

Taunton Deane Borough Council

Planning Committee - JANUARY 2012

E/0123/47/11

BREACH AND ADDRESS

**LARGE GATE ERECTED ACROSS FIELD ENTRANCE ADJOINING
COPSE HILL CHURCH LANE, WEST HATCH, TAUNTON**

OCCUPIER: MR AND MRS A MOSS

OWNER: MRS L MOSS
COPSE HILL, CHURCH LANE, WEST HATCH, TAUNTON
TA3 5RL

PURPOSE OF REPORT

To consider whether it is expedient to serve an Enforcement Notice requiring the reduction in height to 1m or removal of the gate and gate piers sited on the land adjacent to the highway.

RECOMMENDATION

Committee to authorise an Enforcement Notice be served and to take Prosecution action subject to satisfactory evidence being obtained that the notice has not been complied with.

SITE DESCRIPTION

Copse Hill is a bungalow in a countryside location, set amongst a scattering of dwellings on Church Lane to the west of West Hatch. The gate and piers are on land to the west of Copse Hill. They are at the head of a track leading to a field. The gates are of a modern design and are not in keeping with this countryside setting.

BACKGROUND

The development was first brought to the Council's attention on 9th May 2011. A site visit was made on 26th May where photographs were taken of the set of piers and gates. It was noticed that another pier was in the process of being constructed to the right of the gates where an existing field gate was seen behind the pier. A letter was sent to the owner on 2nd June 2011 requesting that an application be submitted as the gates and piers were over 1m high.

adjacent to the highway. A letter was received from the owner together with a sketch indicating the gates and the various parcels of land and their use. The letter was requesting a pre application site visit. Due to the incorrect fee being included the pre application request has not been progressed. A further letter was sent on 13th October 2011 requesting that an application be submitted.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The piers and gates, although sited a little way back from the highway are still considered to be adjacent. The gates are approx 2.0m high and the piers slightly lower. Under Part 2 Minor Operations Class A of the Town and Country Planning (General Permitted Development) Order 1995 permission is required when a gate, wall, fence or other means of enclosure is over 1m in height where it is constructed adjacent to a highway.

RELEVANT PLANNING HISTORY

Temporary Planning permission has been granted for a shed on adjoining land and permission for the construction of a double garage has been implemented.

RELEVANT PLANNING POLICIES

National Policy, Guidance or Legislation

PPG 18 -Enforcing Planning Control

Taunton Deane Local Plan 2004

S1 (General Requirements)

S2 (Design)

S7 (Outside Settlement)

DETERMINING ISSUES AND CONSIDERATIONS

The issue is the impact on the rural character of the area. The gates piers are tall and bulky and finished in render and appear incongruous in this rural location while the gates are treated timber and again appear out of keeping with the rural character of the area. The works are considered to be contrary to Local Plan policies S1(D), S2(A) and S7 and are considered so detrimental to the character of the area to warrant action to be taken.

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

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