

## **Planning Committee – 12 December, 2007**

### **Report of the Development Manager**

#### **Enforcement Item**

**Parish: Pitminster**

1. **File/Complaint Number** E356/06/2007
2. **Location of Site** Sunnysdene, Dene Road, Bishops Lydeard, Taunton
3. **Names of Owners** Mr Henry Small
4. **Names of Occupiers** As above
5. **Nature of Contravention**

Operational development other than that approved under approval number 06/2006/035 and the stationing of residential caravans.

6. **Planning History**

Planning permission was granted on 19 October 2006 for the erection of a stable block on land known as Plot 1 Dene Road. Work commenced on the construction of the timber structure soon after approval. It was noticed on Friday 23 November 2007 that a mini digger, septic tank and associated pipes were on site. A site visit was made and it was seen that as well as the above a concrete hard standing had been provided adjacent to the boundary fence. Mr Small said this was in order to park his large horse lorry to prevent it from getting stuck in the mud. No approval had been given for the carrying out of such works therefore a temporary stop notice was served on Mr Small at 12.50pm in order to prevent any further works. Mr Small confirmed he would submit a planning application for the works and would not carry out any further work on site. On Saturday 24 November the Local Ward Member drove past the site and noticed a large caravan on the land. The Senior Enforcement Officer made a visit where it was found that the static caravan had been placed on the site but was not on any hard standing or connected to any services. It was considered that at this point the temporary stop notice had not been breached. Over the course of the weekend however two more caravans were brought onto site, one being a twin unit mobile home. This was positioned on a hard standing and ready for connection to services. Mr Small visited The Deane House on Monday 26 November to finalize his already submitted planning application for three mobile homes. A further temporary stop notice was served that day at 14.20pm preventing any further caravans from being brought onto the site.

**7. Reasons for taking Action**

The temporary stop notices expire on 21 and 24 December 2007 respectively. As the planning application is unlikely to be considered until January 2008, it is necessary to have in place an enforcement notice and stop notice once the temporary notices expire. The site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the development serves a genuine agricultural or other appropriate need. As no need has been demonstrated the development is contrary to Taunton Deane Local Plan Policy H12

**8. Recommendation**

The Solicitor to the Council be authorised to serve enforcement and stop notices in respect of operational development and the bringing onto site further caravans. Also authorisation to take prosecution action, subject to satisfactory evidence being obtained that the notices have 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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