

Planning Committee – 22 July 2009

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** 0216/29/08
2. **Location of Site** Hawthorn House, Bishopswood, Chard, TA20 3RS
3. **Names of Owners** Mr J Halloran
4. **Name of Occupiers** Ms Victoria Gold
5. **Nature of Contravention**

Occupation of mobile home as a separate unit of accommodation sited in garden curtilage.

6. **Planning History**

The complaint was investigated two years ago but at the time no positive evidence was obtained. However in July last year further complaints were received so the matter was re visited. Again it was proving difficult to obtain information so it was decided to serve a Planning Contravention Notice on both the alleged owner and occupier. The PCN was returned by the owner giving confirmation that the mobile home was being used by persons not related to the occupier of Hawthorne House ie as a separate unit of accommodation. The owner was informed of the need for planning permission but to date no application has been received.

7. **Reasons for Taking Enforcement Action**

The mobile home is not being used as ancillary accommodation in connection with the main dwelling therefore it is a separate unit of accommodation. The site is located in an area where new residential development is strictly controlled. There appears to be no proven functional need for a separate unit of accommodation therefore the development is contrary to Policy S1 and H13 of the Taunton Deane Local Plan.

8. **Recommendation**

The Solicitor to the Council be authorised to take Enforcement action 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 356466