

E/0234/43/15

ALLEGED UNAUTHORISED PORTACABIN ERECTED ON SITE OF TONEDALE MILL, WELLINGTON

OCCUPIER:

OWNER: MANCRAFT LTD
44 - 50 THE BROADWAY, SOUTHALL, UB1 1QB

Purpose of Report

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of a site office from the site.

Recommendation

That no further action be taken regarding the breach of planning control.

Relevant planning history

Planning permission was granted for the redevelopment of the former mill buildings (Ref: 43/07/0092). Development has commenced and the planning permission remains extant.

Development Plan Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2004), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

DM1 – TD Core Strategy – general requirements

National Planning Policy Framework - para 207 – enforcement

Determining issues and considerations

A complaint had been received in late 2015 regarding the porticabin stationed on the site. The complaint was concerned that the porticabin had been on site for some time and was unsightly. He also stated that the porticabin was unsafe as it was unsecured.

The structure has been located at the site for an extended period of time. Enquiries made with the owners representatives has established that it is proposed that it will

be used as a site office for the repair and redevelopment work on the site. If building works were underway on the site then the stationing of the portacabin would be deemed to be permitted development.

The exterior of the portacabin is generally in good repair. From the windows of the structure it could be seen that inside was littered with debris and rubbish.

The site is adjacent to a construction site that benefits from an extant planning permission for redevelopment and the Council is keen to facilitate such works where possible. If works were being undertaken on the site, then there would be no breach of planning control as the portacabin would benefit from permitted development rights. The applicant has confirmed its intention to commence redevelopment works shortly.

If an application were made to retain the portacabin until such time as works were commenced on the wider site, it is likely that such temporary permission would be granted. The portacabin, whilst visible within the street scene, is seen as part of the wider development site and is set against the backdrop of the former mill buildings which remain in poor condition. In this context, the presence of the portacabin is not considered to be detrimental to the visual amenity of the area. The portacabin does not have any adverse impact upon residential amenity or highway safety. Therefore, it is not considered expedient to take enforcement action at the present time.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Mr M Bale
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