



## PLANNING COMMITTEE

YOU ARE REQUESTED TO ATTEND A MEETING OF THE PLANNING COMMITTEE TO BE HELD IN THE PRINCIPAL COMMITTEE ROOM, THE DEANE HOUSE, BELVEDERE ROAD, TAUNTON ON WEDNESDAY 13TH AUGUST 2008 AT 17:00.

---

### AGENDA

1. Apologies
2. Minutes of the meeting of the Planning Committee held on 23 July 2008 (attached)
3. Public Question Time
4. Declaration of Interests. To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct
5. Taunton - 38/2008/274  
Erection of single storey extension, 10 Clifford Crescent, Taunton
6. Taunton - 38/2008/298  
Retention of 2m high timber fence to the south of Weirfield Boarding House, Taunton School, Staplegrove Road, Taunton
7. E155/38/2008 - Unauthorised fascia, hanging sign and repainting of shopfront, 56 East Street, Taunton Enforcement item
8. E306/38/2007 - Erection of unauthorised structure over skittle alley, Somerset Inn, Alfred Street, Taunton Enforcement item

Tonya Meers  
Legal and Democratic Services Manager  
05 August 2008

Tea for Councillors will be available from 16.45 onwards in Committee Room 1

Planning Committee Members:-

Councillor Mrs Hill (Chairman)

Councillor Mrs Allgrove (Vice-Chairman)

Councillor Bishop

Councillor Bowrah

Councillor Critchard

Councillor Denington

Councillor Mrs Floyd

Councillor C Hill

Councillor House

Councillor Miss James

Councillor McMahon

Councillor Mrs Smith

Councillor Watson

Councillor Ms Webber

Councillor A Wedderkopp

Councillor D Wedderkopp

Councillor Miss Wood

Councillor Woolley



Members of the public are welcome to attend the meeting and listen to the discussion. Lift access to the main committee room on the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is a time set aside at the beginning of the meeting to allow the public to ask questions



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact Greg Dyke on:



Tel: 01823 356410  
Fax: 01823 356329  
E-Mail: [g.dyke@tauntondeane.gov.uk](mailto:g.dyke@tauntondeane.gov.uk)

Website: [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk) (Council, Executive, Review Board & Review Panel Agenda, Reports and Minutes are available on the Website)

## Planning Committee – 23 July 2008

Present:- Councillor Mrs Hill (Chairman)  
Councillor Mrs Allgrove (Vice-Chairman)  
Councillors Bishop, Denington, Mrs Floyd, House, Miss James,  
McMahon, Mrs Smith, Stuart-Thorn, Watson, Ms Webber,  
A Wedderkopp, D Wedderkopp, Miss Wood and Woolley

Officers:- Mr T Burton (Development Control Manager), Mr G Clifford (Area  
Planning Manager – South), Mr A Pick (Principal Planning Officer –  
West), Mrs J Jackson (Legal Services Manager) and Mr R Bryant  
(Democratic Services Manager)

Also present:- Councillor Coles

(The meeting commenced at 5.00 pm)

### 89. Apologies/Substitution

Apologies: Councillors Critchard and C Hill.

Substitution: Councillor Stuart-Thorn for Councillor C Hill.

### 90. Minutes

The Minutes of the meeting held on 2 July 2008 were taken as read and were signed.

### 91. Declarations of Interest

Councillors Mrs Smith and A Wedderkopp declared prejudicial interests in application No 38/2008/295 and left the meeting during consideration of this item; Councillor McMahon declared a prejudicial interest in application No 23/2008/020LB and also left the meeting during consideration of this item.

### 92. Applications for Planning Permission

The Committee received the report of the Development Control Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

- (1) That **outline planning permission be granted** for the under-mentioned development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

**21/2008/017**

**Erection of bungalow, adjoining Petersmead, Langford Budville**

#### **Conditions**

- (a) C005 – outline – reserved matters;

- (b) C009 – outline – time limit;;
- (c) C010 - drainage;
- (d) C014A – time limit;
- (e) C101 - materials;
- (f) C215 – walls and fences;
- (g) C201 - landscaping;
- (h) P011 – no windows on the western elevations;
- (i) The area allocated for parking/turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (j) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2 m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (k) Full details of the modified garage which serves Petersmead shall be submitted to, and approved in writing by, the Local Planning Authority before development commences and the modification shall be completed before the new dwelling is occupied;
- (l) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of lines drawn 2m back from the carriageway edge on the centreline of the access and extending to the extremities of the site frontage. Such visibility splays shall be fully provided within one month of the date of this permission and shall thereafter be maintained.

(Notes to applicant:- (1) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that the development is located within a foul sewer area. It will be necessary for the developer to agree with Wessex Water a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage; (3) Applicant was advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum, 3 m easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion of protection works may need to be agreed; (4) Applicant was advised to protect the integrity of Wessex Water systems and agree, prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site; (5) It was noted that the applicant proposes to dispose of surface water to soakaways. Applicant was advised that surface water should not be discharged to the foul sewer. It is further advised that satisfactory arrangements for the disposal of surface water should be agreed with the Local Planning Authority; (6) With respect to water supply, applicant was advised that there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. It is recommended that the applicant agrees with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure. The applicant should also be aware of the

importance of checking with Wessex Water to ascertain whether there are any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, the applicant should plot the exact position on the design site layout to assess the implications; (7) Applicant was advised that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.)

**Reason for granting planning permission:-**

The proposed development would not adversely affect visual and residential amenity, nor road safety, and therefore did not conflict with Taunton Deane Local Plan Policies S1 and S2.

- (2) That **planning permission be granted** for the under-mentioned developments, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

**23/2008/020LB**

**Internal alterations at Quartley House, Fore Street, Milverton**

**Conditions**

- (a) C002B – time limit – listed building;
  - (b) The works for which consent is hereby granted shall be carried out strictly in accordance with the submitted "Conclusions and Recommendations" by Premier Heritage, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (Note to applicant:- Applicant was informed that it has been noted from information contained in your submission that work to the roof will be required in the future. You are advised to consult the Council's Conservation Officer, well in advance of these works being commissioned.)

**Reason for granting planning permission:-**

It was considered that the proposal was in line with Planning Policy Guidance Note No 15 and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review in respect of proposals relating to listed buildings.

**29/2008/008**

**Erection of holiday chalet in field east of Littlefields, Bishopswood.**

**Conditions**

- (a) C001A – time limit;
- (b) C101 – materials;

- (c) C413 – restriction of occupation for holiday lets in permanent buildings;
- (d) The holiday chalet shall be removed from the site if not let within a 24 month period;
- (e) C201 – landscaping;
- (f) A wildlife management plan for the area shall be submitted to, and approved in writing by, the Local Planning Authority prior to occupation of the building;
- (g) Parking, access, visibility and turning shall be provided as per the submitted drawing No S307/2 prior to the development coming into use;
- (h) Details of the surfacing of the parking and turning areas which shall be permeable shall be submitted to, and approved in writing by, the Local Planning Authority prior to construction;
- (i) The wildlife mitigation measures set out in the wildlife report survey for amphibians dated April/May 2008 shall be carried out as specified unless otherwise agreed in writing by the Local Planning Authority;
- (j) Prior to work commencing detail of the siting of the treatment plant and confirmation of the necessary consents including any percolation tests for its installation shall be submitted to, and agreed in writing by, the Local Planning Authority;
- (k) No site clearance works or development (or specified operations) shall take place between 1 March and 31 July without the prior written approval of the Local Planning Authority.

(Notes to applicant:- Applicant was advised that Badgers are known to forage in the area. You should therefore take necessary steps to ensure compliance with The Protection of Badgers Act 1992. All site operatives should be informed of the fact that Badgers forage in the area. Steps must be taken to ensure that any trenches dug are covered at night or have means of escape for any animals that may fall in. The protection afforded to species under UK and EU legislation is irrespective of the planning system and any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

**Reason for granting planning permission:-**

The proposed scheme was considered in line with Planning Policy Statement 7 and the Government guidance on holiday accommodation, was not considered detrimental to highway safety and was not considered to harm the character of the Area of Outstanding Natural Beauty or the amenities of the area and neighbouring properties and was considered to comply with Taunton Deane Local Plan Policies S1, S2, EC7, EN6 and EN10 and material considerations did not indicate otherwise.

- (3) That the following application be **deferred** for the reasons stated:-

**52/2008/019**

**Erection of sports centre comprising indoor and outdoor facilities with parking, access, footpath/cycle route and associated works**

**at Civil Service Sports Club Ground, College Way, Taunton**

**Reasons**

To enable further negotiations to take place with the applicants in relation to the matters set out in the report and in respect of the design and location of the proposed sports centre.

**93. Temporary change of use of part of Cider Press Garden for restaurant seating between April and end of September each year adjacent to Hunts Court, Corporation Street, Taunton (38/2008/295)**

Reported this application.

**Resolved** that subject to the receipt of no further representations raising new issues by 25 July 2008, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Details of the means of surface treatment to the paved seating area shall be submitted to, and approved in writing by, the Local Planning Authority prior to the use commencing and thereafter so implemented as agreed;
- (c) The tables, chairs and umbrellas shall be removed from the site between 1 October and 31 March and overnight when the area is in use from April to September;
- (d) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority. For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed-free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees and shrubs as may be approved in writing by the Local Planning Authority;
- (e) The seating area shall not be used between the hours of 10 pm and 9 am the following day;
- (f) There shall be no external music, amplifier, relay or other audio equipment operated within the site;
- (g) Details of any boundary treatment to the site shall be submitted to, and approved in writing by, the Local Planning Authority.

**Reason for planning permission, if granted:-**

The Committee considered the application would not adversely affect the Conservation Area and would comply with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and EN14 (Conservation Areas) and material considerations did not indicate otherwise.

**Reason for granting planning permission contrary to the recommendation of the Development Control Manager:-**



The Committee was of the view that the proposal would not adversely impact on the character and appearance of the Conservation Area.

**94. Draft Heritage Protection Bill 2008 and Heritage at Risk Register 2008**

Reported that in April 2008, the Government had published its draft Heritage Protection Bill.

Under the proposed new system the existing legal distinction between different kinds of heritage assets would disappear. Instead, there would be one national register which would make it simpler to identify those assets at greatest risk and make it easier for owners to manage their assets.

A key element of the Bill was the proposal that Local Authorities should take the lead in looking after the historic environment at a local level.

Further reported that the annual report and register produced by English Heritage as to the most important heritage assets at risk in England had recently been published.

The regional position showed the total number of Grade I and Grade II\* listed buildings and structural monuments at risk on the register was now 162, along with 4 protected wreck sites and one registered battlefield. This reflected the national trend of a small increase in building at risk entries.

In Taunton Deane, there were four Grade I or Grade II\* listed buildings on the Heritage at Risk Register. These were Sandhill Park, Bishops Lydeard, the Gatehouse at Cothelstone Manor, the Cloth Finishing Works at Tone Mills, Wellington and Tonedale Mills (West Complex), also in Wellington.

**Resolved** that the report be noted.

**95. Unauthorised erection of signs at Zizzi, Magdalene House, Magdalene Street, Taunton.**

Reported that applications for advertisement and listed building consents to retain a number of signs advertising the Zizzi restaurant at Magdalene House, Magdalene Street, Taunton had been withdrawn on 22 May 2008 to allow further negotiations to be undertaken with the Development Control Manager.

Since then, the company had made no further contact with the Council and the unauthorised signs were still in position on the building.

**Resolved** that:-

- (1) Listed building enforcement action be taken seeking removal of the unauthorised signs advertising the Zizzi Restaurant at Magdalene House, Magdalene Street, Taunton; and

- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the listed building enforcement notice not be complied with.

(The meeting ended at 7.21 p.m.)

38/2008/274

MR STEVE OSWICK

**ERECTION OF SINGLE STOREY EXTENSION, 10 CLIFFORD CRESCENT,  
TAUNTON**

322258/126796

FULL

---

**PROPOSAL**

The site comprises a 2 storey semi-detached house with a detached single garage to the side. Permission was granted in February 2008 for a first floor extension above the garage and for a ground floor extension to attach the garage to the house. This application is a revised scheme to extend the garage so it is attached to the house, erect a single storey extension behind the garage, put a pitched roof on the garage and extension, and erect a conservatory to the rear of the dwelling. There will be roof lights in the North side elevation of the garage and extension. Materials to match existing.

**CONSULTATIONS AND REPRESENTATIONS**

None to date — 21 day consultation expires 30/07/08

**POLICY CONTEXT**

Taunton Deane Local Plan: Policy SI sets out general requirements for development. Policy S2 seeks good design. Policy H17 supports extensions to dwellings provided they do not harm the residential amenities of the dwelling and are subservient to it in scale and design.

**ASSESSMENT**

The application needs to be decided by committee due to the applicant being a member of staff. The proposed extension will match the existing design of the property and there will be no adverse impacts upon the visual amenities of the surrounding area. The adjoining property to the north, No. 8, is a bungalow. The use of roof lights in the garage and extension respect the privacy of the adjoining property. There will be no loss of privacy or loss of light to the occupants of adjoining properties. The appearance of the dwelling from the road will be improved by the addition of a pitched roof over the garage. It is considered that there will be no significant impact upon residential or visual amenities.

**RECOMMENDATION**

Permission be GRANTED subject to conditions of time limit, materials, no additional windows and alternate permission on same site to enable only one approval to be implemented.

**REASON(S) FOR RECOMMENDATION:-**

It is considered that the proposal complies with policies SI, S2, and H17 of Taunton Deane Local Plan, in that neither residential nor visual amenity would be adversely affected. In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356313 MRS F WADSLEY**

NOTES:

38/2008/298

THE GOVERNERS OF TAUNTON SCHOOL

**RETENTION OF 2M HIGH TIMBER FENCE TO THE SOUTH OF WEIRFIELD BOARDING HOUSE, TAUNTON SCHOOL, STAPLEGROVE ROAD, TAUNTON**

321823/125757

FULL

---

**PROPOSAL**

Taunton School lies to the north of Staplegrove Road. The main school buildings and Fairwater Boarding House are Grade II Listed.

This application seeks planning permission for the retention of a close boarded timber fence with lattice work above giving a total height of up to 2.0m. This encloses a small area of land on the west, south and east at Weirfield Boarding House. The fence is of tanalised timber and the proposal is to let it weather naturally rather than stain it. Some planting has been carried out on the open side of the fence.

The purpose of the fence is stated to be to provide a secure private garden for the girl boarders, who live at Weirfield House and houseparents of this building.

The application submitted was accompanied by six letters in support of the fence, four from local residents and two from housemasters of the school raising the following points:

- Fence is in keeping with surroundings and does not reduce quality of visual amenity, spoil views or sight lines though school.
- Fence enhances appearance of modern boarding house and no visual impact on school buildings.
- Improves safety and security of house and improves appearance and setting of Fairweather.
- No impact on neighbours.

This is the resubmission of an identical application, which was refused in January 2008 (reference 38/2007/602).

**CONSULTATIONS AND REPRESENTATIONS**

CONSERVATION OFFICER - Open site, where close timber fence inappropriate to setting of Listed Building. Objection raised.

POLICE COMMUNITY SAFETY OFFICER –

Considered the following points:

- Weirfield House caters for 70 plus female boarders, aged between 13 - 18 years,
- intruders have entered the premises on more than one occasion in the past,
- local youths have also acted as 'Peeping Tom's' under the girls bedroom windows at night,

- girls sitting outside, on occasions sunbathing, are in full view from the main road and school entrance,
- the residential house staff, with a young family, have concerns about their security and road safety,
- there is a need to provide privacy, safety and security for all boarders and staff.
- there appears to me to be an obvious need for some form of access control in the environs of Weirfield House to provide security and also clearly delineate private space.

Fencing is the usual option for access control and close board fencing is a suitable option where natural surveillance is not an appropriate solution. 1.8 metres is the minimum height recommended to deter access and a topping of trellis makes it more difficult to climb. The provision of prickly plants also aids security.

Bearing in mind the fairly poor perimeter security in some areas of the school, during my visit I was concerned that unauthorised persons using the footpaths cutting across the site from the main entrance to link up with public footpaths to the north and west in Greenway Road presented a significant security risk, particularly to the occupants of Weirfield House. I made various recommendations including the provision of a Security Lodge (with manned security) at the main entrance, improved cctv and lighting in some areas and improved fencing in certain locations, including the retention of the fencing, in its current or more acceptable form, around Weirfield House.

My main concerns voiced at the time of my visit are:

1. The young girls boarding at Weirfield House are at risk particularly because they can be seen from Staplegrove Road and by casual visitors to the school.
2. Weirfield House has French doors leading onto the grass in full view of the main road and it is essential to provide private amenity space for the girls so that they feel safe and are screened from public view.
3. The defensible (amenity) space around the building, provided by the wooden fencing, would also deter and prevent casual intruders from entering via the French windows which often stand open during the summer months and would prevent individuals approaching the buildings and standing outside the windows of the girls' rooms at night.

In my opinion, the provision of mounding and landscaping would not be appropriate in this situation and, in fact, could exacerbate the problem by restricting surveillance of the surrounding area and providing potential climbing aids and hiding places for potential intruders. Bearing in mind both the police's and council's obligations under Section 17 of the Crime & Disorder Act 1998, to do all we reasonably can to prevent and reduce crime and disorder in our area, both PC Alderman and myself feel this application should be supported.

THREE LETTERS RECEIVED – One from a housemaster of the school and two from local residents (all copies of letters submitted as part of original application).

## **POLICY CONTEXT**

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Guidance Note 15 (Planning and the Historic Environment)

Somerset and Exmoor National Park Joint Structure Plan Review  
Policy 9 (The Built Historic Environment)

Taunton Deane Local Plan  
S1 (General Requirements)  
S2 (Design)

**ASSESSMENT**

This fence lies in a prominent position in front of Weirfield Boarding House, which is located between the Listed Buildings of Fairwater House and the Main School Building. In this location it is visible from the main road, clearly viewed on entering the school site and forms part of the setting of the two adjacent Listed Buildings.

The existing fence in tanalised wood is stark in appearance and appears prominent against the backdrop of the boarding house and Listed Buildings. The nearby boundaries are of natural hedging and there is no evidence of any other timber fences like this in such a prominent location within the school grounds. It therefore appears out of keeping with the natural appearance of the area. Whilst some planting has been carried out on the open side of the fence, the trees are dispersed and have only reached approximately 1.5 metres in height, therefore have little noticeable impact on softening its appearance. The Conservation Officer raises objections to the fence.

Whilst it is understood that some method of security is required, it is considered that there are other ways of providing this. If a means of enclosure is essential, this should be by way of natural hedging which would blend in with surroundings and not affect the setting of the adjacent Listed Buildings. The comments received from the police refer to the "fairly poor perimeter security" and made recommendations for the provision of a security lodge (with manned security) at the main entrance, improved CCTV and lighting and improved fencing in certain areas. Members should be aware that permission was granted in August 2005 (reference 38/2005/290) for the erection of a gatehouse and two security barriers and this could be implemented at any time. It is also important to note that the planning committee, when considering the application for the perimeter fence (reference 38/2008/032) earlier this year, indicated that the principle of a perimeter fence was acceptable, subject to achieving an appropriate design. There are therefore other methods of security available to the school, that have not been implemented (in the case of the gatehouse) and not been followed up (in the case of the perimeter fencing), that would help address the problems highlighted in an attempt to justify the retention of the fence, as well as improving security of the site overall.

Following the refusal of the previous application, the planning committee resolved to defer enforcement action for two months to allow for a planning application to be submitted. An enforcement notice was subsequently served on 22<sup>nd</sup> May 2008, giving four weeks for compliance, which was subsequently appealed. There is therefore an appeal pending against the enforcement notice.

**RECOMMENDATION**

REFUSE planning permission

**REASON FOR RECOMMENDATION**

The fence represents an incongruous and inappropriate feature, having an adverse impact on the open setting of adjacent Listed Buildings. As such, the fence fails to preserve or enhance the settings of the adjacent listed buildings and is therefore contrary to the guidance contained in PPG15 and policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356468 MS K PURCHASE**

NOTES:



## **Planning Committee – 13 AUGUST 2008**

### **Report of the Development Manager**

**Enforcement Item: E155/38/2008**

#### **Parish:**

- 1. File/Complaint Number** E155/38/2008
- 2. Location of Site** 56 East Street, Taunton
- 3. Names of Owners** Unknown
- 4. Name of Occupiers** Emzee – Ms Emma Isaccs
- 5. Nature of Contravention**

Unauthorised fascia, hanging sign and repainting of shopfront.

#### **6. Planning History**

The above contravention was first brought to the Council's attention in June 2008. By letter dated 7<sup>th</sup> July 2008 the occupier was advised of the above contravention. A response was received and contact was made with Ms Isaccs who indicated that she had no intention of changing the unauthorised works.

#### **7. Reasons for Taking Action**

The colour of the shop front, fascia and hanging sign is detrimental to the character of this Grade II Listed Building of which Emzee forms part, contrary to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and PPG 15.

#### **8. Recommendation**

The Solicitor to the Council be authorised to serve a Listed Building Enforcement Notice to secure the redecoration of the shop front, fascia and hanging sign to match Costa Coffee and Prosecution action in respect of the unauthorised signs.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER:**

**Diane Hartnell Tel: 01823 356492**

## **Planning Committee – 13 AUGUST 2008**

### **Report of the Development Manager**

**Enforcement Item: E306/38/2007**

#### **Parish:**

- 1. File/Complaint Number** E306/38/2007
- 2. Location of Site** Somerset Inn, Alfred Street, Taunton
- 3. Names of Owners** Mr T Jenkinson
- 4. Name of Occupiers** Mr T Jenkinson
- 5. Nature of Contravention**

Erection of unauthorised structure over skittle alley.

#### **6. Planning History**

The above works were first brought to the Council's attention in October 2007. A site visit was made in October 2007 at which the owner denied he was carrying out any works and further declined my request to inspect. A letter was sent on 1<sup>st</sup> November advising the owner that the Council had evidence of works being carried out at the premises for which Planning permission and Building Regulation approval was required. By letter dated 5<sup>th</sup> November, the owner advised that the roof was leaking and as a result he had re-roofed. He requested what steps he needed to take in order to avoid the necessity for Planning permission in respect of the structure over the skittle alley. A further letter was sent to the owner on 11<sup>th</sup> December advising that if he removed the railings/structure, Planning permission would not be required. A further letter sent in February 2008 advised that the railings/structure needed to be completely removed in order to avoid any Enforcement action. To date only part of the structure has been removed.

#### **7. Reasons for Taking Action**

The railings/structure is detrimental to the amenity of adjacent residential properties.

#### **8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice to secure the full removal of the unauthorised structure/railings and take Prosecution proceedings, subject to satisfactory evidence being obtained that the notice has not been complied with.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: Diane Hartnell Tel: 01823 356492**