

Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	28 October 2014

ENFORCEMENT ITEM FORMATION OF ACCESS TRACK AND ERECTIONS OF BUILDINGS LAND 75 METERS NORTH OF 7 BACK LANE CHARNOCK RICHARD

PURPOSE OF REPORT

1. To seek authority to take enforcement action in respect of the unauthorised development on the land.

RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:
3. Without planning permission the formation of an access track and erection of buildings.

Remedy For Breach

1. Excavate the access track and remove the materials used to form the access track from the land.
2. Demolish the buildings and remove the materials from the land.

Period For Compliance

Four Months

Reason For Issue Of Notice

The development constitutes inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt unless very special circumstances exist to outweigh the harm to the Green Belt by reason of inappropriateness. As such, the development is contrary to the policies of the National Policy Framework and Policy DC1 of the Adopted Chorley Local Plan Review.

EXECUTIVE SUMMARY OF REPORT

4. There is no planning permission for the development on the land and the landowner has been advised that because the land is designated as Green Belt such development is considered inappropriate development and unacceptable in planning terms. It is considered therefore given the inappropriateness of the development within the Green Belt that it would be expedient to issue an enforcement notice in this case.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

5. 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

6. This case relates to an area of grazing land used in part for the keeping of horses off Back Lane Charnock Richard. An access track has been laid running into the land down to an existing septic tank and three buildings erected for wood storage. The access track and buildings were constructed within the last 4 years and within the time limit for taking enforcement action against unauthorised operational development. In 2008 planning permission was refused for a proposed access track to serve the septic tank to enable its maintenance on the basis of inappropriate development in the Green Belt and there being no very special circumstances for permitting the development.

ASSESSMENT

7. The land is within the Green Belt and policy guidance within the National Planning Policy Framework and Policy DC1 of the Adopted Chorley Borough Local Plan Review are relevant policy considerations.
8. Within the Green Belt only development which is considered appropriate development will be permitted unless it can be demonstrated that very special circumstances exist to outweigh the harm to the Green Belt.
9. In this case the access track and buildings do not fall within any of the categories of development considered to be appropriate development within the Green Belt and are therefore by definition inappropriate development.
10. There is no planning permission for the development on the land and the landowner has been advised that because the land is designated as Green Belt such development is considered inappropriate development and unacceptable in planning terms. It would be unlikely that planning permission would be granted should a planning application be submitted. No action has been taken to remove the unauthorised development and it appears that the landowner is not willing to comply voluntarily in this case. It is considered therefore given the inappropriateness of the development within the Green Belt that it would be expedient to issue an enforcement notice in this case.

IMPLICATIONS OF REPORT

11. 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

12. The current enforcement action can be contained within existing resources. Should further action be necessary there may be additional costs to incur which we would seek to recover from the owner of the site.

COMMENTS OF THE MONITORING OFFICER

13. The recipient has not obtained planning permission for the track, indeed planning permission has previously been refused. Enforcement action is reasonable to ensure compliance with the Council's planning policies as no special circumstances have been raised.

Jamie Carson
Director of Public Protection Streetscene and Community

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
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