

## **Planning Committee – 16 April 2008**

### **Report of the Development Manager**

#### **Enforcement Item**

##### **Parish:**

1. **File/Complaint Number** E102/29/2007
2. **Location of Site** Lower Fyfett Farmhouse, Otterford, Chard, TA21 3QP
3. **Names of Owners** Mr J M Terry
4. **Name of Occupiers** Mr J M Terry
5. **Nature of Contravention**

Change of use of land to form access drive

6. **Planning History**

A complaint was received in April 2007 that the owner of the above property had commenced excavating an access track across an agricultural field. The purpose of the access track was not for agricultural purposes but to serve the domestic dwelling. The owner was contacted on 3<sup>rd</sup> May 2007 advising him that the works required planning permission as it constituted a change of use. A set of forms were enclosed with the letter. No contact or an application was received so in October 2007 a further letter was sent informing the owner that as no application had been received and the access track was still in place the matter would be reported to the Planning Committee for further action. An application was finally submitted in December 2007 but was not able to be registered as there were several items missing from the submission. Letters were sent requesting the information but to date nothing has been received. It has now been noticed that the property is being offered for sale

7. **Reasons for Taking Action**

It is considered that the provision of the access track across this agricultural field is a visual intrusion and detrimental to the visual amenities of the area. The site is located within the Blackdown Hills AONB. Therefore the development is contrary to Policy EN10 of the Taunton Deane Local Plan

8. **Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action subject to satisfactory evidence being obtained that the notice has not been complied with.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: Mr J A W Hardy 01823 356479**