Important – This notice affects your property

Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991)

Stop Notice

Served By: Taunton Deane Borough Council of The Deane House Belvedere Road Taunton Somerset TA1 1HE ("the Council")

To: [redacted]

(1) On 21 April 2008 the Council issued an enforcement notice (of which a copy is attached to this notice) alleging that there has been a of breach planning control on land at Lower Fyfett Farmhouse Otterford Chard Somerset TA20 3QP.

(2) **This Notice** is issued by the Council, in exercise of their power in Section 183 of the 1990 Act, because they consider it is expedient that the activity specified in this notice should cease before the expiry of the period allowed for compliance with the requirements of the enforcement notice on the land described in paragraph 3 below. The Council now prohibit the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

(3) The Land to Which This Notice Relates

Land at Lower Fyfett Farmhouse Otterford Chard Somerset TA20 3QP shown edged red on the attached plan.

(4) Activity To Which This Notice Relates

Without planning permission, change of use of part of the Land, from use for agriculture to use as a driveway to serve residential dwelling across an agricultural field on the Land, in the approximate position shown coloured green on the attached plan.

(5) What You Are Required To Do

Cease all the activity specified in this notice.

(6) When This Notice Takes Effect

This notice takes effect on 25 April 2008 when all the activity specified in this notice shall cease.

Dated: 21 April 2008

Signed: Trees.

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

Annex

Warning

This Notice Takes Effect On The Date Specified In Paragraph 6.

There Is No Right Of Appeal To The Secretary Of State For The Environment Against This Notice.

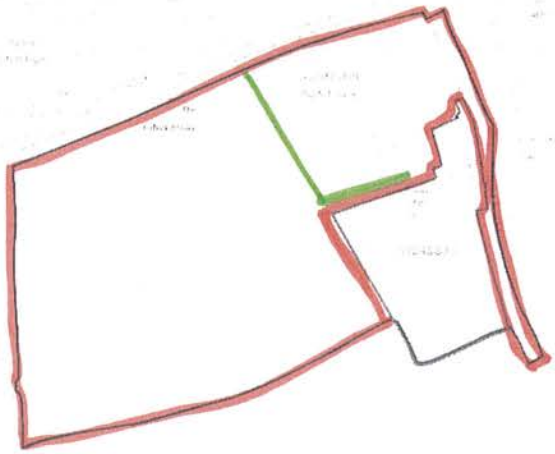
It is an offence to contravene a stop notice after a site notice has been displayed or the stop notice has been served on you. (Section 187(1) of the 1990 Act). If you then fail to comply with the stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £20,000.00 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch **immediately** with Mr Richard Bryant of Taunton Deane Borough Council, Belvedere Road, Taunton, Somerset, TA1 1HE, (Tel: 01823 356414). If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

Land Registry
Current title plan

Title number ST54145
Ordnance Survey map reference ST2314SW
Scale 1:2500
Administrative area SOMERSET: TAUNTON DEANE

© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.

N



This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 17 April 2008 at 15:53:58. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.
This title is dealt with by Land Registry, Plymouth Office.

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 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 notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. The Land To Which The Notice Relates

Land at Lower Fyfett Farmhouse Otterford Chard Somerset TA20 3QP, shown edged red on the attached plan.

3. The Matters Which Appear To Constitute The Breach Of Planning Control

Without planning permission, change of use of part of the Land, from use for agriculture to use as a driveway to serve residential dwelling across an agricultural field on the Land, in the approximate position shown coloured green on the attached plan.

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 unauthorised use as a driveway is not an appropriate use of the land. The Land is located within the Blackdown Hills Area of Outstanding Natural Beauty. The driveway appears as a visual intrusion and detrimental to the visual amenities of the area. It is contrary to Policy EN10 of the Taunton Deane Local Plan. 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) Stop using the land in the approximate position shown coloured green on the attached plan as a driveway serving a residential dwelling and remove the driveway.
(ii) Remove from the land all building materials and rubble arising from compliance with requirement (i) above, and restore the land to its agricultural use before the breach took place.

6. Time For Compliance

(i) 8 weeks after this notice takes effect.
(ii) 12 weeks after this notice takes effect.

7. When This Notice Takes Effect

This notice takes effect on 20 May 2008, unless an appeal is made against it beforehand.

Dated: 21 April 2008

Signed: Tweed.

on behalf of
Taunton Deane Borough Council The Deane House Taunton Somerset TA1 1HE

Annex

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 the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the enclosed appeal forms.

(a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.

(b) The second copy of the appeal form and the notice should be sent to the Council.

(c) The third copy is for your own records.

What Happens If You Do Not Appeal

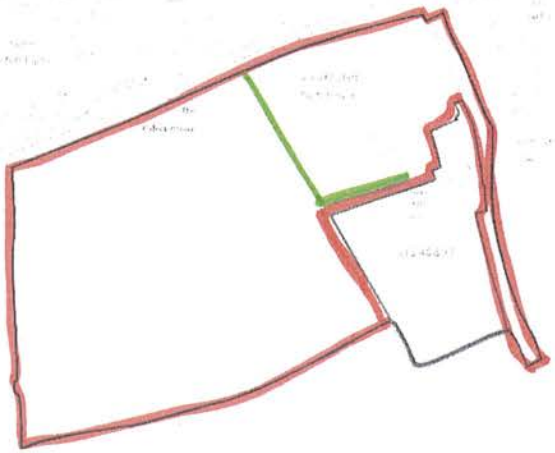
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Land Registry
Current title plan

Title number ST54145
Ordnance Survey map reference ST2314SW
Scale 1:2500
Administrative area SOMERSET: TAUNTON DEANE

© Crown Copyright. Produced by Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.

N



This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 17 April 2008 at 15:53:58. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

This title is dealt with by Land Registry, Plymouth Office.