

**E/08/0355/A – Development not in accordance with approved plans, granted planning permission under reference 3/07/1335/FP, at 1 Millers View, Much Hadham, Herts.**

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**Parish: MUCH HADHAM**

**Ward: MUCH HADHAM**

### **RECOMMENDATION**

That members consider the report and that no further action is taken in respect of breach of planning control provided the staircase is painted in black within a three month period.

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#### **1.0 Background**

- 1.1 The site is shown on the attached Ordnance Survey extract. This small development, just off Windmill Way, Much Hadham, consists of 10 large detached dwellings each with a detached double garage.
- 1.2 An application was received on the 28<sup>th</sup> June 2007 seeking planning permission for a dormer window in the roof of the garage at this site to create accommodation over the garage. The accompanying plans showed a dormer window within the front roof slope and external timber stairs leading to an access door at first floor level. The proposed development would create a playroom/ bedroom with a toilet facility within the roof space.
- 1.3 After due consideration planning permission was granted, under delegated powers, (reference 3/07/1335/FP), subject to conditions including the following: -
  1. 3 year commencement
  2. External materials of construction to match those used for the existing building.
  3. Detailed drawings of the new doors and windows to be submitted and approved by the local planning authority prior to the commencement of works. (discharged 13<sup>th</sup> March 2008)
  4. The building shall only be used for purposes incidental to the enjoyment of the dwelling house.

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- 1.4 However, in May 2008, concerns were expressed that the external stairs installed at the site were of a metal construction rather than timber as indicated on the submitted plans. The applicants, after being advised of the departure from the approval, sought agreement that the change be considered as a minor amendment to the approved scheme. They considered that the new staircase would last longer, be stronger and safer and require less maintenance. In accordance with the correct procedure, the local council member was informed. He considered that the metal stairs were 'industrial' in appearance and not acceptable as a minor amendment.
- 1.5 When advised of the decision that the alteration could not be considered as a minor amendment the applicants sought to rectify the 'industrial look' of the stairs and suggested that the zinc plated stairs be painted in a suitable colour of either black or brown. There would also be additional planting to shield the stairs. The local member suggested that a new application, to include the metal stairs, be submitted for consideration.
- 1.6 It should also be noted that planning permission was granted, under reference 3/08/1480/FP on the 24<sup>th</sup> September 2008, for a similar proposal, to include a black painted steel staircase, at 6 Millers View, Much Hadham, a property virtually opposite the subject property.
- 1.7 Following correspondence between the applicant and planning officers, the enforcement section, invited the applicants to submit a new application and advised them that failure to do so may result in consideration being given to pursue enforcement action. No new application has been received at the time that this report was written.
- 1.8 The owners have confirmed in writing that this staircase will be painted in black within a period of 3 months.
- 1.9 Photographs of the development will be made available at the Committee meeting.

## **2.0 Planning History**

- 2.1 3/07/1335/FP as referred to above in paragraphs 1.2 and 1.3  
Permission Granted.

**3.0 Policies**

3.1 The relevant policies of the East Herts Local Plan Second review are ENV1; ENV5 and ENV6.

**4.0 Considerations**

4.1 In this case it is considered that, following the painting of the stairs in black. They will no longer be visually intrusive in the surrounding area and will not be detrimental to its character or appearance. Furthermore, they now reflect a similar set of stairs granted planning permission opposite the subject property. It is therefore considered by Officers that it would be expedient in the public interest to pursue enforcement action in this case.

**5.0 Recommendation**

5.1 It is therefore recommended that no further action is taken in this case.