

1. **File/Complaint Number** E0269/36/2008 &36/08/0021
2. **Location of Site** Cedar Moor, Meare Green, Stoke St Gregory, TAUNTON.
3. **Names of Owners** Mr T Moody
4. **Names of Occupiers** As Above
5. **Nature of Contravention** Formation of access for domestic purposes.
6. **Planning History** The access was brought to our attention in October 2008. The owner was contacted and informed that Planning permission was required as the access was constructed off a classified road. The owner said he had permission as it was shown on a previous Planning approval drawing for an extension to the main house. It was explained that a separate application was required as it did not form part of the original permission. Following many requests for an application for the access an application was submitted but was not able to be registered. At the same time the owner submitted a Lawful Development Certificate for the change of use of the field to which the access serves stating that it has been in residential use for more than 10 years. This application has not yet been determined. The access has now been completed and is in use. Complaints have been received from members of the public about the dangerous position of the access and Somerset County Highways have concerns regarding visibility.
7. **Reasons for taking Action** It is considered that the access and gates are a visual intrusion into the countryside having an urban style which is uncharacteristic in this rural location. The location of the access along this road is in a position where it is difficult to obtain satisfactory visibility along the carriageway. Therefore the access is contrary to Somerset & Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1.
8. **Recommendation** The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action subject to satisfactory evidence 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

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