

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

ENFORCEMENT ITEM

SITING OF CARAVAN FOR RESIDENTIAL USE ON LAND AT CLAYTON HALL STABLES SPRING MEADOW CLAYTON LE WOODS

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. Complaint was received that a static caravan had been brought on to this site; a subsequent site visit carried out confirmed this allegation. It was also seen that a number of items of domestic paraphernalia had also been erected on the land, items such as; sheds, dog kennel, external wooden stair cases, washing line and the formation of a hard standing area to the front of the mobile home. The landowner was written to regarding this change in use of the land and a retrospective planning application was submitted, not for retention of the caravan already on site, but proposing the siting of a larger mobile home together with the erecting of a stable block. This application, 9/05/921/ FUL, has been presented on this agenda with a recommendation for refusal. If Committee Members endorse that recommendation it is expedient to take enforcement action to secure cessation of the use of the land for the stationing of a mobile home for residential purposes and also, to secure the removal of the domestic paraphernalia and hard standing from the land.

POLICY

5. This site is within the designated Green Belt as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review and is also in close proximity to Clayton Hall, Clayton –le –Woods a Scheduled Ancient Monument, Policy HT11 refers. Within the green belt permission will not be granted, except in very special circumstances for the erection of new dwellings, other than for the purposes of agriculture, forestry, essential facilities for outdoor recreation, cemeteries and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land within it. Planning policy statement 7: Sustainable development makes it clear that residential use of a caravan would only be appropriate for a temporary period if it is essential to support a new farming activity.

6. Members will find a full copy of the Officers report on the proposal earlier in the Agenda. The main issues in relation to the mobile home are whether it represents appropriate development in the Green Belt and its effect upon the character and appearance of the Green Belt.
7. This land benefits from a historic livery use and the proposals as submitted were subject to consultation with the County Land Agent, who has stated that at this site he does not consider the scale of the enterprise justifies the provision of on site accommodation.
8. The mobile home is sited on open land and it is considered that the siting of the mobile home together with the associated domestic paraphernalia intrudes unnecessarily into the open and rural character of the area. Additionally, the siting of the mobile home is considered to have a detrimental effect upon the site and setting of the Scheduled Ancient Monument, Clayton Hall.
9. The development therefore represents inappropriate development detracting from the character and appearance of the Green Belt and that enforcement action should be taken.
10. With regards to the operational development that has taken place: laying of hard standing and the domestic paraphernalia brought on to the land, these activities do not benefit from any planning permission and is contrary to Policy DC1 & HT11.

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 two Enforcement Notices in respect of the following breaches of planning control:
 1. Without planning permission the change in use of the land from livery use to a mixed use of livery and for the siting of a mobile home for residential purposes.
 - (1a) Remedy for Breach
Remove the mobile home from the land edged Red on the attached plan, plan SA/1, and to cease use of that land for the siting of a mobile home for residential purposes.
 - (1b) Period for Compliance
Nine months
 - (1c) Reason
 - i. The development is contrary to Policies DC1 of the Adopted Chorley Borough Local Plan Review, Planning Policy Guidance Note 2, Planning Policy Statement 7, in that the development is inappropriate and harmful to the character and appearance of the Green Belt. There is no justification or no very special circumstances to justify an

exception in this case to the presumption against inappropriate development in the Green Belt.

- ii. The development is contrary to Policy HT11 of the Adopted Chorley Borough Local Plan Review in that the mixed use of the land for livery and for the siting of a mobile home for residential purposes is likely to have a detrimental effect on the site or setting of the Scheduled Ancient Monument of Clayton Hall, Clayton Le Woods.

2. Without planning permission the carrying out of operational development on land shown edged Red on the attached plan. That operational development being; the formation of a hard surfaced area, the erecting of two wooden sheds and a dog kennel, and the construction of two wooden balustrades.

(2a) Remedy for Breach

Remove from the land:

- (2ai) the materials that form the hard standing shown hatched on the attached plan, plan SA/2, from the land and return that land to grass sward by re seeding that land
- (2aii) the two wooden sheds marked A and B on the attached plan, SA/2
the two wooden balustrades and stairs marked C and D on the attached plan, SA/2
the wooden dog kennel marked E on the attached plan SA/2

(2b) Periods of Compliance

Three months.

(2c) Reasons

1. The operational development is contrary to Policies DC1 of the Adopted Chorley Borough Local Plan Review, Planning Policy Guidance Note 2, Planning Policy Statement 7, in that the development is inappropriate and harmful to the character and appearance of the Green Belt. There is no justification or no very special circumstances to justify an exception in this case to the presumption against inappropriate development in the Green Belt.

2. The development is contrary to Policy HT11 of the Adopted Chorley Borough Local Plan Review in that the nature of the operational development carried out is likely to have a detrimental effect on the site or setting of the Scheduled Ancient Monument of Clayton Hall, Clayton Le Woods.

JANE E MEEK
HEAD OF DEVELOPMENT & REGENERATION

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	01December 2005	
Background Papers			
Document	Date	File	Place of Inspection
Planning Application		05/00992/FUL	Union Street Offices

