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 to which the notice relates**

Land at Taunton School, to the east of Fairwater, Staplegrove Road, Taunton shown edged red on the attached plan.

3. **The matters which appear to constitute the breach of planning control**

Without planning permission, the erection of a close boarded wooden fence approximately 2 metres high on land at Taunton School, to the east of Fairwater, Staplegrove Road, Taunton.

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 that the fence, as constructed, presents an incongruous and inappropriate feature having an adverse impact on the open setting of the adjacent listed buildings. The fence does not preserve or enhance the setting of the listed buildings and is therefore contrary to Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the guidance contained in Planning Policy Guidance Note No.15 (PPG15).

The Council does 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**

Completely dismantle the fence and remove all the materials used in its construction from the land and restore the land to the condition it was in before the breach of planning control occurred.

6. **Time for compliance**

Four weeks after this notice takes effect.

7. **When this notice takes effect**

This notice takes effect on 26 June 2008 unless an appeal is made against it beforehand.

Dated: 22 May 2008

Signed:

On behalf of: Taunton Deane Borough Council

The Deane House,
Belvedere Road,
TAUNTON.

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 "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 Secretary of State if you decide to appeal, together with a copy of this enforcement notice. The other should be sent to the Legal and Democratic Services Manager at Taunton Deane Borough Council.

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 period[s] 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.



ENFORCEMENT NOTICE

Reference No. E247/38/2007.

Scale Not to scale.