

Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	8 February 2011

ENFORCEMENT ITEM

TITLE: Without planning permission the replacement of a timber wall with blockwork on the south elevation of a barn situated to the West of 1 Blue Stone Barn Blue Stone Lane Mawdesley L40 2RJ

PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action to secure the removal of the unauthorised wall.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice under Section 172 and of the Town & Country Planning Act 1990 in respect of the following breach of planning control:

Alleged Breach

- i. Without planning permission the replacement of the timber wall on the south elevation of the barn with a concrete block work wall.

- ii. **Remedy for Breach**

- (a) Demolish the concrete block work wall on the south elevation of the barn.
- (b) Remove all resultant material from the demolition of the wall from the land.
- (c) Reinststate the original timber wall on the south elevation of the barn.

- iii. **Period of Compliance**

Three Months.

- iv. **Reason**

It has not been demonstrated that the works undertaken are necessary for the purposes of agriculture; the works are a substantial alteration which detract from the character of the existing barn. As such, the development is by definition inappropriate development in the Green Belt and is contrary to saved Policy DC 1 of the Chorley Borough Local Plan Review and Planning Policy Guidance (PPG2), Green Belts.

EXECUTIVE SUMMARY OF REPORT

3. A planning application was submitted to replace a timber clad wall with a painted block work wall to the south elevation (part retrospective) and the replacement of a portion of the timber clad wall with facing brickwork to the east elevation.
4. This application was refused under delegated authority on 17 June 2010.

REASONS FOR RECOMMENDATION(S)

5. See Para 2(iv).

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. N/A

CORPORATE PRIORITIES

7. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

8. The site is within the designated Green Belt as shown on the Proposals Map, Adopted Edition and is covered by Planning Policy Guidance (PPG) Note 2, Green Belts which are reiterated by Policy DC1 of the Adopted Chorley Borough Local Plan Review. Within the designated Green Belt planning permission will not be granted, except in very special circumstances, for limited forms of development or other uses of land which preserve the openness of the Green Belt and do not conflict with its purposes.
9. A planning application was submitted to the Council that proposed replacing the timber clad south elevation of the barn with a block work wall. This elevation is 17.8 metres in length and 2 metres high. Within the elevation there are 5 windows. It was also proposed to replace two sections of the east elevation that are timber clad with brick. These sections measure 4 metres in length by 2 metres to eaves and 2 metres in length by 2 metres to eaves. The block work wall has been erected; the brickwork to the east elevation has not been constructed.
10. In this particular instance the works proposed and undertaken are considered to be an inappropriate alteration to the character of the barn and the applicant has not provided any evidence or justification as to exceptional circumstances for the works both undertaken and proposed, and that the works are necessary for an agricultural purpose.
11. The erection of the block work wall to the south elevation is therefore considered to be inappropriate development within the Green Belt that is, by definition harmful to it [paragraph 3.2 to PPG2 (Revised)].

IMPLICATIONS OF REPORT

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

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

Lesley-Ann Fenton
Director of Partnerships, Planning & Policy

Report Author	Ext	Date	Doc ID
S Aldous	5414	24 January 2011	N/A

Background Papers			
Document	Date	File	Place of Inspection
Planning Application	14 December 2010	10/00222/Ful	Council Offices Union Street