ENFORCEMENT NOTICE
MATERIAL CHANGE OF USE

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: TAUNTON DEANE BOROUGH COUNCIL

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. THE LAND AFFECTED

The premises and ancillary land at 18 Medway Close, Taunton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of 18 Medway Close, Taunton for the receipt of commercial deliveries of double glazing and other building materials and the storage of such products, and for the operation of a replacement window business.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last ten years.

The present use of the premises and ancillary land at 18 Medway Close, Taunton for business purposes represents an undesirable intrusion of a business use into a predominantly residential area and, as such, is inappropriate and the cause of harm to the character and amenities of the area. Furthermore, the use if permitted to continue, would be likely to create an unfortunate precedent.

The Council does not consider that planning permission should be given because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

(i) Stop using 18 Medway Close, Taunton for the receipt of commercial deliveries of double glazing and other building materials and the storage of such products, and for the operation of a replacement window business.

Time for compliance: 2 weeks after this notice takes effect.

(ii) Remove from 18 Medway Close, Taunton all double glazing and other building materials associated with the unauthorised replacement window business operated from the premises.

Time for compliance: 2 weeks after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 22 October, 2003 unless an appeal is made against it beforehand.

Dated: 18 September 2003

Signed: 

on behalf of: TAUNTON DEANE BOROUGH COUNCIL

The Deane House,
Belvedere Road,
TAUNTON

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 22 October 2003. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other should be sent to the Chief Executive at Taunton Deane Borough Council. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 22 October 2003 and you must then ensure that the required steps for complying with it for which you may be held responsible, are taken within the period[s] specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.



Plan not to Scale

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Taunton Deane Borough Council LA079677

TAUNTON DEANE BOROUGH COUNCIL