

**Please reply to:** Business Support Team (DM)  
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**West Devon** - Kilworthy Park, Tavistock, PL19 0BZ

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**Working together**



**South Hams**  
District Council



**West Devon**  
Borough  
Council

Date: 5 August 2024

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990**  
**APPEAL UNDER SECTION 174**

<b>Site Address:</b> 22
Barn Close
Ivybridge
Devon
PL21 9UU
<b>Description of development:</b> Alleged Unauthorised Conservatory Following Refusal of 4200/22/HHO
<b>Appellant name:</b> Mr Farleigh
<b>Appeal reference:</b> APP/K1128/C/24/3342435
<b>Appeal start date:</b> 29 July 2024

I am writing to let you know that an appeal has been made to the Secretary of State against an enforcement notice issued by this Council on 28 March 2024.

The enforcement notice was issued for the following reasons:

It appears to the Council that the above breach of planning control has occurred within the last four years.

By reason of the high floor level of the conservatory the bulk and massing of the overall structure results in an overbearing presence and impact of the adjoining properties to the detriment of the amenity of the adjoining occupiers, and is considered to be contrary to the

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provisions of policy DEV1 of the Plymouth and South West Devon Joint Local Plan and paragraphs 13.27, 13.32, 13.33 and 13.34 of the Supplementary Planning Document.

The conservatory results in direct overlooking of the adjoining properties resulting in a loss of privacy both within the gardens and the rear living rooms and is detrimental to neighbouring amenity and therefore contrary to the provisions of DEV1 of the Plymouth and South West Devon Joint Local Plan.

The appellant has appealed against the notice on the following grounds:

(a) That planning permission should be granted for what is alleged in the notice.

The appeal will be determined based on Written representation. The procedure to be followed is set out in the Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002.

If you wish to make comments, you can do so online at <https://www.gov.uk/appealplanning-inspectorate> If you do not have access to the internet, you can send three copies to The Planning Inspectorate, Room 3B Temple Quay House, 2 The Square, Bristol, BS1 6PN.

**From 1 April 2024 comments from interested parties will only be accepted through the Appeals Casework Portal. The Planning Inspectorate will no longer accept interested party comments by email.**

All representations must be received by **9 September 2024**.

Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. All representations must quote the appeal references.

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal. If you submit comments and then subsequently wish to withdraw them, you should make this request to the Planning Inspectorate by the date above.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in enforcement appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published on the Appeals Case Work Portal.

Yours faithfully

**Business Support Team**

**Development Management**

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