

## Planning Committee – Wednesday 20 October 2010

### Report of the Development Manager

#### Enforcement Item

##### Parish:

1. **File/Complaint Number** E0365/27/2006
2. **Location of Site** Land Southwest of Allerford Farm known as Gaia
3. **Names of Owners** Mr W Slater and Mrs D Hawkins
4. **Name of Occupiers** As above
5. **Nature of Contravention**

Items of a non-agricultural nature stored on the land

6. **Planning History**

Members will recall that in November 2009 a report was before them for authorisation to take enforcement action for the unauthorised residential occupation of the land. The notice was served on 7<sup>th</sup> December 2009 and had a 6-month compliance time. The notice has been complied with as the owners have found alternative accommodation.

The land however is extremely untidy with numerous items stored in various locations over a large section of the site. Some of the items can and indeed are used for agriculture on the land but many of the items are not and are causing injury to both the visual amenities of the area as well as causing concern to the neighbouring properties.

A site visit was made on 5<sup>th</sup> August 2010 to investigate the excavation of a trench being dug across the land. Wessex Water was in fact carrying the works at the request of a third party. Whilst on site it was noted that the condition of the land was somewhat untidy but it was not possible to ascertain the full extent at the time. A further visit was made on 12<sup>th</sup> August to discuss the condition of the land and take photographs. The owners were informed that the non-agricultural items that are on the site should be removed. It was agreed that further information would be given to the owners as to the best course of action after discussions with relevant officers had taken place. A record of the site meeting together with photographs have been sent to the owners advising them that Enforcement action would be sought if the breach continued. The owners have said that they are trying to remove some of the items from the site but Mr Salter states that it would be a costly exercise. To date there are still numerous items stored on the land.

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

The authorised use of the site is agricultural. The storage of domestic and non-agricultural items therefore requires Planning permission and none has been obtained. The site is in a location where it can be readily viewed from public vantage points especially from the main London – Penzance railway line. The storage of non-agricultural items is considered to have a detrimental effect on the visual amenities of the area, contrary to Policy S1 of the Taunton Deane Local Plan.

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## **8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice in order to secure the removal of all non agricultural items stored on the land. To 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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