

E/0272/43/08

**WOODEN HOARDING TO FRONT ELEVATION OF 27 NORTH STREET,
WELLINGTON**

OCCUPIER:

OWNER: MR D JARMAN
4 GRAVELANDS LANE, HENLADE, TAUNTON
TA3 5DL

PURPOSE OF REPORT

To consider whether it is expedient to take Enforcement action to secure the removal of the timber lean to structure to the front elevation.

RECOMMENDATION

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action should the notice not be complied with to secure the removal of the structure.

The Enforcement Notice shall require:-

- To secure the removal of the timber lean to structure.

Time for compliance : 3 weeks from the date the notice comes into effect.

SITE DESCRIPTION

27 North Street Wellington is an imposing building situated on the north side of North Street. It is a two storey property with a central gable. The first floor is of facing bricks whilst the ground floor is smooth render finished in mock ashlar pattern. the ground floor windows are large with semi circular tops.

BACKGROUND

The building was last used as a retail shop selling musical instruments but was formerly used as a furniture sale room. Part of the building was used as living accommodation. In 2008 a complaint was received that a timber lean to structure had been erected in front of one of the windows. As the property is on the back edge of the pavement the structure restricts the width of the pavement. The owner was contacted and advised that the structure should be removed. He said that renovation works were about to commence and the structure was in effect a lobby providing access to the building. The door of which is lockable making it a secure entrance. The other entrance to the building is in joint ownership and would be difficult to secure. Some work was carried out and further complaints were received not about the structure but the works being carried out. To date the building remains in an unfinished condition and no further work is being undertaken. The structure remains in the same position.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The structure is approx 1.2m wide, 1.8m high and projects approx 900mm from the

face of the building. This leaves about 900mm of pavement at this point. The structure would be acceptable if it was used as a temporary entrance as initially intended during renovation works. These works are no longer under way therefore the appearance on the front of the building detracts from the visual amenities of the street scene. The restriction of the pavement can cause pedestrians to walk onto the road. North Street is relatively narrow and has fast moving traffic. The presence of a pedestrian in the road could lead to a serious accident occurring.

RELEVANT PLANNING HISTORY

43/86/0056 Conversion of Club rooms to furniture sales room and bachelor flat
43/86/0065 Conversion of Club rooms to retail shop and flat.

RELEVANT PLANNING POLICES

National Planning Policy Framework,

Enforcement (Paragraph 207)

Taunton Deane Local Plan 2004

S1 General Requirements.

Taunton Deane Borough Council Core Strategy 2011 - 2028

DM1 - General Requirements

DETERMINING ISSUES AND CONSIDERATIONS

The structure is sited on the front elevation of the building, detracting from the façade of 27 North Street to the detriment of the buildings architectural merit and appearance. Furthermore, the siting of the structure, projecting forward of the building, is considered to harm the visual amenity of the area and street scene at this point, this is further exacerbated by the poor design, materials and current condition of the structure.

Though there are no Highway Authority comments, the addition of this structure has resulted in the narrowing of the pavement and is considered to impede users of the footpath to the detriment of their safety. This may lead to users leaving the pavement to negotiate the structure.

Given the above, the structure is not considered to be acceptable.

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

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PLANNING ENFORCEMENT OFFICER: Mr J A W Hardy

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