

Report of	Meeting	Date
Head of Development & Regeneration	Development Control Committee	20.12.2005

## ENFORCEMENT ITEM

### ERECTION OF BRICK WALL 0.9M IN HEIGHT AND BRICK PILLARS 2.1M IN HEIGHT ADJACENT TO HIGHWAY USED BY MOTOR VEHICLES – 40 HAWKSHEAD AVENUE EUXTON

## PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action in respect of the above case.

## CORPORATE PRIORITIES

2. This report does not affect the corporate priorities.

## RISK ISSUES

3. The report contains no risk issues for consideration by Members.

## BACKGROUND

4. A retrospective planning application for the erection of a boundary wall to property 40 Hawkshead Avenue, Euxton, application 05/00992/FUL refers, has been considered and refused permission. The application proposed a brick wall of height 0.9m along which at 1.8m intervals brick pillars were built to a height of 2.1m; between the pillars close-boarded timber fence panels were to be erected. This property occupies a corner plot where Hawkshead Avenue meets with Highways Avenue.

## POLICY

5. The property lies in an area of built settlement. Within such settlement areas Policy GN1 states there is a presumption in favour of appropriate development, subject to normal planning considerations and policies and proposals of the Adopted Chorley Borough Local Plan. Policy GN5 of the Local Plan states that the design of proposed developments will be expected to be well related to their surroundings.

## ASSESSMENT

6. The issue to consider is whether the development meets with Policy GN1 and GN5. It is opined that the proposal does not relate well to the immediate surrounding area, which reflects a character of openness evident by minimum boundary treatments at neighbouring properties, which include dwarf walls 0.5m high and vegetation. The proposal will be a prominent feature in the street scene and will have a significantly adverse impact on the character of the street when taking into account the absence of screening at other properties in the immediate area and the prominent corner location occupied by the property.



## COMMENTS OF THE DIRECTOR OF FINANCE

7. No comments.

## COMMENTS OF THE HEAD OF HUMAN RESOURCES

8. No comments.

## RECOMMENDATION

9. That it is expedient to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 in respect of the following breach of planning control - without planning permission the erection of brick pillars adjacent to a highway used by vehicular traffic that are over 1 metre in height.

(a) Remedy for Breach

- i. Reduce the heights of the brick pillars between points A and B, as shown on the attached plan, to a height of 1 metre when measured from ground level, thereby benefiting as permitted development granted by virtue of, Schedule 2, Part 2, Class A, The Town & Country Planning (General Permitted Development) Order 1995.
- ii. Remove all material resultant from the works carried out under 9 (ai) from the land.

(b) Period for Compliance

56 days

(c) Reason

The height of the brick pillars would be visually obtrusive and detrimental to both the appearance and character of the street and the amenity of the area. This development is inappropriate, as it does not relate well to the immediate surroundings, which reflect a more open and sylvan character with softer boundary treatments. The proposal is therefore contrary to policies GN1 & GN5 of the Adopted Chorley Borough Local Plan Review.

JANE E MEEK  
HEAD OF DEVELOPMENT & REGENERATION

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	28 November 2005	
Background Papers			
Document	Date	File	Place of Inspection
Planning Application		05/00992/FUL	Union Street Offices

