

Planning Committee: 15th January 2013
Investigation No: ENF 474/46/12

Item Number: 11

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Unauthorised Alterations and Extensions

This report is being presented to Committee to request that enforcement action be authorised.

RECOMMENDATION

That appropriate enforcement action be authorised directed at the permanent removal of the unauthorised structure positioned on the south west elevation of the building and all associated materials, with a compliance period of 3 months.

BACKGROUND

Unauthorised works have been undertaken at this residential property comprising alterations and extensions to form dormer windows on both side roof slopes of the property exceeding the relevant permitted development rights.

The extension positioned on the south west elevation extends over almost the whole of the available depth of roof slope and is highly prominent in the surrounding area and street scene. That positioned on the north east roof slope comprises a smaller and less prominent addition.

This enforcement investigation commenced in November 2012 when the issue was first brought to the Council's attention. Following contact with the owner of the property when officers advised that there was a planning objection to the part completed development, further work on site has ceased.

RELEVANT POLICIES

National Planning Policy Framework.

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

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

PLANNING HISTORY

A current invalid planning application proposes further extensions and alterations to this property.

KEY ISSUES

The Site and its Location

The property is a detached bungalow on the eastern edge of the built area of Leamington Spa facing Newbold Comyn Park.

Assessment

The National Planning Policy Framework at paragraph 56 sets out the importance of good design and at paragraph 64 advises that permission should be refused for development of poor design.

The larger structure positioned on the south west roof slope of the building, by reason of its design, bulk and positioning comprises an incongruous and overbearing addition to the building which is visually harmful and detrimental to the visual amenities of the area. For that reason it is considered that there is a significant planning objection to this element of the development such that it is expedient for enforcement action to be taken.

The smaller structure positioned on the north east roof slope is considered to be acceptable in planning terms such that it is not expedient for further action to be taken in that respect.

Justification for Enforcement Action

In view of the extent of visual harm arising from the design, bulk and positioning of the larger structure and the absence of assurances that the harm will be remedied voluntarily, it is considered appropriate to seek to resolve this matter by means of the service of an Enforcement Notice.