

E/0116/08/12

SHED ERECTED ON CAR PARKING AREA AT 88 WATERLEAZE, CHEDDON FITZPAINE

OCCUPIER:

OWNER: MR C R GILMOUR
88 WATERLEAZE, TAUNTON, SOMERSET
TA2 8PS

PURPOSE OF REPORT

To consider whether it is expedient to serve an Enforcement Notice requiring the removal of a shed located on the car parking area specifically allocated for the parking of vehicles.

RECOMMENDATION

That no further action be taken.

SITE DESCRIPTION

Waterleaze is located to the south east of the town off the A3259 leading to Monkton Heathfield. The site is located to the rear of 84 Waterleaze and adjacent to 96 Waterleaze. This area is for the parking of vehicles and a section of the area is allocated to the row of terrace houses Nos 88 to 96 Waterleaze.

BACKGROUND

A complaint was received in July 2012 regarding a shed sited on the car parking area adjacent to 96 Waterleaze, Taunton. Contact was made with the owner and he was advised that Planning permission was required for the shed in this location. The owner advised that he had not erected the shed and he bought his property in 2009 and the allocated parking space with the shed already in situ. The owner agreed to try and get as much information as possible to establish when the shed was erected. After some considerable time the previous owner was located and he confirmed that the shed was erected in June 2009.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The shed measures approximately 2.7m x 1.8m in metal and has a leanto roof measuring from 1.8m to 2.1m. As the shed is not within the domestic curtilage of the dwelling, planning permission is required. The shed is sited on the car parking area allocated to 88 Waterleaze, Taunton. The original Planning permission required 2 parking spaces for each dwelling and the siting of this structure on part of the parking area reduces the space available for parking.

RELEVANT PLANNING HISTORY

The reserved matters for this site are under Planning application 08/99/0008 approved 30.03.2000.

RELEVANT PLANNING POLICES

National Planning Policy Framework

Enforcement (Paragraph 207)

Taunton Deane Core Strategy

DM1 – General Requirements

DETERMINING ISSUES AND CONSIDERATIONS

The shed has been erected in the corner of the car parking area, close to the timber fence boundary with no.84 Waterleaze. The shed is viewed against the 1.8m high timber fence to the north and is only marginally higher than it. It is also viewed against the trees to the west, with which the green colour blends in. As such, the shed does not appear prominent or incongruous in the surrounding area. The shed is located in an allocated parking area and accessed under an archway of the flying freehold of a nearby property. It is screened from public viewpoint by surrounding dwellings and the trees to the west and is not therefore considered to cause harm to the appearance of the area.

The shed roof ranges from 1.8 metres to 2.1 metres in height, which is only marginally higher than the adjacent boundary fence. It is not therefore considered to result in any overbearing impact or loss of light to the neighbouring property to the north and is a sufficient distance from other properties to avoid impact. The use of the small shed is not considered to result in increased noise and disturbance beyond that area being used for car parking. As such, the shed is not considered to result in harm to the residential amenities of the neighbouring properties.

Whilst the shed has been erected on the allocated car parking area, the shed being 2.7 metres in length, only occupies a small proportion of this area. The area in total extends to over 15 metres in length and therefore there is still sufficient car parking space for two cars to park even with the shed in situ and consequently the requirements of the original planning permission can still be met.

NB - At the time of the site visit, it was noted that a fallen tree occupies part of the parking area and therefore currently restricts the space available. However, once this has been removed, adequate car parking space would be available.

It is not therefore considered expedient to take enforcement action.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

PLANNING OFFICER: Mrs K Walker
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