

Planning Committee – 2 July 2008

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** E343/30/2007
2. **Location of Site** Land adjacent to Fosgrove Cottage
3. **Names of Owners** Mr Wiltshire
4. **Name of Occupiers** Unkown
5. **Nature of Contravention**

Depositing of waste and building materials on agricultural field.

6. **Planning History**

This field has been in the ownership of Mr Wiltshire for a number of years. A complaint was received in August 2003 that activity was occurring on the site, which may have required planning permission. Investigations were carried out and it was found that a gate and piers had been constructed and an area was being used to cultivate vegetables. It was concluded that the works carried out on site did not require planning permission. In November 2007 further complaints were received stating that materials were being 'dumped' on site. Lorries were noticed coming to site and tipping what appeared to be builder's waste. It was found out that the owner was in fact leasing the field to a groundwork company who were possibly looking to purchase the land. However, this may not now be an option. The Environment Agency has also been involved with regard to the material being brought to site. The owner was contacted and advised that the current use of the land constituted a change of use, which requires planning permission. He asked that he be given time to clear the site as he intends to put the land on the open market. The deadline for clearing the site or the submission of an application has now passed. Reports have been received that material is still being brought to the site and tipped.

7. Reasons for Taking Action

It is considered that the use of the field for the storage of building materials and of the depositing of waste material has a detrimental effect on the visual amenities of the area and of the neighbouring property. Therefore it is contrary to Policy S1 of the Taunton Deane Local Plan. Also the increased traffic movements by heavy lorries negotiating narrow lanes to and from the site have a detrimental effect on other road users.

8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution proceedings, 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.

CONTACT OFFICER: John A W Hardy 01823 356479