

Planning Committee – Wednesday 25 February 2009

Report of the Development Manager

Enforcement Item

Parish:

1. **File/Complaint Number** 0038/43/08 and 43/08/0144
2. **Location of Site** 14 - 18 North Street, WELLINGTON, Somerset
3. **Names of Owners** Mrs W Joseph
14 - 18 North Street
WELLINGTON
Somerset
TA21 8LT
4. **Name of Occupiers** Mama Stones Ltd
5. **Nature of Contravention**

Use of first floor as Recording Studio

6. **Planning History**

A planning application was submitted on 12th December 2008 for the change of use of part of first floor residential accommodation to recording studio. The application was submitted following complaints received from neighbouring properties that noise from the studio was causing disturbance. The application sought to regularise the situation. The application was subsequently refused under delegated powers on 2nd February 2009. During the processing of the application the premises were visited by the Council's Environmental Health team to establish the level of sound proofing measures undertaken. During that visit it was noticed that the 2nd floor was being used for music lessons. The use of the 2nd floor for this purpose is also unauthorised.

7. **Reasons for Taking Action**

It is considered that the development adversely impact on the amenities of the occupiers of the neighbouring properties, in terms of noise disturbance. Accordingly the use conflicts with Taunton Deane Local Plan Policy S1 (E)

8. Recommendation

The Solicitor to the Council be authorised to serve an Enforcement Notice and take prosecution action subject to satisfactory evidence being obtained should the notice not be 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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