

Report of	Meeting	Date
Director of Development and Regeneration	Development Control Committee	21.11.2006

ENFORCEMENT ITEM

ALTERATIONS TO AGRICULTURAL BUILDING, LAND EAST OF BROWN HOUSE LANE, WHEELTON

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 raises no issues of corporate priorities.

RISK ISSUES

3. The report contains no risk issues for consideration by Members.

BACKGROUND

4. Last month your officers under delegated powers refused retrospective planning permission for works involving the timber and brick cladding of an agricultural building on the grounds that the works were not reasonably necessary for the purposes of agriculture and therefore amounted to inappropriate development in the Green Belt.

POLICY

5. The land is designated as Green Belt in the Adopted Chorley Borough Local Plan Review.

Within the Green Belt as defined by policy DC1 of the Local Plan, planning permission will not be granted except in very special circumstances, for development other than agriculture, forestry, outdoor sport and recreation and other uses that preserve the openness of the Green Belt.

6. Policy EP7 of the local plan sets out that planning permission will be granted for agricultural development except where it would materially worsen the impact on, amongst other things, the landscape or nearby housing.

Planning Policy Guidance Note 2- Green Belts is the national planning guidance when assessing development within the Green Belt.Paragraph 3.8 deals with the reuse of farm buildings in terms of diversification and sets out various criteria for consideration but applies equally to agricultural buildings within the same general use.

ASSESSMENT

7. The main issues are whether the development is appropriate in the Green Belt and the effect of the development on the character and appearance of the surrounding area.The developer claims that the alterations that have been made to the building were required as the existing structure was susceptible to penetrating damp, resulting in hay, straw and animal feedstuffs being spoiled. However, the building was originally erected during the 1980s to provide storage facilities for hay and straw and the building has remained in its current form until the current alterations were carried out during 2005, the developer has given no explanation as to why the building is now in need of the alterations or explained how these will benefit any agricultural use of the building.The County Land Agent is of the opinion that the works will not have had any benefit to the agricultural use of the building.That being the case then the alterations do not constitute appropriate development in the Green Belt. In terms of the appearance of the building on the character and appearance of the area, the principal feature is the unity of the existing group of buildings and the style and materials which are typical of utilitarian agricultural buildings.The development undertaken has resulted in a significant alteration to the style and materials which in my opinion materially harms the character and appearance of the surrounding area.This supports the issue that the development is inappropriate in the Green Belt,as the building as altered,does not comply with the guidance given in 3.8(d) of PPG2.

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 under Section 172 of the Town and Country Planning Act 1990 in respect of the following breach of planning control - without planning permission cladding of the external walls of the building in brick and timber.

Requirements of the Enforcement Notice

Dismantle and remove the external brick and timber cladding from the building.

Period for Compliance

3 months

Reason

The land is within the Green Belt as defined by the Adopted Chorley Borough Local Review. The development is not appropriate within the Green Belt and is contrary to Policy DC1 of the Local Plan and Planning Policy Guidance Note 2 Green Belts, being inappropriate development and harmful to the character and appearance of the Green Belt. There are no special circumstances to justify an exception to the presumption against inappropriate development in the Green Belt.

JANE MEEK
DIRECTOR OF DEVELOPMENT AND REGENERATION

Report Author

Peter Willacy

Background Papers

Document

Planning Application

Ext

5226

Date

11/08/06

Date

6 November 2006

File

9 /06/00916

Doc ID

Place of Inspection

Civic Offices Union
Street