

**E/0171/44/12**

**STATIONING OF CARAVAN ON LAND OPPOSITE GIDLAND'S HOUSE,  
WELLINGTON HILL, WELLINGTON**

**OCCUPIER:**

**OWNER:** MS K McNICHOL  
8 CROSSLANDS, TONEDALE, WELLINGTON  
TA21 0AS

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**PURPOSE OF REPORT**

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of the small touring caravan.

**RECOMMENDATION**

The Solicitor to the Council be authorised to serve an Enforcement Notice and take Prosecution action subject to satisfactory evidence being obtained that the Notice has not been complied with.

The Enforcement Notice shall require -

- The removal of the touring caravan from the land.
- Time for compliance - 30 days from the date the notice comes into effect.

**SITE DESCRIPTION**

The field containing the touring caravan is located south west of Gidland House on the west side of Wellington Hill. The site is located in an isolated location within the Blackdown Hills AONB. The field rises steeply from the road with the caravan located halfway up the field adjacent to two agricultural buildings in various states of repair. The land is surrounded by trees and hedges to the north west and south. The wider area is characterised by woodland planting and fields across the steep escarpment.

**BACKGROUND**

The matter was first brought to the Council's attention in October 2012. A site visit was carried out but no one was on site. It was difficult to locate the owner but eventually, the owner outlined the purpose of the mobile home and the use of the land. At the time she was residing in a mobile home about 2 miles away in the Mid Devon District Council area. She stated she needed the caravan for refreshments etc whilst tending her animals. At the time of the visit there was a chicken in a small coop and some horses. It was agreed to monitor the site as the owner said more animals would be brought to the site and the agricultural activity would increase, however, no more animals were brought to the site over the months and the caravan did not appear to be used. A Planning Contravention Notice was served on 15 April 2013 to try and establish what the land was and is being used for. Again it was stated that the land was to be used for grazing by horses and the keeping of sheep. To date no animals have been on the land and it is therefore considered that the caravan is not required for the purposes of agriculture.

## **DESCRIPTION OF BREACH OF PLANNING CONTROL**

Touring caravans and mobile homes are often stationed on land where they are used for purposes such as a place to prepare refreshments whilst tending the land, the keeping of medicines etc. They can also be used as sleeping accommodation when a seasonal activity on the farm is underway, ie lambing. In this instance however, there is no agricultural function occurring on the land therefore the caravan cannot be considered necessary for the purposes of agriculture.

Its location is a prominent feature on the land and is visible from the road especially as the land slopes steeply. There are two buildings on the site that could be used for a purpose connected with agriculture should a secure or weatherproof building be required.

As it is not required, a change of use for the storage of a caravan has occurred.

## **RELEVANT PLANNING HISTORY**

No planning history exists for the site.

## **RELEVANT PLANNING POLICES**

### National Policy, Guidance or Legislation

NPPF - Paragraph 207

### Taunton Deane Local Core Strategy 2011 - 2028

DM1 - General Requirements

DM2 - Development in the Countryside

CP8 - Environment

## **DETERMINING ISSUES AND CONSIDERATIONS**

The site lies in a remote rural area within the sensitive landscape of the Blackdown Hills Area of Outstanding Natural Beauty. There are two buildings in close proximity to the caravan and the site is clearly visible from the adjacent road.

The caravan does not relate well to any surrounding built features and is prominent in appearance and does not blend in with the natural features of the surrounding countryside. The caravan therefore appears as an incongruous feature, 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, the retention of the caravan would set an undesirable precedent for the siting of caravans in inappropriate locations. The caravan would therefore be contrary to policies CP8 (Environment) and DM1 (General Requirements) of the Taunton Deane Core Strategy.

The issue for consideration is therefore whether the retention of the unauthorised caravan on site is essential to support any rural business or agricultural need.

The site is being used to house a small chicken coop and some horses with no other agricultural activity. As such, it is considered that there is no agricultural need for the caravan to be on the site and any jobs undertaken on the site would be carried out during a normal working day with shelter being provided within the existing timber buildings on the site. The proposal is therefore also contrary to Policy DM 2

(Development in the Countryside).

In summary, there is no requirement or need for the caravan to be on the site and does not provide any function that cannot be undertaken by the existing timber buildings. The siting of the caravan is detrimental to the visual amenity and character of the Area of Outstanding Natural Beauty. It is therefore considered expedient to take enforcement action to serve an Enforcement Notice requiring the removal of the caravan.

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

**PLANNING OFFICER: Mr D Addicott**

**PLANNING ENFORCEMENT OFFICER: Mr J A W Hardy**

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