

Report of	Meeting	Date
Director of Partnerships ,Planning and Policy	Development Control Committee	5 March 2013

## **ENFORCEMENT ITEM**

### **SITING OF RESIDENTIAL CARAVAN ,STORAGE CONTAINERS AND FORMATION OF HARDSTANDING AREA, ERECTION OF ELECTRICITY HOUSING BOX ON LAND AT MIDDLE DERBYSHIRES FARM, RIVINGTON LANE, RIVINGTON**

#### **PURPOSE OF REPORT**

1. Authority is sought to issue Enforcement Notices in respect of the siting of a caravan, storage containers and the formation of hardstanding and the erection of a electricity housing box on the land.

#### **RECOMMENDATION(S)**

2. That it is expedient to issue Enforcement Notices under Section 172 of the Town and Country Planning Act 1990 in respect of the following breaches of planning control:
3. **Alleged Breach**
4. 1.Without planning permission the siting of a caravan on the land for residential use and the siting of two storage containers.
5. 2.Without planning permission the deposit of materials to form a hardstanding and the erection of a electricity supply box.
6. **Remedy for Breach**
  - a. Cease the use of the land for the siting of a caravan for residential use and remove the caravan form the land.
  - b. Remove the storage containers from the land.
  - c. Excavate the area of hardstanding and remove the materials laid to form the hardstanding from the land and restore the land to its former condition before the alleged breach of planning control took place.
  - d. Demolish the electricity supply housing box and remove the materials from the land.

#### **Period For Compliance**

6. 6 Months

## Reason For Issue of Enforcement Notices

7. The development constitutes inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. No such 'very special circumstances' have been submitted in support of the application to clearly outweigh the harm to the Green Belt by reason of inappropriateness. As such, the development is contrary to guidance within the National Planning Policy Framework and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

## EXECUTIVE SUMMARY OF REPORT

8. A planning application for the caravan and hardstanding is reported to this Committee for consideration with a recommendation for refusal.

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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## REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

10. To remove the caravan and associated development from the land and the harm caused to the Green Belt.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11. None

## CORPORATE PRIORITIES

12. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	<b>X</b>	A strong local economy	
Clean, safe and healthy communities	<b>X</b>	An ambitious council that does more to meet the needs of residents and the local area	

## BACKGROUND

13. Following the demolition of the existing dwelling at the site the landowner has sited a caravan on the land with the intention of occupying it for residential use until a replacement dwelling can be built. An area of hardstanding has also been laid to facilitate the siting of the caravan and provide a vehicle parking area. Two storage containers have also been sited on the land to provide domestic storage and storage for materials. A electricity housing box has also been erected to provide a electricity supply for the caravan. None of this development has planning permission and no application has been submitted for a replacement dwelling.

## ASSESSMENT

14. The land located is within the Green Belt and the relevant guidance within the National Planning Policy Framework (the framework) and Policy DC1 of the Adopted Chorley Borough Local Plan Review applies. These policies prescribe certain types of development which can be considered appropriate within the Green Belt. Where development does not

fall within the appropriate types of development, the framework states that it must be inappropriate development by definition. The framework goes further to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

15. The framework also states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
16. The development relates to the siting of a caravan, for living accommodation and the creation of associated hardstanding, containers and electricity supply box which together do not fall within the appropriate types of development as listed in the framework or local plan policy DC1.
17. The development is therefore inappropriate development by definition and the test is whether there are any very special circumstances which would overcome the harm to the Green Belt. Given that the existing dwelling has been demolished and no application has been made for a replacement dwelling then it is my view that those circumstances do not exist and enforcement action is the appropriate course of action.

#### **IMPLICATIONS OF REPORT**

18. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

#### **COMMENTS OF THE STATUTORY FINANCE OFFICER**

9. No comments.

#### **COMMENTS OF THE MONITORING OFFICER**

10. The service of an Enforcement Notice is an appropriate action in this matter.

LESLEY ANN FENTON  
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Peter Willacy	5226	22 February 2013	