

**AGENDA ITEM NO.**

**WARDS AFFECTED:**

Amblecote

**DEVELOPMENT CONTROL COMMITTEE 21<sup>ST</sup> MARCH 2006**

**JOINT REPORT OF THE DIRECTOR OF LAW AND PROPERTY AND THE DIRECTOR OF THE URBAN ENVIRONMENT**

**ENFORCEMENT**

**LOCATION**                    48 ACRES ROAD, BRIERLEY HILL, DY5 2XT

**REF**                            A/018/01/01

**BACKGROUND**

- 1        In October 2005 a planning application was submitted (no. P05/2199) for the conversion of the semi-detached dwelling to create a bedroom and store with side dormer window. This application was refused on 9<sup>th</sup> December 2005 due to it's poor scale and appearance and impact upon the street scene.
2.        A further application was submitted on 21<sup>st</sup> December 2005 for the same proposal (no. P05/2727). Although this scheme was identical to that which had previously been refused, the agent submitted further information to argue that it was acceptable. Despite this, the second application was also refused on 14<sup>th</sup> February 2006.
3.        At some point during the submission of the applications work was undertaken to erect the dormer. As a result it is largely complete. Although work appears to have ceased on the dormer, it is mostly complete and already presents an incongruous feature in the street scene.
4.        The owners of the property were written to on 21<sup>st</sup> February 2006, and advised that they should take steps to have the dormer removed and the roof put back to it's original condition.

**BREACH OF PLANNING CONTROL**

- 5        The unauthorised erection of side dormer window at 48 Acres Road, Brierley Hill, DY5 2XT (see attached plan).

## **WHAT IS REQUIRED TO BE DONE**

- 6 The removal of the dormer window and restoration of the roof to it's previous condition.

## **TIME FOR COMPLIANCE**

- 7 2 months

## **REASONS FOR ENFORCEMENT**

- 8 The development, by virtue of its scale and poor design has a significant detrimental impact upon the character of the original property and would appear incongruous within the street scene. The development therefore conflicts with Policy DD4 – Development in Residential Areas of the Adopted Dudley Unitary Development Plan and PGN 17 – House Extension Design Code.