

**Planning Committee:** 26 July 2011

**Item Number:**

**Application No:** ENF 171/20/10

**Case Officer:** Phillip Hopkinson  
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**23 Southlea Avenue, Leamington Spa, CV31 3JN**

Extension of roof from hip to gable end and addition of dormer window.  
Property Owner(s) Mr Lotta

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This report is brought before Committee to request that enforcement action be authorised.

**BACKGROUND**

In May 2010 it was brought to the attention of the enforcement section that alterations to the roof of this property were being undertaken including the addition of a rear dormer window and of a gable end.

The owner, Mr Lotta, was contacted and informed that Planning Permission was required and that he continued work at risk of potential enforcement action.

**RELEVANT POLICIES**

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

W82/0498. Permission granted for the erection of single storey kitchen extension at rear, erection of extension at side to form garage with bedroom over.

W90/1393. Permission granted for the erection of a two storey rear extension to form enlarged kitchen with additional bathroom over.

W97/0536. Permission granted for the erection of a first floor extension.

**KEY ISSUES**

**The Site and its Location**

The property is a semi-detached dwelling house already having been extended by a number of approved planning applications.

**Assessment**

The dormer and hip to gable roof extension, now constructed is built on the rear and side walls of the original house together with the previous roof extension has a volume exceeding 50 cubic metres. To be Permitted Development it would

need to be constructed more than 20 cm from the eaves and have a volume of less than 50 cubic metres.

The design of the dormer/hip to gable extension, combined with the extended ground and first floors extensions makes for an unacceptably dominant overbearing structure overlooking adjacent residential properties.

### **Justification for Enforcement Action**

Extensive contact has been made with the property owners but an application for a more acceptable scheme has not been submitted. The dormer and hip to gable extension, now completed, remains in place in breach of planning control.

It therefore appears that the only option remaining to resolve this breach of planning control is by the service of an Enforcement Notice.

### **RECOMMENDATION**

That enforcement action be authorised to remove the dormer and hip to gable roof extension reinstate the pitched tiled roof to its former condition with a compliance period of three months.

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