



Walsall Council

.Item No.

Development Control Committee

DATE - 25th April 2006

REPORT OF HEAD OF PLANNING AND TRANSPORTATION

15 Cricket Close, Walsall – Reference Number: E05/0006

1.0 PURPOSE OF REPORT

To inform Members regarding the front extension commenced at this house, and to request authority to take planning enforcement action under the Town and Country Planning Act 1990 (As Amended)

2.0 RECOMMENDATIONS

- 2.1 That authority is granted for the issuing of an enforcement notice, to require remedial actions to be undertaken as shown below in 2.3.
- 2.2 To authorise that the decision as to the institution of legal proceedings, in the event of non-compliance with the Notice or the non-return of Requisitions for Information, be delegated to Assistant Director - Legal and Constitutional Services.
- 2.3 That authority be delegated to the Head of Planning and Transportation and the Assistant Director - Legal and Constitutional Services to amend and add to or delete from the wording set out below stating the nature of the breach(es) the reason (s) for taking enforcement action, the requirement(s) of the Notice or the boundaries of the site :

Details of the Enforcement Notice

The Breach of Planning Control:-

Partial erection of single storey front extension

Steps required to remedy the breaches:-

Dismantle the part built front extension.

Dig up its foundations.

Reinstate the ground.

Remove all resultant debris to an authorised place of disposal

Period for compliance:-

2 months

Reasons for taking Enforcement Action:-

Both the length and height of the partially built extension when completed, relative to the front window of the adjoining house number 11, would have an overbearing impact and would be detrimental to the visual amenity of occupiers of the neighbouring house. As such the proposal is contrary to policies GP2 and ENV32, in Walsall's Unitary Development Plan,

3.0 FINANCIAL IMPLICATIONS

None arising from the report.

4.0 POLICY IMPLICATIONS

The report recommends enforcement action in order to seek compliance with planning policies.

5.0 LEGAL IMPLICATIONS

None arising from the report.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

None arising directly from this report.

7.0 ENVIRONMENTAL IMPACT

The report seeks enforcement action to remedy adverse environmental impacts.

8.0 WARD(S) AFFECTED

Paddock

9.0 CONSULTEES

Related planning applications 05/0190/FL/H4 and 05/1079/FL/H4 were subject to normal publicity.

10.0 CONTACT OFFICER

James Fox / Philip Wears

Planning Enforcement Team: 01922 652411 / 01922 652527

11. BACKGROUND PAPERS

Planning Applications 05/0190/FL/H4 and 05/1079/FL/H4.

Enforcement file not published.

D. Elsworthy

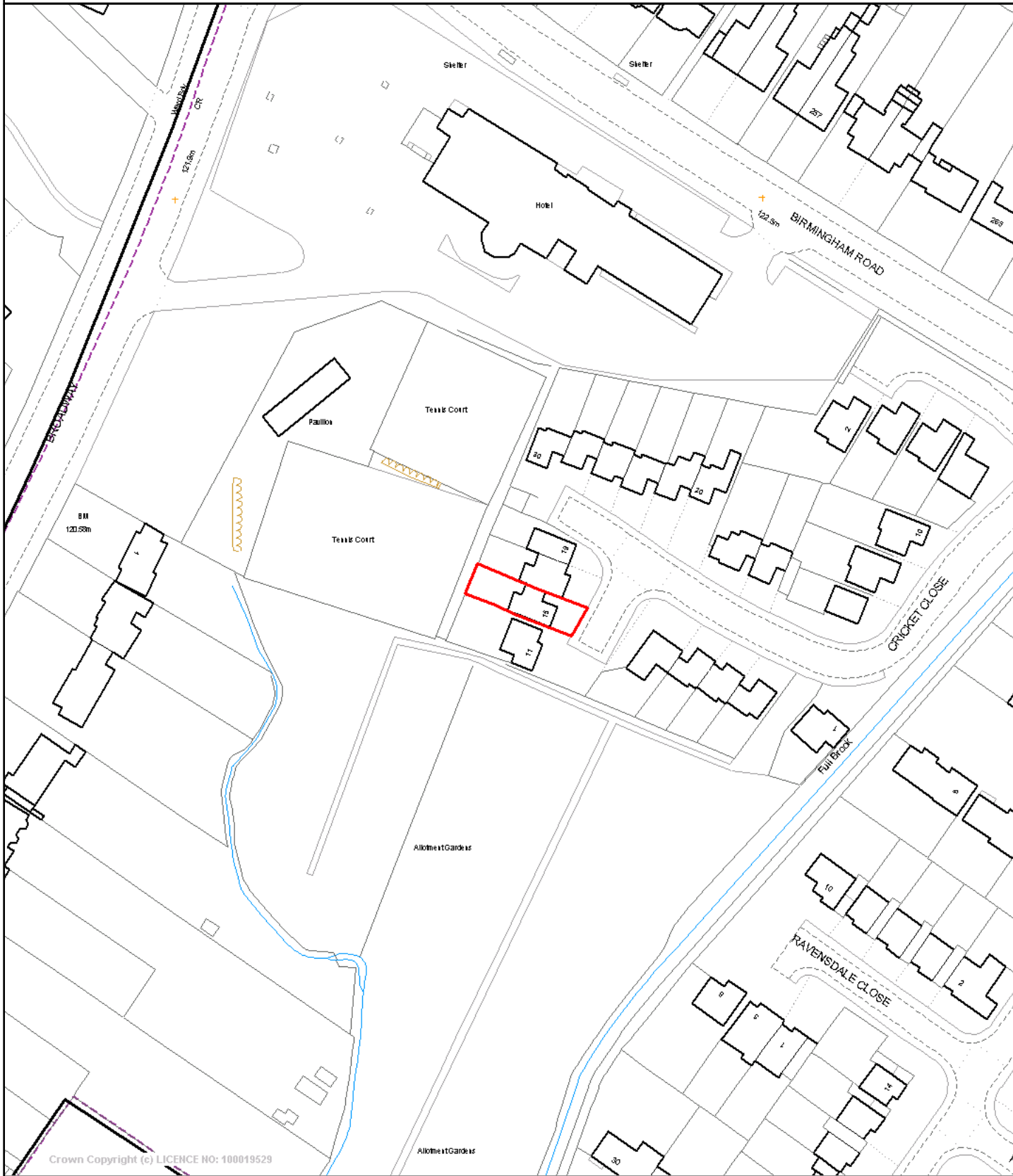
Acting Head of Planning and Transportation

Development Control Committee
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12.0 BACKGROUND AND REPORT DETAIL

- 12.1 15 Cricket Close is a modern detached house in a road of similar houses. A plan showing the location of the house and porch is attached to this report.
- 12.2 A complaint was made to the Council and a retrospective application was prompted by an officer visiting and seeing the construction works already underway. Work has now ceased.
- 12.3 15 Cricket Close is set forward of 11 Cricket Close by 1.3 metres. The addition of this extension to the front means the front of No.15 would be 2.8 metres in front of No.11.
- 12.4 The application 05/0190/FL/H4 showed a front extension 1.4 metres deep and across the whole of the front of the house. The application was refused permission on the grounds that the front extension, because of its length and height relative to the front window of the adjoining house number 11, would have an overbearing impact and is detrimental to the visual amenity of occupiers of the neighbouring house at number 11 Cricket Close.
- 12.5 A re-submitted application 05/1079/FL/H4 was made. This included an amendment to part of the porch nearest 17 Cricket Close, reducing the width of the porch to 3.2 metres wide. The adjustment made did not alter the impact on 11 Cricket Close and the re-submitted application was refused permission on 5th August 2005 for the same reasons as 05/0190/FL/H4.
- 12.6 The owners have been advised that the building work should not be completed. They have been informed to remove the partially built front extension.
- 12.7 In the circumstances enforcement action is recommended as set out in paragraph 2.3.

15 Cricket Close, Walsall



Walsall Council

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