

Planning Committee: 20th September 2006

Item Number 22

Investigation Number: ENF 105/11/06

Town/Parish Council: Whitnash

Case Officer: Martin Perry
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18 Whitnash Road, Whitnash, Leamington Spa CV31 2HL

Unauthorised erection of timber garden/domestic store shed in the rear/side garden.

Owner/Occupier Mr P S Atwal.

This report is brought before committee in order to request that enforcement action be authorised.

BACKGROUND

In March 2006 it was brought to the attention of the enforcement section that a timber building had been erected in the rear/side garden of 18 Whitnash Road, Whitnash, Leamington Spa.

Contact was made with the owner of the property who was advised that the position of the building was such that planning permission was required and that a retrospective application to retain it would not be supported by the planning department.

Contrary to the advice given, a planning application was made which was refused under delegated powers on 20th June 2006 since it was considered to be at odds with the established pattern of development in the area and unduly prominent being elevated above the street

Contact has been maintained with the owner who was requested, following refusal to grant permission, to remove the structure but it has not been removed.

RELEVANT POLICIES

ENV3 – Development Principles [Warwick District Local Plan 1995]

DP1 – Layout and Design. Warwick District Local Plan 1996 - 2011 [Revised deposit Version]

DP2 – Amenity. Warwick District Local Plan 1996 -2011 [Revised Deposit Version]

PLANNING HISTORY

W03/1465 Erection of a replacement dwelling. Granted 18/11/03

W06/0630 Retention of timber store. Refused 20/6/06.

KEY ISSUES

The site and its Location

The property is situated at the corner of Whitnash Road and Home Farm Crescent. The timber building is abutting the boundary with Home Crescent and projects above the established boundary fence.

Home Farm Crescent is predominantly dwellings with established front gardens and a parade of shops set back with a front parking area.

Assessment

The erection of this timber storage shed within the previously undeveloped side garden of the house is at odds with the established pattern of development in the area.

The shed represents an incongruous feature within the street scene and causes unacceptable harm to the character and appearance of the area by reason of its prominent elevated position abutting the pavement.

Justification for enforcement action

Extensive contact with the property owner has failed to resolve this matter and the service of an Enforcement Notice is now the only option available to require the removal of the shed

RECOMMENDATION

That enforcement action be authorised requiring the removal of the timber store shed from the property. The period of compliance to be 1 month.
