

Meeting:	Development Control Committee
Date:	27 July 2005
Subject:	343 High Road, Harrow Weald
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Glen More
Portfolio Holder:	Planning, Development and Housing
Enclosures:	Site Plan
Key Decision:	No
Status	Part 1

### **Section 1: Summary**

This report relates to the unauthorised stationing of a mobile home in the rear yard of 343 High Road, Harrow Weald, for storage purposes in relation to the A3 use of the shop at 341 and 343 High Road, Harrow Weald, and seeks authority to initiate enforcement action for its removal.

On this occasion the mobile home does not constitute permitted development. It is considered that the mobile home, by reason of its size, siting, design and character, is unduly obtrusive, represents an inappropriate form of development in the locality, and does not contribute positively to the character of the area. It is recommended that an enforcement notice be served.

### **Decision Required**

#### **Recommended (for decision by the Development Control Committee)**

The Director of Legal Services be authorised to:

- (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
  - (b) (i) Permanently remove the mobile home from the land
- (c) [(b)] (i) should be complied with within a period of three (3) months from the date on which the Notice takes effect.

(d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.

(e) Institute legal proceedings in event of failure to:

(i) supply the information required by the Borough through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;

and/or

(ii) comply with the Enforcement Notice

### **Reason for report**

To ensure that the alleged breach of planning control is ceased in the interests of amenity.

### **Benefits**

To enhance the environment of the Borough.

### **Cost of Proposals**

None at this stage.

### **Risks**

Any enforcement notice may be appealed to the Planning Inspectorate.

### **Implications if recommendations rejected**

Failure to take action would mean that the amenities of the neighbouring residents would continue to be harmed.

## **Section 2: Report**

### **Brief History, Policy Context (Including Previous Decisions)**

2.1.1 A Planning application (P/129/05/DCO) was submitted for the retention of static caravan in rear yard for use as staff room in association with A3 use. The planning application was refused.

## Relevance to Corporate Priorities

- 2.3 This report addresses the Council's stated priority of enhancing the environment of the borough.

## Background Information and Options Considered

- 2.4 The property is located on the western side of High Road, Harrow Weald. The property contains a three storey terraced building. The ground floor has an A3 use with two floors of residential C3 use above. There is a service road and yard to the rear of the property. The yard is partially occupied by the mobile home and a container, which appears not to constitute development at this time.

- 2.5 Policy D4 of the Unitary Development Plan 2004 states:-

New Development Should: -

"The Council will expect a high standard of design and layout in all development proposals. The following factors will be taken into account when considering planning applications for development:-

- a) site and setting;
- b) content, scale and character;
- c) public realm;
- d) energy efficiency, renewable energy, sustainable design and construction;
- e) layout, access and movement;
- f) safety
- g) landscape and open space; and
- h) adequate refuse storage."

- 2.6 This policy is reinforced in the more general Policy, SD1 *Quality of Design* of the Unitary Development Plan 2004.

- 2.7 Policy D6 of the Unitary Development Plan 2004 states:-

Development in employment areas should comply with policy D4 and take account of the design and layout of buildings, planting and hard landscaping, pedestrian and vehicular circulation, views within and into the area and the relationship to adjoining residential development.

4.31 All development in employment areas should be built to a high standard of design, and should not have an adverse impact on the surrounding environment or infrastructure.

The mobile home lies immediately adjacent to a single storey rear extension to the adjacent property. It is considered that the size and bulk of the mobile home has a significantly detrimental impact on the amenities of the adjacent occupiers, including the occupiers of the residential units

above the application property. However, it is considered that the mobile home, by reason of its intrinsic design and character, represents an inappropriate form of development in the locality that does not contribute positively to the character of the area, and has the potential to encourage an unacceptable form of residential occupation.

#### **The alleged breach of planning control**

- 3.4 Without planning permission, the stationing of a mobile home on the land.

#### **Reasons for issuing the notice**

- 3.5 It appears to the Council that the above breach of planning control occurred within the last 4 years.
- 3.6 The mobile home, by reason of its size, siting and awkward design, are unduly bulky, overbearing and obtrusive, representing an inappropriate form of development in the locality, and does not contribute positively to the character of the area. The storage of the mobile home is contrary to policies SD1, D4 and D6 of the Harrow Council Unitary Development Plan 2004.
- 3.7 The Council do not consider that planning permission should be granted because planning conditions could not overcome these problems

#### **Consultation with Ward Councillors**

- 3.8 Copied for information

#### **Financial Implications**

- 3.9 None

#### **Legal Implications**

- 3.10 See Risks Section

#### **Equalities Impact**

- 3.11 None

### **Section 3: Supporting Information/ Background Documents**

Planning application references:

P/129/05/DCO