

Bath and North East Somerset Council

MEETING: **Development Control Committee**

AGENDA

MEETING DATE: **4th September 2013**

ITEM NO:

REPORT OF **David Trigwell, Divisional Director of Planning and Transport Development.**

REPORT ORIGINATOR: **Ms Lisa Bartlett, Development Manager (Tel. Extension No. 7281).**

DATE PREPARED: **15th August 2013**

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS: **Enforcement file 13/00257/UNAUTH**

TITLE: Enforcement Report: **Land Parcel 005/2866, Woolley Lane, Charlcombe, Bath**

WARD : **Bathavon North**

1.0 PURPOSE OF REPORT

At it's meeting on 5th June 2013 the Development Control Committee resolved to take enforcement action against unauthorised development at a site on Woolley Lane. At the meeting Members also asked for an update report in September to advise on progress on addressing the breaches of planning control.

2.0 LOCATION OF PLANNING CONTRAVENTION

The site is located along the western side of Woolley Lane (a single-track road leading northwards from Charlcombe Lane to Woolley) on the north-east edge of the built up area of Bath. The site comprises 20.5 hectares of agricultural land that extends from approximately 200m north of residential properties to the south to the edge of Soper's Wood to the north. The site is in an elevated position on the western side of a valley and slopes down towards the east/Lam Brook. On the eastern side of the valley is the village of Upper Swainswick.

The site is located in the Green Belt, Cotswold Area of Outstanding Natural Beauty (AONB) and the setting of Bath World Heritage Site. The site is also the subject of an Article 4 Direction (confirmed in 1992) that extends over a wider area of Swainswick Valley and removes agricultural permitted development rights.

3.0 RELEVANT PLANNING HISTORY

The site has been the subject of a large number of applications between 2008 and 2012. The most recent applications are:

Application	Proposal	Decision	Date of Decision
12/05660/FUL	Alterations and extension to existing agricultural building; Alterations to access; formation of hardstanding and farm track; Construction of stock pond; Siting of 2no. feed hoppers and ancillary	REFUSED	14 May 2013

	works (Retrospective). Siting of a temporary timber cabin for an agricultural worker for a period of up to 3 years		
12/05661/FUL	Erection of general purpose agriculture building	REFUSED	14 May 2013
12/05662/FUL	Siting of 4no. mobile poultry units	REFUSED	14 May 2013
12/05663/FUL	Siting of 3no. mobile poultry units	REFUSED	14 May 2013
12/05664/FUL	Siting of 3no. mobile poultry units	REFUSED	14 May 2013

4.0 UPDATE

At the time of the Development Control Committee meeting on 5th June 2013 the following breaches of planning control existed on the site:

- Erection of 10 poultry units
- Siting of a caravan
- Erection of a shed and dog kennel
- Siting of a shipping container
- Erection of a 'lambing shed'

Following the 5th June Committee meeting a programme for the removal of unauthorised development was agreed with the agent and farm manager. The shipping container and lambing shed were removed in June, however whilst progress was made on the removal of the poultry units, caravan, shed and dog kennel the programme for their complete removal has not been adhered to. Enforcement Notices were issued for the removal of the caravan, shed and dog kennel since which time these items have been removed from the site.

In addition to the items listed above, unauthorised feed hoppers erected on the site have been removed.

At the 5th June Committee meeting Members also agreed the following:

Alteration and extension of existing building	Not expedient to take enforcement action
Laying of a track and hardstanding	Not expedient to take enforcement action
Stock pond	Not expedient to take enforcement action
Alterations to site access	Immune from enforcement action
Electricity generator	Not development
Pipework and standpipes	Not development
Fuel storage tanks	Not development
Parking of vehicles, trailers, equipment,	Not development

Next Steps

Whilst the 10 poultry units are in the process of being dismantled they remain on the site and at the time of preparing this report Officers are finalising an Enforcement Notice for their removal.