

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

ENFORCEMENT ITEM

SINGLE STOREY ENCLOSURE FOR MANURE STORE, PUMPING STATION & GARDEN STORE CAM LANE COTTAGE CAM LANE 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. During a site visit of the property by a Development Control officer it was noted that a building was under construction on land within the curtilage of Cam Lane Cottage, Cam Lane Clayton le Woods; 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, 9/06/01080/FUL, has been presented on this agenda with a recommendation for refusal. If Committee Members endorse that recommendation, it is considered to be expedient to take enforcement action to secure removal of the building from the land.

POLICY

5. This site is within the designated Green Belt as defined by Policy DC1 of the Adopted Chorley Borough Local Plan. Within the green belt permission will not be granted, except in very special circumstances, for the erection of new buildings, or for the change of existing use of existing buildings, other than for the purposes of agriculture, forestry, essential facilities for outdoor sports and 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. Members will find a full copy of the Officers report on the proposal earlier in the Agenda. The main issue in relation to the building is whether it represents appropriate development in the Green Belt.

7. The building which measures 11.5m in length x 5.3m in width and 2.5m to flat roof is located some 37 metres from the main dwelling house it is therefore not an extension to the dwelling. The building is a new build which does not benefit as permitted development granted by virtue of Schedule 2, Part 1, Class E, The Town & Country Planning (General Permitted Development) Order 1995, because a condition within Class E does not permit buildings within 20 metres of any highway, which this building is.
8. The development does not meet any of the criteria defined within Policy DC1 and the applicant in support of the application has provided no very special circumstances for consideration. Therefore, this development is inappropriate, which by definition is harmful to the green belt and it is recommended that enforcement action be taken to remove the unlawful building from the land.

COMMENTS OF THE DIRECTOR OF FINANCE

9. No comments.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

10. No comments.

RECOMMENDATION

11. 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 a flat roofed, brick building, on land at Cam Lane Cottage, Cam Lane, Clayton le Woods, Chorley.

(1a) Remedy for Breach

Demolish the building and remove the resultant materials from that demolition from the land.

(1b) Period for Compliance

Three months.

(1c) Reason

The development is contrary to Policies DC1 of the Adopted Chorley Borough Local Plan Review, in that the development is inappropriate and thereby harmful to the appearance of the Green Belt. There are no very special circumstances to justify the inappropriateness of the development and the harm to the green belt.

JANE E MEEK
DIRECTOR OF DEVELOPMENT & REGENERATION

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	21November 2006	
Background Papers			
Document	Date	File	Place of Inspection
Planning Application		06/01080/FUL	Union Street Offices