

E/0315/27/11

**CARAVAN OUTSIDE OF DOMESTIC CURTILAGE AT KNAPP FARM,
HILLFARRANCE ROAD, HILLFARRANCE, TAUNTON**

OCCUPIER:

OWNER: TRACEY DALEY & MIKE PEARCE
KNAPP FARM, HILLFARRANCE ROAD, HILLFARRANCE
TAUNTON
TA4 1AN

PURPOSE OF REPORT

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 mobile home.
- the removal from the land of the mobile home, fencing and other items associated with the domestication of the agricultural field

Time for compliance - 3 months from the date of the notice coming into 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 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 north east of the dwelling and outside the recognised curtilage of the property.

BACKGROUND

The mobile home was brought to the site shortly after the purchase of the dwelling. The condition of the dwelling was such that it was uninhabitable and therefore alternative living arrangements had to be provided. The mobile home was sited outside the domestic curtilage of the dwelling. It transpired that the owners were not intending to reside in the mobile home but their daughter and her partner would be as they were to be employed on the renovation project. The works continued at a slow pace and concerns were raised that the mobile home was still being occupied even though the house was nearing completion. A visit was made on 5 July 2013 and it was clear from that visit that Knapp Farm was capable of being occupied and therefore the use of the mobile home should cease. The owners intend to carry out further projects and wish for

the mobile home to remain. They were informed by letter that an application should be submitted to retain the mobile home within 56 days from the date of the letter. To date no valid application has been received.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The use of the mobile home whilst the property renovations were taking place was considered to be permitted development. Now that the dwelling is capable of being occupied the use of the mobile home for residential purposes is unauthorised and should be removed from the land. The mobile home can be relocated to within the domestic curtilage of the dwelling and used as ancillary accommodation but the site would need to be occupied and used as a single residential unit. At present no persons reside in the main house.

RELEVANT PLANNING HISTORY

There have been various applications for listed building consent for alterations to the main dwelling, and applications for new agricultural tracks and access alterations.

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

There have been various applications for listed building consent for alterations to the main dwelling, and applications for new agricultural tracks and access alterations. None are considered to have a bearing on this matter.

Now that the dwelling is capable of occupation, the adjoining 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:

Mr M Bale

PLANNING ENFORCEMENT

Mr J A W Hardy

OFFICER:

CONTACT OFFICER: Mr J A W Hardy, Telephone 01823 356466