

## Planning Committee – 24 February 2010

### Report of the Development Manager

#### Enforcement Item

#### Parish:

1. **File/Complaint Number** E/0166/25/09
2. **Location of Site** LEVAN BARN, HARNHAM COURT, WIVELISCOMBE ROAD, NORTON FITZWARREN, TAUNTON, TA4 1BX
3. **Names of Owners** Mrs D Griffin, Levan Barn, Harnham Court, Norton Fitzwarren
4. **Name of Occupiers** Mrs D Griffin
5. **Nature of Contravention**

Change of use of agricultural land to domestic curtilage

#### 6. **Planning History**

The change of use of land was brought to the councils attention in May 2009 and an application was requested to be submitted for consideration to retain the change of use of agricultural land with pond to domestic curtilage. The application was submitted in July 2009 and subsequently refused in October 2009.

#### 7. **Reasons for Taking Enforcement Action**

- 1 The site is located within a Landscape Character Area where it is the policy of the Local Planning Authority to resist development where it would adversely impact on its character and visual amenity. In the opinion of the Local Planning Authority, the change of use of agricultural land to domestic use, together with likely enclosures and domestic paraphernalia, would detrimentally affect the character and appearance of this Landscape Character Area and the proposal is therefore considered to be contrary to Taunton Deane Local Plan policies S1, S2 and EN12 along with the guidance held within Planning Policy Statement 7.
- 2 The proposed change of use, if permitted, is likely to encourage similar proposals in respect of other land in the vicinity, which might then be difficult for the Local Planning Authority to resist, the cumulative effect of which if permitted would further detract from the character and appearance of the Landscape Character Area. The proposal is therefore considered to be contrary to Taunton Deane Local Plan policies S1, S2 and EN12 along with the guidance held within Planning Policy Statement 7.

**8. Recommendation**

The Councils Solicitor be authorised to serve an Enforcement Notice to cease the use of the land as domestic curtilage and remove all items of a domestic nature, and take Prosecution action subject to satisfactory evidence being obtained 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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