

PLANNING COMMITTEE – 18 MAY, 2005

Report of the Development Control Manager

ENFORCEMENT ITEM

Parish: Taunton

1. **File/Complaint Number** 38/2004/529LB – E351/38/2004
2. **Location of Site** The Old Bear, 13 Upper High Street, Taunton.
3. **Names of Owners** Ms Roderick
4. **Names of Occupiers** Old Bear Restaurant
5. **Nature of Contravention**

Retention of rooflight

6. **Planning History**

A complaint was received on 1 October, 2004 regarding the installation of a rooflight on the front elevation facing the highway. The owners were contacted and informed that as the building is listed an application for Listed Building Consent would be required in order to regularise the unauthorised rooflight. An application was submitted on 4 November, 2004 and subsequently refused under delegated powers on 15 December 2004. The rooflight remains in place and no appeal has been lodged against the decision

7. **Reasons for taking Action**

It is considered that the rooflight is a visually prominent and incongruous feature in the roof slope, which is detrimental to the special character and appearance of this listed building. It is therefore contrary to Taunton Deane Local plan Policies EN17 and EN18.

8. **Recommendation**

The Solicitor to the Council be authorised to serve a Listed Building Enforcement Notice to secure the removal of the rooflight and to take prosecution action subject to satisfactory evidence 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.

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