

Planning Committee – 28 February, 2007

Report of the Development Control Manager

Enforcement Item

Parish: Bishops Hull

1. **File/Complaint Number** E200/05/2002
2. **Location of Site** 55 Mountway Road, Bishops Hull, Taunton.
3. **Names of Owners** Mr & Mrs Hicks
4. **Names of Occupiers** Mr & Mrs Hicks
5. **Nature of Contravention**
Erection of a fence adjacent to the highway.

6. **Planning History**

It was brought to the Council's attention that a fence had been erected along the frontage of 55 Mountway Road. As the fence was sited on an elevated part of the garden fronting the road and 1.8 m in height the fence required planning permission. The owners were requested to submit a planning application to retain the fence or reduce the height of the fence to 1 m. No application was submitted and the fence remained at the same height. On 16 June, 2003 an enforcement notice was served requiring the fence to be reduced in height or removed completely. The notice took effect on 17 July, 2003 and had a 4 week compliance period. Soon after the notice was served a planning application was submitted for the retention of the fence but to a height of 1.35 m. This was approved on 1 September, 2003. Attached to the permission was a condition requesting that the fence be reduced to the approved height of 1.35 m within 3 months of the date of the permission. To date the fence has not been reduced in height and now has substantial planting to the front and back of the fence.

7. **Reasons for taking Action**

It is considered that over the time that has elapsed the fence has softened with the maturity of the planting provided and does not now have a detrimental effect on the visual amenities of the street scene and adjacent properties.

8. **Recommendation**

Members resolve to take no further action over the fence.

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

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