ENFORCEMENT NOTICE
MATERIAL CHANGE OF USE

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

The premises and ancillary land at Crossroads Farm, Stathe Road, Burrowbridge shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of the premises and ancillary land for the operation of a business which falls under Use Class B2, as defined in the Schedule to the Town & Country Planning (Use Classes) Order, 1987. The approved business use of the premises and ancillary land is Class B1.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last ten years.

It is considered that the operation of a business which falls under Use Class B2, as defined in the Schedule to the Town and Country Planning (Use Classes) Order, 1987 is inappropriate by reason of:-

(i) Its location in a rural area close to several residential properties;

(ii) Its detrimental effect on the character and amenities of the area; and

(iii) Its detrimental effect on the area from pungent odours emanating from the premises.

Furthermore, it is considered that the current business would be more properly sited on land allocated for industrial purposes.

The Council does not consider that planning permission should be given because planning conditions could not overcome these problems.

5. WHAT YOU ARE REQUIRED TO DO

Stop using the premises and ancillary land for the operation of a business which falls under Use Class B2, as defined in the Schedule to the Town and Country Planning (Use Classes) Order, 1987.

Time for compliance: 4 weeks after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 18 December 2001 unless an appeal is made against it beforehand.

Dated: 16 November 2001



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 Secretary of State before 18 December 2001. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other should be sent to the Chief Executive at Taunton Deane Borough Council. You should also send the Secretary of State 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 18 December 2001 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.



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Taunton Deane Borough Council

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