

Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	26 th May 2015

ENFORCEMENT ITEM

ERECTION OF ENTRANCE CANOPY 17 WITHNELL FOLD WITHNELL

PURPOSE OF REPORT

1. To seek authority to take enforcement action in respect of the unauthorised entrance canopy erected over the front door of 17 Withnell Fold, Chorley.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: Without planning permission the erection of an entrance canopy.

Remedy For Breach

Remove the canopy from the building.

Period For Compliance

One Month.

Reason For Issue Of Notice

This is a traditional end terraced property located within a row of similar former mill workers terraced houses and is situated in a prominent position. The canopy is of modern design and is not in keeping with the existing historical properties, which are constructed of local sandstone. The canopy detracts from the character and appearance of this locally listed building.

EXECUTIVE SUMMARY OF REPORT

3. There is no planning permission for the development and the landowner has not submitted a planning application or removed the canopy. The canopy is of modern design not in keeping with this historic locally listed building

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

5. This case relates to an end terraced house situated within the Withnell Conservation Area. Development is restricted within the area by an Article 4 Direction under the Town and Country Planning Act which withdraws certain permitted development rights in order to control development and help protect the character of the area. The owner of the property has erected an entrance canopy over the front door of the property which requires planning permission however no planning application has been submitted and the canopy has not been removed despite requests to do so.

ASSESSMENT

6. There is no planning permission for the development and the landowner has been advised that it is considered that it is considered that the development is unacceptable in planning terms due to its design and appearance which detracts from the character and appearance of a locally listed building; and would be unlikely that planning permission would be granted should a planning application be submitted. It is considered therefore given the inappropriateness of the development within the Green Belt and article 4 Conservation Area that it would be expedient to issue an enforcement notice in this case.

IMPLICATIONS OF REPORT

7. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	X	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

12. Any costs will be contained within current cash budgets.

COMMENTS OF THE MONITORING OFFICER

13. The recipient has not obtained planning permission to erect a canopy erected over the front door of 17 Withnell Fold, Chorley therefore making this unauthorised and unlawful. The recipient should have obtained planning permission. This is contrary to the planning policies identified and so enforcement action requiring the recipient to remove the canopy is a reasonable step. The Local Planning Authority must have regard to its Local Enforcement Plan. The recipient of the notice has a right of appeal to the Planning Inspectorate.

Jamie Carson
Director of Public Protection Streetscene and Community

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Colin Wordsworth	5414	08/05/2015	***