

PLANNING COMMITTEE – 29 MARCH, 2006

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Pitminster

1. **File/Complaint Number** E53/30/2004
2. **Location of Site** Former Nursery, Wrexon, Trull, Taunton.
3. **Names of Owners** Mr D J Cryer, 156 Outer Circle, Taunton.
4. **Names of Occupiers** Mr D J Cryer, 156 Outer Circle, Taunton.
5. **Nature of Contravention**

Use of land as a scrap yard and for the stationing and residential use of caravans.

6. **Planning History**

Members may recall that Enforcement action was authorised at this site on 16 February, 2005. An Enforcement Notice was served on 30 June, 2005 specifying that the activity should cease and the site cleared. The applicants lodged an appeal against the notice but in the meantime had stopped using the land as a scrap yard and were in the process of clearing the site. The applicant made a request to The Planning Inspectorate for the Notice to be withdrawn. A site inspection was carried out on 17 August, 2005 where it was noted that significant efforts had been made to clear the site of rubbish and the majority of scrap had been cleared. It was therefore agreed that the notice would be withdrawn together with the ongoing appeal.

Unfortunately, complaints were received in December 2005 and again in January 2006 that the activity of a scrap yard had started again and the site was, if anything, untidier than before. Neighbours have witnessed cars being brought to the site and a large skip being loaded with vehicle parts etc. It is believed that the caravans/mobile homes on the site are used as permanent residential accommodation. There are a number of structures on site that are also unauthorised. The site is very visible from the M5 southbound just before the Taunton Deane Services entry road.

7. **Reasons for taking Action**

As the notice had been withdrawn authorisation is required from members to serve another notice for the following reasons. It is considered that the use of the land for the breaking of vehicles and the storage of scrap is an undesirable intrusion into the open countryside to the detriment of the visual amenities of the locality. The stationing and occupation of caravans in the

countryside without a proven agricultural or horticultural need is considered to be contrary to Taunton Deane Local Plan Policy H12.

8. Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice and take prosecution action subject to satisfactory evidence should the notice not be 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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