

Planning Committee – 22 May 2008

Report of the Development Manager

Enforcement Item

Parish: WEST MONKTON

1. **File/Complaint Number** E25/08/2008
2. **Location of Site** Tudor Park, Maidenbrook, TAUNTON, Somerset
3. **Names of Owners** Mr Mark Mein
4. **Name of Occupiers** Mr Mark Mein
5. **Nature of Contravention**

Unauthorised raising of the wall of the leat.
Raising of ground level around mounting block

6. **Planning History**

The works were first brought to the Council's attention in February 2008. Discussions have taken place with the owner but he is reluctant to remove the extension to the wall, as he claims that this stops soil and debris washing into the leat, as a result of raised land levels associated with the adjacent converted Wagon Barn. It has been suggested that a retaining wall could be built in stone approximately 1 metre back from the edge of the leat to stop the soil washing into the leat. The owner is unwilling to do this. Close to the leat is a Listed mounting block which has also been affected by the raised land levels. The developer of the Wagon Barn has laid a rainwater pipe to discharge into the leat above the original height of the leat wall. This work was carried out before he conveyed this land to the present owner

7. **Reasons for Taking Action**

The unauthorised works to the leat and the infill of soil around the mounting block are detrimental to the character of both of these Listed structures.

8. **Recommendation**

The Solicitor to the Council be authorised to serve a Listed Building Enforcement Notice and Prosecution action in respect of the unauthorised works to a Listed Buildings.

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

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