

Planning Committee – 28 February, 2007

Report of the Development Control Manager

Enforcement Item

Parish: Creech St Michael

1. **File/Complaint Number** E12/14/2007
2. **Location of Site** Theats Farm, Creech Heathfield, Taunton.
3. **Names of Owners** Mr J Miller, Outwood Farm, West Lyng, Taunton.
4. **Names of Occupiers** Vacant
5. **Nature of Contravention**

Unauthorised works to barn including raising the roof structure and formation of access and track.

6. **Planning History**

It was brought to our attention that works were being carried out to a barn at Theats Farm, Creech Heathfield. The barn is situated away from Theats Farmhouse, which it is understood to be occupied by persons not connected with the farm. A site visit was made on 15 January, 2007 where it was found that elements of the walls to the barn were in the process of being rebuilt and it appeared that additional internal load bearing walls were being constructed. The original roof structure had been removed and new roof trusses, of the attic type to facilitate rooms in the roof, were being erected. The height of the new roof structure was considerably higher than the former, which from evidence obtained was of single storey construction. On closer inspection of the site it was noticed that a large mobile home was sited in a dutch barn. The mobile home appeared to be connected to the services and was being occupied. A new access has also been formed onto the road leading to Creech Heathfield together with a track across the field to the barn. This road is a Class 3 classified unnumbered road and any access formed requires planning permission. The owner was contacted on 26 January, 2007 but his representative was informed on 16 January, 2007 that the works being carried out would not appear to be designed for the purposes of agriculture and therefore a planning application needs to be submitted. To date no application or reasons for carrying out the development has been received.

7. **Reasons for taking Action**

The building by reason of its design, size and appearance is considered to be tantamount to a new dwelling in the countryside which is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policies S7 and EN12.

The building is considered, by reason of its size in this prominent rural site, to be contrary to Taunton Deane Local Plan Policies S1 (D) and S2. The occupation of the mobile home sited within an existing barn is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policy S7 and EN12. The provision of the access is considered to have a detrimental impact on the roadside amenity and character of the area and contrary to the requirements of Taunton Deane Local Plan Policies S1, S2, EN6 and EN12.

8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice and to commence prosecution proceedings subject to sufficient evidence 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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