

38/2008/063

MR MICHAEL KNAPP

**RETENTION OF CONSERVATORY TO SIDE AND ERECTION OF 2.2 METRE FENCE TO SIDE AT 31 WELLINGTON ROAD, TAUNTON**

321803/124515

FULL

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**PROPOSAL**

Permission is sought for the retention of a white uPVC conservatory on a brick plinth to the side of this detached dwelling and 2.2m high wooden fence. Members have previously resolved, (8<sup>th</sup> December 2006) to take enforcement action against the unauthorised development. The notice was served on 1<sup>st</sup> August 2007. This is a further application to retain these unauthorised works..

**CONSULTATIONS AND REPRESENTATIONS**

ONE LETTER OF REPRESENTATION – the fence is too tall, the fence and conservatory are subject to TDBC enforcement action, concerns about the visual amenity of the neighbouring properties, permitted development rights on this property have now been exhausted.

**POLICY CONTEXT**

Taunton Deane Local Plan Policies S1, S2 and H17

**ASSESSMENT**

This dwelling is a detached house with white rendered walls on a brick plinth with white uPVC windows sited on the main Wellington Road. There is parking to front with a detached garage also to the front. There is an extension to the side which has planning permission (38/1991/338). The conservatory is of an appropriate size and in a position that minimises the visual impact for the neighbouring amenity and of a size and design that are considered acceptable. The fence is required because the applicant's son 'aged 19 years with a mental age of 4, is inclined to throw articles over a low fence .... and has been erected to prevent him causing nuisance to my neighbours, particularly those at No 1 Henley Road, who have a very young daughter and would no doubt be offended by his often colourful language and behaviour'. The fence is 2.2 metres high and is constructed of a 'bamboo' type of material and is supported by a wooden trellis, which provides a fence that is 0.2 metres (less than 8 inches) higher than permitted. The fence is considered to have minimal impact on the neighbouring amenity. Notwithstanding members' previous decision it is not considered that the development caused harm to the neighbouring property such as to warrant refusal.

**RECOMMENDATION**

Permission be GRANTED.

It is further recommended that the Enforcement notice be WITHDRAWN.

**REASON(S) FOR RECOMMENDATION:-**

The design and scale of the conservatory and the fence is considered to have a minimal impact upon the visual or residential amenity and is therefore considered acceptable and accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings).

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356371 MRS P HOGG**

NOTES: