

Report of	Meeting	Date
Corporate Director (Business)	Development Control Committee	03 February 2009

## ENFORCEMENT ITEM

### ERECTING OF FOUR LIGHTING COLUMNS – THE BOATYARD INN BOLTON ROAD WITHNELL CHORLEY PR6 8BP

#### PURPOSE OF REPORT

1. To consider whether it is expedient to take enforcement action in respect of the above case.

#### RECOMMENDATION(S)

2. That it is expedient to issue an Enforcement Notice in respect of the following breach of planning control:
  - i. Without planning permission the erecting of four lighting columns at The Boatyard Inn, Bolton Road, Chorley, PR6 8BP.
  - ii. Remedy for Breach
    - ii(a) Remove the four lighting columns from the land.
    - ii(b) Period for Compliance
    - ii(c) Three Months
    - ii(d) Reason:

The site is within the designated Green Belt and the area has a strong rural character. It is considered that the type of lighting proposed is above the minimum required for security and public safety and the proposal is therefore considered contrary to Policy EP21A of the Adopted Chorley Borough Local Plan Review. The lights would introduce a block of light that would undermine the character of the rural area and have a detrimental impact on the visual amenity of the Green Belt contrary to PPG2: Green Belts

## EXECUTIVE SUMMARY OF REPORT

3. Planning permission was granted under application 07/00794/Ful for an overspill car parking area for 37 vehicles at the premises. The additional area was sited to the south of the Inn some 15, metres distant. Within the application Helios style bollard lighting was approved to illuminate this additional parking area, two bollards were shown to be at the entrance of the newly formed parking area and two to the south boundary of the newly formed parking area.
4. The premises lie within the designated Green Belt. Green Belt Policy is set out in PPG 2: Green Belts and is re-stated in Policy DC1 of the Local Plan. Local Plan Policy DC1 states that, within the designated Green Belt, permission for development will not be granted except in very special circumstances, for development other than that defined within one of the seven criteria defined within that policy.
5. Policy EP21A of the Local plan specifically relates to development requiring external lighting and requires lighting schemes to be the minimum required for security and public safety, that light spillage will be minimized and there would be no nuisance to neighbors or adverse effect on the character of the area.
6. A retrospective planning application for the erecting of the lighting columns, 09/00053/FUL refers, has been presented on this agenda which has considered all Policy criteria, it is considered that the proposal is recommended for refusal for the reason as reported at 2 (ii)(d). Should members accept the Officers recommendation for refusal this report seeks authority to serve an Enforcement Notice to remove the unauthorized works.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

No alternative options have been considered.

## CORPORATE PRIORITIES

8. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	X
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

## BACKGROUND

9. The case relates to works carried out to erect four multi headed lighting columns within the curtilage area of the premises, two columns are sited to the east and west of the overspill car parking area, a further column is sited to the bottom of the newly formed road that leads to the overspill car park accessed from within the site area, the last column is located to the rear of the premises. These columns do not benefit from planning permission and a retrospective application was submitted for their retention that has been recommended for refusal.

## IMPLICATIONS OF REPORT

9. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		No significant implications in this area	X

J E MEEK  
CORPORATE DIRECTOR BUSINESS

Report Author	Ext	Date	Doc ID
Steve Aldous	5414	17 February 2009	ENF/08/0359