

Planning Committee – 18 November 2009

Report of the Growth and Development Manager

Enforcement Item

Parish:

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| 1. | File/Complaint Number | E0138/35/09 |
| 2. | Location of Site | Bullockfield Hill, Stawley, WELLINGTON, |
| 3. | Names of Owners | Mr and Mrs Oyston |
| 4. | Name of Occupiers | As Above |
| 5. | Nature of Contravention | Stationing of a mobile home on the site for residential purposes. |
| 6. | Planning History | |

A complaint was received in April this year that a mobile home had been moved on to a recently acquired small holding. A site visit was made and the owners interviewed regarding their plans for the site. Mr Oyston confirmed that he had appointed agents to submit an application to retain the mobile home but at the present time it was not used for any residential purpose and was not connected to any services. He confirmed that they were living at Gamlins farm Touring site at Greenham. This was later confirmed by the owner of the Greenham site. A application was submitted in July by Greenslade Taylor Hunt supported by an agricultural appraisal. However, the appraisal did not justify the full time occupation of the mobile home and to prevent the application being refused the agents decided to withdraw the application with a view to resubmit with more supportive evidence. To date this has not been forthcoming and it would appear that the caravan is now connected to services and is being occupied by Mr and Mrs Oyston and used as a dwelling. A further site visit has been carried out which confirms this.

7. Reasons for Not Taking Enforcement Action

In the absence of an agricultural need 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 with the recent Planning application 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.

8. Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice and take prosecution action, subject to satisfactory evidence 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.

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