

Planning Committee – 26 September, 2007

Report of the Development Manager

ENFORCEMENT ITEM

Parish: Comeytrove

1. **File/Complaint Number** E217/52/2007
2. **Location of Site** 23 Glasses Mead, Comeytrove, Taunton.
3. **Names of Owners** Mr Betts, 23 Glasses Mead, Comeytrove, Taunton.
4. **Names of Occupiers** Mr Betts, 23 Glasses Mead, Comeytrove, Taunton.
5. **Nature of Contravention**
Erection of trellis on top of existing wall.
6. **Planning History**

It was brought to our attention on 27 July, 2007 that the owner of 23 Glasses Mead had erected a 1.2 m high trellis on a wall to the rear of his property. The wall is approximately 2.36 m high and is not in the ownership of 23 Glasses Mead. The owner stated that the reason for the trellis was to stop the unacceptable overlooking of the newly built houses at Beechfield Gardens. The developers of the site have already provided 2 m high close boarded fencing to the rear of the new properties together with the existing 2.36 m high wall. They are of the view that it is unnecessary to increase the height the rear screen fence. However the owner of 23 Glasses Mead states that No 8 Beechfield Gardens can look into his first floor bedroom windows which is why the trellis was erected.

7. **Reasons for taking Action**

The provision of the trellis fixed to the existing wall increases the overall height to 3.58 m. Under the Town and Country Planning (Control of Development) Order 1995 any gate wall or fence over 2 m in height requires planning permission. The existing wall already exceeds 2 m but this was an existing wall to a dwelling that was demolished in order for the development to take place. The additional trellis is considered to be excessive and affects the visual amenities of the area. It is also a very dominant feature on the boundary and is visible from a number of properties both in Glasses Mead and Beechfield Gardens.

8. **Recommendation**

The Solicitor to the Council be authorised to commence enforcement action to secure the removal of the fence. Prosecution action to be taken subject to satisfactory evidence being obtained should the notice not be 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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