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

Enforcement Notice: E/0181/0033/38/12
Issued By: Taunton Deane Borough Council ("the Council")
Land: Café Mambo Mill Lane Taunton Somerset

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 known as Mambo Mill Lane Taunton Somerset TA1 1LN 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 4 timber shed buildings in the approximate position marked and numbered 1 – 4 on the attached plan and as shown on the 4 attached photographs AND installation of 3 flood lights in the approximate position marked with asterisks A-C on the attached plan and as shown on the attached photographs numbered 2, 3 & 4.

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 Land falls within the Taunton Castle Scheduled Monument and Castle Conservation Area. Part of the unauthorised timber buildings screen boundary railings which are linked to the listing of the building known as Ina Cottage. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. In this instance the unauthorised timber buildings are considered to detract from the setting of the listed building and would not have been recommended for permission if an application was made.

The unauthorised timber structures are considered to detract from the character and setting of the listed building and the character of the conservation area and ancient monument. The external lighting adversely affects bat habitat.

The works are considered to be contrary to the National Planning Policy Framework; Local Plan Policies S1 (D) (General Requirements); S2 (A) (Design) and Policy 9 of the Somerset; Exmoor National Park Joint Structure Plan Review (The Built Historic

Environment) and Policies CP8 (Environment) and DM1 (General Requirements) of the Taunton Deane Core Strategy 2011 – 2028.

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

5. What You Are Required To Do

1. Remove the unauthorised timber buildings; and
2. Remove the floodlights

6. Time For Compliance

2 months from the date that this Enforcement Notice takes effect.

7. When This Enforcement Notice Takes Effect

This Enforcement Notice takes effect on 25 July 2012 unless an appeal is made against it beforehand.

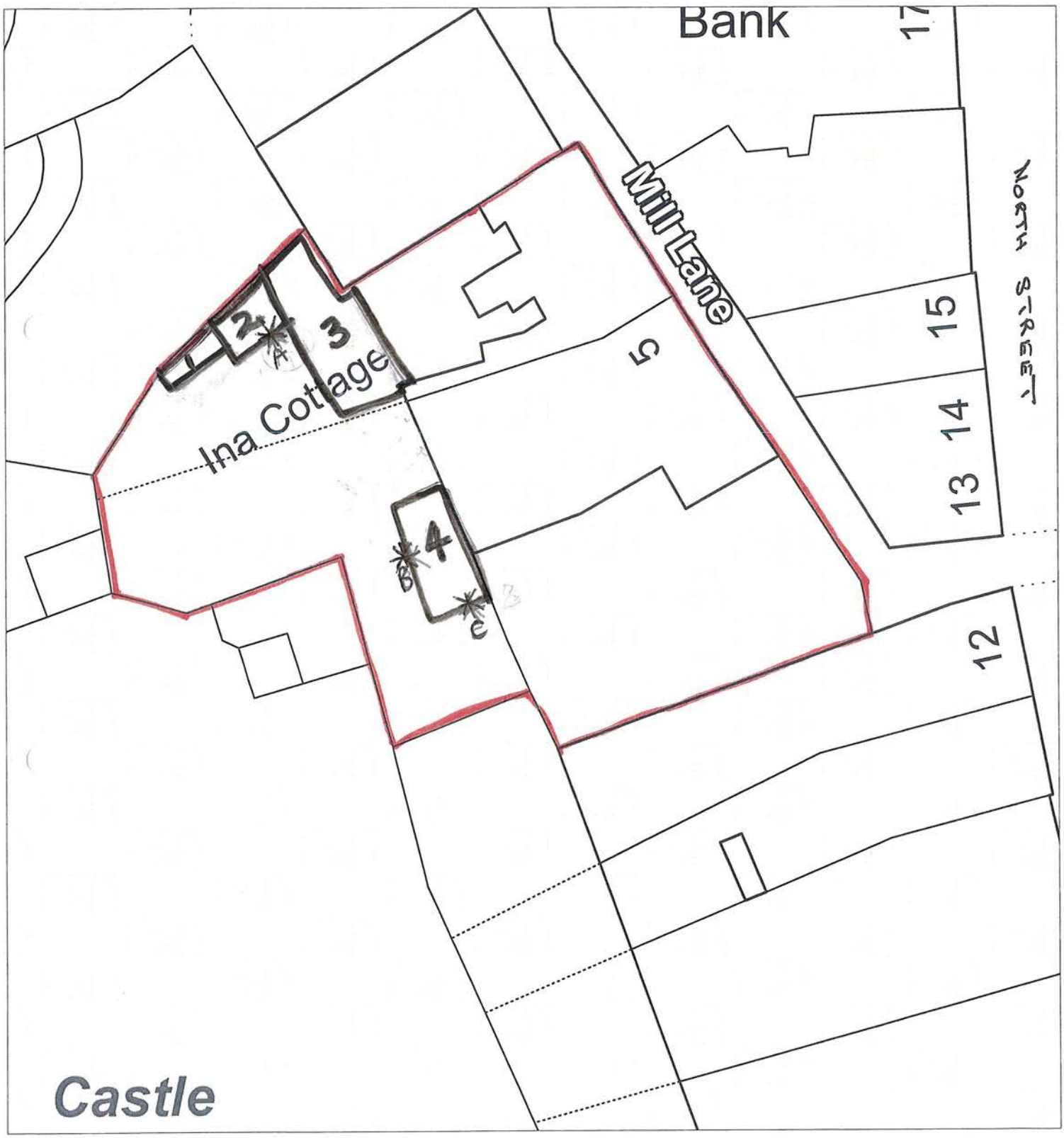
Dated: 20 June 2012
Signed:

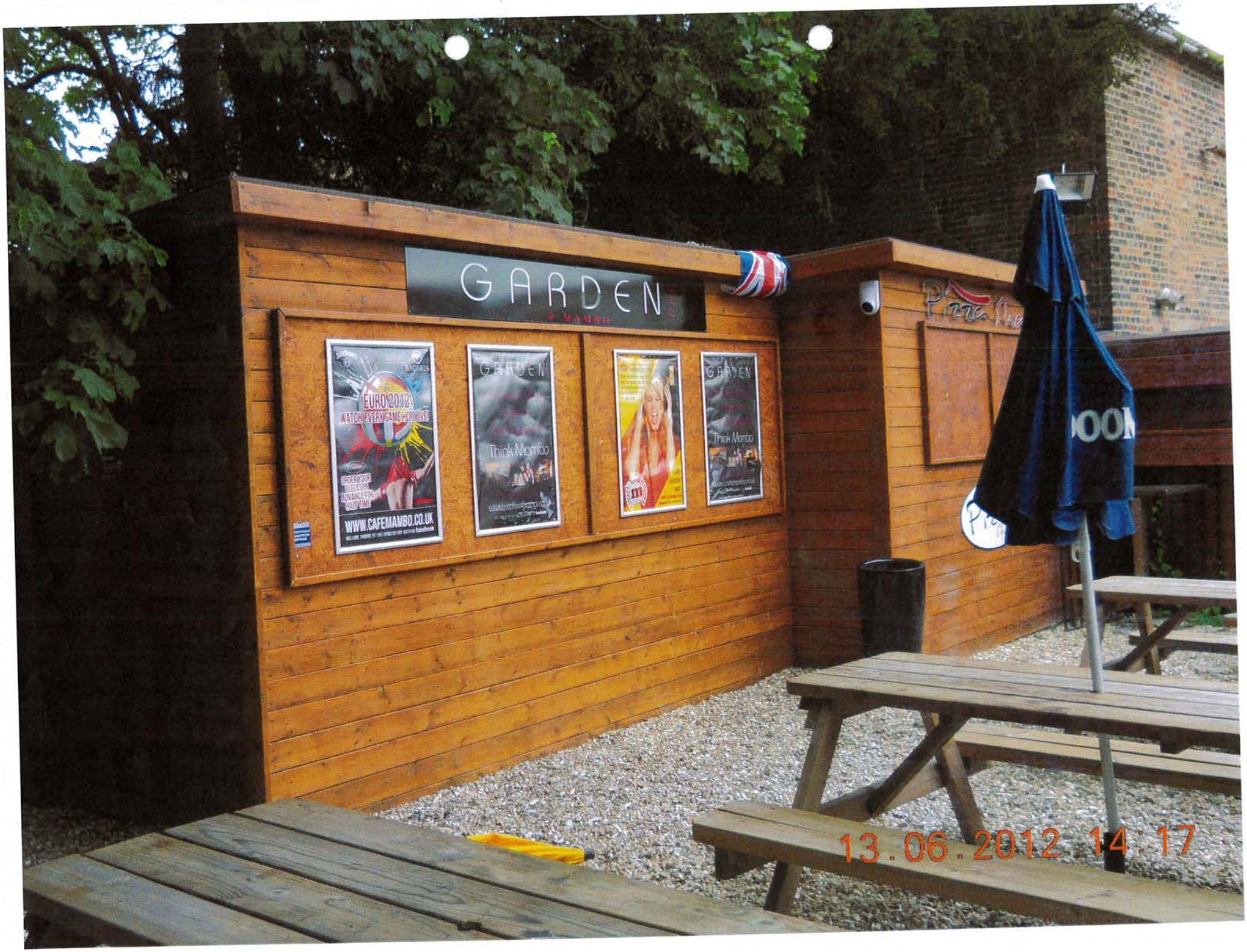
on behalf of

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

TIMBER SHED BUILDINGS (1-4)

* FLOOD LIGHTS (A-C)





Timber Sheds 1+2



Timber Sheds 2+3
Flood light A

2.

Timber Shed 4
Flood light C



Timber Shed 4
Floodlight B.



Annex

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Enforcement Notice relating to land at Café Mambo Mill Lane Taunton Somerset

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 25 July 2012 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 25 July 2012.

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;

(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 of £670.00. You should pay half of the fee (£335.00) to the Taunton Deane Borough Council (made payable to Taunton Deane Borough Council) and the other half of the fee to the Planning Inspectorate (made payable to the Department for Communities and Local Government). 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]