

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	15 December 2015

ENFORCEMENT ITEM

ERECTION OF A SINGLE-STOREY REAR RAISED VERANDA 19 CHAPEL LANE HOGHTON

PURPOSE OF REPORT

1. To seek authority for the issue of an Enforcement Notice in respect of the erection of a single storey rear raised veranda

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 a single-storey rear raised veranda.

Remedy For Breach

Demolish the veranda and remove the materials resulting from the demolition from the land.

Period For Compliance

Two Months

Reason For Issue Of Notice

The proposed balcony would have a detrimental harmful impact on the character and appearance of the dwelling and surrounding area, and is therefore contrary to policies GN5, HS9 of the Chorley Borough Local Plan Review, policy HS5 of the emerging Chorley Local Plan 2012-2026 and the councils Householder Design Guidance Supplementary Planning Document.

The proposed balcony, by virtue of its siting and design, would have a detrimental impact upon the amenity of the occupiers of no.17 Chapel Lane. The proposed development is, therefore contrary to policy HS9 of the Chorley Borough Local Plan Review, policy HS5 of the emerging Chorley Local Plan 2012-2026 and the councils Householder Design Guidance Supplementary Planning Document.

EXECUTIVE SUMMARY OF REPORT

3. Planning permission has been refused retrospectively to retain the veranda and an appeal lodged against that refusal dismissed on appeal. The veranda remains in place and it is therefore considered expedient to issue an enforcement notice to secure its removal.

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 a residential terraced property located within a row of other residential properties. A veranda was erected at the rear of the property without planning permission. A retrospective planning application was submitted for the veranda and this was refused planning permission under delegated powers. The refusal of permission was appealed and the Inspectors decision on the appeal was to uphold the Council's decision and dismiss the appeal. Following the dismissal of the appeal the veranda remains in place and in order to secure the removal of the unauthorised development it would be expedient to take enforcement action.

ASSESSMENT

6. The planning merits of the development have already been considered in refusing planning permission for the development and by the Inspector in dismissing the appeal. Following the appeal decision the veranda remains in place and it is considered expedient therefore to take enforcement action to secure the removal of the unauthorised development.

IMPLICATIONS OF REPORT

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

Finance	X	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

8. No comments.

COMMENTS OF THE MONITORING OFFICER

9. The proposed action is proportionate having regard to the planning breaches and history to each site.

JAMIE CARSON

DIRECTOR OF PUBLIC PROTECTION STREETSCENE AND COMMUNITY

Background Papers			
Document	Date	File	Place of Inspection
Planning Application	28.03.2015	15/00288/FUL	Civic Offices, Union Street, Chorley

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	17.11.15	