

Report of the Chief Planning Officer

ENFORCEMENT ITEM

Parish: Tolland

1. **File/Complaint Number** E161/41/2002 and 41/2002/003AG
2. **Location of Site** The Ranch, Church Lane, Tolland
3. **Names of Owners** Mr S Prowse, 131 Dobree Park, Rockwell Green, Wellington
4. **Names of Occupiers** As above
5. **Nature of Contravention**

Carrying out engineering operations requiring planning permission, the erection of dog kennels and the stationing of a touring caravan.

6. **Planning History**

An application was submitted and subsequently refused for the erection of a fodder/implement shed on 26th June, 2002. On 15th July a complaint was received stating that excavation works were being carried out on the site. A visit was made and various members of the owners family were on site. They stated that they were just moving soil around the site to form a flat area to park a tractor etc and had not brought any hardcore onto the land. It was agreed that the work carried out did not require planning permission. Further complaints were received that work was continuing so another site visit was made on 22nd August, 2002. From that visit it was found that extensive excavation works had been carried out including the formation of a large plateau area together with the formation of a track formed on top of the land with the spoils from the excavation material. A trench had also been created across the large plateau. A van was also parked on the track. A letter was sent to the owner dated 27th August, 2002 requesting an application for the works to be submitted within 21 days. No application was received so a further letter was sent dated 16th September, 2002 advising that the matter would be reported to the Planning Committee. A further visit was made on 17th September, 2002 accompanied by two members of the parish council following further concerns that additional works had been carried out. It was noticed that an additional excavated area had been formed and a timber dog kennel erected containing three dogs, a touring caravan sited adjacent to the stream and two water containers on trailers. The same van was still parked on the track. At the entrance of the site it was noticed that a significant numbers of concrete blocks and ballast had been delivered.

7. Reasons for taking Action

The site is a County Wildlife site comprising of a series of riverside fields with marshy grassland and neutral grassland on steep banks. It is considered that the extensive engineering operations that have been carried out together with the erection of a timber kennel building constitutes an undesirable intrusion into an attractive area of open countryside, to the detriment of the visual amenities of the locality. It is therefore contrary to the Adopted West Deane Local Plan Policy WD/EC/33 and the Taunton Deane Local Plan Revised Deposit Policies S8 and EN13. In view of the urgency of the situation an Enforcement Notice and Stop Notice is being served with the Chairman's agreement.

8. Recommendation

The Planning Committee is requested to endorse the action taken by the Solicitor to the Council in serving an Enforcement Notice and Stop Notice.

Furthermore, it is recommended that the solicitor be authorised to investigate Prosecution Proceedings subject to satisfactory evidence that the notices have 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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