

E/08/0152/A - The erection of an unauthorised building at Christian Outreach Centre, Portland Road, Bishop's Stortford, CM23 3SL

Parish: BISHOP'S STORTFORD

Ward: BISHOP'S STORTFORD CENTRAL

RECOMMENDATION

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised building.

Period for compliance: 3 months.

Reason why it is expedient to issue an enforcement notice:

The portacabin by reason of its size, design, materials of construction and external appearance is detrimental to the character and appearance of the locality and the Bishops Stortford Conservation Area wherein the site is situated. The proposal is thereby be contrary to policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007.

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1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located on the south side of Portland Road, Bishop's Stortford about 35 metres west of the junction with Apton Road. Photographs of the site will be available at the meeting.
- 1.2 In March 2008 a concern was expressed to the Authority regarding the siting of a portacabin style outbuilding, apparently being used as offices, at the rear of the above site.
- 1.3 The enforcement officer visited the site in April 2008 and found that a considerable single storey building had been sited at the rear of the Christian Outreach Centre building itself. The portacabin was clearly fitted out as offices but was no-one was present on the site at that time. The main building had just been extended under permission granted under application number 3/05/0820/FP.

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- 1.4 The officer wrote to the owner in April 2008 and in a subsequent telephone conversation with the Pastor it was established that it was intended that the use of the portacabin was intended to be permanent. The officer explained that planning permission was required for the building and the Pastor stated his intention to submit a retrospective application.
- 1.5 Following telephone conversations, and reminder letters from the enforcement officer in July and October 2008, a retrospective planning application was submitted on 24th October 2008 for the permanent siting of the building. This was refused under delegated powers on 30th January 2009.
- 1.6 The enforcement officer wrote to the applicant on 4th February 2009 asking for his proposals to rectify the breach of planning control that exists on the site. He asked that the applicant contact him within 14 days and informed the applicant that the matter would be referred to the Development Control Committee unless acceptable proposals were received. There has been no contact by the applicant since that date.

2.0 Planning History

- 2.1 The recent planning history is as follows: -

3/98/0886/FP	Five terraced two storey houses with parking. – Withdrawn by applicant
3/04/0810/FP	Place of worship redevelopment – Withdrawn by applicant
3/04/0983/LC	Place of worship (redevelopment) & demolition of existing building – Withdrawn by applicant
3/05/0820/FP	Erection of extension (single storey) – Granted
3/05/0821/LC	Erection of extension (single storey) – Permission/Consent unnecessary
3/05/1075/LC	Erection of extension (single storey) – Permission/Consent unnecessary
3/08/1852/FP	Permanent siting of portable structure (retrospective) – Refused

3.0 Policy

3.1 The relevant policies in this matter are:-

BH6 – New Developments in Conservation Areas

ENV1 – Design and Environmental Quality

4.0 Considerations

4.1 In this matter, the main issues to be considered are the appropriateness of the development to the character and appearance of the Conservation Area of Bishop's Stortford within which it lies and the standard of the building's design and its compatibility with the structure and layout of the surrounding area.

4.2 Policy BH6 relates to new developments in conservation areas. Paragraph (a) of that policy requires that such developments are sympathetic in terms of scale, height, proportion, form, materials and siting in relation to the general character and appearance of the area or are otherwise of such quality as to be highly likely to enhance the character and appearance of the area.

4.3 Officers consider that the unauthorised building does not relate well to the form and design of adjacent buildings and to the surrounding area. Accordingly it is contrary to policy BH6 of the Local Plan.

4.4 It is noted that, due to the elevation of levels from the front of the site to the rear, the portacabin is not fully visible from Portland Road. However, in the opinion of officers, the portacabin is of a character, appearance and design that does not relate to the general form of the surrounding locality. It is considered that the proposal does not enhance or preserve the Bishop's Stortford Conservation Area, and is unsympathetic and out of keeping with its character and appearance. It is also noted that the space to the rear of the Outreach Centre is small in size. Given the size, particularly the length, of the portacabin it appears to officers to be cramped within the plot and is not in keeping with the surrounding locality. The portable structure within this location is therefore considered to be unacceptable and is considered to be contrary to policies ENV1 and BH6 of the East Herts Local Plan.

4.5 Policy ENV1 relates to design and environmental quality and requires that all development will be expected to be of a high standard of design and layout to reflect local distinctiveness. Paragraph (c) of that policy requires that developments relate well to the massing (volume and shape) of adjacent buildings and to the surrounding townscape.

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4.6 Officers consider that the unauthorised building is of a poor standard of design and that its size, materials of construction and external appearance that do not relate well to either the adjacent buildings or the locality. Accordingly it is also contrary to policy ENV1 of the Local Plan.

5.0 Recommendation

5.1 It is therefore recommended that authorisation be given to issue and serve a Planning Enforcement Notice requiring the removal of the unauthorised development from the land and the restoration of the land to its condition prior to the unauthorised development.