

E/0164/06/15

**ALLEGED UNTIDY SITE AT HW BACK AND SON LTD, OLD VICARAGE LANE,  
BISHOPS LYDEARD**

**OCCUPIER:**

**OWNER:** MR CHARLIE BACK  
HW BACK AND SON LTD, OLD VICARAGE LANE, BISHOPS  
LYDEARD  
TAUNTON  
TA4 3DJ

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## **Purpose of Report**

To consider whether it is expedient to serve a notice under section 215 requiring the condition of the land to be improved.

## **Recommendation**

That no action is taken.

## **Site Description**

The site is a builder's yard located in the centre of Bishops Lydeard. The site is accessed off Old Vicarage Lane and is located at the rear of a row of terraced properties. The site is surrounded by other properties and high walls. Old Vicarage Lane only services a small number of properties and is not subject to through traffic.

## **Relevant planning history**

NA

## **Development Plan Policies**

Taunton Deane Planning Enforcement – A statement of practice and guidance to the public.

### National Planning Policy Framework

Para 207

## **Determining issues and considerations**

A complaint has been received in August 2015 regarding the state of the property and that yard was not being used.

A site inspection was carried out in late 2015, the site was not accessible however

the property was viewed from public land and from the complainants address.

The site is located off the main street and is bounded by high walls or a row of storage sheds. Passers-by can only see a limited amount of the site from the main access and the number of users of the land is limited to immediate traffic. There is limited opportunity to view the site from adjoining properties. The complainant's site is the nearest section however their view is obscured by 2 metre high walls.

The state of the land is akin to a builders yard (the lawful use of the site) and the amount of waste material located on site is not considered excessive or unusual for a site such as this.

Section 215 can be used where the amenity of an areas is adversely affected by the condition of a property. It is not considered that the state of the land is untidy and the limited ability to view the site means that there is minimal effect on the amenity of the area.

It is not considered that the state of the land is in a condition that warrants the use of section 215 and therefore no action should be taken.

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

**PLANNING OFFICER:** Mr M Bale  
**PLANNING ENFORCEMENT OFFICER:** Christopher Horan

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