

Report of	Meeting	Date
Director of Partnerships, Planning and Policy	Development Control Committee	10.12.2013

## ENFORCEMENT ITEM

### **SITING OF STATIC CARAVAN FOR USE AS AN OFFICE (B1 USE) IN CONNECTION WITH FENCE AND DRAIN COMPANY, LAND AT LANCASTER HOUSE FARM, PRESTON ROAD, CHARNOCK RICHARD**

#### PURPOSE OF REPORT

- To seek authority for the issue of an Enforcement Notice in respect of the siting of a static caravan for use as an office.

#### RECOMMENDATION(S)

- That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: - Without planning permission the siting of a static caravan for use as an office.

#### **Remedy For Breach**

Remove the static caravan from the land.

#### **Period For Compliance**

Two Months

#### **Reason For Issue Of Notice**

The sited caravan for office purposes 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

- Planning permission has been refused retrospectively to retain the caravan and no appeal has been lodged against that decision and the caravan remains on the land in breach of the refusal of permission.

<b>Confidential report</b> Please bold as appropriate	Yes	No
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#### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

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

## BACKGROUND

5. A planning application was submitted retrospectively for a static caravan sited on the land which is used as an office in connection with a fence and drain company which operates from the site. Planning permission was refused for the caravan and since the refusal no appeal has been lodged against the Council's decision to refuse permission neither has the caravan been removed from the land. The Council can only secure the removal of the caravan through the issue of an Enforcement Notice.

## ASSESSMENT

6. The caravan is sited on land 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. The framework also states that when considering any planning application, 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.
7. Having regard to paragraph 89 of the framework, it is clear that the siting of the caravan does not fall within one of the types of development which can be considered appropriate within the Green Belt.
8. As part of consideration of the planning application it was considered that there are no very special circumstances presented in this case to clearly outweigh the harm to the Green Belt and therefore no justification for the development at this site even for a temporary period.
9. As such, in view of inappropriate development, the proposal is considered to be contrary to the guidance in the framework and Policy DC1 of the Adopted Chorley Borough Local Plan Review.

## IMPLICATIONS OF REPORT

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

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

## COMMENTS OF THE STATUTORY FINANCE OFFICER

11 There are no financial implications associated with the enforcement action.

## COMMENTS OF THE MONITORING OFFICER

11. With the refusal of planning permission and the continued presence of the caravan contrary to that refusal it is entirely appropriate to commence enforcement action of this type.

Lesley-Ann Fenton  
DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

<b>Background Papers</b>			
<b>Document</b>	<b>Date</b>	<b>File</b>	<b>Place of Inspection</b>
Planning Application	5.4.2013	13/00321/FUL	Civic Offices, Union Street

  

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Peter Willacy	5226	2 December 2013	