

## **PLANNING COMMITTEE – 27 JULY, 2005**

### **Report of the Development Control Manager**

#### **ENFORCEMENT ITEM**

**Parish: Bishops Lydeard**

1. **File/Complaint Number** E427/06/2004
2. **Location of Site** 45 Venn Close, Cotford St Luke, Taunton
3. **Names of Owners** Mr & Mrs R Baker
4. **Names of Occupiers** Mr & Mrs R Baker

5. **Nature of Contravention**

Erection of fence and change of use of land

6. **Planning History**

A complaint was received on 6 December, 2004 that vegetation had been removed and a fence erected around an area of land to the front of 45 Venn Close. A visit was made to the property and the owners confirmed that they were in possession of a letter from the Council informing them that no planning permission was required for the work. Further investigation revealed that planning permission was in fact required as the development involved a change of use and the erection of a fence, all of which is restricted by a condition on the original planning permission (06/1994/018). The owners were informed that an error had been made on the initial enquiry and that an application should be submitted. However, whilst the Landscape Officer has raised concerns the Planning Officer considers that neither the impact upon neighbouring properties or the character of the adjacent open space is such as to warrant enforcement action and any retrospective application submitted would likely to be viewed favourably. To date no planning application has been received.

7. **Reasons for taking Action**

It is not considered that the area of land in question has been visually harmed and the fencing is of an acceptable design therefore in the event of no planning application having been submitted, no further action will be taken to regularise the situation.

8. **Recommendation**

That no further action be taken over the change of use of land and the erection of a fence.

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

**CONTACT OFFICER: Mrs A Dunford, Tel: 356479**