

## **Planning Committee – 26 March 2008**

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

#### **Enforcement Item**

**Parish:** Taunton

- 1. File/Complaint Number** E346/38/2007
- 2. Location of Site** 76 Wood Street, Taunton
- 3. Names of Owners** Staplegrove Estates Ltd, 87 Staplegrove Road, Taunton, TA1 1DN
- 4. Name of Occupiers** Property let to tenants
- 5. Nature of Contravention**

Erection of 1.8m high fence and inclusion of land into domestic curtilage

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

It was noticed that the fence had been erected in November 2007. A site visit was made and one of the occupiers confirmed that the fence had recently been erected. The fence is 1.8m high and is adjacent to the highway. Under the Town and Country Planning (General Permitted Development) Order 1995 any gate, wall, fence or other means of enclosure over 1m high adjacent to a highway requires planning permission. Also the area enclosed by the fence formed part of visibility splay to Wood Street which does not form part of the domestic curtilage therefore a change of use has also taken place.

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

It is considered that by reason of its siting and height the fence has a detrimental impact on the street scene. It is also considered to have a detrimental effect on road safety by reason of its position on the back edge of the pavement, which obscures visibility for both pedestrians and vehicles entering Wood Street and therefore is contrary to Policies S1 and S2 of the Taunton Deane Local Plan.

#### **8. Recommendation**

The Solicitor of the Council be authorised to serve an Enforcement Notice and commence prosecution action, subject to satisfactory evidence being obtained that the notice has not been complied with.

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

**CONTACT OFFICER:**

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