County Secretary and Solicitor's Department
County Hall
Taunton TA1 4DY

J K Whitcutt LL.B., Solicitor
County Secretary and Solicitor

Telephone Taunton (0823) 333451 Fax (0823) 255060 DX 122470 Taunton 7

Somerset County Council

[redacted]

please ask for: Mr Farrant
extension: 5007

my reference: C2/989/GCF/DLW
your reference:

19 December 1994

Dear Sir

Town and Country Planning Act 1990
Town and Country Planning General Development Order 1988
Unauthorised Tipping on Land at Crimson Hill Farm, Hatch Beauchamp - Parish of North Curry

I refer to my letter dated 25 November 1994 and now enclose a copy of the Enforcement Notice issued by the County Planning Authority.

Please will you enter details of this Notice in the Register of Enforcement Notices kept by your Council in accordance with the provisions of Article 28 of the 1988 General Development Order.

Yours faithfully

[redacted]

for County Secretary and Solicitor

LEGAL SECTION
20 DEC 1994
TA[illegible]E
BOROUGH COUNCIL

1294G181.CXL

County Secretary and Solicitor's Department
County Hall
Taunton TA1 4DY
J K Whitcutt LL.B., Solicitor
County Secretary and Solicitor
Telephone Taunton (0823) 333451 Fax (0823) 255060 DX 122470 Taunton 7

[redacted]

please ask for: Mr Farrant
extension: 5007
my reference: C2/989/GCF/DLW
your reference:

19 December 1994

Dear Sir

Town and Country Planning Act 1990
Unauthorised Tipping of Builders Waste Materials on Land at Crimson Hill Farm, Hatch Beauchamp

I acknowledge receipt of the completed questionnaire and now enclose the following by way of service:-

1. Two copies of an Enforcement Notice;

2. Department of the Environment guide to Enforcement Notice Appeals.

3. Two Appeal forms.

You should note that should you wish to appeal any such appeal must reach the Department of the Environment in Bristol before 6 February 1995.

A copy of this Notice has also been served on the Secretary, G woodland & Sons Limited.

Yours faithfully

County Secretary and Solicitor

cc The Director for the Environment - Ref: DC/PEC

1294G182.CXL

County Secretary and Solicitor's Department
County Hall
Taunton TA1 4DY
J K Whitcutt LL.B., Solicitor
County Secretary and Solicitor
Telephone Taunton (0823) 333451 Fax (0823) 255060 DX 122470 Taunton 7

[redacted]

please ask for: Mr Farrant
extension: 5007
my reference: C2/989/GCF/DLW
your reference: VJW/JLD

19 December 1994

Dear Sir

Town and Country Planning Act 1990
Unauthorised Tipping of Builders Waste Materials
on Land at Crimson Hill Farm, Hatch Beauchamp

I refer to your letter of 7 October 1994.

Since tipping continues on this site after the expiry of the previous planning permission its continuation constitutes a breach of planning control. I have therefore been instructed by the appropriate Committee of the County Planning Authority to issue an Enforcement Notice to bring this breach of planning control to an end.

I now enclose the following by way of service:-

1. Two copies of an Enforcement Notice;

2. A Department of the Environment guide to Enforcement Notice Appeals;

3. Two Appeal forms.

You should note that should you wish to appeal any such appeal must reach the Department of the Environment in Bristol before 6 February 1995.

Yours faithfully

County Secretary and Solicitor

cc The Director for the Environment - Ref: DC/PEC

1294G183.CXL

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

SOMERSET COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and
Compensation Act 1991)

ENFORCEMENT NOTICE
relating to land at Crimson Hill Farm,
Hatch Beauchamp
in the Parish of North Curry in the
County of Somerset

TO: [redacted]

being the owner of the land referred to in Paragraph 2 below.

AND TO: [redacted]

being the occupier of the land referred to in Paragraph 2 below

ISSUED BY: Somerset County Council ("the Council")

1. THIS IS A FORMAL NOTICE which is issued by the Council as the County Planning Authority because it appears to it that there has been a breach of planning control, under Section 171A(1)(a) of the above Act on the land described below. It considers that it is expedient to issue this Notice, having regard to the provisions of the County Structure Plan and to other material planning considerations.

2. THE LAND AFFECTED

Land comprising part of Ordnance Survey Plot No. 0985 (Somerset Sheet ST 3121 - 1972 Edition) at Crimson Hill Farm, Hatch Beauchamp in the Parish of North Curry in the County of Somerset shown edged red on the plan annexed hereto.

3. THE BREACH OF PLANNING CONTROL ALLEGED

The change of use of the Land to the tipping of builders waste material without planning permission.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the change of use occurred within the last ten years. There are two further reasons why the Council considers it expedient to issue this Notice and these are as follows:-

1. The tipping operations are detrimental to the landscape quality and visual amenity of the Special Landscape Area in which the Land is situated and are therefore contrary to Structure Plan Policy C2 Alteration No. 2;
2. The Council was prepared to accept this development on a temporary basis but considers that more than enough time has elapsed for this development to be completed

Policy C2:-

"The landscape quality and visual character of Special Landscape Areas listed below will be safeguarded through:-

1. Careful control over the siting, design, scale and landscaping of all developments and particularly those that might damage these special attributes or have an adverse impact upon adjoining parts of the Exmoor National Park and Areas of Outstanding Natural Beauty;
2. The preparation and promotion of conservation, enhancement and management measures.

The following are defined as special landscape areas:-

. . . .

8. The Fivehead and North Curry Ridges; West Sedgemoor, and the setting of North Curry;"

5. WHAT YOU ARE REQUIRED TO DO

(i) discontinue the use of the Land for tipping of builders waste material;

(ii) to complete the tipping strictly in accordance with the revised 1/500th scale detailed layout and sectional plan ref: Drawing No 199.1 submitted with planning application No 4/24/93/016 dated the 11th March 1993;

(iii) to properly grade, level and spread with topsoil to a depth of 300 mm the battered face of the tipped area and seed with grass.

Time for compliance: 6 calendar months from the date on which this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice shall take effect on the 6th day of February 1995 unless an appeal is made against it beforehand.

Dated: 19th December 1994

County Secretary and Solicitor

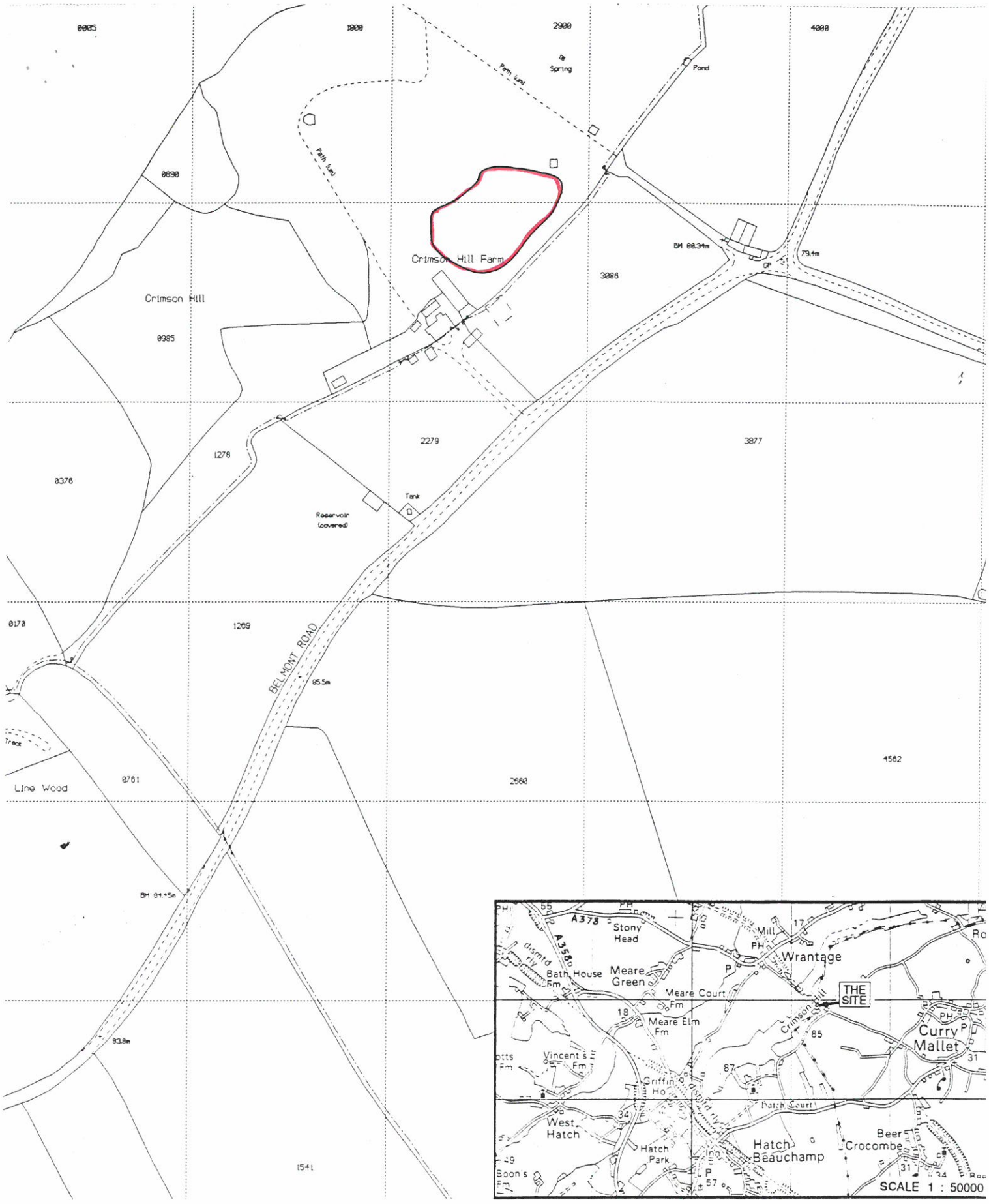
Somerset County Council,
County Hall,
Taunton. TA1 4DY
(Ref: 2/989/GCF)

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 the 6th February 1995. 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 is for you to keep as a duplicate for your own records. You should also send the Secretary of State a 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 the 6th February 1995 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.



Ordnance Survey maps reproduced with the permission of Her Majesty's Stationery Office. Crown Copyright Reserved. Licence No. LA 07683X

TOWN AND COUNTRY PLANNING ACT 1990
TIPPING OF BUILDERS' WASTE MATERIAL ON LAND AT CRIMSON HILL FARM, HATCH BEAUCHAMP, TAUNTON
PLAN REFERRED TO IN ENFORCEMENT NOTICE

R J CHAPMAN Director
Department for the Environment
Somerset County Council
County Hall, Taunton 0823 333451

Somerset County Council
Environment Department

N	Scale	OS. Sheet No.	Group	Drawn by	Date	Job No.	Drawing No.
	1 : 2500	ST3121 (1972 Ed) OS No. 0985 Pt.	Development Control	PC	Nov 1994	4/24/94/024/ENF	42494024/PC/ENF/94/1