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 land, comprising part of the rear garden at 39 Whitmore Road, Taunton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of the land at 39 Whitmore Road, Taunton for the purposes of stationing a large mobile home used as a separate unit of accommodation.

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 siting, size and appearance of the mobile home has a detrimental effect on the neighbouring properties and also has a detrimental visual impact on this residential area.
- The mobile home is occupied as a separate unit of accommodation in a location where such a development would not normally be permitted. The development is therefore contrary to Taunton Deane Local Plan Policies H2, H18, S1 and S2.
- The development, if permitted, is likely to encourage similar proposals in respect of other land in the vicinity which might then be difficult to resist, the cumulative effect of which if permitted, would further detract from the character and amenities of the area.

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 the land, comprising part of the rear garden of 39 Whitmore Road, Taunton for the purposes of stationing a large mobile home.

Time for compliance: 4 months after this notice takes effect.

(ii) Remove from the land the large mobile home and restore the land to the condition it was in prior to the breach of planning control.

Time for compliance: 4 months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 30 October 2006 unless an appeal is made against it beforehand.

Dated: 3 October 2006

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 Planning Inspectorate before 6 November 2006. The enclosed booklet "Making your enforcement appeal" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to The Planning Inspectorate if you decide to appeal. The other should be sent to the Chief Executive at Taunton Deane Borough Council. You should also send The Planning Inspectorate 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 6 November 2006 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.

ENFORCEMENT NOTICE

Reference No. E144/38/2006.

Scale NTS



Title:

Date: 29/11/2004

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Taunton Deane Borough Council LA079677

TAUNTON DEANE BOROUGH COUNCIL