

PLANNING COMMITTEE - 30 MARCH, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Bishops Hull

1. **File/Complaint Number** 05/2004/037 - E235/05/2004
2. **Location of Site** 14 Great Mead, Bishops Hull, Taunton
3. **Names of Owners** Mr Lloyd Morgan
4. **Names of Occupiers** Mr Lloyd Morgan
5. **Nature of Contravention**

Removal of hedge and erection of fence.

6. **Planning History**

It was brought to our attention in July 2004 that a section of mature hedge was removed and a number of 1.8 m high fence panels provided adjacent to Waterfield Drive. Discussions took place with the owner informing him that planning permission was required as the fence was over 1m high. He was also informed that any application received to retain the 1.8m high fence was unlikely to be successful. Following further discussions to find an acceptable solution it was agreed that a new hedge should be planted and the fence reduced in height.

The owner decided however to apply to retain the 1.8m high fence for a temporary period whilst the new hedge was growing. A retrospective planning application was submitted on 14 September 2004 to retain the fence for a period of 5 years. There was considerable objection to the application and on 21 October 2004 the application was refused. Following the refusal the owner contacted the Planning Officer and it was agreed by letter dated 17 January 2005 that the new hedge would be planted by the end of March and the fence would be reduced to a height of 1m within 28 days from the date of the letter. To date the fence has not been reduced in height.

7. **Reasons for taking Action**

It is considered that the fence by reason of its siting, height and design, constitutes an intrusive feature within the street scene and is out of keeping with the particular character of the area to the detriment of the visual amenities of the area. Therefore contrary to policies S1, S2 and EN5 of the Taunton Deane Local Plan Revised Deposit.

8. **Recommendation**

The solicitor to the Council be authorised to serve an Enforcement Notice and take prosecution action, 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