

PLANNING COMMITTEE – 29 MARCH, 2006

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Wiveliscombe

1. **File/Complaint Number** E327/49/2005
2. **Location of Site** Land rear of Culverhay Cottage, Culverhay Lane, Wiveliscombe
3. **Names of Owners** Mr S & Mrs S M B Neate
4. **Names of Occupiers** Mr S & Mrs S M B Neate
5. **Nature of Contravention**

Access track, extension and increase roof height to building.

6. **Planning History**

A complaint was received on 30 October, 2005 that substantial works were being carried out at the former piggeries near Culverhay Cottage, Wiveliscombe. An access track had been formed and excavations had been dug around the existing agricultural building. A visit was made to the site on 9 November, 2005 but it was not possible to gain access. A further site visit was made on 16 November, 2005 and both the owner and her son were on site. They confirmed that the access track had always been there but admitted it had been widened. The existing building was in a bad state of repair and it requires renovation and extension in order to house sheep and lambs in a weatherproof building. I was shown the work being carried out which involved concrete blockwork in cavity construction with window and door openings which, appeared to resemble a domestic arrangement. I informed the owners that an application for planning permission should be submitted without delay and any further work undertaken is done so in the knowledge that it is unauthorised. I said I would forward application forms and urged them to appoint an agricultural consultant to assist with the application and any further development planned for the site. Application forms were received on 10 January, 2006 together with drawings of the proposed extension to the building. These were not to scale and no details were received of the access track. A letter was sent on 25 January, 2006 informing the applicant that the application could not be registered as the Planning Officer required more details. Nothing further was received. A letter from Enforcement was sent on 22 February, 2006 requesting the details and a cautionary paragraph stating that work appears to have continued unabated since 16 November, 2005 and that the Local Planning Authority may take further action over the unauthorised building. To date no reply or application has been received and it would appear the building is complete and in use.

7. **Reasons for taking Action**

The site is in a very prominent position set on a slight ridge. The additional

volume of the building and the increased roof height is a dominant feature on the skyline and detracts from the visual amenities of this attractive rural area. The site lies within the open countryside where it is the policy of the Local Planning Authority to consider all development proposals against the following criteria: -1. The detailed siting of the proposal is compatible with the character of the surrounding area and safeguards nature conservation interests; 2. The design of the buildings, structures and materials indicated in the proposal relate satisfactorily to the setting; 3. Landscaping associated with the proposal takes into consideration both immediate impact and distant view of the development. As no details have been forthcoming the development is contrary to Policy S1 of the Taunton Deane Local Plan

8. Recommendation

The Solicitor to the Council be authorised to take Enforcement action and commence prosecution proceedings 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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