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Important - This Communication Affects Your Property
Town And Country Planning Act 1990
(as amended by the Planning and Compensation Act 1991)

Enforcement Notice: E/0087/38/13
Issued By: Taunton Deane Borough Council ("the Council")
Land at 3 Kilkenny Villas Kilkenny Avenue Taunton Somerset TA2 7PJ

1. This Enforcement Notice is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this Enforcement Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the Enforcement Notice and the enclosures to which it refers contain important additional information.

2. The Land To Which The Enforcement Notice Relates
Land at 3 Kilkenny Villas Kilkenny Avenue Taunton Somerset TA2 7PJ ("the Land") shown edged red on the attached plan.

3. The Matters Which Appear To Constitute The Breach Of Planning Control
Without planning permission, development consisting of an alteration to the roof of a dwelling house ("the Building") on the Land. The Building is shown edged blue on the attached plan. The alteration to the Building comprises two wooden stakes, each attached to an external wall at either end of the Building. Plastic netting is attached across the two wooden stakes as shown on the 4 attached photographs.

4. Reasons For Issuing This Enforcement Notice
It appears to the Council that the above breach of planning control has occurred within the last four years.

The reasons for taking enforcement action are:-

(i) This is not Permitted Development – as set out at Part 1, Class A, paragraphs A.1(b) and (c) and Part 1, Class C, paragraph C.1(b) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment)(No2) (England) Order 2008).

(ii) The netting and wooden stakes are considered to be an incongruous addition to the Building that is out of keeping with the character of the Building. They are detrimental to the amenity of the area. This is contrary to Policy DM1d (General Requirements) of the Taunton Deane Core Strategy.

(iii) The netting impacts on the amenity of the neighbouring dwelling by screening sunlight from solar panels attached to the roof of the neighbouring dwelling. This is contrary to Policy H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

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

5. What You Are Required To Do
Remove the 2 wooden stakes and the netting from the Building.

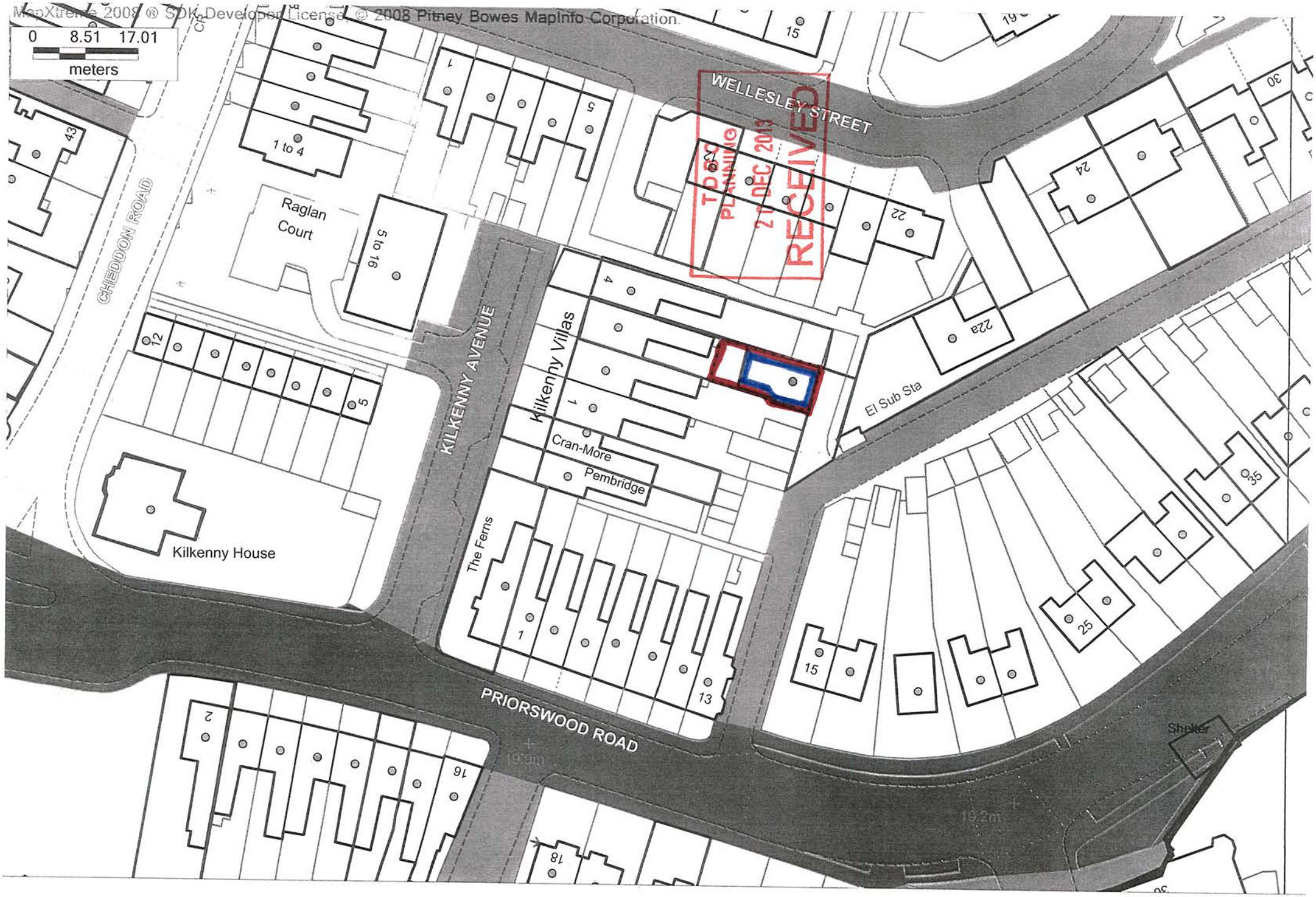
6. Time For Compliance
One month from the date that this Enforcement Notice takes effect.

7. When This Enforcement Notice Takes Effect
This Enforcement Notice takes effect on 20 November 2013, unless an appeal is made against it beforehand.

Dated: 16 October 2013
Signed:

on behalf of

Taunton Deane Borough Council
The Deane House
Belvedere Road
Taunton
Somerset
TA1 1HE


MapXtreme 2008 ® SDK Developer License © 2008 Pitney Bowes MapInfo Corporation.
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meters
WELLESLEY STREET
CHEDDON ROAD
Raglan Court
1 to 4
5 to 16
KILKENNY AVENUE
Kilkenny Villas
Cran-More
Pembridge
The Ferns
Kilkenny House
PRIORSWOOD ROAD
El Sub Sta
Shelter
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Annex

Important - This Communication Affects Your Property
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Enforcement Notice relating to land at 3 Kilkenny Villas Kilkenny Avenue Taunton Somerset TA2 7PJ

This local planning authority, Taunton Deane Borough Council, has issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Enforcement Notice as you have an interest in the land. Copies of the Enforcement Notice are also being served on the parties listed at the end of this letter who, it is understood, also have an interest in the land.

Your Right of Appeal
There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the Enforcement Notice. Unless an appeal is made, as described below, the Enforcement Notice will take effect on 20 November 2013 and you must then ensure that the required steps, for which you may be held responsible, are taken within the period(s) specified in the notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the Enforcement Notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before 20 November 2013.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

(a) that, in respect of any breach of planning control which may be constituted by the matters stated in the Enforcement Notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;

(b) that those matters have not occurred;

(c) that those matters (if they occurred) do not constitute a breach of planning control;

(d) that, at the date when the Enforcement Notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;

(e) that copies of the Enforcement Notice were not served as required by section 172;

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(f) that the steps required by the notice to be taken, or the activities required by the Enforcement Notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;

(g) that any period specified in the Enforcement Notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee equivalent to double the amount payable for a normal planning application. (The fee is £172.00 and so double the fee payable is £344.00). You should pay the fee to the Taunton Deane Borough Council (made payable to Taunton Deane Borough Council). Joint appellants need only pay one set of fees.

If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the Enforcement Notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

Parties on whom the Enforcement Notice has been served

[redacted]

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