

**E/0046/30/11**

**USE OF LAND FOR THE SITING OF TWO CARAVANS TOGETHER WITH RESIDENTIAL OCCUPATION, FIELD IN CHURCHSTANTON, TAUNTON**

**OCCUPIER:** MR GRAHAM WYBURN

**OWNER:** MR GRAHAM WYBURN  
8 CHESTNUT CLOSE, WELLINGTON, TA21 8ET

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**PURPOSE OF REPORT**

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of two caravans and cease residential occupation of the site at Gypsy Platt, Blagdon Hill, Pitminster, Taunton.

**RECOMMENDATION**

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action should the notice not be complied with, to secure the removal of the two caravans and cease residential occupation of the site.

The Enforcement Notice shall require:-

- to secure the removal of the two caravans and cease residential occupation of the site.

Time for compliance: 6 months from the date the notice comes into effect.

**SITE DESCRIPTION**

The site is off an unnamed road between Corfe and Churchstanton. The site can be seen on the right hand side of the track leading to Burnworthy Manor. The occupier states that the land is used for pheasant rearing and the site is well screened on the northern boundary by tall trees and hedgrows.

**BACKGROUND**

The complaint was brought to the Council's attention in February 2011. A site visit was carried out but access to the site was unobtainable. A Land Registry search was carried out to establish the owner. Contact was made with the owner and a Planning Contravention Notice was served. It revealed that the owner had lived on the site for eight years. The owner was invited to submit a Planning application for consideration to retain the caravans for residential use. To date this application has not been received.

**DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL**

The siting of two caravans and residential occupation of the site on agricultural land requires planning permission.

**RELEVANT PLANNING HISTORY**

There is no planning history for the site.

## **RELEVANT PLANNING POLICES**

### National Planning Policy Framework

Enforcement (Paragraph 207)

Section 11 – Conserving and enhancing the natural environment

### Somerset and Exmoor National Park Joint Structure Plan Review

STR1 - Sustainable Development

STR6 - Development outside Towns, Rural Centres and Villages

### Taunton Deane Local Plan 2004

S1 – General Requirements

S7 – Outside Settlements

EN12 – Landscape Character Areas

### Taunton Deane Borough Council Core Strategy 2011-2028

DM1 – General Requirements

DM2 – Development in the Countryside

## **DETERMINING ISSUES AND CONSIDERATIONS**

The site lies in a remote location within the Blackdown Hills Area of Outstanding Natural Beauty. Policy S7 of the Taunton Deane Local Plan restricts development to that which: (a) is for the purposes of agriculture or forestry; (b) accords with a specific development plan policy or proposal; (c) is necessary to meet environmental or other legislation; or (d) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits to settlements.

No evidence has been provided to demonstrate that the development is in accordance with any element of this policy. Furthermore, paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Again, no evidence has been submitted to demonstrate that there is a need for a rural worker to reside on this site.

The site lies outside of any development limit and is remote from any urban area, and is therefore distanced from adequate services and facilities. As a consequence, there would be a need to travel to and from the site for most of the resident's daily needs. Due to the remote location, where there is very limited public transport available, it is highly likely that the occupiers would depend on the use of the private car for most journeys to access facilities and services, fostering growth in the need to travel, contrary to the objectives of Government sustainable transport policy, as expressed in Part 4 of the NPPF and reflected in the Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6.

The two caravans are positioned alongside the field hedge in close proximity to the

country lane linking the main road to Churchstanton. Whilst an extensive line of mature trees prevent views of the caravans from the main road, they are visible from the country lane. The caravans are stark in appearance and do not blend in with the natural features of the surrounding countryside. The caravans therefore appear as incongruous features, alien to the rustic appearance of the countryside, to the detriment of the rural character of the Blackdown Hills Area of Outstanding Natural Beauty. Furthermore, their retention would set an undesirable precedent for the siting of caravans in inappropriate locations.

It is therefore considered that enforcement action should be taken to secure the removal of the two caravans and cease residential occupation of the site.

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

**PLANNING OFFICER: Mrs K Walker**  
**PLANNING ENFORCEMENT OFFICER: Mrs A Dunford**

**CONTACT OFFICER: Mrs A Dunford, Telephone 01823 356479**