

Taunton Deane Borough Council

Planning Committee – 8th February 2012

E/0394/48/06

SITING OF STEEL CONTAINER AT 154 BRIDGWATER ROAD. TAUNTON

OCCUPIER: UNKNOWN

OWNER: MR & MRS CHMIEWLISKI

PURPOSE OF REPORT

To consider whether it is expedient to take Enforcement action to secure the removal of a steel container situated within the curtilage of 154 Bridgwater Road, Taunton.

RECOMMENDATION

That no further action be taken

SITE DESCRIPTION

The site is located to the east of the A38 and the front and side of the property can be seen from that location. The 5m wide access into the plot runs along the south of the property and serves both 154 Bridgwater Road and 154A Bridgwater Road which lies to the rear of the subject property. There are other residential properties to the north and east of the site with agricultural fields to the south and the roadway to the west.

BACKGROUND

In March 2006 the property was granted permission to operate as a Bed and Breakfast establishment. Further applications have been received and subsequently refused for the operation of a Mini Bus business and the erection of a separate dwelling at the rear of the property. There is evidence that the steel container was on site at the time of the application in 2006.

The owner was informed that the container was causing concern and he offered to move the container away from the boundary and clad the container in timber to give the appearance of a shed. Due to the owner moving out of the property this has not taken place.

DESCRIPTION OF BREACH OF DEVELOPMENT CONTROL

The container is sited at the rear of the property in what was originally the garden of the property. During the time when the Mini bus business was operating the garden area was reduced in size which now places the container outside the garden area but still within the curtilage of the property. It is sited against the boundary fence of 156 Bridgwater Road and is approx 2m x 4.5m x 2.7m high

RELEVANT PLANNING HISTORY

2006 - Change of use to Bed and Breakfast – permission granted
2007 - Erection of garage/utility building – permission refused
2007 - Operation of a Mini Bus business – permission refused
2008 - Erection of a bungalow at the rear – permission refused
2009 - Resubmission of Mini bus business – permission refused

RELEVANT PLANNING POLICIES

National Policy, Guidance or Legislation

PPG18 – Enforcing Planning Control

Taunton Deane Local Plan 2004

S2 – Design

DETERMINING ISSUES AND CONSIDERATIONS

The container is located 11m from the neighbouring dwelling house to the east of the site and 19m from the neighbouring dwelling house to the north of the site and the impact of the container on living conditions within the dwellings is not material. The container immediately abuts the boundaries of 154a and 156 Bridgwater Road and, with a height of 2.7m, is clearly visible from both the neighbouring gardens and in addition would have a shading effect on the garden lying to the north and to a much lesser effect the east. In my opinion, whilst the container would have an impact on both gardens, I do not consider, given the distances to the actual dwellings, that the impact is severe enough to warrant significant harm being caused to justify enforcement action to secure the removal of the container from the site.

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

CONTACT OFFICER: John A W Hardy

Tel: 01823 356466