

## **PLANNING COMMITTEE – 7 SEPTEMBER, 2005**

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

#### **ENFORCEMENT ITEM**

**Parish: Taunton**

1. **File/Complaint Number** E32/38/2005
2. **Location of Site** 38 Tyne Park, Taunton, TA1 2RP
3. **Names of Owners** Mr & Mrs I Dutton
4. **Names of Occupiers** Mr & Mrs I Dutton

5. **Nature of Contravention**

Erection of fence.

6. **Planning History**

The fence was brought to the Council's attention in January this year. Tyne Park is predominantly an open plan estate and to reinforce this policy permitted development rights have been removed in respect of gates, walls and fences. Following the granting of planning permission for a conservatory and porch in September 2004 the owners removed the hedge that surrounded the property and erected a 1.8 m high fence in its place. The fence is placed on the back edge of the pavement adjacent to the highway and is in contravention of Part 2 Minor Operations Class A of the Town and Country Planning (General Permitted Development) Order 1995.

7. **Reasons for taking Action**

It is considered that the fence is likely to create a precedent and due to its height and visual impact on the road frontage, is considered to detract from the visual amenity of the open plan street scene. It is therefore contrary to Policies S1 and S2 of the Revised Taunton Deane Local Plan

8. **Recommendation**

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