

Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	10 February 2015

## **ENFORCEMENT ITEM**

### **CHANGE OF USE OF LAND FROM LIVERY STABLE YARD AREA TO USE FOR THE PARKING, AND SALE OF MOTOR VEHICLES, TOWN LANE FARM, TOWN LANE, HESKIN.**

#### **PURPOSE OF REPORT**

1. To seek authority to take enforcement action in respect of the unauthorised use of 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 change of use of livery stable yard area to a use for the parking, and sale of motor vehicles.

#### **Remedy For Breach**

Cease the use of land for the parking, storage and sale of motor vehicles.

#### **Period For Compliance**

Three 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 unauthorised development on the land and the landowner has not submitted a planning application. The land is designated as Green Belt where 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.
- 5.

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

6. 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

7. This case relates to an area of land used as a yard area in connection with an existing livery stable. The yard area is being used for the parking of motor vehicles which are being advertised for sale and sold from the site. The numbers of vehicles parked on the site varies but has on occasion there have been 20 vehicles on site which are advertised for sale on the internet.

## ASSESSMENT

8. 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.

9. Within the Green Belt only those uses of land which are considered appropriate development will be permitted unless it can be demonstrated that very special circumstances exist to outweigh the harm to the Green Belt.

10. In this case the use of land do not fall within any of the categories of development considered to be appropriate development within the Green Belt and is therefore by definition inappropriate development.

11. 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 cease the use of the land 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

12. 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

13. The costs of enforcement will be covered within the Council's budget allocation.

## COMMENTS OF THE MONITORING OFFICER

14. Given the content of the report the issuing of an Enforcement Notice is an appropriate and proportionate response.

JAMIE CARSON  
DIRECTOR OF PUBLIC PROTECTION STREETSCENE AND COMMUNITY

There are no background papers to this report.

<b>Report Author</b>	<b>Ext</b>	<b>Date</b>	<b>Doc ID</b>
Peter Willacy	5226	28 January 2015	***