

## **PLANNING COMMITTEE – 18 AUGUST, 2004**

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

1. **File/Complainant Number** E27/48/2004
2. **Location of Site** Riverside Car Sales, Bathpool,  
Taunton
3. **Names of Owners** Mr M Stewart
4. **Names of Occupiers** Riverside Car Sales
5. **Nature of Contravention**

Erection of building for car sales and repairs and display of flags.

6. **Planning History**

A complaint was received on 5 February, 2004 that a building had been erected on the site. A site visit revealed that the structure was an open fronted building constructed of metal sheeting. A number of conifer trees had been reduced in height, which has made the building more visible from the public highway. On further investigation of the use of the site it appears that this particular site has been used for many years as a small car repair garage and sales compound, however since Riverside Car Sales have taken over the site the business seems to have expanded, hence the need for the new building. A row of domestic style garages adjoin the site and front onto the access road which serves the other business units on the site. Two of these units are being used to store spare parts, which in turn are sold to the public. The aforementioned access road is also being used to display cars for sale from Riverside Car Sales. This has caused numerous complaints about restricting the access to other units. One in particular has large mobile cranes entering and leaving the site and has found manoeuvring difficult which in turn has lead to vehicles having to wait on the main highway at Creech Castle. Of further concern is the number of flags of differing design that are being displayed on site without any consent together with large signs which may cause a distraction to road users. A request for a planning application has met with no response.

7. **Reasons for Taking Action**

In view of the congested nature of the premises and the surrounding site any increase in accommodation has a detrimental effect on the other businesses and their trading abilities. The display and sale of vehicles on the access road causes congestion spilling onto the public highway. The display of flags and signs has a detrimental effect on both the visual amenities of the area and may cause a distraction for other road users.

## **8. Recommendation**

The Solicitor to the Council be authorised to serve an Enforcement Notice and commence prosecution action subject to satisfactory evidence should the notice not be complied with. Authorisation is also requested to commence prosecution proceedings for the unauthorised flag advertisements.

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

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