

NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 5 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972.

DEPARTMENT OF GROWTH & PROSPERITY

ORIGINATING SECTION: PLANNING

REPORT TO: PLANNING & HIGHWAYS COMMITTEE – 26TH MAY 2016

TITLE: ENFORCEMENT – 2 CLARENCE STREET DARWEN BB3 1HQ

WARD: EARCROFT

**COUNCILLORS: T Maxfield
S Brookfield**

1.0 PURPOSE OF THE REPORT

1.1 To obtain authorisation to take enforcement action against all persons having an interest in land at 2 Clarence Street Darwen, as outlined on the attached Ordnance Survey Plan.

2.0 BACKGROUND

2.1 The property is a two storey mid terraced dwelling within a row of similar dwellings, located on Clarence Street Darwen.

3.0 DETAIL

3.1 In November of 2014 a complaint was received by the Planning Enforcement Team alleging the unauthorised conversion of the above property into self-contained flats. This conversion requires the benefit of planning permission

3.2 Further to this information a Planning Contravention Notice was served on the owner of the property on 27 November 2014 requesting information/details regarding the site. This was not returned and following further communication with the owner a copy of this Planning Contravention Notice was served. No response to this Notice has been received by the Planning Enforcement Team.

3.3 On the 30th July 2015 a retrospective planning application was received for the conversion of the dwelling into two self-contained flats under ref 10/15/0650. This planning application was refused for the following reasons.

- The proposed residential units fail to meet minimum internal space standards as set out in the Supplementary Planning Document "Houses in Multiple Occupation and Residential Conversions and Sub-Divisions" (2012) and therefore fail to provide adequate internal arrangement and living space,

contrary to Saved Policy H9 of the Blackburn with Darwen Borough Local Plan.

- The proposed residential units fail to provide adequate easily accessible garden or outdoor amenity space and fail to provide adequate refuse collection facilities, contrary to Saved Policy H9 of the Blackburn with Darwen Borough Local Plan.

3.4 Further visits have been made to the premises and as of 11TH May 2016 no appeal against the planning decision has been made and the breach of planning legislation remains.

3.5 In view of the above stated reasons for refusal it is considered expedient to pursue enforcement action to reinstate the property back to that of a single dwelling.

4.0 RECOMMENDATION

The Committee is recommended to authorise the Director of HR & Legal Services, in consultation with the Director of Planning & Prosperity, to issue an enforcement notice to secure the reinstatement of the property back to a single dwelling.

5.0 <u>BACKGROUND PAPERS</u> –	None
6.0 <u>CONTACT OFFICER</u>-	Richard Waters Ext: 5236
7.0 <u>DATE PREPARED</u> -	12/May 2016
8.0 <u>REFERENCE</u> -	P&P/P/RW/E271