

Planning Committee: 20th February 2007

Item Number:

Investigation Number: ENF 141/14/05

Town/Parish Council: Warwick

Case Officer: Martin Perry
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Land opposite Littleworth House, Budbrooke, Warwick. CV35 8HD
Installation of 6 No. Downlighters for existing manege
Property owners are Mr & Mrs Allanson.

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

BACKGROUND

In April 2005 it was brought to the attention of the enforcement section by Budbrooke Parish Council that lighting columns had been erected adjacent to an existing manege on land opposite Littleworth House.

The owners were contacted and informed that Planning Permission was required.

RELEVANT POLICIES

[DW] ENV1 Green Belt [Warwick District Local Plan 1995]
[DW] C8 Special landscape Areas [Warwick District Local Plan 1995]
DAP 1 Protecting the Green Belt [Warwick District Local Plan 1996-2011 Revised Deposit Version]
GD.6 Green Belt [Warwickshire Structure Plan 1996-2011]
ER.4 Protection and Enhancement of the Landscape [Warwickshire Structure Plan 1996-2011]

PLANNING HISTORY

W05/1602: Retrospective application to retain the downlighters. Refused under delegated powers 17th November 2005.

W06/1305: Retrospective application to retain the downlighters [revised proposals].
Refused under delegated powers 30th November 2006.

KEY ISSUES

The site and its Location

The site is located within a green belt and Special Landscape Area, where both Structure Plan and Local Plan policy seek to conserve and protect the rural landscape. The development has a serious detrimental impact on the rural landscape by reason of the height of the columns in relation to the low boundary hedge, and the light intrusion in the open countryside.

Assessment

The site lies in the Green Belt and Special Landscape Area where lighting is at a minimum.

Following refusal of the first application, the applicant submitted proposals to limit the hours of use but the light intrusion in the open countryside would not be overcome by limiting the hours.

Justification for Enforcement Action

The first application to retain the Downlighters was refused November 2005. The applicant indicated that an appeal was to be made but failed to do so within the permitted time.

The second application, with restricted hours of use, was refused permission 28th November 2006 and whilst the applicant has stated an intention to appeal that decision an appeal has not been made and the lights are still in situ.

The only option remaining to resolve this breach of planning control is by the service of an Enforcement Notice.

RECOMMENDATION

Enforcement action to be authorised to ensure the columns and lights are dismantled and the materials removed from the land. The period of compliance to be two months.
