Original

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

Enforcement Notice: E/0171/44/12
Issued By: Taunton Deane Borough Council ("the Council")
Land to the South West of Gidlands Farm House Wellington Hill Wellington Somerset TA21 9NZ

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 to the south west of Gidlands Farm House Wellington Hill Wellington Somerset shown edged red on the attached plan ("the Land").

3. The Matters Which Appear To Constitute The Breach Of Planning Control
Without planning permission, the storage of a caravan on the Land in the approximate location shown edged and hatched black and coloured green on the attached plan and as shown on the attached photograph being an unauthorised use of agricultural land.

4. Reasons For Issuing This Enforcement Notice
It appears to the Council that the above breach of planning control has occurred within the last ten years.

The storage of a caravan in an agricultural field requires a change of use to B8 Use. B8 Use is not appropriate in a remote countryside location such as this.

The Land is located within the Blackdown Hills which is an Area of Outstanding Natural Beauty ("the AONB"). The caravan is visible from the road and does not blend in with the natural features of the surrounding countryside. This is detrimental to the visual amenity and character of the AONB.

There is no evidence of an agricultural function on the Land and therefore there is no ancillary agricultural need for the caravan to be on the Land.

The unauthorised use of the Land is contrary to Policies CP8 (Environment), DM1 (General Requirements) and DM2 (Development in the Countryside) of the Taunton Deane Core Strategy (2011-2028); and guidance contained within the National Planning Policy Framework.

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
Remove the caravan from the Land

6. Time For Compliance
30 days from the date that this Enforcement Notice takes effect.

7. When This Enforcement Notice Takes Effect
This Enforcement Notice takes effect on 12 May 2014 unless an appeal is made against it beforehand.

Dated: 8 APRIL 2014
Signed:
on behalf of

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


Issues
191.2m
Gidland's Cottage
Barncroft
Gidlands Farm
Ponds
Gidlands Farm House
caravan
Issues
Firs Plantation


12.03.2014 14:27

Annex

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

Enforcement Notice relating to Land to the South West of Gidlands Farm House Wellington Hill Wellington Somerset TA21 9NZ

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 12 May 2014 and you must then ensure that the required steps, for which you may be held responsible, are taken within the period 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 12 May 2014.

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 £770.00. You should pay half of the fee (£385.00) 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]