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**LANCASTER
CITY COUNCIL**

Promoting City, Coast & Countryside

LATE REPORTS & SUPPLEMENTARY INFORMATION

Planning and Highways Regulatory Committee

Monday, 27 June 2005

The following reports were received too late to be included on the main agenda for this meeting and were marked 'to follow'. They are now enclosed, as follows:

Agenda Item Number	Page	Title	Reason for Late Report	Officer Responsible For Late Report
3	1 - 2	ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN.		
		The Chairman has agreed to include the following item of Urgent Business. 05/00701/FUL 5 Hawthorn Close, Brookhouse. Erection of a conservatory to rear for Mr & Mrs Langhorn.	Item received after publication of agenda and requires decision by Committee prior to next meeting.	Head of Planning and Building Control Services

Agenda Item Number	Page	Title	Reason for Late Report	Officer Responsible For Late Report
34	3 - 8	PLANNING ENFORCEMENT SCHEDULE	Item received after publication of agenda.	Head of Legal Services

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DECISION DATE 18 July 2005	APPLICATION NO. 05/00701/FUL URGENT ITEM	PLANNING COMMITTEE: 27 June 2005
DEVELOPMENT PROPOSED ERECTION OF A CONSERVATORY TO THE REAR		SITE ADDRESS 5 HAWTHORN CLOSE BROOKHOUSE LANCASHIRE LA2 9NR
APPLICANT: Mr & Mrs Longhorn 5 Hawthorn Close Brookhouse Lancashire LA2 9NR		AGENT: House Of Anderson Ltd.

REASON FOR DELAY

N/A

PARISH NOTIFICATION

No observations received

LAND USE ALLOCATION/DEPARTURE

The site is located within the designated Forest of Bowland Area of Outstanding Natural Beauty but is well within the built up part of the village

STATUTORY CONSULTATIONS

None

OTHER OBSERVATIONS RECEIVED

No neighbour observations have been received

REPORT

This application has been brought to Committee as it was brought to your officer's attention late in the day that the applicant was a member of the Council. However, to delay the decision until the July Committee would result in it being out of time beyond the statutory 8 weeks period. The Chairman has therefore given his approval that the application can be considered as an item of urgent business.

The proposal involves the construction of a conservatory at the rear of a detached dormer bungalow which is located in a cul-de-sac of similar properties within the main body of the village. It measures some 4 metres wide by 3.5 metres deep and is screened adequately from the neighbouring properties. The use of a Upvc frame and rendered dwarf walls will match the existing property. As such no adverse impact is anticipated.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

THAT PERMISSION BE GRANTED subject to the following conditions:-

1. Standard time limit
2. Development to be in accordance with the approved plans

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
Lancaster	109/2/182	Field 1579 Ashton Road, Lancaster.	Unauthorised Engineering Works	Enforcement Notice served. Appeal lodged. Appeal upheld in part but Notice varied together with request for further action as a result of further breaches. To check compliance to remove track. Notice as varied not complied with. Planning preparing prosecution instructions.
	109/2/184	Land adjoining 1 Narr Lodge, Langthwaite Road, Quernmore.	Construction of Hardstanding.	Enforcement Notice served 7/2/05. Site visit needed to check for compliance.
	109/2/185	Bowling Green Petrol Station, Scotforth Road, Lancaster	Breach of Condition – hours of opening	S330 Notice requested and returned. BCN issued 14/1/05. No further complaints.
	109/2/186	Kirkland Poultry Farm, Blea Tarn Road, Lancaster	Change of use of agricultural building for storage and sale of non-agricultural items	Enforcement Notice served. Planning monitoring.
	109/2/182	The embankment on the west side of the Lancaster canal and land north west of Ashton Road (Field 1579) Lancaster	Unauthorised engineering operations involving construction of linear moorings	See above (1).
	109/2/183	Toll Bar Garage	Breach of Conditions on Planning Permission.	BCN served. Owner being prosecuted for breach of Notice. Instructions sent re prosecution for unauthorised sign. Hearing adjourned until 8/7/05.
	109/2/189	81 Slyne Road, Lancaster.	Unauthorised advertisement.	Instructions to prosecute passed to Legal Services.
	109/2	26A Endsleigh Grove, Lancaster.	Change of use of land and erection of building.	S330 issued 6/6/05.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
	109/2	22 Cheapside, Lancaster.	Unauthorised use and sign	S330 served. Retrospective planning consent applied for 3/5/05.
	109/2/190	Ryelands Service Station, Lancaster.	Unauthorised advertisement.	Instructions passed to Legal to prosecute.
	109/2/188	37 Sun Street, 30/32 New Street, Lancaster.	Unauthorised use of land for the siting of refuse bins and storage of associated items	Enforcement Notice – Planning monitoring compliance.
Morecambe & Heysham	109/3/286	11 Knowlys Drive, Heysham	Erection of a house and realignment of footpath	Planning application submitted to remedy breaches. Awaiting determination.
	109/3/289	266 Marine Road Central, Morecambe.	Hours of opening.	Breach of Condition Notice served. Not complied with. Legal Services to prosecute, subject to obtaining satisfactory evidence.
	109/3/291	Plot 57, No. 23 The Spinney, Heysham.	Erection of a dwelling house without planning consent.	Negotiated amended scheme now being implemented and monitored.
	109/3/293	Land at Ice Cream Factory, Back Carleton Street, Morecambe.	Siting of a container.	Planning Service monitoring
	109/3/297	Elms Hotel, Bare Lane, Morecambe.	Failure to comply with condition No. 1 for retention of external ducting for kitchen extractor system.	Hold in Abeyance. Taking advice from Environmental Health re noise issue
	109/3/301	20 Lonsdale Avenue, Morecambe	Erection of a building.	S330 issued 3/2/05. Legal to prosecute for non-return of 330 Notice.
	109/3/306	72 Thornton Road	Change of use.	BCN served – no further action at present.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
19.	109/3/303	"Seamore" Moneyclose Lane, Heysham.	Unauthorised container.	Instructions to prosecute sent to Legal Services. Prosecution papers being prepared.
20.	109/3	2 Cambridge Road, Morecambe	Unauthorised use	Monitoring.
21.	109/3	2 Barrows Lane, Heysham	Parking of HGV at residential property.	S330 issued and returned awaiting further instructions from Planning. No evidence of breach.
22.	109/3/304	88 Regent Road, Morecambe	Unauthorised change of use to 4 flats	Enforcement Notice issued 7/1/05. Appeal pending.
23.	109/3	6 Slyne Road, Morecambe.	Untidy land.	S.330 Notice served and returned. Second set of forms and reminder letter returned marked "not called for". E-mail sent to Planning. Another S330 given to Planning for hard delivery 11.8.04. S330 returned 2.9.04. Copied to Planning 15.9.04.
24.	109/3	38 Sandylands Promenade, Morecambe	Erection of balcony structure.	Enforcement Notice. Planning Permission refused – Appeal dismissed. Legal to pursue prosecution.
Carnforth	109/4/23	Landscaping at Canal Turn, Lancaster Road,	Failure to implement planning condition 5 relating to landscaping.	Instructions to prosecute for non-compliance with BCN to be prepared and forwarded to Legal Services.
26.	109/4/26	The Hayloft, Town End, Bolton-le-Sands.	Erection of external staircase and patio/decking structure.	Reviewing situation.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
	27.	109/4/27 30 Main Road, Bolton-le-Sands	Unauthorised illuminated advertising signs.	S.330 Notice issued. Instructions to prosecute following Planning refusal – passed to Legal 10/02/05 however held in abeyance upon receipt of Advertisement Appeal.
Rural Areas	28.	109/5/294 Via Nova Stud Farm, Postern Gate Road, Quernmore.	Siting and residential use of a caravan.	Planning Service reviewing case. Enforcement Notice served. Compliance date 28/2/05.
	29.	109/5/296 Kindercare, Ovangle Road, Heaton-with-Oxcliffe	Failure to comply with conditions 3 and 4 relating to highway works and landscaping.	Held in abeyance Planning Service to advise. Applicants unable to comply – pursuing County Council for compliance.
	30.	109/5/297 Field at Stoney Lane, Galgate.	Unauthorised change in levels.	Awaiting Planning Application. New breach – instructions to follow from Planning Service.
	31.	109/5/302 Land adjacent Meresbeck, Hornby Road, Caton.	Unauthorised carrying out of engineering works on tracks.	Planning Service reviewing. Section Head to visit site
	32.	109/5/306 Former Moorcock Hall, Claughton.	Demolition of building and erection of new dwelling	Enforcement Notice served. Appeal lodged.
	33.	109/5/308 Land adjoining old A65 and former railway station, Kirkby Lonsdale Road, Burrow with Burrow.	From agricultural land to form hardstanding area for bus parking.	Enforcement Notice served. Appeal lodged and dismissed. Planning monitoring compliance.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
34.	109/5/312	6 Fern Bank, Carnforth	Breach of Condition Landscaping	BCN served 17/1/05. Planning monitoring compliance.
35.	109/5	Greendales Farm, Middleton	Unauthorised construction of vehicular access	S.330 Notice served and returned. Awaiting remedial works to be carried out.
36.	109/5	Plough Inn, Galgate	Siting of caravan	S.330 Notice served and returned. Planning considering next steps.
37.	109/5/314	4 Main Road, Bolton-le-Sands	Unauthorised erection of covered decking	Enforcement Notice served 1/2/05. Appeal lodged.
38.	109/5/315	Jumpers/Bridge Mill, Ingleton Road, Cowan	Breach of Condition – non-submission of landscaping details and materials to be used.	S330 Notice requested and returned. BCN issued 21/1/05. Planning monitoring.
39.	109/5/311	Ireby Hall Farm	Siting of a caravan	Enforcement Notice issued 7/1/05. Not complied with – Planning Service to instruct Legal to consider prosecution.
40.	109/5/313	Land adjoining 1 Braides Cottage, Sandside, Cockerham	Erection of log cabin, construction of permanent concrete base and laying of material in agricultural land to create hardstanding	Enforcement Notice served 1/2/05. Appeal lodged.
41.	109/5	Beech House, White Beck Lane, Priest Hutton	Unauthorised change of use for vehicle repairs	S330 issued. Planning Permission now refused. Planning Service monitoring.

PLANNING ENFORCEMENT SCHEDULE

DISTRICT	FILE REF.	DESCRIPTION OF PROPERTY	NATURE OF BREACH	PRESENT POSITION
42.	109/5/310	Land north of Beaumont Garage off Green Lane, Slyne with Hest	3 x Enforcement Notices:- 1. Erection of steel frame building & change of use of agricultural uses to commercial equestrian uses. 2. Siting of portable cabin. 3. Erection of steel framed lean-to structure.	3 Enforcement Notices served 13/12/04. Application received for certificate of lawful use submitted.
43.	109/5/319	Sefton Farm, Bay Horse Road, Ellel	Siting of static caravan	S330 delivered and returned. Planning to undertake site visit.
44.	109/5/318	6 Coniston Road, Bolton-le-Sands	Erection of wooden balcony & steps to front of dwellinghouse and erection of boundary fence over one metre	Enforcement Notice issued. Planning to monitor compliance.
45.	109/5/307	2 Westfield Hamlet, Kellet Lane, Nether Kellet	BCN not built in accordance with plans and non-provision of details for Planning Permission 03/01376/FUL.	Planning investigating.
46.	109/5/222	Fowlers, Mellishaw Lane, HWO	Use of land for car sales	S330 issued 26/5/05.
47.	109/5	The Old Coalyard, Carnforth.	Hours of work (breach of condition)	S330 served.
48.	109/5	Brown Edge Farm, Arkholme.	Works not in accordance with approved plan.	S330 served.
49.	109/5	Ivy Cottage, Postern Gate Road, Quernmore (Broadbent).	Unauthorised use of land as an extension to garden.	S330 issued and returned 3/6/05. Details agreed to remedy breach. Awaiting compliance.