

PLANNING COMMITTEE – 8 SEPTEMBER, 2004

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: West Monkton

- 1. File/Complainant Number** E27/48/2004
- 2. Location of Site** Riverside Car Sales, Bathpool, Taunton
- 3. Names of Owners** Mr M Stewart
- 4. Names of Occupiers** Riverside Car Sales
- 5. Nature of Contravention**

Use of land to sell and dismantle vehicles. Display various signs and flag advertisements.

- 6. Planning History**

A complaint was received on 15 February, 2004 regarding the activities at this site. The area of land is being used to display cars for sale together with the erection of a covered area. It was also suggested that existing domestic garages adjacent to the site were being altered to store dismantled parts. The site is within an area where a number of small businesses operate and it was thought that the land had been used in the past as a general garage and car sales. Due to the nature of the business there have been occasions when the access road has been blocked by cars belonging to Riverside Car sales, which have been left outside the compound. This has caused great difficulties to the other businesses in terms of access to and from their properties. It has also caused problems for vehicles visiting the site having to wait on the busy Creech Castle junction. This could potentially cause a major traffic hazard. An additional concern is that vehicles have been dismantled outside the site on the access road and left unattended. This has resulted in the vehicles being vandalised and could lead to other property in the area being affected.

The tenant was asked to submit a planning application for the additional structure and use of the adjacent garages. An application was received on 17 August but to date has not been registered, as it is incomplete. Since that date a further structure/fence has been erected along the boundary of the site in excess of 3 metres in height.

On further investigation it has now been established that the site has not been used for car sales/garage use in the past. The last confirmed use of the land was for the storage of boats and a few cars but no sales ever took place, therefore there is no planning permission for the land to be used for this purpose and the use is unauthorised.

7. Reasons for Taking Action

Due to the number of vehicles on site together with those parked on the access road it is considered that the use of the site for car sales and breaking of vehicles is detrimental to both road safety and the efficient operation of other existing businesses on the site. Also the additional structures and flags/advertisements have a detrimental effect on the visual amenities on what is a major approach road into the County town.

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. Authorisation for prosecution action is required for the unauthorised flags and advertisements currently displayed on the land.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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