ENFORCEMENT NOTICE
OPERATIONAL DEVELOPMENT

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

Land comprising an estate footpath link adjoining 36 Craig Lea, Taunton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the provision of an earth bank and the erection of a wooden fence panel across an estate footpath linking Craig Lea and other nearby roads with the public footpath known as Penny's Walk (connecting Greenway Road and Turner Road).

4. REASONS FOR ISSUING THIS NOTICE

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

It is considered the unauthorised provision of the earth bank and the erection of the wooden fence panel has resulted in the loss of a useful link to the adjacent public footpath contrary to the requirements for increased sustainability and alternative modes of travel to the car outlined in Regional Planning Guidance 10 and Planning Policy Guidance Note No 13. The unauthorised works are also contrary to the aims and objectives of Policy 42 of the Somerset and Exmoor National Park Structure Plan Review and Policies HI(A) and (B) of the Taunton Deane Local Plan Revised Deposit.

The Council do not consider that planning permission should be given because planning conditions could not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

(i) Remove the earth bank and the wooden fencing panel.

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

(ii) Reinstate the land concerned to the condition it was in prior to the breach of planning control.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 4 March 2003 unless an appeal is made against it beforehand.

Dated: 31 January 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 4 March 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 4 March 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.

TAUNTON DEANE BOROUGH COUNCIL



ENFORCEMENT NOTICE

Reference No: E128/38/2002
Scale: 1 : 500