

Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	03 February 2009

ENFORCEMENT ITEM

ERECTION OF A REAR BALCONY– 18 TANYARD CLOSE COPPULL CHORLEY PR7 5BT

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action in respect of the above case.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:
 - i. Without planning permission the erection of a balcony to the rear of 18 Tanyard Close, Coppull, Chorley, PR7 5BT.
 - ii. Remedy for Breach
 - ii(a). Remove the raised balcony, steps and supporting superstructure from the rear elevation of 18 Tanyard Close, Coppull, Chorley, PR7 5BT.
 - ii(b). Period for Compliance
Three Months.
 - ii(c). Reason
 - i. The proposed balcony, due to the need to erect 1.8m metre high privacy screens, will result in loss of light, create an overbearing impact and create a proposal that is visually intrusive and does not compliment the character and appearance of the original dwelling house. As such the proposal is contrary to Policies GN5 and HS9 of the Adopted Chorley Borough Local Plan Review and the House Extension Design Guidelines.
 - ii. The proposed balcony would result in an unacceptable loss of privacy to the occupiers of number 17 & 19 Tanyard Close. As such the proposal is considered to be contrary to Policies GN5 & HS9 and the Householder Design Guidelines.

EXECUTIVE SUMMARY OF REPORT

3. The property lies within the designated settlement area of Coppull and as such the following Policies are relevant:
 - i. Policy HS9 – Residential Extensions in Settlements Excluded from the Green Belt.
 - ii. Policy GN1 – Settlement Policy Main Settlements.
 - iii. Policy GN5 - Building Design.
 - iv. Householder Design Guidance Supplementary Planning Document Adopted February 2008.

4. Policy GN1 states there is a presumption in favour of appropriate development, subject to normal planning considerations and policies and proposals of the Adopted Chorley Borough Local Plan. Policy GN5 of the Local Plan states that the design of proposed developments will be expected to be well related to their surroundings. Policy HS9 states that extensions should be in keeping with the existing house and the surrounding buildings in terms of scale, size, design and facing materials.

5. The Householder Design SPD requires that extensions are subservient to the existing dwelling and respect the scale, character, proportions of the existing dwelling and surrounding area.

6. It is considered that the design of the proposal does not reflect the character and appearance of the original dwelling house and will create visually prominent feature and is contrary to Policies HS9, GN1 & GN5 of the Chorley Borough Local Plan Review. The development is also contrary to the Householder Design Guidelines in that the 45-degree rule has not been satisfied.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

7. No alternative options have been considered.

CORPORATE PRIORITIES

8. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

9. The case relates to the commencement of building works for the provision of a balcony to the rear of the property. The rear garden area slopes away to the rear, the front appearing as two storeys and the rear as three storeys. The works undertaken at this time involve the erection of the stairs and base of the balcony with only the balustrade and privacy screens still to be erected. The balcony is 0.1m from the boundary with number 19 Tanyard Close, and 0.3m from the boundary with number 17 Tanyard Close. It is 4.2 metres in width and 3.1 metres in depth and will have a finished overall height of 4.2m above ground level. A retrospective planning application for the erection of the rear balcony at 18 Tanyard Close,

Coppull, PR7 5BT, was submitted and considered under delegated authority, application 8/01165/FUL refers and planning permission was refused.

IMPLICATIONS OF REPORT

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

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	X

J E MEEK
CORPORATE DIRECTOR BUSINESS

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	19 January 2009	ENF/08/0065

Background Papers			
Document	Date	File	Place of Inspection
Planning Application	20 November 2008	9/08/01165/Ful	Union Street Offices