

PLANNING COMMITTEE - 17 MAY, 2006

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Taunton

1. **File/Complaint Number** 38/2006/016 - E370/38/2005
2. **Location of Site** 1 Trevett Road, Taunton
3. **Names of Owners** Mr Mogg, 1 Trevett Road, Taunton
4. **Names of Occupiers** Mr Mogg, 1 Trevett Road, Taunton

5. **Nature of Contravention**

Provision of raised decking area.

6. **Planning History**

A complaint was received on 29 November, 2005 that a large raised deck area had been constructed at 1 Trevett Road, Taunton. A site visit was carried out on 7 December, 2005 where it was found that the decking area was located at first floor level between the dwelling and the detached garage. The owner was advised that a planning application was required for the structure as the property already had a large conservatory at the rear, which had used all the 'permitted development rights'. The application was registered on 18 January, 2006 and was subsequently refused under delegated powers on 13 March, 2006.

7. **Reasons for Taking Action**

The structure by reason of its siting, size, form and materials do not respect the form and character of the dwelling or locality. It is an incongruous feature on the dwelling causing demonstrable harm to its character and to the character and appearance of the street scene. The development by reason of its use, height and siting adjacent to the boundary with the adjacent private rear amenity space will result in a significant degree of overlooking and visual intrusion. It is therefore contrary to Taunton Deane Local Plan Policies S1, S2 and H17.

8. **Recommendation**

The Solicitor to the Council be authorised to commence Enforcement Action and prosecution proceedings, subject to satisfactory evidence 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.

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