**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

TAUNTON DEANE BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990
(as amended by the Planning and Compensation Act, 1991)

# BREACH OF CONDITION NOTICE

**TO:** [redacted]

**ISSUED BY:** Taunton Deane Borough Council ("the Council").

1. **THIS IS A FORMAL NOTICE,** which is issued by the Council as Local Planning Authority under Section 187A of the above Act because it considers that a condition imposed on the grant of planning permission, relating to the land described below, has not been complied with. It considers that you should be required to comply with the condition specified in this Notice.

2. **THE LAND AFFECTED BY THIS NOTICE**
The land shown edged red on the attached plan.

3. **THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this Notice relates is the permission granted by the Council on 15 September 2003 for Stopping Up of Existing and Formation of New Access at Canonsgrove Farm (Formerly Fullards Farm), Staplehay

4. **THE BREACH OF CONDITION**

The following condition has not been complied with:-

04 The existing access shall be permanently closed when the access hereby permitted is brought into use. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced.

5. **WHAT YOU ARE REQUIRED TO DO**

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to comply with the stated condition and submit details of the means of enclosure to the Local Planning Authority for approval in writing within 14 days and permanently close the access in accordance with the approved details within 28 days of the date of the details being approved.

TIME FOR COMPLIANCE – 14 days to submit details
28 days from date of approval of details to complete the approved works

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect 28 days after it is served on you, or you receive it by postal delivery.

Dated: 20 May 2009

Signed: .....
Development Manager

on behalf of: TAUNTON DEANE BOROUGH COUNCIL

The Deane House,
Belvedere Road,
TAUNTON.
TA1 1HE

**WARNING**

**THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE**

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt what this Notice requires you to do, you should get in touch immediately with Mr. J.A.W Hardy, Senior Planning Enforcement Officer, Taunton Deane Borough Council, The Deane House, Belvedere Road, Taunton, TA1 1HE (Tel: 01823 356466).

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. A lawyer will advise you on what this procedure involves.

**DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE**