

Taunton Deane Borough Council

Planning Committee – 9 February 2011

Miscellaneous report relating to residential development of 7.65 ha, together with open space provision and access on land west of Bishop's Hull Road, Bishop's Hull

Prosecution action for the non-compliance of a Breach of Condition Notice

This report is to inform members of the current situation in respect of the above.

Two Breach of Condition Notices were issued on Persimmon Homes for breaching some of the conditions attached to the Outline Planning approval number 05/07/0057.

The Notices covered;

- i) works on site prior to the agreed Highway works being completed,
- ii) protection of retained hedges and
- iii) working hours during the course of construction.

The working hours condition has now been complied with but the other two conditions continue to be in breach.

The Highway works are being carried out but are not complete and although some of the hedges have protective chestnut pale fencing, this does not cover the whole site and it is not 2 metres distance from the hedge.

In view of this it is proposed to use delegated powers to commence prosecution proceedings against Persimmon Homes for the non-compliance with the Breach of Condition Notice.

John Hardy
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