ENFORCEMENT NOTICE
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

Land at the rear of Hele Manor Farm, Hele shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the erection of a 15m high telecommunications mast with 4 No antennae and equipment, including a generator, in a fenced compound on the above land.

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 mast where currently sited, is detrimental to the visual amenities of the rural area and causes adverse visual impact on the nearby residents of Hele, contrary to Policy C13 of the Taunton Deane Local Plan Revised Deposit.

The generator associated with the mast gives rise to noise and smell nuisance which is detrimental to the amenities of the nearby residents in Hele and contrary to Policy S1 (E and F) of the Taunton Deane Local Plan Revised Deposit.

The Council do 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) Dismantle and remove the telecommunication mast and all associated equipment, including any fencing, from the land at the rear of Hele Manor Farm, Hele.

Time for compliance: 2 weeks after this notice takes effect.

(ii) Restore the land at the rear of Hele Manor Farm, Hele to the condition it was in prior to the breach of planning control.

Time for compliance: 2 weeks after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 14 May 2003 unless an appeal is made against it beforehand.

Dated: 11 April 2003

Signed: 

on behalf of: TAUNTON DEANE BOROUGH COUNCIL

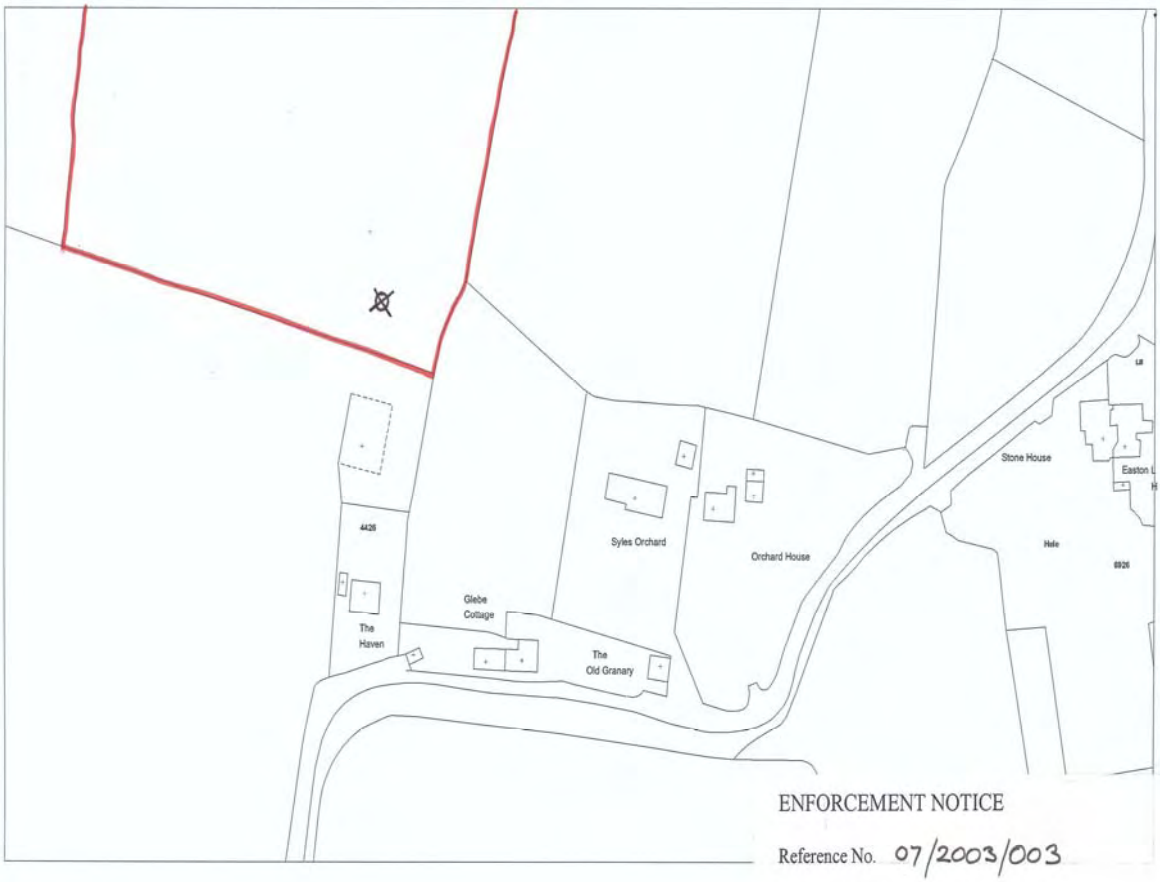
The Deane House,
Belvedere Road,
TAUNTON.

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 Secretary of State before 14 May 2003. 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 14 May 2003 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. 07/2003/003

Scale N.T.S.