

# Planning Committee – 20 January 2010

## Report of the Growth and Development Manager

### Enforcement Item

#### Parish:

1. **File/Complaint Number** E/0279/24/09
2. **Location of Site** Land Adjacent to Stoneyhead Cottage, Wrantage
3. **Names of Owners** Mr J Small
4. **Name of Occupiers** Unknown
5. **Nature of Contravention**

Mobile home situated on land adjacent to Stoneyhead Cottage, Wrantage

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

A mobile home had been positioned on the site since 1976 under a temporary planning permission granted in March 1976. The permission was renewed on two occasions with the last renewal expiring in 1979. The permission was not subsequently renewed but the unit remained on site. In 1980 the caravan was occupied by a relation of the occupier of Stoneyhead Cottage. Following the deaths of the occupiers of Stoneyhead Cottage in 2004 and 2005 the property was sold. During this period a Lawful Development Certificate was issued to regularise the unauthorised mobile home. Following the successful sale of the property it was noticed that the mobile home had been relocated outside of the area approved under the Lawful Development Certificate. On 12th November 2009 the owner was contacted by the Councils Senior Solicitor and informed that the mobile home should be located back to its approved position. Failure to comply with the request may result in further action. The owner contacted the Senior Solicitor and said he was considering applying for Planning permission to retain the unit in its current position. To date no application has been received and the mobile home continues to be sited outside the approved site.

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

The site is located in the open countryside where the presumption is against the development of residential development unless an agricultural or forestry need is proven. The mobile home represents an inappropriate and unsustainable form of development in the countryside. Therefore the development conflicts with the provisions of Taunton Deane Local Plan Policies S1, S2, S7 and EN12, and Policies 5, 49, STR1 and STR6 of Somerset and Exmoor National Park Joint Structure Plan Review, and advice contained in Planning Policy Statement 7.

**8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice 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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