

**E/0196/10/15**

**UNAUTHORISED SITING OF MOBILE HOME AND CHAGE OF USE OF STABLE TO RESIDENTIAL OCCUPATION AT FAIRFIELD STABLES, MOOR LANE, CHURCHINFORD**

**OCCUPIER:**

**OWNER:** Ms S LOCK  
FAIRFIELD STABLES, MOOR LANE, CHURCHINFORD  
TAUNTON  
TA3 7RW

---

## **Purpose of Report**

To consider whether it is expedient to serve an Enforcement Notice requiring the unauthorised change of use of the site to cease and the removal of all materials relating to the activity from the site.

## **Recommendation**

The Solicitor of the Council be authorised to service 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:

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

Time for compliance:

With regards to a) above 3 months from the date on which the notice takes effect.

With regards to b) above 3 months from the date on which the notice takes effect.

With regards to c) above 3 months from the date on which the notice takes effect.

With regards to d) above 3 months from the date on which the notice takes effect.

## **Description of Breach of Planning Control**

Without planning permission the unauthorised change of use from stable building to residential dwelling and the stationing of a mobile home for residential purposes.

## Site Description

The site is on the northern side of Moor Lane just to the east of Churchinford in the Blackdown Hills AONB. The site comprises of an open agricultural field and a collection of three stable buildings and a mobile home near the southern boundary of the site adjacent to Moor lane. The existing buildings can be seen on occasion when approaching from the east along Moor Lane. There is a hedge along Moor Lane, to a height of approx. 2m. Fairhouse Farm, a Grade 2\* Listed Building lies on the southern side of the road.

## Relevant planning history

10/96/0014	Erection of stables, approved 29/10/96.
10/97/0003	Erection of Storage Barn and formation of Hard Surface Access, approved 08/04/97.
10/97/0018	Erection of Conservation Pond, approved 18/12/97.
10/01/0011	Formation of all weather manege, approved 19/06/01.
10/03/0036	Stable block, approved 06/11/03.
10/06/0034	Retention of sand arena, refused 17/04/007; enforcement action agreed 23/05/07.
10/07/0028	Retention of sand arena (amended proposal), approved 03/12/07.
10/08/0026	Change of Use for the provision of a temporary occupational dwelling in the form of a mobile home for a period of 3 years, refused 27/11/08
10/13/0032	allowed on appeal 03/09/09 change of use of land for the siting of an occupational mobile home, Invalid application.
10/14/0025	Erection of detached dwelling on land. Refused 02/10/2014. Appeal dismissed 19/02/2015.

## Development Plan Policies

### National Planning Policy Framework

Paragraph 55  
Para 207 – Enforcement

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

SP1 - Sustainable Development Locations  
DM1 - General Requirements  
DM2 - Development in the Countryside  
CP8 - Environment

## Determining issues and considerations

The site is in open countryside in a location some 600m from Churchinford. The mobile home is distinctly visible from the adjacent highway. The original application was refused, but allowed on appeal for a temporary period, which has lapsed.

The NPPF has guidance on the promotion of sustainable development in rural areas, and that Local Planning Authority 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. In terms of Taunton Deane Core Strategy, Policies SP1, CP8 and DM2 restricts new developments in open countryside.

The mobile home is in a fairly prominent position within the Blackdown Hills Area of Outstanding Natural Beauty and in open countryside, without any justification. The continued presence of the mobile home and the residential use of the stable building is detrimental to the character and appearance of the area, and increases the need to travel to access services. The temporary permission for the mobile home and the residential use of the site has lapsed and it is considered expedient to have this mobile home removed and the residential use cease. The alternative would be sporadic residential development in open countryside contrary to Policy.

It is therefore considered that the development is unacceptable in principle and it is recommended that enforcement action is taken for the following reasons:

The residential use and the stationing of the mobile home on the site results in sporadic development in the open countryside and Blackdown Hills Area of Outstanding Natural Beauty that collectively would be detrimental to the visual amenities of the Taunton Deane Core Strategy Policies CP8, DM1 and DM2.

The residential use of the site results in an unsustainable form of development that would mean that occupiers of the site are heavily reliant on the private car for most of their day to day needs. As such the proposal is contrary to Taunton Deane Core Strategy Policies SP1.

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

**PLANNING OFFICER:** Mr M Bale  
**PLANNING ENFORCEMENT OFFICER:** Christopher Horan

**CONTACT OFFICER:** Christopher Horan, Telephone 01823 356466