

## Planning Committee – Wednesday 09 Feb 2011

### Report of the Development Manager

#### Enforcement Item

#### Parish:

1. **File/Complaint Number** E/0137/44/10
2. **Location of Site** Brimstone Barn, Brimstone Lane, Rockwell Green, Wellington TA21 9QE
3. **Names of Owners** Mr Derrick Alford
4. **Name of Occupiers** Ms J Andrews
5. **Nature of Contravention**

CHANGE OF USE OF LAND FROM AGRICULTURAL TO RESIDENTIAL AT BRIMSTONE BARN, BRIMSTONE LANE, ROCKWELL GREEN, WELLINGTON

#### 6. **Planning History**

It was brought to the Council's attention that two structures had been constructed in an agricultural field adjacent to Brimstone Barn. The structures have mesh runs attached and are used to accommodate a number of small dogs. The occupier was approached and information received that the dogs were privately owned and not used for commercial breeding purposes. The use of the agricultural field has therefore changed to domestic purposes. An assessment has been made and it is considered that the change of use of this field would not be acceptable. The occupier has stated that it is her intention to stay for a maximum of another 6 months until she finds a suitable alternative location. In order that the land can not benefit from an established use it is intended to issue an Enforcement Notice but with a compliance time of 6 months to allow for the occupier to relocate.

#### 7. **Reasons for Taking Enforcement Action**

It is considered that a change of use to domestic use with the possibility of increased associated paraphernalia that comes with such a change of use would lead to a domestication of the open countryside. The cumulative effect of which would be detrimental to the character and appearance of the rural area. Contrary to Policies S1 of the Taunton Deane Local Plan and advice contained in PPS 7.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice with a 6 months compliance time. Also to 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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