

# Planning Committee – 22 May 2008

## Report of the Development Manager

### Enforcement Item

<b>Parish:</b>	West Monkton
<b>1. File/Complaint Number</b>	E257/08/2007
<b>2. Location of Site</b>	The Wagon Barn, Tudor Park, Taunton
<b>3. Names of Owners</b>	Mr S Ottaviani
<b>4. Name of Occupiers</b>	Unknown
<b>5. Nature of Contravention</b>	

Formation of access in unauthorised location

### 6. Planning History

The access together with other unauthorised works was first brought to the Council's attention in August 2007. Contact was made through the agent and assurances given that the unauthorised works would be rectified in line with the approved plans. To date only the picket fencing has been removed. The new hedge planting and alterations to provide the approved access have not been carried out. A Breach of Condition Notice has been served in respect of the planting. A wooden shed has also been erected on site for which a Planning application is being sought.

(A rainwater downpipe discharges into an underground pipe which runs across the site into the nearby leat through an unauthorised extension to a Listed Wall – see item E25/08/2008).

### 7. Reasons for Taking Action

The unauthorised access has been formed where a boundary hedge has been approved. The potential loss of approved boundary hedging together with the impact on the setting of the Listed Building would be detrimental to the visual amenity of area.

### 8. Recommendation

The Solicitor to the Council be authorised to serve an enforcement notice and commence prosecution proceedings, 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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