

Planning Committee – 20 March 2013

Enforcement Item

1. **File/Complaint Number** E/0181/46/10
2. **Property** Alebar Farm, Bussels Farm Lane, Blackmoor, West Buckland. TA21 9LJ
3. **Owner** Mrs Alison Routley.
4. **Nature of Complaint** Residential occupation of a Mobile Home without any agricultural justification.
5. **Planning History** – members may recall that a report was presented to the Planning Committee on 23rd March 2011 requesting authority to serve an Enforcement notice for the unauthorised occupation of a mobile home at the above. The Notice was served on 21st December 2011 and came into effect on 1st February 2012. The notice had to be complied with within 6 months of the notice coming into effect i.e. 1st August 2012. Negotiations continued with the owner after the service of the notice to try and resolve the situation. Promises were made that an application would be submitted with supporting evidence that the mobile home was needed to care for the animals etc. No application was forthcoming. A letter was received dated 22nd August 2012 from the owner stating that she had been ill and was having help from friends to run the farm and requested more time to apply for planning permission. Legal Services wrote to Mrs Routley agreeing to one month's extension in order that the application could be prepared however no application was received. A further letter was received dated 14th September 2012 stating that she had enlisted the help of her partner to help run the farm and a new application would be submitted which would include her partners contribution to the enterprise. To date no application has been received. A prosecution file was therefore prepared to take action over the non compliance of the enforcement notice. The matter was scheduled to be heard in the Magistrates Court on Friday 22nd February 2013 however Mrs Routley wrote to the Court requesting an adjournment due to her partner's daughter having to sit exams. This was granted and the case is due to be heard on 22nd March 2013

6. The purpose of this report is to inform Members that we have received information that Mrs Routley is to vacate the land after her partner's daughter (who also resides in the mobile home) completes her 'A' level examinations at Richard Huish College. A list of dates has been obtained from her college and the last exam is 14th June 2013. We have confirmation that within two weeks of that date the mobile home and farm will be vacated. Mrs Routley and her partner have purchased a farm in Helston in Cornwall.

Recommendation.

Members are requested to agree to defer the prosecution action scheduled for 22nd March until July 2013 in order to allow the owner to relocate as confirmed. Should this not occur the prosecution action will continue.

Contact Officer John A W Hardy 01823 356466