

Report of the Chief Planning Officer

ENFORCEMENT ITEM

Parish: Wiveliscombe

1. **File/Complaint Number** E311/49/2001
2. **Location of Site** Hearn, Pyncombe Lane, Wiveliscombe, Somerset
3. **Names of Owners** Mr J Tidboald, Briddicott Farm, Carhampton, Minehead.
4. **Names of Occupiers** Mr J Chaplin
5. **Nature of Contravention**
Use of caravan as permanent residential accommodation.
6. **Planning History**

It was brought to the Council's attention that a gypsy style caravan is stationed at the junction of Pyncombe Lane and the Wiveliscombe to Wellington road. The occupier, Mr Chaplin was visited in November 2001 and said he usually travelled the country during the summer months but this year was unable to do so due to the Foot and Mouth outbreak. He used to live in Wiveliscombe but sold his house after his wife died and intended to go travelling after restoring the caravan. He returns during the winter months and whilst on site has an involvement in caring for the animals housed in the agricultural buildings at Briddicott Farm. He also over winters his horse in the buildings. Due to the foot and mouth situation and other factors he has not been able to travel this year and therefore has been resident on site for nearly 12 months. An application from the owners of the land has been requested together with any supportive evidence to prove that Mr Chaplin needs to be on site to look after the animals. This has not been forthcoming. It has also been suggested that the agricultural land and buildings have been let to a third party and the cattle on the land are tended by this person and not Mr Chaplin, thereby making his presence on the land, in terms of an agricultural need, unnecessary.

7. **Reasons for taking Action**

The site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless demonstrated that the dwelling serves a genuine agricultural need. In the absence of any information the Local Planning Authority considers that the development is contrary to Central Government advice contained in PPG7, Policy STR6 of

the Somerset and Exmoor National Park Joint Structure Plan Review, Policy WD/HO/1 of the West Deane Local Plan and Policy H14 of the Taunton Deane Local Plan Revised Deposit

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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