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REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM:
DATE OF MEETING:	17 <sup>th</sup> December 2002	CATEGORY:
REPORT FROM:	<u>DEPUTY CHIEF EXECUTIVE</u>	RECOMMENDED OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Unauthorised siting of a mobile home at Spring Meadows Holding, Lullington Road, Overseal	REF: RMS/E2002/43
WARD AFFECTED:	Overseal	TERMS OF REFERENCE: DC01

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**1.0 Reason for Exempt (if appropriate)**

1.1 Not applicable

**2.0 Recommendations**

2.1 That the Development Control Committee authorises the service of an Enforcement Notice requiring the removal of the mobile home from the land with a compliance period of three months from the date when the Notice takes effect.

**3.0 Purpose of Report**

3.1 To obtain the Committee's instructions.

**4.0 Executive Summary**

4.1 Not applicable

**5.0 Detail**

5.1 Following a complaint that a mobile home sited on the above land was in residential occupation, the owner of the land was contacted.

5.2 It was ascertained that the owner had occupied the mobile home on a residential basis for some time without benefit of planning permission and an application was submitted to site a residential mobile home on an alternative location within the holding.

5.3 This application was refused under delegated powers on 22<sup>nd</sup> October 2002.

5.4 The original mobile home remains in place.

5.5 A plan of the site, which is approximately 5.25 hectares in area is attached at Annex 'A'

## **6.0 Financial Implications**

- 6.1 Should legal proceedings prove necessary, the Council may be subject to certain Costs.

## **7.0 Corporate Implications**

- 7.1 None

## **8.0 Community Implications**

- 8.1 None

## **9.0 Conclusions**

- 9.1 The continued siting of the mobile home constitutes a clear non-conforming use in open countryside which is confirmed by the refusal of the regularising application.
- 9.2 It is open to the Committee to authorise the service of an Enforcement Notice to secure the cessation of the use and the removal of the mobile home.

## **10.0 Background Papers**

- 10.1 Enforcement File E/2002/43 and planning application file 9/2002/922/F