

E/0085/27/15

**UNAUTHORISED RESIDENTIAL CARAVAN ALLEGEDLY AT KNAPP FARM,
HILLFARRANCE**

OCCUPIER:

OWNER: MR & MRS PEACE
KNAPP FARM, HILLFARRANCE ROAD, HILLFARRANCE
TAUNTON
TA4 1AN

PURPOSE OF REPORT

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To consider whether it is expedient to serve an Enforcement Notice requiring the cessation of residential occupation of and removal from the land the mobile home.

RECOMMENDATION

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

The Enforcement Notice shall require -

- the cessation of the residential use of the land;
- the removal from the land of the mobile home.

Time for Compliance

2 Months from the date on which the notice takes effect.

SITE DESCRIPTION

Knapp Farm is a Grade II listed dwelling that has undergone extensive and sympathetic renovation. The site comprises a range of outbuildings and three adjoining fields. Two fields have field gate access to the classified highway. There is a further domestic access between the dwelling and the outbuilding onto a small yard area. A new agricultural storage building has recently been erected in the adjacent field to the south west of the original outbuildings. A public right of way crosses the site and utilises the existing field gate in the northern field to gain access to the highway. The mobile home is located in the field to the southwest of the new agricultural storage building outside the recognised curtilage of the residential dwelling.

BACKGROUND

A previous complaint was received regarding a mobile home on the site adjacent to the dwelling. Following an investigation into this matter an enforcement notice was served in December 2013. This required the mobile home to be removed by late

October 2014.

A further complaint was received in March 2015 stating that the mobile home had been relocated to a position behind the new storage building.

Upon inspecting the site your officers have identified that the mobile home has been used for residential accommodation. The owners of the site have admitted that the mobile home is used intermittently by a family member (of no fixed abode). The owners have no knowledge of when the occupant comes and goes from the property and that he is at times away for extended periods while working. It is understood that the occupant does not leave any personal items in the building, bringing bedding and personal effects with him each time he visits.

DESCRIPTION OF BREACH OF PLANNING CONTROL

Without planning permission the change of use of the land to residential for the stationing of a mobile home.

RELEVANT PLANNING HISTORY

There have been various applications for listed building consent for alterations to the main dwelling, and applications for new agricultural tracks, access alterations and the erection of new structures including new barn adjacent to the mobile home.

RELEVANT PLANNING POLICES

National Policy, Guidance or Legislation

NPPF paragraph 207

Taunton Deane Local Plan 2011 - 2028

DM1 - General Requirements

DM2 - Development in the Countryside

SP1 - Sustainable Development Locations

DETERMINING ISSUES AND CONSIDERATIONS

The caravan represents a new dwelling in open countryside. The site is located in a remote location, distanced from facilities and services required for day to day living. It is, therefore, considered that residents of the caravan would be reliant on the private motor vehicle for most of their day to day needs.

New dwellings in locations such as this are considered to be unsustainable in transport terms and are contrary to the settlement policies in the Taunton Deane Core Strategy, specifically Policies SP1 and DM2. There do not appear to be any other reasons or material considerations that would indicate that the stationing of the

caravan would be acceptable and outweigh those settlement policies.

It is, therefore considered that the unauthorised development is unacceptable. If any application for planning permission were made, it would likely be recommended for refusal. It is, therefore, considered to be expedient to take enforcement action.

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

PLANNING OFFICER:

PLANNING ENFORCEMENT OFFICER: Christopher Horan

CONTACT OFFICER: Christopher Horan, Telephone 01823 356479