

## **Planning Committee – 18 November 2009**

### **Report of the Growth and Development Manager**

#### **Enforcement Item**

##### **Parish:**

- 1. File/Complaint Number** E0194/08/08
- 2. Location of Site** Four Winds, Upper Cheddon
- 3. Names of Owners** Mrs F Roberts  
Four Winds  
Cheddon Fitzpaine  
TAUNTON  
TA2 8LA

- 4. Name of Occupiers** Mrs F Roberts

##### **5. Nature of Contravention**

Erection of 1.97m and 2.3m High gates to cattery entrance at Four Winds, Upper Cheddon.

##### **6. Planning History**

The erection of a fence and high gates were first brought to the Council's attention on 2nd July 2008. A site visit was made on the 8th July 2008 when it was explained to Mrs Fitzgerald-Roberts that a Planning application would need to be submitted should she wish to retain the fence and gates. On 7th November 2008 a letter was sent enclosing further application forms. The application was submitted in November 2008 but was not registered until 16th July 2009. This application was subsequently refused under delegated powers on the 30th September 2

##### **7. Reasons for Taking Enforcement Action**

The development, by reason of it's height, design and siting, is considered to result in adverse visual impact to the detriment of the local character and distinctiveness of the area and is contrary to Taunton Deane Local Plan Policies S1(D) and S2(A).

##### **8. Recommendation**

The Solicitor to the Council be authorised to serve an enforcement notice and take prosecution action subject to satisfactory evidence that the notice has not been complied with.

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

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