

Planning Committee – Wednesday 11 August 2010

Enforcement Item

1. File/Complainant Number: E/0315/34/09

2. Location of Site: 6 SHOWELL PARK, STAPLEGROVE, TAUNTON,
TA2 6BY

3. Name of Owner: Mr and MRS G HILL
SUMMER PLACE
FONS GEORGE ROAD
TAUNTON
TA1 3JU

4. Names of Occupiers: Mr M WILSON
6 SHOWELL PARK
STAPLEGROVE
TAUNTON
TA2 6BY

5. Nature of Contravention: Car sales business running from residence at 6
Showell Park, Staplegrove, Taunton

6. Background and Consideration

Complaint was received on 8th October 2009 that a number of vehicles were being parked at the premises and it had been noticed, especially at weekends, that persons were visiting the property and viewing the vehicles. A Planning Contravention Notice (PCN) was served on 13th October 2009 to ascertain what activity was occurring at the Property. A reply was received within the prescribed time from Mr Wilson stating that he was a motor trader operating as Mr Carz Ltd and the business was located at St Audries Garage, West Quantoxhead. It was stated that Mr Wilson changes his cars daily and sometimes meet other traders at his home to exchange cars as its more convenient.

After this the activity appeared to diminish but April 2010 additional cars appeared at the premises and neighbours observed sales taking place, test drives etc at all hours of the day and evening. Information was received that the premises at West Quantoxhead had been vacated by Mr Carz Ltd. A letter was sent to Mr Wilson on 27th May 2010 enclosing a further PCN. To date no reply has been received. Since then we have received lists of vehicle registration numbers from neighbours indicating that there are more vehicles at the premises than one would normally expect. On 13th July 2010 a letter was sent to the owner of the property advising that the matter would be referred to the Planning Committee recommending Enforcement Action be taken. Mr Hill telephoned to say that Mr Wilson was actively finding premises to operate the business, had now found a suitable location and would be removing the vehicles by the end of the week. He pointed out that Mr Wilson owns two cars, his partner has a car and the two lodgers have a car each so there will always be 5 cars at the property.

Two calls were received on 27th July 2010 from neighbours confirming that the

vehicles are still at the property and on the highway and sales etc are still taking place. In addition a caravan has been brought to the site.

It is considered that, on the evidence available, retail sales are continuing to occur at the property. This has a detrimental impact on the amenities of the neighbouring property, due to the disturbance caused by people visiting the site, test driving vehicles and conducting their business with the occupier of the property. The highway at this point, being a residential road, is fairly narrow and the additional parking of vehicles for sale and visitors to the site causes inconvenience to neighbouring residents. For these reasons, the activity is considered to be unacceptable

7. Reasons for Taking Action

The retail selling of vehicles from the Property is considered detrimental to the amenities enjoyed by the occupants of the adjoining residential properties by reason of disturbance from members of the public viewing the cars, loss of privacy and inconvenience due to the narrowness of the highway. Therefore the use is contrary to Policies S1,S2 and EC7 of the Taunton Deane Local plan.

8. Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice on the owner and occupier to cease offering motor vehicles for sale at the property and remove from the property all motor vehicles being offered for sale. To take prosecution action, subject to satisfactory evidence, that the notice has not been complied with

Contact Officer John A W Hardy 356466