

Planning Committee: 2 August 2006
Investigation Number: ENF 123/14/06

Item Number:

Town Council: Kenilworth

Case Officer: Martin Perry
01926 456523 planning_appeals@warwickdc.gov.uk

73 John O’Gaunt Road, Kenilworth
Unauthorised erection of a greenhouse in the front garden

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

BACKGROUND

In April 2006 it was brought to the attention of the enforcement section that a greenhouse had been erected in the front garden of 73 John O’Gaunt Road, Kenilworth.

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

Contact has been maintained with the owner who was requested to remove the greenhouse but it has not been removed.

RELEVANT POLICIES

ENV3 – Development Principles [Warwick District Local Plan 1995]

DP1 – Layout and Design [Warwick District Local Plan 199602011 Revised deposit Version]

DP2 – Amenity [Warwick District Local Plan 199602011 First Deposit Version]

PLANNING HISTORY

Planning Permission was granted in 2003 for the erection of an extension at ground and first floor.

KEY ISSUES

The site and its Location

The property forms part of a residential development and to the rear is open countryside with adequate garden area to accommodate the greenhouse.

The front garden is bounded by a low wall and conifer hedge adjacent to the public footway. The side boundaries to neighbouring properties consist of hedging and fencing. There is direct vehicle access to the site.

The greenhouse is situated in the front garden partially screened from public view by the side and front hedging. It is however in clear view from neighbouring properties first floor windows.

The provision of hedging screening the site is not subject to planning control and could be removed at any time without consent.

Assessment

The greenhouse by reason of its material, design and location is considered to have a serious adverse impact on the character and appearance of this residential area which would be exacerbated if the screening were to be removed.

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 greenhouse.

RECOMMENDATION

That enforcement action be authorised requiring the removal of the greenhouse from the front garden area. The period of compliance to be 1 month.
