowan Avenue, NG15 9GA

Subject: Construction of an unauthorised dormer extension and front boundary fence

A Planning Enforcement Notice was served on the owner/occupiers of the site on 30th March 2021 requiring the removal of the unauthorised dormer extension and either removal of the front boundary fence or its reduction in height to 1 metre. The reason given for issuing the notice was:

“The dormer is of a significant size, extending across the full width of the dwelling and forward from the rear elevation of the approved single storey rear extension. The use of the flat roof on a build of this scale, combined with the existing rear single storey flat roof extension, is an incongruous addition that does not reflect the character or appearance of the dwelling. In addition, there is an overbearing impact on the neighbour to the south of the property.

A fence which exceeds the 1m permitted development height has been erected to the front of the property which is also out of character with other front boundary treatments of other dwellings in the neighbourhood and it appears as a hostile barrier against the view from the street to the property.

The dormer extension and the front boundary fence are both detrimental to the character of dwelling and the immediate area and are overly prominent within the street scene. The extension and fence are in conflict with Section 12 of the NPPF (2019), Policy 10 of the GBACS (2014), and Policies LPD 32 and LPD 43 of the LPD

The Council does not consider that planning permission should be given, because planning conditions could not overcome these objections.”

The unauthorised fence was removed however an appeal against the notice was lodged with the Planning Inspectorate in relation to the dormer extension.

This appeal has been dismissed and the notice has been upheld.

The Planning Inspector considered the details of the case and concluded that:-

“there is harm to the character and appearance of the area, with consequent conflict with some policies of the development plan. I have also concluded that the development does not result in harm in respect of living conditions at No 4 Rowan Avenue, and find no conflict with the relevant development plan policies in respect of that. Nevertheless, my conclusion on the first issue leads me to the view that the development is harmful and that there is conflict with the development plan as a

whole. That harm is not outweighed by any of the considerations before me. Accordingly, planning permission should not be granted.”

Recommendation: To note the information.