Notice withdrawn - planning permission granted 16/2/84 see attached certificate.

[redacted]

20/2/84

TAUNTON DEANE BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971

Date of Application	Category	Parish	No.
1.12.83	D FULL	TAUNTON	4/38/84/007

Name and Address of Applicant	Name and Address of Agent
H. Riste, Esq., Fairwater Yard, Staplegrove Road, TAUNTON, Somerset. Interest Owner	

ORDNANCE SURVEY REFERENCE	Sheet No.	Edition	Plot Nos.	Grid Ref.
	2125 SE	1966		321925/125425

Position and Nature of Proposal

Demolition of existing building and erection of new storage building/ garage at Fairwater Yard, Staplegrove Road, Taunton.

THE APPLICATION IS APPROVED SUBJECT TO THE FOLLOWING CONDITION(S):-

The external surfaces of the building hereby permitted shall be rendered in a colour to be approved by the Local Planning Authority within 6 months of the date of this permission and no other materials shall be used without the express written consent of the Local Planning Authority or, in default, of the Secretary of State for the Environment.

The above condition has been imposed for the following reason:-

To safeguard the visual amenities of the area.

Form T. and C.P.3/C L.C.

TAUNTON DEANE BOROUGH

TOWN & COUNTRY PLANNING ACT 1971

THE TAUNTON DEANE BOROUGH COUNCIL, being the DISTRICT PLANNING AUTHORITY for the said Borough, have considered the application of which the details are set out on the reverse side hereof and have reached the decision indicated.

Date: 16 FEB 1984

J.J. THORNBERRY
Secretary and Solicitor

NOTES

(1) If the applicant is aggrieved by the decision of the local planning authority to grant permission for the proposed development subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act, 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from THE SECRETARY, DEPARTMENT OF THE ENVIRONMENT, TOLLGATE HOUSE, HOULTON STREET, BRISTOL BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. (The statutory requirements include section 70 (restrictions and conditions attached to certificates in connection with industrial development) and section 77 (restrictions and conditions attached to office development permits)).

(2) If permission to develop land is granted subject to conditions, whether by the planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Taunton Deane Borough Council, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.

(3) In certain circumstances, a claim may be made against the planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act, 1971.

(4) Having regard to the powers of the Highway Authority under the Highways Acts, 1959 to 1971, you should consult the Technical Services Officer, Mary Street House, Mary Street, Taunton, in respect of a proposal within the Town of Taunton and the County Divisional Surveyor, South Street, Taunton in respect of a proposal within the remainder of the borough if any work connected with the development hereby permitted takes place within or immediately adjacent to a public highway (e.g. footpath and margin crossings, piping of ditches, construction of waiting bays, etc.).

(5) This permission does not authorise you to stop up or divert a public right of way in order to enable the development permitted to be carried out. Separate legal steps are necessary for this and, if required, further information in connection therewith can be obtained from the Secretary and Solicitor, Municipal Buildings, Taunton.

(6) You are advised to investigate the possible existence of apparatus of Statutory Undertakers before commencing the development.

(7) In the case of development which will result in (1) buildings or premises to which the public are to be admitted whether on payment or otherwise; or (2) office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act, 1963 applies; premises which are deemed to be such premises for the purpose of that Act; or factories as defined by Section 175 of the Factories Act, 1961; being premises in which persons are employed to work, attention is drawn to Sections 4 and 7 of the Chronically Sick and Disabled Persons' Act, 1970 in connection with (1) and to Sections 7 and 8A of that Act and the Code of Practice for Access for the Disabled to Buildings (i.e. British Standards Institution code of practice referred to as BS5810: 1979) in connection with (2).

(8) In the case of development which will result in the provision of a building intended for the purposes of (1) a university, university college or college or of a school or of a school or hall of a university; or (2) a school within the meaning of the Education Act, 1944, a teacher training college maintained by a local education authority in England or Wales or any other institution providing further education pursuant to a scheme under Section 42 of that Act, attention is drawn to Sections 7 and 8 of the Chronically Sick and Disabled Persons Act, 1970 and Design Note 18 "Access for the Physically Disabled to Educational Buildings", published on behalf of the Secretary of State for the Environment.

(9) This Planning Certificate does not purport to convey any approval or consent which may be required by any byelaw, order, regulation or any enactment other than the Town and Country Planning Act, 1971. In particular it may be necessary to submit an application for approval under the Building Regulations, advice on which may be obtained from the Chief Building Control Officer, Technical Services Division, Mary Street House, Mary Street, Taunton (Tel. Taunton 85100).

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT, 1971

ENFORCEMENT NOTICE

To: [redacted]

of:

WHEREAS:-

1. You are the owner and/or occupier of land situate at Fairwater Yard, Staplegrove Road, Taunton in the Borough of Taunton Deane in the County of Somerset which is more particularly delineated on the attached plan and thereon edged red ("the Land")

2. The TAUNTON DEANE BOROUGH COUNCIL ("the Council") are the District Planning Authority and exercise the functions of the Local Planning Authority for the purposes of the provisions of Section 87 of the Town and Country Planning Act, 1971 ("the Act")

3. It appears to the Council that within the period of four years before the date of this notice there has been a breach of planning control in that the Land has been developed by the carrying out thereon of building operations, namely the partial erection of a building (edged green on the attached plan ("the building")) without the grant of permission required in that behalf under Part III of the Act

4. The Council consider it expedient having regard to the provisions of the Structure Plan and to all other material considerations to issue this enforcement notice in exercise of their powers contained in Section 87 of the Act for the reasons set out in the Annex to this notice

NOW THEREFORE TAKE NOTICE that in exercise of the powers contained in Section 87 of the Act the Council HEREBY REQUIRE YOU within a period of four calendar months beginning with the date on which this notice takes effect to take the following steps in order to remedy the breach of planning control, namely:-

Demolish the building

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act

ON THE TWENTY NINTH DAY OF JANUARY, 1984

DATED THIS TWENTIETH DAY OF DECEMBER, 1983

Signed.....

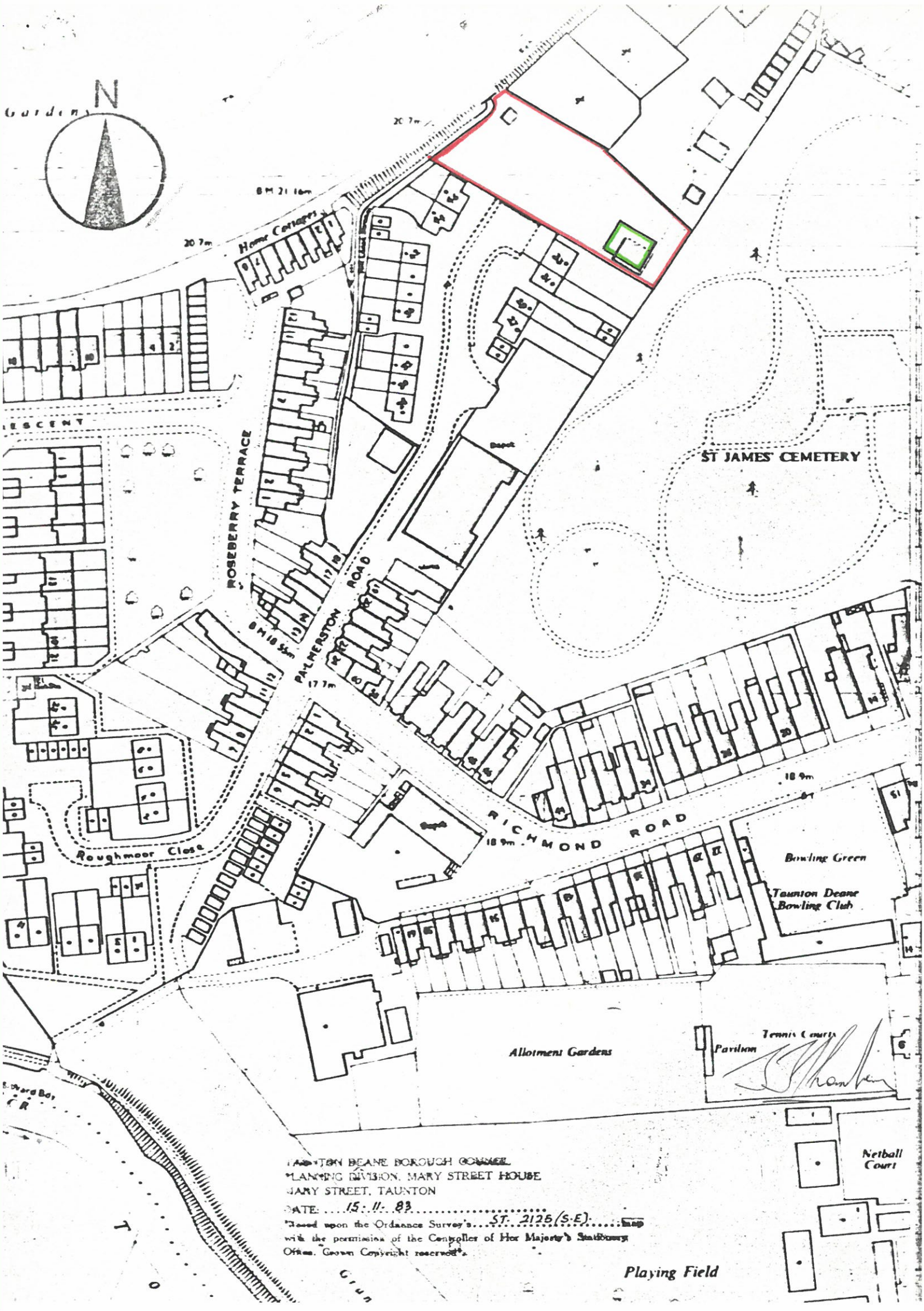
Secretary and Solicitor

Municipal Buildings,

Taunton, Somerset.

Ref: GW/PDll/185

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL AGAINST AN ENFORCEMENT NOTICE contained in Section 88 of the Act which are set out in the explanatory booklet "Enforcement Notice Appeals - A Guide to Procedure" enclosed herewith.


N
Gardens
BM 21.16m
20.7m
Home Cottages
ST JAMES' CEMETERY
ROSEBERRY TERRACE
PALMERSTON ROAD
BM 18.55m
17.7m
RICHMOND ROAD
18.9m
Roughmoor Close
Bowling Green
Taunton Deane Bowling Club
Allotment Gardens
Tennis Courts
Pavilion
Netball Court
Playing Field
TAUNTON DEANE BOROUGH COUNCIL
PLANNING DIVISION, MARY STREET HOUSE
MARY STREET, TAUNTON
DATE: 15:11:83
Based upon the Ordnance Survey's ST 2126 (S.E.) map
with the permission of the Controller of Her Majesty's Stationery
Office. Crown Copyright reserved.

THE ANNEX hereinbefore referred to

Reasons why the Council consider it expedient to issue an Enforcement Notice in respect of the partial erection of a building on Land at Fairwater Yard, Staplegrove Road, Taunton, Somerset

The overbearing nature of the structure is such as to result in an unacceptable loss of outlook for the occupiers of the adjoining dwelling Number 33 Palmerston Road

Dated this twentieth day of December 1983

Signed.....

Secretary and Solicitor

GW/PDl l/A/l85