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

West Somerset Council
West Somerset House, Killick Way,
Williton, Somerset TA4 4QA

[redacted]

Our Ref: E/0040/10/18
Date: 30th July 2018

RECORDED DELIVERY

Dear [redacted]

Town and Country Planning Act 1990
Breach of Condition Notice –

I refer to the appeal decision on an Enforcement Notice granted on 4 August 2017.

Since you have not yet complied with the requirements of Appeal B condition No 02 attached to the aforestated permission, you are now in breach of these conditions. Appeal B Reasons clarify what has to be done. In particular item 11:-

An existing building in the north west of the site, adapted and extended with penned runs is proposed for the housing of the dogs (replacing temporary kennels and runs closer to Moor Lane) and an isolation kennel is proposed in one of the existing stables. A new solid wall to the south east of the runs, along with a new earth bund screen, is proposed to the south east of the runs to attenuate the propagation of any noise towards Fairhouse Farm.

I have enclosed a copy of the approved plans for your convenience.

I now serve upon you a formal Notice under Section 187A of the Town and Country Planning Act 1990, as amended. The Notice requires you to comply with Condition 02 of Appeal B. Full details of what you are required to do are contained in Section 5 of the Notice.

Your attention is also drawn to the notes set out at the end of the Notice.

Yours sincerely

Mrs A Dunford
Planning Enforcement Officer
Tel: 01823 219502
E-mail: a.dunford@tauntondeane.gov.uk
Enc

Breach of Condition Notice

Important - This Communication Affects Your Property

Town and Country Planning Act 1990
(as amended by the Planning and Compensation Act 1991)

Breach of Condition Notice

Served By: Taunton Deane Borough Council ("the Council")
To:

[redacted]

1. This Notice is served by the Council, under section 187A of the above Act, because they consider that conditions imposed on a grant of Appeal, relating to the land described in paragraph 2 below, have not been complied with. The Council consider that you should be required to secure, or secure compliance with, the conditions specified in this notice. The Annex at the end of this notice contains important additional information.

2. The Land to Which the Notice Relates

FAIRFIELD STABLES, MOOR LANE, CHURCHINFORD, TAUNTON
as shown edged red on the attached plan.

3. The Relevant Planning Permission

The relevant appeal decision to which this notice relates is the decision granted by the Planning Inspectorate dated 4th August 2017.

4. The Breach of Condition

Condition 02 of Appeal B

"2) The development hereby permitted shall be carried out in accordance with the following approved plans;

i) Drawing number 200.03 Rev C Site location and block plan
ii) Drawing number 200.04 Rev B Site plan as proposed
iii) Drawing number 200.05 Rev A Plans and elevations as proposed
iv) Drawing number 200.09 Proposed plans and elevations
v) Drawing number 200.10 Indicative floor plans and elevations.

Reason: Appeal B clarifies what has to be done. In particular item 11:-

An existing building in the north west of the site, adapted and extended with penned runs is proposed for the housing of the dogs (replacing temporary kennels and runs closer to Moor Lane) and an isolation kennel is proposed in one of the existing stables. A new solid wall to the south east of the runs, along with a new earth bund screen, is proposed to the south east of the runs to attenuate the propagation of any noise towards Fairhouse Farm.

N.B. For clarification Planning application 10/17/0025NMA has been approved to increase kennel numbers from 6 to 9 at Fairfield Stables, Moor Lane, Churchinford. Dated 21st September 2017 DrNo 200.09 Rev A As Proposed Plans & Elevations. Copy attached.

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 by taking the following steps:

Condition 02 requires compliance with the approved plans.

Period for compliance: 30 days beginning with the day on which this notice is served on you.

Dated: 30th July 2018

Signed: T. R. Brown

Assistant Director Planning and Environment

On behalf of: Taunton Deane Borough Council

Annex

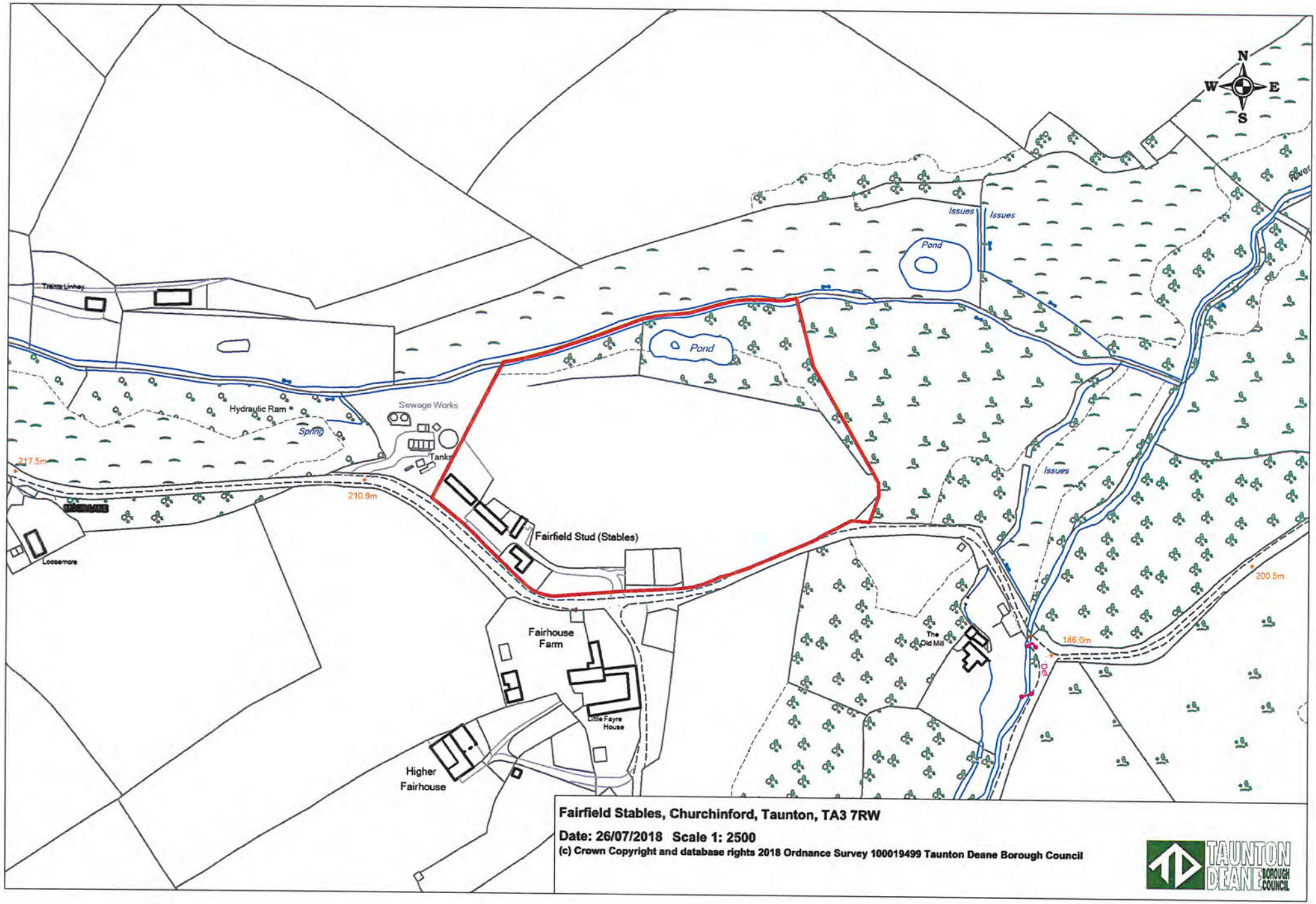
Warning

This Notice Takes Effect Immediately It Is Served On You In Person Or On The Day You Received It By Post.

There Is No Right Of Appeal To The Secretary Of State For The Environment 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 about what this notice requires you to do, you should get in touch immediately Mrs A Dunford Planning Enforcement Officer Tel:01823 219504.

If you do 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.


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E
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Issues
Issues
Pond
Pond
Issues
Hydraulic Ram
Spring
Sewage Works
Tanks
217.5m
210.9m
Fairfield Stud (Stables)
Loosemore
Fairhouse Farm
Little Fayre House
Higher Fairhouse
The Old Mill
186.0m
200.5m
Fairfield Stables, Churchinford, Taunton, TA3 7RW
Date: 26/07/2018 Scale 1: 2500
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TAUNTON DEANE BOROUGH COUNCIL