

## Planning Committee – Wednesday 24 March 2010

### Report of the Growth and Development Manager

#### Enforcement Item

#### Parish:

1. **File/Complaint Number** 30/09/0018
2. **Location of Site** Westercombe Deer Park, Westercombe Estate, Culmhead, Taunton
3. **Names of Owners** Mr and Mrs Hankey and Ballacallow Property Co Ltd, Westcombe Estate, Culmhead, Taunton, TA3 7DT
4. **Name of Occupiers** Ms JM Gilroy
5. **Nature of Contravention**  
Continued occupation of an agricultural mobile home
6. **Planning History**

Temporary Planning permission was granted for a mobile home for an agricultural worker in 1999. The permission was subsequently renewed every 3 years until 2006. When the last application was renewed, additional information attached to the certificate advised the applicant that it is unlikely that a further renewal would be looked upon favourably. This permission subsequently expired on 30th June 2009. Despite the note the applicant submitted a further application after the expiry date in July 2009 but information regarding the viability of the enterprise, location plan, correct fee, details of the mobile home etc were missing therefore the application has not been registered. The applicant has been contacted many times requesting the information but nothing has been forthcoming. The applicant is still residing in the mobile home and tending her red deer.

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

No agricultural need for the occupation of the mobile home has been submitted, so the siting and occupation of the mobile home is contrary to guidance in Planning Policy Statement 7, Annex A. The business does not appear to have been planned on a sound financial basis, insufficient information having been submitted to justify the forecast costs and incomes, contrary to guidance contained in Planning Policy Statement 7, Annex A.

Consequently, it represents unjustified development in the open countryside, increasing the likely need to travel by private transport, contrary to policies S1 (General Requirements) and S7 (Outside Settlement) of the Taunton Deane Local Plan and policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review.

It is also considered that due to the number of renewals for the mobile home in the past it would not be appropriate to continue to renew the permission following the information contained on the last planning approval.

## **8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice to secure the cessation of the occupancy of the mobile home. Also take prosecution action subject to satisfactory information 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.**

**CONTACT OFFICER:**

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