

E/0044/36/16

Unauthorised siting of a mobile home at Curryload Farm, Curload Road, Curload, Stoke St Gregory

OCCUPIER:

OWNER: MR CHEDZOY
CURRYLOAD FARM, CURLOAD ROAD, CURLOAD STOKE ST
GREGORY
TAUNTON
TA3 6JA

Purpose of Report

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of a mobile home in the grounds of Curryload Farm, Curload.

Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice and take Prosecution Action subject to sufficient evidence being obtained should the notice not be complied with.

The Enforcement Notice shall require:

- a. Cease the use of the site for the stationing of a mobile home.
- b. Remove the mobile home from the site.
- c. Remove all residential and domestic equipment and materials associated with the unauthorised use from the site.

Time for compliance:

With regards to a) above 6 months from the date on which the notice takes effect.

With regards to b) above 6 months from the date on which the notice takes effect.

With regards to c) above 6 months from the date on which the notice takes effect.

Background

A complaint was received in February 2016. Investigations have been carried out and a Planning Contravention Notice has been issued. It appears that the mobile home has been sited in this location for two years. It was first sited in January 2015 while the owner of the farm was poorly for a temporary period but has remained to date. The present family has occupied the mobile home since February 2016. You should be aware that the family are currently listed on Homefinder Somerset and have been placed in Bronze Band.

Description of breach of planning control

The siting of a mobile home as an independent dwelling requires planning permission. The family occupying the mobile home are not related to the owner but are friends.

Relevant planning history

There is no previous planning history relating to the area of land occupied by the mobile home but there are applications for the farm in the 70's, 80's and 90's.

Development Plan Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2004), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

Taunton Deane Core Strategy 2011-2028
Policy SP1 - Sustainable Development Locations
Policy CP1 - Climate Change
Policy CP4 - Housing
Policy CP6 - Transport and Accessibility
Policy CP8 - Environment
Policy DM1 - General Requirements
Policy DM2 - Development in the Countryside

Draft Site Allocations and Development Management Plan
Policy SB1 - Settlement Boundaries

Determining issues and considerations

The existing mobile home on the site is occupied by a family that have no connection to the site owner or to the running of the farm. The mobile home is therefore a new dwelling in the countryside contrary to policies CP1, DM2 and CP8. The site forms the front courtyard to the traditional thatched farmhouse which is gable end to the road running through Curload. The site is bounded by a low brick boundary wall to the road and southern boundary and a higher brick wall and farm building to the east. The front garden area is flat, open and clearly visible from the road. The mobile is in a prominent location and is visible from the road and detracts from the character of the existing property.

If the mobile home were utilised in connection with the farm then there would be an argument for allowing it to be kept and ensuring the residential use ceased, however

in the circumstances it is considered appropriate that the mobile home be removed from the site to ensure both the cessation of the residential use and the adverse impact on the amenity of the area.

It is therefore considered appropriate to take the necessary enforcement action and allow a suitable time for compliance given the current occupants.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998.

PLANNING OFFICER: Mr G Clifford
PLANNING ENFORCEMENT OFFICER: Mrs A Dunford

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