Enforcement Notice – No. 1
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 affected**

Barn on land at Theats Farm, Creech Heathfield shown edged red on the attached plan.

3. **The breach of planning control alleged**

Without planning permission, the carrying out of works to the barn including the re-building of existing walls and additional internal load bearing walls and raising the roof structure. In addition, the creation of a new access onto the Class 3 Road leading to Creech Heathfield and the construction of a track leading to the barn.

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.

The barn/building by reason of its design, size and appearance is tantamount to a new dwelling in the countryside which is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policies S7 and EN12. By reason of its size in this prominent rural site the barn/building is also considered to be contrary to Taunton Deane Local Plan Policies S1(D) and S2.

The provision of the new access has a detrimental impact on the roadside amenity and character of the area and is therefore contrary to the requirements of Taunton Deane Local Plan Policies S1, S2, EN6 and EN12.

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**

(i) Stop the unauthorised works, dismantle the new roof structure and demolish the recently erected internal walls, effectively returning the barn/building to the condition it was in before the breach of planning control occurred.

Time for compliance: 8 weeks after this notice takes effect.

(ii) Close the new access onto the Class 3 Road leading to Creech Heathfield and take up the unauthorised track in its entirety and then reinstate the roadside boundary/land to the condition it was in prior to the breach of planning control.

Time for compliance: 8 weeks after this notice takes effect.

6. **When this notice takes effect**

This notice takes effect on 5 September 2007 unless an appeal is made against it beforehand.

Dated: 1 August 2007

Signed: 

On behalf of: Taunton Deane Borough Council

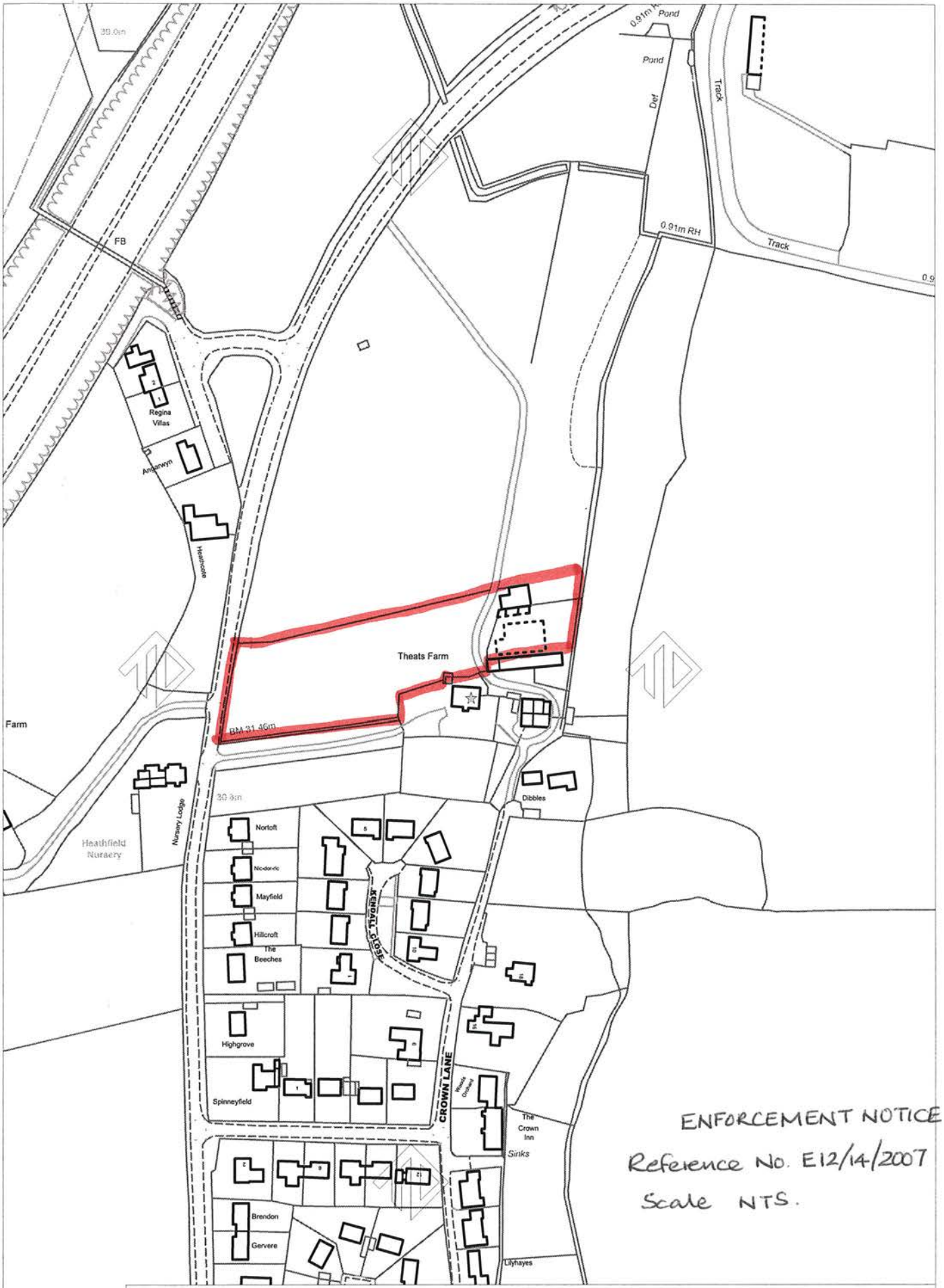
The Deane House,
Belvedere Road,
TAUNTON.

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 Planning Inspectorate before 5 September 2007. 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 Planning Inspectorate if you decide to appeal. The other should be sent to the Chief Executive at Taunton Deane Borough Council. You should also send The Planning Inspectorate the spare copy of this enforcement notice which is enclosed.

What happens if you do not appeal

If you do not appeal against this enforcement notice, it will take effect on 5 September 2007 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 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. E12/14/2007
Scale NTS.

Title:

Date: 30/11/2004

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Taunton Deane Borough Council

TAUNTON DEANE BOROUGH COUNCIL