

## **PLANNING COMMITTEE – 28 JANUARY, 2004**

### **Report of the Chief Planning Officer**

#### **ENFORCEMENT ITEM**

**Parish:** Bishops Lydeard

- 1. File/Complainant Number** E367/06/2003
- 2. Location of Site** 99 Burge Crescent, Cotford St Luke,  
TAUNTON, Somerset
- 3. Names of Owners** Mrs P Bailey
- 4. Names of Occupiers** Mrs P Bailey
- 5. Nature of Contravention**

Retention of 1.85m fence to rear and side of 99 Burge Crescent

#### **6. Planning History**

A complaint was received on 30 September, 2003 that a fence had been erected at the above. The existing wall constructed when the dwelling was built had been removed and the fence was erected on what was a planting area to the side of the property. This effectively increased the curtilage of the dwelling. A retrospective application was received on 28 October, 2003 and was subsequently refused under delegated powers on 17 December, 2003.

#### **7. Reasons for Taking Action**

It is considered that the fence, by reason of its siting, height and design constitutes an intrusive feature within the street scene to the detriment of the visual amenities of the area. The development is considered contrary to Policies S1 and S2 of the Taunton Deane Local Plan Revised Deposit.

#### **8. Recommendation**

The Solicitor to the Council be authorised to commence enforcement action and take prosecution proceedings subject to satisfactory evidence 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.**

**CONTACT OFFICER : Mr J A W Hardy Tel. 356479**