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## **BREACH OF PLANNING CONTROL AT 2, PICTON GARDENS, RAYLEIGH**

### **1 SUMMARY**

- 1.1 To consider the report of the Head of Planning Services concerning the erection of a conservatory at 2, Picton Gardens, Rayleigh without the benefit of planning permission.

### **2 DETAILS OF THE BREACH**

- 2.1 A conservatory has been added to the existing dwellinghouse, which had previously been extended. The total cubic content of the extensions to the original dwellinghouse exceed 70m<sup>3</sup> and therefore cannot be considered to be permitted development under Schedule 2, Part 1, Class A of the General Permitted Development Order 1995 (as amended).
- 2.2 The owner was informed of this in April 1999 and at that time was requested to apply for retrospective planning permission. An application was received (ref: 99/00270/FUL), which was refused and dismissed on appeal. Following negotiations between officers and the owner a revised application was submitted (ref: 00/00574/FUL). This too was refused.
- 2.3 The conservatory remains in place and is contrary to policy H11 and the design guidelines within the Rochford District Local Plan.

### **3 ENVIRONMENTAL IMPLICATIONS**

- 3.1 As set out above.

### **4 LEGAL IMPLICATIONS**

- 4.1 Any action considered necessary through the Courts to remedy the breach.

### **5 PARISH IMPLICATIONS**

- 5.1 The site lies within the Parish of Rayleigh.

**6 RECOMMENDATION**

6.1 It is proposed that the Committee **RESOLVES:**

That the Corporate Director (Law, Planning and Administration) be authorised to take all necessary action including the issue of Notices and action in the Courts to secure the remedying of the breach of planning control now reported. (HPS)

Shaun Scrutton

Head of Planning Services

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