Original -

**Important - This Communication Affects Your Property**
**Town and Country Planning Act 1990**
**(as amended by the Planning and Compensation Act 1991)**

**Enforcement Notice: E/0033/35/15**
**Issued By: Taunton Deane Borough Council ("the Council")**
**Land at Appley Stawley Wellington Somerset TA21 0HH**

**1. This Enforcement Notice** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the Town And Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991), at the land described below. They consider that it is expedient to issue this Enforcement Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the Enforcement Notice and the enclosures to which it refers contain important additional information.

**2. The Land to Which the Enforcement Notice Relates**
Land at Appley Stawley Wellington Somerset TA21 0HH shown edged red on the attached plan ("the Site").

**3. The Matters Which Appear To Constitute The Breach Of Planning Control**
Without planning permission the unauthorised change of agricultural use of part of the Site to use for storage of timber at the Site as shown on the 2 photographs attached to this Enforcement Notice

**4. Reasons For Issuing This Enforcement Notice**
It appears to the Council that the breach of planning control has occurred within the last ten years.

Planning Permission was granted on 30 January 2015 under application reference number 35/14/0015 for the change of use of land at the Site for the storage of felled timber restricted to parts of the Site ("the Permitted Storage Areas") as shown hatched black on the plan attached to this Enforcement Notice.

Large quantities of timber are being stored outside of the Permitted Storage Areas. The purpose of storing the timber is purported to be for the production of wood chips for the biomass fuel market.

The piles of timber stored outside of the Permitted Storage Areas can be readily seen from the public highway to the south of the Site and this is detrimental to the appearance of the surrounding rural landscape.

Any intensification in the number of lorry movements used to deliver logs to the Site and collect chipped timber from the Site may result in an unacceptable impact upon the local highway network and its safety.

This is contrary to Policies DM1 (General Requirements); DM2 (Development in the Countryside); and CP8 (Environment) of the Taunton Deane Core Strategy.

The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections.

**5. What You Are Required To Do**
Remove the timber that is positioned outside of the Permitted Storage Areas

**6. Time For Compliance**
3 months from the date that this Enforcement Notice takes effect

**7. When This Enforcement Notice Takes Effect**
This Enforcement Notice takes effect on 28 May 2015 unless an appeal is made against it beforehand.

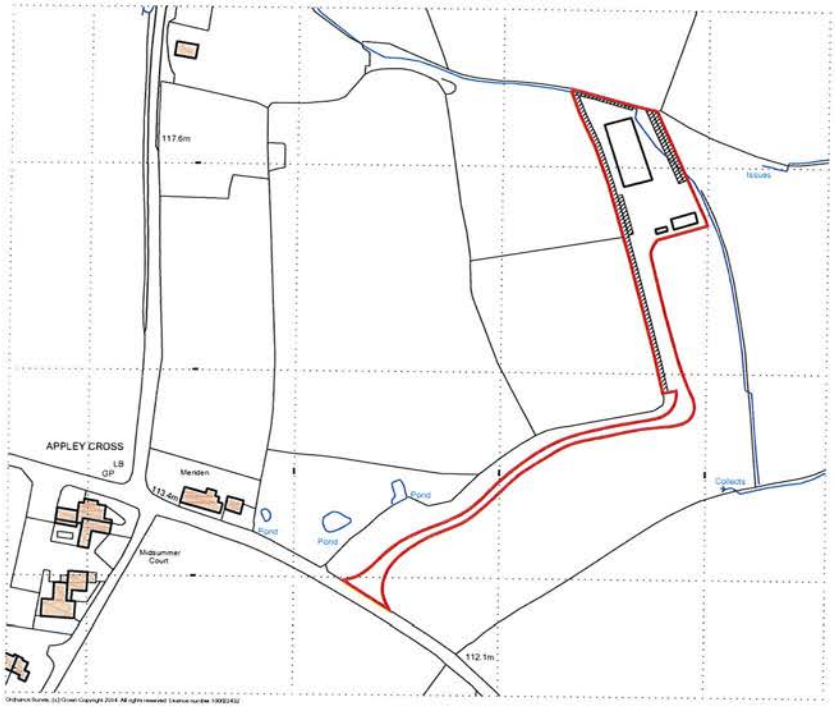
**Dated:** 23 April 2015
**Signed:** R. Bryant.
**On behalf of**: Taunton Deane Borough Council The Deane House Belvedere Road Taunton Somerset TA1 1HE
**Nominated Officer**: Russell Williams
**Telephone Number:** 01823 356469

**on behalf of**

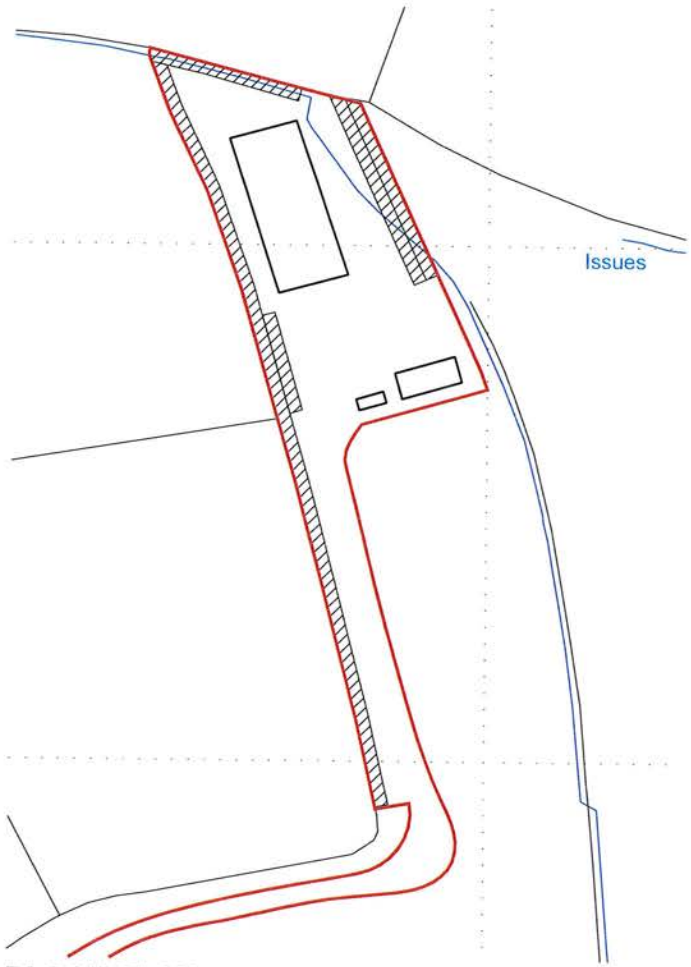
**Taunton Deane Borough Council**
**The Deane House**
**Belvedere Road**
**Taunton**
**Somerset**
**TA1 1HE**

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NOTES:
1. If in doubt ask
2. Written dimensions to be used only
3. This drawing is confidential and remains the exclusive property of ACORUS.
4. Do not copy unless authorised.




LOCATION PLAN
Scale 1:2500




BLOCK PLAN
Scale 1:500

KEY

Timber stacks @ 4 metres high
Single stacks 2.5m wide
Double stacks 5m wide

Ownership Boundary
Site Boundary

1:2500
0 50 m 100 m 200 m 300 m 400 m 500 m
1:500
0 10 m 50 m 100 m

PLANNING

| Rev. | Date | Description | Drwn | Chkd |
|---|---|---|---|---|
| Rev. | Date | Amendment | | |

PROJECT
MR & MRS OWEN
CHANGE OF USE OF LAND FOR THE STORAGE OF FELLED TIMBER AT APPLEY ORCHARD FARM

TITLE
LOCATION AND BLOCK PLANS

| SCALE | DATE | DRAWN BY | CHECKED BY |
|---|---|---|---|
| AS SHOWN @A1 | AUG 14 | SA | JW |

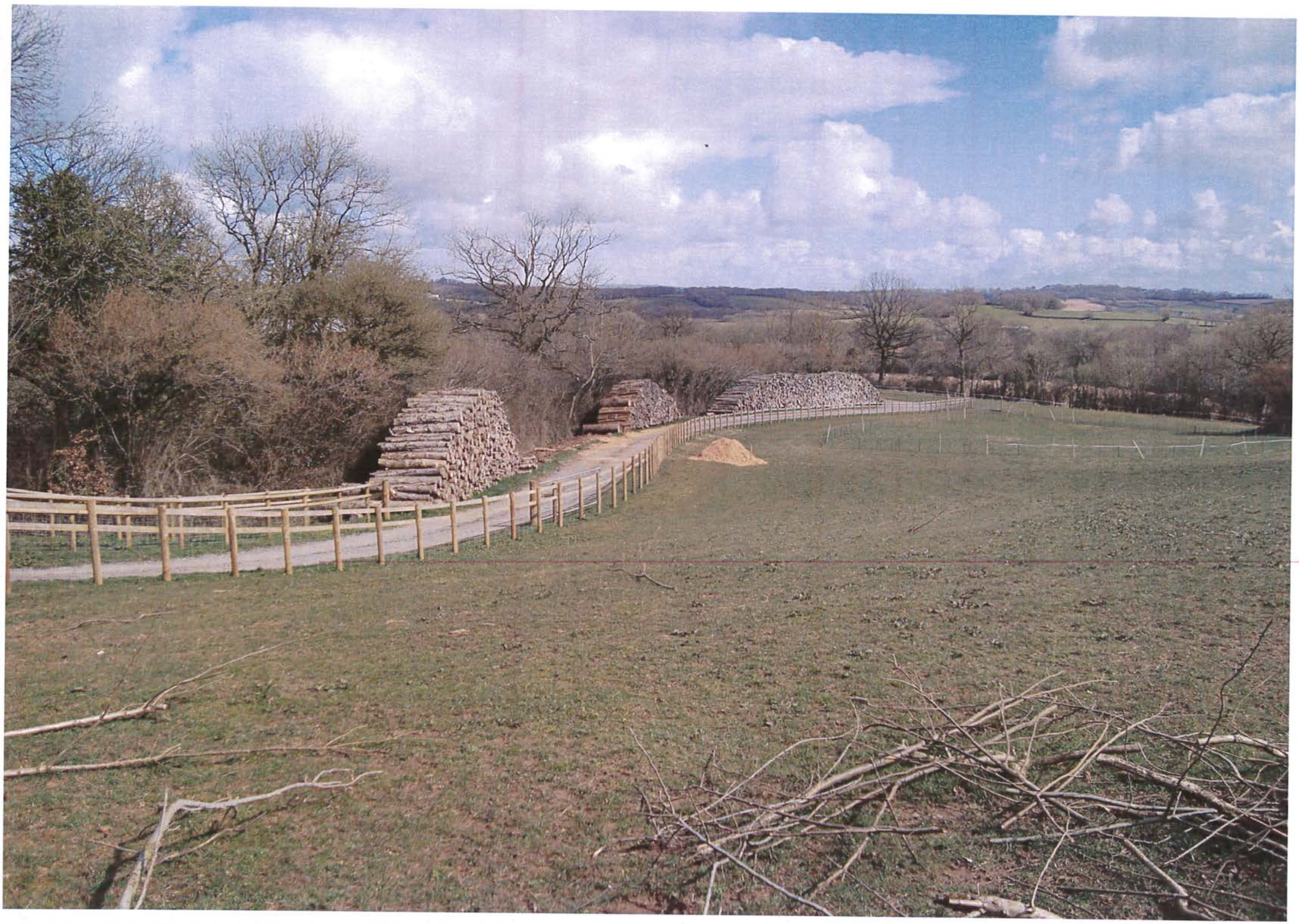
| JOB NO. | DRAWING NO. | REVISION |
|---|---|---|
| JW/0960/0514 | 200-01 | |

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## Annex

## Important - This Communication Affects Your Property
## Town And Country Planning Act 1990
## (as amended by the Planning and Compensation Act 1991)

## Enforcement Notice: E/0033/35/15
## Land at Appley Stawley Wellington Somerset TA21 0HH

This local planning authority, Taunton Deane Borough Council, has issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Enforcement Notice as you have an interest in the land. Copies of the Enforcement Notice are also being served on the parties listed at the end of this letter who, it is understood, also have an interest in the land.

**Your Right of Appeal**
There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the Enforcement Notice. Unless an appeal is made, as described below, the Enforcement Notice will take effect on 28 May 2015 and you must then ensure that the required steps, for which you may be held responsible, are taken within the period specified in the Enforcement Notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the Enforcement Notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before 28 May 2015.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

(a) that, in respect of any breach of planning control which may be constituted by the matters stated in the Enforcement Notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;

(b) that those matters have not occurred;

(c) that those matters (if they occurred) do not constitute a breach of planning control;

(d) that, at the date when the Enforcement Notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;

(e) that copies of the Enforcement Notice were not served as required by section 172;

(f) that the steps required by the notice to be taken, or the activities required by the Enforcement Notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;

(g) that any period specified in the Enforcement Notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee equivalent to double the amount payable for a normal planning application. (The fee in respect of the material change in use of land is £385.00 and so double the fee payable is £770.00). You should pay the fee to the Taunton Deane Borough Council (made payable to Taunton Deane Borough Council). Joint appellants need only pay one set of fees.

If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the Enforcement Notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days

**Parties on whom the Enforcement Notice has been served:-**

[redacted]