

Planning Committee – Wednesday 29 June 2011

Report of the Development Manager

Enforcement Item

- 1. File/Complaint Number** 24/11/0010 and E0078/24/05
- 2. Location of Site** 18 Windmill Hill, North Curry
- 3. Name of Owners** Mr and Mrs D Turney
- 4. Name of Occupiers** Unoccupied at present
- 5. Nature of Contravention**

Stationing of mobile home on agricultural land for storage of domestic items

6. Planning History

The mobile home lies to the rear of 18 Windmill Hill and is accessed via a track between 14 and 16. The mobile home is understood to have been sited as ancillary to no.18. The site is however considered to be outside of the curtilage of the property and as such, planning permission is required for the siting.

The mobile home was brought to the site following the failing health of the owner of 18 Windmill Hill, Mr R Hector. His grandson resided in the unit occasionally to keep a check on his grandfather. Mr Hector died in October 2009 but the mobile home continued to be occupied on occasions. The owner's daughter, Mrs W Turney was contacted in 2010 requesting that the mobile home be removed as there was now no need for the unit to be on site. Due to adverse weather it was not possible to move the unit. However during the summer months the mobile home remained on site. Mrs Turney was contacted and requested to remove the mobile home but she stated that It was decided to renovate 18 Windmill Hill together with the provision of an extension and the mobile home was to be used as storage of items during this period.

A planning application was required for a change of use as the mobile home was not sited within the domestic curtilage of the property. An application was submitted and validated on 14th April 2011 but was subsequently refused under delegated powers on 1st June 2011.

It was considered that although the mobile home is positioned to the rear

of the site and viewed against the backdrop of the hedge, it is stark in appearance and does not blend in with the hedge or the adjacent outbuildings. The outbuildings are dark in colour; and of materials and a design typical of agricultural buildings. The mobile home therefore appears as an incongruous feature, alien to the appearance of the countryside, to the detriment of the rural character of the surrounding landscape.

It was also considered that it would set an undesirable precedent for the siting of mobile homes in inappropriate locations and it has not been demonstrated that the outbuildings already present on the site could not be used for the required storage.

7. Reasons for taking Enforcement Action

The mobile home appears as a stark and incongruous feature, out of keeping with the countryside location to the detriment of the character and appearance of the rural landscape. There is also no sufficient justification given for the retention of the mobile home. As such the development is contrary to policies S1 (General Requirements) and EN12 (Landscape Character Area) of the Taunton Deane Local plan.

8. Recommendation

The Solicitor to The Council be authorised to commence Enforcement action in order to secure the removal of the mobile home within 2 months from when the notice takes effect and take Prosecution proceedings 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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