

Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	19 April 2011

## ENFORCEMENT ITEM

**The erection of a building, formation of stoned track and laying of brick plinths on land to the rear of BTI Ltd Unit A/B The Green Eccleston**

## PURPOSE OF REPORT

- To consider whether it is expedient to serve an enforcement notice to secure the removal of the unauthorised building, stoned track and brick plinths from the land.

## RECOMMENDATION(S)

- 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

- Without planning permission the erection of a building, formation of a stoned track and the erecting of brick plinths on the land.

- Remedy for Breach**

Remove the building and brick plinths it sits upon from the land and restore the land to its former condition.

Remove the material laid to form the track and relay the land with topsoil  
Remove the brick plinths laid to accommodate further buildings from the land.

- ii(a). Period for Compliance**

Three Months.

- ii(b). Reason**

The proposed development is located within the Green Belt. The proposal is inappropriate development in the Green Belt in accordance with Planning Policy Guidance note 2 (PPG2) and reiterated by Chorley Borough Local Plan Review Policy DC1. The applicant has put forward a case for very special circumstances however it is not considered that the case put forward by the applicant outweighs the total harm in terms of inappropriateness to the Green Belt to justify permitting the proposal.

## EXECUTIVE SUMMARY OF REPORT

3. The land in question lies in the designated Green Belt as shown on the Proposals Map Adopted Edition August 2003.
4. The issue for consideration in this case is the proposal for development within the designated Green Belt. PPG2 (Green Belts) identifies that the most important attribute of green belts is their openness. There is a presumption against inappropriate development on land designated as Green Belt such as the application site. Paragraph 3.15 explains that the visual amenity of the green belt should not be injured by proposals for development within or conspicuous from the green belt which, although they would not prejudice the purposes of including land within green belts might be visually detrimental by reason of their siting, materials or design. This presumption against inappropriate development in the designated green belt is highlighted within Local Plan Policy DC1. The proposal does not accord with neither the Local Plan Policies nor National Guidance as it is inappropriate and fails to preserve the openness of the green belt.

## REASONS FOR RECOMMENDATION(S)

5. Local Plan Policy DC1 outlines at criterion (a) to (g) development which is considered to be appropriate development within the green belt. In this instance the proposal submitted for consideration is for the temporary use (2.5 years) of the land to display 5 eco friendly lodges that are manufactured within the applicants Units at Grove Park Industrial Estate, Ecclestone. The Units being close to the application site. The proposal does not accord with any of the stated criteria.
6. The Council argues that the use of the land for the display of 5 eco lodges would harm the open and rural character of the Green Belt area in which the site lies. Government guidance on planning in Green Belts set out in PPG2, Green Belts, states that the fundamental aim of Green Belt policy is to prevent sprawl by keeping land permanently open. PPG 2 further states that the construction of new buildings inside a Green Belt is inappropriate unless it is for one of a short list of purposes which as stated at Para 5 this proposal does not fall within.
7. The Council are unable to attach any more than limited weight to the other considerations put forward by the appellant. They are not sufficient to clearly outweigh the harm the proposed use of the land would cause from the loss of openness, which is the most important attribute of the Green Belt. In this case the proposed development would be contrary to PPG2 and Local Plan Policies DC1.

## CORPORATE PRIORITIES

9. 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

10. This matter was subject of a complaint to the Council following which the part retrospective planning application was submitted.

## IMPLICATIONS OF REPORT

13. 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	06 April 2011	N/A

Background Papers			
Document	Date	File	Place of Inspection
Planning File	1 April 2011	10/01066/Ful	Union Street