

Planning Committee – 23 May, 2007

Report of the Development Manager

Enforcement Item

Parish: Neroche

1. **File/Complaint Number** E55/04/2006
2. **Location of Site** Paddocks, Bickenhall, Taunton, TA3 6TS
3. **Names of Owners** Mr G L Baker, Paddocks, Bickenhall, Taunton, TA3 6TS
4. **Names of Occupiers** Unknown
5. **Nature of Contravention**

Occupied caravans/motor home sited on land adjacent to the property.

6. **Planning History**

It was brought to the Council's attention that a mobile home sited within the recognised curtilage of Paddocks was being occupied. The owner was approached and it was stated that the person occupying the unit was a member of the family and therefore was considered to be ancillary accommodation. However further complaints were received and the property visited again. It was found that a motor home was on site that also appeared to be occupied. The owner was again approached who admitted that persons not related to him were in fact occupying both the mobile home and the motor home. As such the accommodation is unauthorised. Following further discussions, the owner indicated that he would not submit an application for planning permission, but instead apply for a Lawful Development Certificate, as he claims that the use has been continuous for more than 10 years. To date no application has been submitted and the use continues.

7. **Reasons for taking Action**

The units constitute separate living accommodation and therefore not ancillary to the main dwelling. It is the policy of the Local Planning Authority to resist residential development within the open countryside unless a proven functional agricultural need is identified and the agricultural unit is financially viable. As there is no agricultural need identified the development is contrary to the Taunton Deane Local Plan Policies S1 and S7 and Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6.

8. **Recommendation**

The Solicitor to the Council be authorised to commence enforcement action and prosecution action subject to satisfactory 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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