

**APPEALS RECEIVED**

**Site: HIGHER KNAPP FARM, HILLFARRANCE ROAD, HILLFARRANCE,  
TAUNTON, TA4 1AN**

**Proposal: ERECTION OF OFFICE / KITCHEN / STAFF ACCOMMODATION  
BUILDING AT FIVEOAK CATTERY, HIGHER KNAPP FARM, HILLFARRANCE  
ROAD, HILLFARRANCE**

**Application number: 27/15/0017**

**Appeal reference: APP/D3315/W/15/3139245**

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## **Enforcement Appeal**

**Site:** GROVE FARM, TOLLAND ROAD, TOLLAND LYDEARD ST LAWRENCE, TAUNTON, TA4 3PN

**Alleged Breach of planning control:** ALLEGED UNAUTHORISED USE OF PROPERTY AS A HOLIDAY LET WITH BREACH OF AGRICULTURAL TIE AT GROVE FARM, TOLLAND

**Reference Number:** E/0074/41/14

**Appeal decision:** Dismissed



# Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 18 December 2015

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**Appeal ref: APP/D3315/C/15/3132002**

**Land at Tower View, Grove Farm, Tolland Road, Tolland, Lydeard St Lawrence, Taunton TA4 3PN**

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Mr Alan Gammon (FG NK & AJ Gammon Ltd) against an enforcement notice issued by Taunton Deane Borough Council.
- The notice was issued on 9 July 2015.
- The breach of planning control as alleged in the notice is "Unauthorised occupation of the Property for use as a holiday let which is contrary to an agricultural tie condition".
- The requirements of the notice are: "a) Cease the occupation of the Property by holiday makers and/or persons not complying with the Agricultural Tie Condition".
- The period for compliance with the requirements of the notice is "3 (three) months from the date that this Enforcement Notice takes effect".
- The appeal is made on ground (g) as set out in section 174(2)(g) of the amended 1990 Act.

**Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.**

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## Reasons for the decision

1. The appellant requests that the period to comply with the notice be extended to 6 months in order to honour Christmas bookings for the use of the premises as a holiday unit. As some 3 months have elapsed since the appeal was submitted and the compliance period will begin again from the date of this decision, the 3 months given in the notice will extend the period to well beyond Christmas. Therefore, there is no reason to extend the time to comply with the notice any further. In these circumstances, the appeal on ground (g) fails accordingly.

## Formal decision

2. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld.

*K McEntee*