

PLANNING COMMITTEE – 16 FEBRUARY, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Comeytrove

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| 1. | File/Complaint Number | E350/52/2004 |
| 2. | Location of Site | 14 Barrington Close, Comeytrove, Taunton. |
| 3. | Names of Owners | Mrs K Solomans |
| 4. | Names of Occupiers | Mrs K Solomans |

5. **Nature of Contravention**

Erection of a fence.

6. **Planning History**

A single fence panel has been erected at right angles to a rendered screen wall linking Nos. 16 and 14 Barrington Close. The fence panel is erected on the front garden area to the north east of 14 Barrington Close. A complaint was received that the erection of this fence panel restricts access for the owner of the wall to carry out routine maintenance that may be necessary. The owner of the fence panel was advised that permitted development rights have been removed in respect of gates, walls or other means of enclosures erected or constructed in front of the forwardmost part of the dwellinghouse. In view of this a planning application for planning permission should be submitted. To date, the owner has declined to submit an application and the fence panel is still in place.

7. **Reasons for taking Action**

It is considered that although the fence panel requires planning permission it would not be expedient to take enforcement action over this single panel. It is considered that the panel does not detract from the visual amenities of the area therefore no further action should be taken. However, should the owner erect further panels this would have an effect on the amenities of the adjoining neighbours at which time enforcement action should be taken .

8. **Recommendation**

No further action to be taken over the single fence panel but should additional panels be erected the Solicitor to the Council be authorised to take enforcement action over the extra panels

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

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