

Planning Committee – Tuesday 22 March 2023

Late representations/updates

Item No.	Description
6.a	<p>22/02223/HOU - Dainton Folly Dainton Single storey rear extension, rear dormer, replace first floor glazing on front elevation with rooflights and provide a new pitched roof over existing garage/store</p> <p>No updates received</p>

Item No.	Description
6.b	<p>22/00116/ENF - Land at Stancott Farm, Chudleigh Alleged unauthorised siting of two residential caravans</p> <p>The site owner has confirmed that they intend the residential use to cease relatively shortly – within 6-8 weeks. They have questioned the expediency of taking enforcement action in light of the planning history at the site and the current application to facilitate barn conversions at the site.</p> <p>They suggest the use of the land will be lawful once permissions are in place but Officers consider this is only the case once works have commenced on the conversion of the barns.</p> <p>Discussions to date and the site planning history would suggest that the owner wishes to pursue redevelopment of the site and that the Barn conversion Prior Approvals are a fall back only.</p> <p>In either case it is necessary for all requirements of the GPDO, including the Habitat Regulations to be satisfied for residential occupation of the land to be lawful.</p> <p>The owner is aware of the Habitat Regulations considerations of the site and how they interrelate with the GPDO.</p> <p>Although it appears that in a relatively short period of time the owner will have somewhere to move to, in this instance it is still recommended that authorisation for enforcement action should be given at the Committee Meeting.</p> <p>However, officers advise serving the notice should be delayed until the end of April 2023 to allow works to be completed on the new house and to see if the unauthorised residential use ceases. If not then an Enforcement Notice should be issued with the recommendation of officers that a 6 month period should be given to find alternative accommodation in the interest of clarity for all and mindful of possible impacts on protected species.</p> <p>Reference is made to Human Rights issues. As part of the enforcement process this is taken into consideration through, amongst other matters,</p>

allowing a reasonable (proposed 6 months) period for the use at the site to cease.

For the reasons set out above a revised recommendation is as follows

“The Committee is recommended to resolve that if the unauthorised residential use has not ceased, and the caravans have not been removed from the land by the end of April 2023:

To serve an Enforcement Notice requiring that the owner:

- i) cease using the caravans for residential purposes, and*
- ii) remove the caravans from the land.*

The compliance period for both is recommended to be six months.”