

Report of	Meeting	Date
Director of Partnerships, Planning & Policy	Development Control Committee	3 November 2011

ENFORCEMENT ITEM

DEVELOPMENT NOT IN ACCORDANCE WITH THE APPROVED PLANS APPLICATION 08/00553/FUL HIGH WIRE ADVENTURE COURSE (GO APE) RIVINGTON.

PURPOSE OF REPORT

- To provide an update to members on whether it is expedient to take enforcement action to secure a car parking area as shown on approved plans is laid in accordance with those plans following the report of 12 July 2011.

RECOMMENDATION(S)

- That, at this time it is not expedient to take enforcement action in respect of the following breach of planning control:

Breach

- Failing to comply with condition number 6 attached to application 08/00553/FUL approved on 28 July 2008 that stated,

Before the development hereby permitted is first brought into use, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with the Joint Lancashire Structure Plan SPG Access and Parking

EXECUTIVE SUMMARY OF REPORT

- Planning permission was granted on 24 July 2008 for a high wire adventure course to be provided on land between Great House Barn and lower Rivington reservoir. The facility was to be accessed by the existing entrance to Great House Barn, off Rivington Lane, with an extension to the existing car park for the use of Go Ape customers. A plan detailing the additional car parking area for customer vehicle parking was submitted and that plan approved. An application for the car park has now been submitted and will be subject of a future report to the Development Control Committee.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

5. The additional parking area as shown on the approved plan covered an area of approximately 394 square metres; the additional car parking that has been provided covers an area of approximately 319 square metres. The Council was informed by the management company that detailed plans showing the full extent of the additional parking to be provided were to be submitted following consultation with the Friends of Lever Park and the Parish Council regarding the parking to be provided.
6. An application for the car park at Go Ape was submitted on 21 October 2011 and public consultation on the application has commenced. It is envisaged that the application could be presented to the December 2011 Development Control Committee if all available information has been received by Officers. It is appropriate that the application is determined prior to a decision or recommendation to take enforcement action is made or decided. At the Development Control Committee when the application is determined and depending upon the outcome then a decision to give authority for enforcement action can be made.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

7. None

CORPORATE PRIORITIES

8. This report relates to the following Strategic Objectives:

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

BACKGROUND

9. Following the granting of planning permission for application 08/00553/FUL the adventure course was constructed and put to use. The additional parking area was formed but was not laid to the size as shown on the approved plans. Following complaints the additional parking area was measured and the shortfall in area noted. However, it was also noted that to lay the car parking as shown on the approved plan some trees may well need to be felled.
10. Alternative car parking arrangements can well be provided within the site area that will make up the shortfall of parking space without the necessity for any tree felling and it is those alternatives arrangements that the developers have submitted to the Council following consultation with the Friends of Lever Park and the Parish Council.

IMPLICATIONS OF REPORT

11. 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

COMMENTS OF THE DIRECTOR OF PARTNERSHIPS, PLANNING & POLICY

12. None

Lesley-Ann Fenton
 Director of Partnerships, Planning & Policy

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
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