

5q E/10/0353/A – The unauthorised installation of extraction/heat recycling plant/machinery in association with laundry equipment and air conditioning equipment at Suds Launderette at 12 London Road, Bishop’s Stortford, CM23 5ND

Parish: BISHOP’S STORTFORD

Ward: BISHOP’S STORTFORD ALL SAINTS

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 extraction/heat recycling plant/machinery and air conditioning unit.

Period for compliance: 3 months.

Reason why it is expedient to issue an enforcement notice:

1. The development, by reason of its size, scale, materials and detailed appearance is visually prominent and of a poor standard of design, which is detrimental to the character and appearance of the Bishop’s Stortford Conservation Area wherein the site is situated. It is thereby contrary to policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007 and national planning guidance in PPS1 and PPS5.

_____ (035310A.CA)

1.0 Background:

- 1.1 The site is shown on the attached Ordnance Survey extract. The front of the building is sited on the west side of London Road about 30 metres south of the junction with Hockerill Street. The development at the rear of the premises is clearly visible from the Council car park in Crown Terrace.
- 1.2 In October 2010 a concern was expressed to the Council that the above plant had been fitted to the rear of the building and that the substantial size coupled with the galvanised steel finish of it was causing a loss of amenity to the building itself and to the Conservation Area of Bishop’s Stortford in which it lies. A further concern was raised with regard to the twin air conditioning units fitted to the rear wall of the building.

E/10/0353/A

- 1.3 The enforcement officer contacted the owner and met him on site on 8th November 2010. The owner explained that the equipment had been installed to filter air emitted from laundry equipment in the launderette (particularly the commercial dryers) and recycle the warm air to reduce energy consumption.
- 1.4 The site benefits from planning permission granted under application number 3/07/0626/FP for a two storey rear extension, incorporating a 2 bedroomed flat and the creation of a borehole. As the borehole has been created and an external staircase built, the permission remains extant and the approved rear extension could be built.
- 1.5 The owner stated that it was his intention to build the approved extension, commencing in March 2011, and incorporate the plant within the extension. Under those circumstances the plant would not require specific planning permission as it would be within the building, although permission might be required for any external changes to the approved design to accommodate the intake and extract vents.
- 1.6 The enforcement officer wrote to the owner stating that providing the works commenced by March 2011 he would not consider it expedient to ask for a planning application for the retention of the equipment.
- 1.7 Since that time there has been no contact from the owner of the site nor has any work taken place with regard to the approved extension. It is the view of officers that the equipment itself represents development and is harmful to both the building itself and to the wider Conservation Area of Bishop's Stortford in which it lies. As with all operational development, the matter will become lawful after a period of four years from its practical completion.
- 1.8 Photographs of the site will be available at the meeting.

2.0 Planning History:

3/04/1884/FP	2 storey rear extension for ground floor shop & additional 1st floor flat.	Granted.
3/07/0626/FP	Two storey rear extension incorporating 2 bedroomed flat. Creation of a borehole.	Granted.

E/10/0353/A

3.0 Policy:

3.1 The relevant policies of the adopted Local Plan in this matter are:-

BH6 – New Developments in Conservation Areas

ENV1 – Design and Environmental Quality

4.0 Considerations:

4.1 The main consideration in this matter is the impact of the development on the building and the wider Conservation Area of Bishop's Stortford.

4.2 Whilst the development is sited at the rear of the building, it abuts and faces the Council car park in Crown Terrace from where it is very apparent. Sited within the town centre this is one of the first views of the town that visitors using the car park will see.

4.3 The plant housing is a substantial structure, made of untreated galvanised steel, which is attached to the building. Whilst the equipment does reduce the energy required by the business, officers' do not consider that this outweighs the harm caused by the development.

5.0 Recommendations:

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 and the repair of any damage to the building using materials that match the existing building.