

Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	26th May 2015

ENFORCEMENT ITEM
ERECTION OF TIMBER DECKING AREA THE SIRLOIN INN
STATION ROAD HOGHTON

PURPOSE OF REPORT

- To seek authority to take enforcement action in respect of the unauthorised decking area erected at the Sirloin Inn, Hoghton

RECOMMENDATION(S)

- That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control: Without planning permission the erection of a decking area.

Remedy For Breach

Dismantle and remove the decking area.

Period For Compliance

Two Months.

Reason For Issue Of Notice

The decking is considered unacceptable on the basis that its materials are not in keeping with the building and that it obscures the front façade of the building causing substantial harm to the significance of the building as a heritage asset. The proposal is therefore contrary to The Framework, Policy 16 of the Adopted Central Lancashire Core Strategy and Policy BNE8 of the emerging Chorley Local Plan 2012 – 2026.

EXECUTIVE SUMMARY OF REPORT

- The unauthorised decking area has been refused planning permission It is considered that the timber decking area with close-boarded fencing, detracts from the attractive frontage to the building to such an extent that it causes substantial harm to the significance of the building. In those circumstances it is considered expedient to issue an enforcement notice.

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

BACKGROUND

5. This case relates to an unauthorised decking area which was erected without planning permission at the front of the Sirloin Inn. A planning application was submitted retrospectively for the decking which was considered at the last meeting of Development Control Committee and planning permission was refused. No appeal as yet has been lodged against the refusal of permission however in order to secure the removal of the decking area it would be appropriate for an enforcement notice to be issued. There is a right of appeal against the enforcement notice and in the event an appeal is lodged against the refusal of permission and the enforcement notice then the appeals would be conjoined and dealt with together.

ASSESSMENT

6. The planning merits of the development have already been considered in refusing planning permission for the development .It is considered that the timber decking area with close-boarded fencing, detracts from the attractive frontage to the building to such an extent that it causes substantial harm to the significance of the building. The decking is therefore considered unacceptable on the basis of its materials and that it obscures the front façade of the building which is a heritage asset.

IMPLICATIONS OF REPORT

7. 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

8. Any costs associated with the enforcement action will be contained within current cash budgets.

COMMENTS OF THE MONITORING OFFICER

9. Decking has been erected without planning permission; the applicant's application for retrospective planning permission has been refused. The issue of an enforcement notice requiring the removal of the decking area is a reasonable step. The Local Planning Authority must have regard to its Local Enforcement Plan. The recipient of the enforcement notice has the right to appeal the enforcement notice.

Jamie Carson
Director of Public Protection Streetscene and Community

Background Papers			
Document	Date	File	Place of Inspection

Planning Application	19 February 2015	15/00159/FUL	Civic offices Union Street
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Report Author	Ext	Date	Doc ID
Peter Willacy	5226	12/05/2015	***