

Meeting:	Development Management Committee
Date:	6 th June 2007
Subject:	7 Lansdowne Road, Stanmore
Key Decision: (Executive-side only)	No
Responsible Officer:	Group Manager, Planning and Development
Portfolio Holder:	Planning, Development and Housing
Exempt:	No
Enclosures:	Site plan

SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report relates to the erection of a timber framed canopy with a transparent perspex roof which has been attached to the rear of an existing single storey rear extension to this detached dwellinghouse, without the benefit of planning permission.

Planning permission was refused (application ref. P/46/06/DCO) for the retention of this canopy in March 2006. On 7th June 2006 Members authorised enforcement action to secure the removal of the unauthorised canopy.

However, an appeal to the Planning Inspectorate was lodged and in January 2007 planning permission for the canopy was granted on appeal. Consequently the Council is now no longer in a position to serve an enforcement notice, and this report seeks Members' agreement that no further action be taken in respect of the resolution from June 2006 to serve an enforcement notice.

RECOMMENDATIONS:

Committee is requested to agree that no further action be taken in respect of the Committee resolution dated 7th June 2006 to issue an enforcement notice in respect of the erection of an canopy to the rear of an existing rear extension to the dwellinghouse at 7 Lansdowne Road, Stanmore, and that the relevant enforcement investigation be closed.

SECTION 2 - REPORT

- 2.1 In February 2004, an enforcement investigation established that a timber-framed canopy, with open sides and a transparent perspex roof, had been erected to the rear of an existing single storey rear extension to this detached dwellinghouse.
- 2.2 Planning permission, which had been neither obtained nor sought, was required for the erection of this canopy as previous extensions to the dwellinghouse had taken up permitted development rights available under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
- 2.3 A retrospective planning application for the retention of the unauthorised canopy was subsequently submitted to the Council (application ref. P/46/06/DCO). This application was refused under delegated powers in March 2006 for the following reason;

'The canopy, by reason of its size, design and siting, is obtrusive and unneighbourly in relation to adjacent residential properties giving rise to losses of outlook and amenity, and is detrimental to the appearance and character of the area.'

- 2.4 On 7th June 2006 at a meeting of the Development Control Committee, Members authorised the service of an enforcement notice requiring the removal of this unauthorised canopy and the removal of all resultant debris.
- 2.5 In September 2006, prior to the serving of the enforcement notice, an appeal was made to the Planning Inspectorate against the decision of the Council to refuse the planning application for the retention of the canopy.
- 2.6 In January 2007, the Planning Inspectorate, on behalf of the First Secretary of State, allowed this appeal, concluding that the canopy caused no material harm to either the amenities of the occupiers of adjoining properties or the character and appearance of the surrounding area.
- 2.7 Therefore planning permission has been granted for the retention of this canopy and the Council cannot lawfully take enforcement action in respect of this canopy.
- 2.8 Members are therefore asked to agree that no further enforcement action be taken in respect of their decision of 7th June 2006 and to agree to the closure of this enforcement investigation.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input type="checkbox"/>	Name: Carol Maduka Date: 31 st May 2007
Monitoring Officer	<input type="checkbox"/>	Name: Ade Amisu Date: 31 st May 2007

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Adam Beamish (adam.beamish@harrow.gov.uk) tel. 0208 7366160

Background Papers

- Committee report dated 7th June 2006
- Appeal decision dated 16th January 2007

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	NO
2.	Corporate Priorities	NO
3.	Manifesto Pledge Reference Number	

