

Report of	Meeting	Date
Head of Development & Regeneration	Development Control Committee	23.05.2006

**ENFORCEMENT ITEM
LIGHTING COLUMNS TO MENEGE 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 lighting affixed to wooden posts had been erected to the perimeter of a ménage on land in the vicinity of the stables; a subsequent site visit carried out confirmed this allegation. The landowner was written to regarding this development and a retrospective planning application was submitted. This application, 9/06/258/ FUL, has been refused under delegated authority.

POLICY

5. This site is within the designated Green Belt as defined by Policy DC1 of the Adopted Chorley Borough Local Plan Review, Policy 6 of the Joint Lancashire Structure Plan 2001 – 2016 and PPG 2 Green Belts. Within the green belt permission will not be granted, except in very special circumstances for development 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.
6. This land benefits from a historic livery use, with a ménage located some 30 metres to the north of the stables which received planning permission on 22 November 2005, application 5/792/FUL refers. It measures 45m by 20m, with natural hedge and tree lines to north, east and west with public footpaths that run in close proximity to it. On the northern and southern boundaries of the ménage three lights, equi distance apart have been erected. These lighting units are affixed to posts, which measure 2.6m from ground level.

7. The ménage is as previously stated positioned within the designated Green Belt, and does benefit from some degree of obscurity from public view however the lighting units which are elevated by some 2.6m from ground level represent inappropriate development in the designated Green Belt. No very special circumstances for this development having been promoted by the applicant. It is therefore considered that the development therefore represents inappropriate development detracting from the open rural character and appearance of the Green Belt and that enforcement action should be taken to remove the lighting.

COMMENTS OF THE DIRECTOR OF FINANCE

8. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

9. No comments.

RECOMMENDATION

10. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:

1. Without planning permission the erecting of six lighting units affixed to posts that measure 2.6m from ground level to the northern and southern perimeter of the ménage situated on land at Clayton Hall Stables.

(1a) Remedy for Breach

Remove the six lighting units and posts from the land edged Red on the attached plan, plan SA/1.

(1b) Period for Compliance

28 days

(1c) Reason

- i. The development is contrary to Policies DC1 of the Adopted Chorley Borough Local Plan Review and Planning Policy Guidance Note 2, 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.

JANE E MEEK
DIRECTOR OF DEVELOPMENT & REGENERATION

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	8/05/06	
Background Papers			
Document	Date	File	Place of Inspection
Planning Application		06/00258/FUL	Union Street Offices