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 land at Hele Vale Farm, Waterrow, Wiveliscombe shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of the land at Hele Vale Farm, Waterrow for the siting of a timber lodge used for residential purposes.

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.

The unauthorised dwelling is considered to be an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality, character and appearance of the Brendons Landscape Character Area. As such, it is contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

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

(i) Stop using the land at Hele Vale Farm, Waterrow for the siting of a timber lodge used for residential purposes.

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

(ii) Remove from the land the unauthorised timber lodge and restore the land upon which it stands to the condition it was in immediately before the breach of planning control took place.

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

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17 July 2006 unless an appeal is made against it beforehand.

Dated: 14 June 2006

Signed: 

on behalf of: TAUNTON DEANE BOROUGH COUNCIL

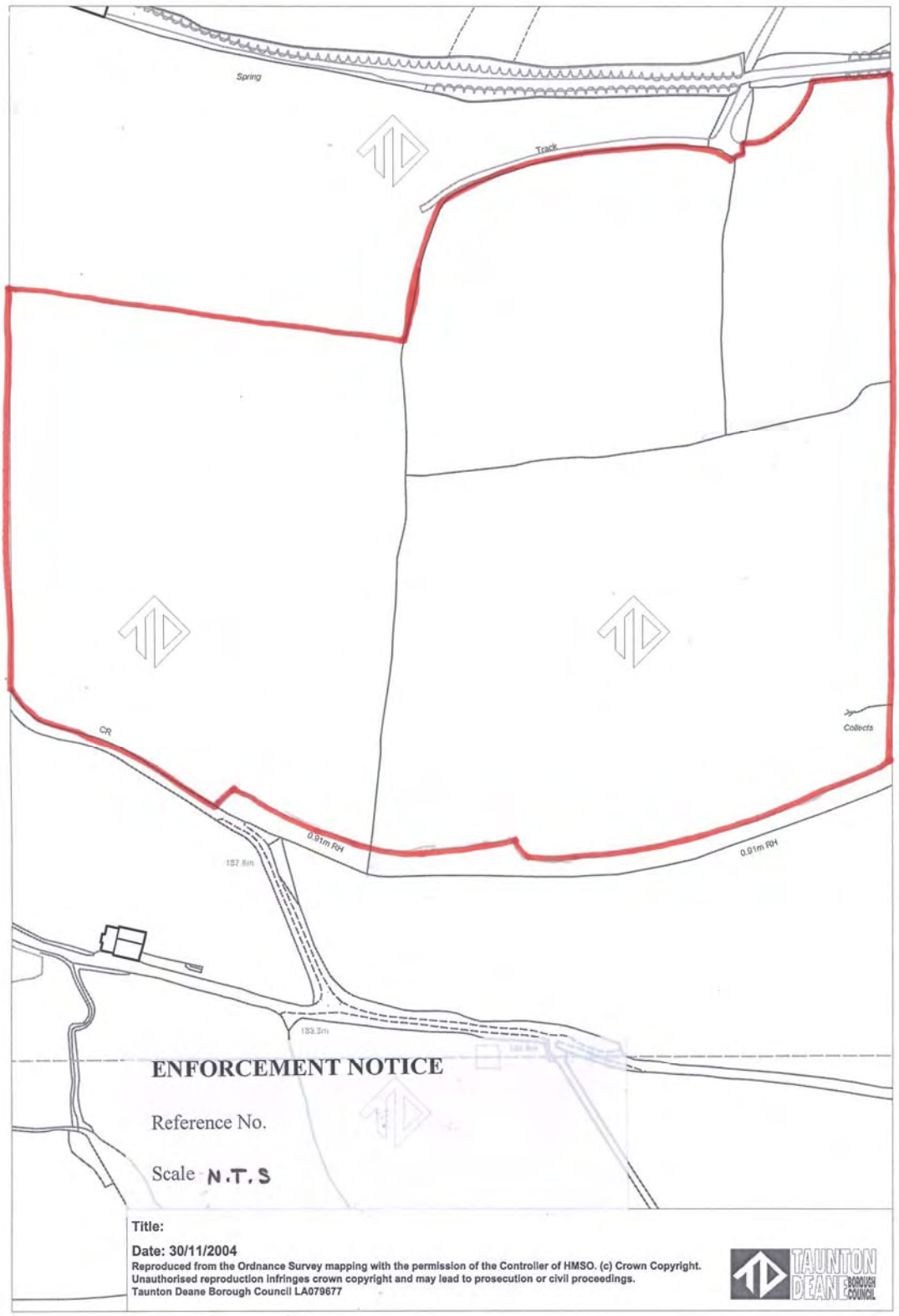
The Deane House,
Belvedere Road,
TAUNTON

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 17 July 2006. 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 17 July 2006 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.

Scale N.T.S

Title:

Date: 30/11/2004

Reproduced from the Ordnance Survey mapping with the permission of the Controller of HMSO. (c) Crown Copyright. Unauthorised reproduction infringes crown copyright and may lead to prosecution or civil proceedings. Taunton Deane Borough Council LA079677

TAUNTON DEANE BOROUGH COUNCIL