

## Planning Committee – 20 October 2010

### Report of the Development Manager

#### Enforcement Item

#### Parish:

1. **File/Complaint Number** 06/08/0046
2. **Location of Site** Sunnydene, Dene Road, Cotford St Luke
3. **Names of Owners** Mr H Small
4. **Name of Occupiers** As above
5. **Nature of Contravention**

Non compliance with condition imposed by Planning Inspector following an appeal

6. **Planning History**

Planning Permission was granted under ref 06/08/0046 for the siting of 3 mobile homes for Gypsy use. The owner of the site lodged an appeal against the conditions attached by the Local Planning Authority following the grant of that Planning permission. The Planning Inspectorate imposed a number of revised conditions stating that - The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such shall be removed within 28 days of the date of failure to meet any one of the requirements set out in the Inspectors decision.

The requirement to submit a development scheme including landscaping, improved visibility splays, parking areas and siting of touring caravans has not been complied with. After numerous requests reminding the owner to comply with the Inspectors decision no scheme or timetable for its implementation has been agreed.

7. **Reasons for Taking Enforcement Action**

It is considered that the landscaping of the site is fundamental to its acceptability and this was accepted by the appeal Inspector. The failure to provide the Landscaping means that the site is unacceptably prominent in the local landscape, detrimental to its character and the visual amenities of the area it is therefore contrary to policies S1 and EN12 of the Taunton Deane Local Plan. In line with the Inspectors decision and conditions attached, the use on the land should now cease.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice requiring the occupation to cease and the caravans, structures, equipment and materials to be removed 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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