

## **PLANNING COMMITTEE – 16TH AUGUST, 2006**

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

#### **ENFORCEMENT ITEM**

- Parish:** West Monkton
1. **File/Complaint Number** E188/48/2006
  2. **Location of Site** Former Poultry House, A38 Bathpool.
  3. **Names of Owners** Mrs L Wright
  4. **Names of Occupiers** Ashwood Timber Products and Activity Toys
  5. **Nature of Contravention**

Retail sales and display of sheds and play equipment

6. **Planning History**

An area of land in front of the former Poultry House in Bathpool has been excavated and an area of hard standing was being laid. Also fence posts were erected around the perimeter of the site. The owner was contacted and informed that the development constituted a change of use and therefore a planning application should be submitted. The owner stated that the business was relocating from Taunton Trading Estate, as that had been scheduled for redevelopment. A letter was sent on 19th June, 2006 to the owner requesting an application be submitted. Visits were made to the site and it was noticed that the works were continuing and timber sheds and play frames were being erected. Banner signs were displayed on the now erected boundary fence and the site open to the public. A further letter was sent on 11th July, 2006 requesting an application but nothing has been received. This letter prompted the owner to contact us stating that the initial letter was not received and that an application would be submitted without day. To date no application has been submitted and the site continues to be used. Further complaints have been received regarding the unauthorised banner signs and advertising material, which also requires advertisement consent.

7. **Reasons for taking Action**

The development in this semi rural location outside any recognised retail area is contrary to normal retail policy therefore contrary to Policies EC1 and EC10 of the Taunton Deane Local Plan. The access to and from the site involves vehicles using the A38. Near to the site entrance is a right hand turning lane leading to Monkton Heathfield. Vehicles using the site are in conflict with other road users within that lane creating a very dangerous situation. Also the degree of advertising displayed on the site is a distraction to road users approaching a junction onto the Principal Road A38.

8. **Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice and take prosecution action, subject to satisfactory evidence being obtained in the event that the notice is not 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 Tel: 356479**