

PLANNING COMMITTEE – 18 FEBRUARY, 2004

Report of the Chief Planning Officer

ENFORCEMENT ITEM

Parish: Trull

- 1. File/Complainant No.** E108/42/2003 – 42/2003/023
- 2. Location of Site** Land to rear of Holmesdale,
Ladylawn, Wild Oak Lane, Trull, TAUNTON.
- 3. Names of Owners** Mr P Dadson
- 4. Names of Occupiers** Mr P Dadson
- 5. Nature of Contravention**

Retention of canopy and change of use of garage to provide ancillary storage space.

- 6. Planning History**

Members may recall that at the Planning Committee on 18th June, 2003 an application to retain a canopy and change of use of the garage at Rebit House, Ladylawn, Trull was refused. Following that refusal the enforcement procedure would normally have commenced in order to reinstate the garage. The condition relating to the parking of vehicles etc. states that "Sufficient space for one garage and one parking space, together with a vehicular access thereto shall be provided for each dwelling comprising more than one bedroom accommodation". Measurements have been taken on site and it was found that there is sufficient space for two vehicles to be parked on the driveway in front of the garage, thus negating the need to use the garage as one of the parking spaces. As there is no condition restricting the use of the garage for other domestic purposes it is considered that no action can legitimately be taken in respect of the garage. With regard to the canopy linking the main house with the garage, this was built whilst the house was under construction. An amended application was requested at the time as effectively the dwelling was increased in size. No application was received until June of last year when it was included in the same application as the garage. Whilst the canopy was considered acceptable there is no facility to give a split decision and the application was refused. It would not be expedient to take further action in respect of the canopy.

- 7. Reasons for Not Taking Action**

It is considered that the condition relating to the provision of a garage and parking space is complied with and the canopy linking the house with the garage is acceptable therefore it is not expedient to take further action.

8. Recommendation

That no further action be taken.

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

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