

Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	14 September 2010

ENFORCEMENT ITEM

TITLE: Without planning permission alteration to the roof pitch of a side extension and alteration to the roof over a garage at Woodcock Barn Runshaw Lane Euxton PR7 6HB which constitutes unauthorised operational development.

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action to secure removal of the unauthorised development and to ensure the development is carried out is in accordance with previously approved plans.

RECOMMENDATION(S)

2. That it is expedient to pursue enforcement action to remove the unauthorised development that has an overbearing impact on the neighbouring property and which also harms the design and appearance of the existing dwelling.
3. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:

Alleged Breach

- i. Without planning permission the carrying out of operational development at Woodcocks Barn, Runshaw Lane, Euxton, PR7 6HB by erecting roofing to the East elevation of the property which covers the side extension and garage. As shown highlighted in Green on the attached Plan marked SA/1.

Remedy for Breach

- ii. Remove the roofing that has been erected over the side extension and garage as shown on attached plan SA/1.

OR

- ii(a) To remove the unauthorised roofing and reinstate the roofing to the side extension and garage in accordance with approved plan 3137-13 Rev B, dated 14/10/08 as approved under planning application 08/01226/FUL. For the avoidance of doubt that plan is attached marked SA/2

Period for Compliance

- iii. Three months

Reason

- iv. The proposed amendments by reason of their size, siting and design result in an overbearing impact on the neighbouring occupiers at Pippins and cause harm to the design and appearance of the existing dwelling. The proposal is

contrary to saved Policy DC8A of the Chorley Borough Local Plan Review and the guidance set out in the Householder Design Guidance SPD.

EXECUTIVE SUMMARY OF REPORT

4. This property received planning permission under planning application number 08/01226/FUL on 6 February 2009 for various extensions and re-modelling of the property. The approved plans were clearly stated on the decision notice, the approved elevations being shown on plan 3137-13 Rev B, dated 14/10/08. Following receipt of a complaint that the development was not being carried out in accordance with the approved plan a site visit was undertaken where it was seen that the roofing to the side extension and roofing to the garage were not in accordance with that approved plan. A retrospective planning application was submitted for the development as carried out, that application being refused by decision notice dated 31 August 2010.

Reasons for Recommendations

5. The alteration to the design of the rooves to the side extension and garage are contrary to saved Policy DC8A of the Chorley Borough Local Plan Review dated August 2003 and guidance set out in the Householder Design Guidance Supplementary Planning Document adopted February 2008.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. Nil

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

8. The Council have a duty under PPG18, Enforcing Planning Control, that when considering any enforcement action the decisive issue should be whether the breach of control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest.
9. Woodcock Barn is a barn conversion located on the south side of Runshaw Lane Euxton, it is the end property of a small section of ribbon development that are within the designated Green Belt. The barn underwent conversion in 1976 following which subsequent permissions in 1982, change of use of garage to study and retention of new garage and, in 1990 for a conservatory.
10. A planning application was submitted to the Local Planning Authority under application number 08/01226/FUL for various extensions, alterations and re-modelling of the property. The number of incremental alterations to the building, over the course of time, has resulted in the property no longer having the character of a former agricultural building and it was

considered that it would be unreasonable to assess this application in terms of existing policies usually applied to such buildings, as the aim of those policies are to preserve the character of the building, which in this instance, has already been eroded.

11. During consideration of application 08/01226/FUL much discussion was entered into between the Local Planning Authority and the applicant with regards to the design and appearance of the roofing to the side extension and garage that culminated in an acceptable scheme being submitted to the Authority. This scheme detailed a cat slide roof to create a visual separation between the main roofing pitch and the roofing that would cover the garage and extension. The roofing to the front of the garage was also shown to be hipped away from the neighbouring window. Additionally, a window was proposed to the gable to provide relief to the front elevation.
12. Complaint was received that the development was not being carried out in accordance with the approved plans and a site visit carried out. It was seen that the roofing had not been constructed in accordance with the approved plan; there is now no change to the pitch from the main roof and that to the garage. A retrospective planning application was submitted to regularise this alteration in design to the roofing, application 09/00909/FUL refers. That application was refused by decision dated 31 August 2010.
13. The reason for the refusal was that the amendments by reason of their size, siting and design results in an overbearing impact on the neighbouring occupiers at pippins and cause harm to the design and appearance of the existing dwelling. The proposal is contrary to saved Policy DC8A of the Chorley Borough Local Plan Review and the guidance set out in the Householder Design Guide SPD.

ALTERNATIVE REQUIREMENTS

16. N/A.

IMPLICATIONS OF REPORT

17. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	X
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	

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Report Author	Ext	Date	Doc ID
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