

Report to Planning and Licensing Committee



Date of Meeting	21 January 2021
Portfolio	Councillor John Blundell, Cabinet Member for a Thriving Economy
Report Author	Martin Eastaugh
Public/Private Document	Public

<b>Application:</b> 19/0103/EUD	<b>Township:</b> Rochdale	<b>Ward:</b> Milkstone & Deeplish
<b>Appeal Reference</b> APP/P4225/C/20/3256022		<b>Decision level:</b> Delegated
<b>Site Address:</b> 24 Grandidge Street, Rochdale OL11 3SA		
<p><b>Alleged Breach:</b> The breach of planning control is operational development comprising:</p> <ul style="list-style-type: none"> <li>i) The demolition of a two storey rear outrigger and the construction of a two storey rear extension with a flat overhanging roof;</li> <li>ii) The construction of a single storey rear and side extension;</li> <li>iii) The construction of a single storey front and side extension;</li> <li>iv) The alteration and enlargement of a front dormer extension and the demolition of a rear dormer and the construction of larger rear dormer, and</li> <li>v) The alteration to the first floor side wall to add timber batons and foil cladding.</li> </ul> <p>The piecemeal construction/poor design resulted in a visually obtrusive and overly dominant development, out of character with the original dwelling and wider street scene.</p>		
<b>Applicant:</b> Miss Saima Mahmood		<b>Agent:</b> BMS Solicitors
<p><b>Planning Inspectorate Decision:</b> 7th December 2020 – Appeal dismissed and the Enforcement Notice upheld without variation.</p> <ul style="list-style-type: none"> <li>– The Enforcement Notice was issued in June 2020. A summary of the requirements are: <ul style="list-style-type: none"> <li>a) Demolish/remove all of the above listed unauthorised extensions and all dormer alterations/enlargements;</li> <li>f) Remove the timber batons and external insulation from the first floor side elevation;</li> <li>g) Restore the land to its condition prior to the breach taking place</li> </ul> </li> <li>– The appellant submitted a ground (d) appeal, arguing that at the date when the notice was issued, no enforcement action could be taken (i.e. more than 4 years had passed since the operational development was substantially completed). However, little supporting evidence was provided to substantiate this.</li> <li>– Conversely, the Council provided an extensive statement including; previous and current officer notes and photos, a sworn statement from a Building Control Officer and Google Street View and Google Earth images, to counter the claim and demonstrate the Notice had been served in time.</li> <li>– In dismissing the appeal, the Inspector noted; ‘<i>The appellant’s evidence is imprecise and ambiguous...</i>’ and ‘<i>...moreover the Council has submitted evidence which contradicts the appellant’s arguments</i>’.</li> <li>– Officers will be monitoring the property to ensure that the Notice is complied with.</li> </ul>		