

Taunton Deane Borough Council

Planning Committee – 18 April 2012

E/0163/30/10

LAND USED FOR STORAGE OF BUILDERS MATERIALS, PITMINSTER

OCCUPIER:

OWNER: MR P A ADAMS
MINSTER EDGE, PITMINSTER, TAUNTON
SOMERSET
TA3 7AT

PURPOSE OF REPORT

To consider whether it is expedient to take Enforcement action to secure the removal of building materials, building equipment and other associated materials and reinstate the land to its former use.

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:

- cease the use of the land for the storage of buildings materials,
- secure the removal of building materials, building equipment and other associated materials and
- reinstate the land to its former use.

Time for compliance - 3 months from the date the notice takes effect.

SITE DESCRIPTION

The site is located to the North of Minster Edge and comprises a narrow strip of land approx 100 m long and on average 10m wide. It is accessed from an existing access which also serves a Wessex Water facility. The site is adjacent to the road leading from Pitminster to Poundisford and is screened from the highway by a substantial hedge and tree belt.

BACKGROUND

Complaints have been made about the activity on this and an adjoining site for a number of years. The owner who is a local builder, was approached and requested to remove small items of builders equipment that were stored on the land. This was undertaken so the cases were closed. However in June 2010 a complaint was made that the area of land in question was becoming full of equipment and materials. No further complaints were received so it was assumed the activity had ceased much like the others. Further anonymous complaints were received prior to the new

Enforcement policy being adopted so the matter was looked at again when it was found that the majority of the land was being used as a builders storage yard far in excess of what was stored in the past.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The owner is a local Builder and it is clear from the items that are stored on the land that the site is used for the every day running of the business. The land is used to store items such as sand, gravel, timber, scaffolding and all manor of associated equipment. No change of use application has been made to regularise the situation. Although the site is not that visible from the highway the land is open to view from the South and East where the items can be seen from various vantage points. The access to the site has restricted visibility and although the highway is unclassified it carries vehicles travelling from the village of Pitminster and surrounding areas into Taunton. The land would benefit from substantial screening on all sides which would help to obscure the items stored on the land from view.

RELEVANT PLANNING HISTORY

No Planning applications have been made on the site.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Enforcement (Paragraph 207)

Section 11 – Conserving and enhancing the natural environment

Taunton Deane Local Plan 2004

S1 – General Requirements

S7 – Outside Settlements

EN12 – Landscape Character Areas

DETERMINING ISSUES AND CONSIDERATIONS

The site lies in a remote location within the countryside. As such, there would be a need to travel to and from the site to collect/deposit materials, fostering growth in the need to travel. On sustainability grounds, this countryside location is not considered appropriate for the storage of building materials, which should be taking place on a site designated for such purposes, such as an established industrial estate.

The lane between Pitminster and Poundisford is a rural country lane with tree lined hedgerows, giving it a very rural character. Whilst at certain times of the year, the roadside hedgerow may provide improved screening, at the current time the hedge is sparse and allows clear views of the building materials being stored. These materials appear alien and stark in appearance and do not blend in with the natural features of the surrounding countryside.

The building materials therefore appear as incongruous features, alien to the rustic appearance of the countryside, to the detriment of the character of the surrounding rural landscape. Furthermore, the continued storage of such materials would set an undesirable precedent for storage in inappropriate and remote locations.

It is therefore considered that enforcement action should be taken to cease the storage of building materials on this 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: Mr J A W Hardy

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