

Planning Committee – Wednesday 20 May 2009

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** 19/09/0001
2. **Location of Site** Unit 1,Hatch Mews Business Park, Hatch Beauchamp, Taunton
3. **Names of Owners** Carol Howie, T/A RS 2000 Properties, Tidley Farm, West Hatch, TA3 5RN
4. **Name of Occupiers** JAG Care
5. **Nature of Contravention**

Change of use of Unit 1from B1 to B2 for repair and servicing of motor vehicles

6. **Planning History**

The proprietors of JAG Care took up the tenancy of the unit in the knowledge that a change of use application would have to be applied for. An application was submitted on 3rd March 2009 shortly after occupying the premises. The application was subsequently refused under delegated powers on 24th April 2009

7. **Reasons for Taking Action**

Due to the proximity of residential properties the site is not considered suitable for a B2 use which by definition in a use considered appropriate in a residential area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. The development therefore conflicts with the requirements of Policy S1 (E) of the Taunton Deane Local Plan. The increased use of the existing access onto a substandard junction together with the generation of additional conflicting traffic movements is prejudicial to road safety and contrary to the requirements of Somerset and Exmoor National Park Structure Plan policy 49.

8. **Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice 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.

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