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 conditions 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 conditions 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 26 February 2008 for the Erection of a Detached Two Storey Dwelling with Integral Garage and Conservatory, Demolition of Dwelling at Land at Drayton, Bradford on Tone (Amended Scheme to 07/2006/036).

4. **THE BREACH OF CONDITION**

The following conditions have not been complied with:-

03 Before the commencement of any works hereby permitted, details or samples of the materials to be used for the structure of the conservatory and glazing shall be submitted to and be approved in writing by the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority.
03 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).

04 (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.
04 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.

06 The proposed turning space shown on plan ref.2406/2 Rev C shall be constructed and surfaced in materials, details of which shall be submittted to and approved by the Local Planning Authority, prior to commencement of the development hereby permitted, and constructed prior to occupation of the dwelling.
06 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

10 Prior to the occupation of the dwelling hereby approved, the hedge along the frontage of the site shall be removed and a 1.8m footway provided along the frontage of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
10 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

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 conditions and submit details or samples of the materials to be used for the structure of the conservatory and glazing, a landscaping scheme, details of the construction and surfacing of the turning space and details of the construction of a 1.8m footway to be provided along the frontage of the site.

TIME FOR COMPLIANCE – 28 days

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: 23 September 2010

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