

2 GALTON ROAD, SUNNINGHILL, SL5 0BP

WINDSOR DEVELOPMENT CONTROL PANEL: 29 OCTOBER 2008

OFFICER REPORTING: GRAHAM STALLWOOD, DEVELOPMENT CONTROL  
MANAGER

1. **PURPOSE OF REPORT**

To provide the Panel with an update relating to a house extension at 2 Galton Road, Sunninghill.

2. **OFFICER'S RECOMMENDATION:**

**The Panel notes the contents of this report.**

3. **SUPPORTING INFORMATION**

3.1 Wards Affected

Sunninghill and Ascot

3.2 Relevant Matters Upon Which Decision is Based & Reasons Supporting Recommendation

3.2.1 Planning permission for an extension of the house at 2 Galton Road was granted under reference 07/01991, but was not built in accordance with the approved plans. The Panel will recall that a subsequent application (08/00114) was refused planning permission following a Panel visit to the site and nearby addresses and Officers were authorised to take enforcement action. The sole reason for refusing the application related to the height, bulk and scale of the extension and its impact on the character and appearance of the house and the area.

3.2.2 Following the Panel's decision and contact from the enforcement officer the landowner agreed to reduce the height of the two storey extension voluntarily and an enforcement notice was not therefore served. The enforcement officer made follow up visits and the necessary work was undertaken.

3.2.3 The single storey rear element of the extension remains around 30cm higher than the approved plans. However, in the context of the reason for refusing the application described above and the relatively small scale of the remaining divergence from the approved plans, enforcement action to require the demolition of the single storey element was not taken. The Panel Chairman and ward Councillor were informed of this decision at the time.

3.2.4 Advice to Councils on enforcing planning control is contained within Planning Policy Guidance note 18 *Enforcing Planning Control* (PPG18). The Panel is aware that enforcement action cannot be taken simply to rectify a breach of planning control and assessments of expediency and public interest must be made before enforcement action can be taken. In this case the small scale of the breach and the context of the Panel's decision to refuse permission for the overall two and single storey extension solely in relation to the overall scale, bulk and height of the extension and its impact on character lead Officers to the view that the expediency and public interest tests in taking further action were not met. Success in achieving

the significant reduction in the height of the two storey element and its construction in accordance with the approved plans was achieved efficiently through the work of the enforcement officer with the landowner.

### 3.3 Relevant National/Regional Guidance

- Planning Policy Guidance note 18 *Enforcing Planning Control* (PPG18)
- DoE Circular 10/97 *Enforcing Planning Control: Legislative Provision and Procedural Requirements*

### 3.4 Relevant Council Policies/Strategies

- Royal Borough of Windsor and Maidenhead Local Plan (adopted July 1999, incorporating Alterations adopted June 2003)
- Berkshire Structure Plan 2001-2016
- RBWM Enforcement Policy Statement, August 2005

#### Background Papers:

Planning applications 07/00873, 07/01991 and 08/00114