**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

# TAUNTON DEANE BOROUGH COUNCIL

## TOWN AND COUNTRY PLANNING ACT, 1990

(as amended by the Planning and Compensation Act, 1991)

## ENFORCEMENT NOTICE - FAILURE TO COMPLY WITH A CONDITION

relating to Land at Station Road, Hatch Beauchamp, Taunton

**TO:** [redacted]

**ISSUED BY:** Taunton Deane Borough Council ("the Council").

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (b) of section 171A(1) 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. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

   Land at Station Road, Hatch Beauchamp, Taunton, shown edged red on the attached plan.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

   On 27 April 2000 planning permission was granted for the erection of 9 industrial units with associated parking and turning areas, subject to conditions. One of those conditions was that:-

   19 Before any work, other than investigative work, is carried out in connection with the use hereby permitted:- (a) A suitably qualified consultant shall be appointed to investigate the nature, degree and extent of contamination, if any, in, on or under all parts of the land to which this permission refers. Previous land uses shall be researched and site inspections shall be made as necessary, having regard to the likely nature of any contamination arising from such land uses. (b) If a hazard or hazards are identified from such investigation, a site specific risk assessment shall be undertaken to consider risks to the following, as appropriate:- 1. Water resources, including any private water supplies. 2. Surrounding land. 3. Wildlife, livestock and eco-systems. 4. Trees and plants. 5. Building materials. 6. Future users of the site. 7. Any other persons. (c) If any unacceptable risks to any of the above are identified a detailed remediation strategy shall be produced to deal effectively with them, having due regard to the proposed end use of the development. (d) All investigations, risk assessments and remediation strategies shall be carried out in compliance with recognised protocols. (e) Submit to the Local Planning Authority 2 copies of the Consultants written report which shall include, as appropriate, full details of the initial research and investigations, the risk assessment and the remediation strategy. Such

remediation strategy shall be approved in writing by the Local Planning Authority and thereafter implemented (f) Any significant underground structures or contamination discovered following approval of the remediation strategy shall be notified to the Local Planning Authority within 2 working days. No further remediation works shall take place until a report thereon has been submitted to and approved in writing by the Local Planning Authority. (g) On completion of all remedial works two copies of a certificate (attached) confirming the works have been completed in accordance with the remediation strategy shall be submitted to the Local Planning Authority.

It appears to the Council that the condition has not been complied with, because details of investigations, risk assessments and remediation strategies have not been submitted to the Local Planning Authority and in particular no gas monitoring has been carried out to assess levels of methane gas.

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. Without compliance with the above condition the Local Planning Authority can not be sure that land contamination has been adequately dealt with prior to the commencement of the new use on the site. The Council do not consider that there should be any relaxation of the condition in question, namely condition 19 set out above.

5. **WHAT YOU ARE REQUIRED TO DO**

Appoint a suitably qualified consultant to carry out the works and assessments specified in the condition and submit to the Local Planning Authority two copies of that consultants written report as more particularly detailed in the condition, carry out any remedial works advised by the report and submit two copies of the remediation certificate to the Local Planning Authority.

6. **TIME FOR COMPLIANCE**

28 days after this notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 15 February 2001, unless an appeal is made against if beforehand.

[redacted]

on behalf of: TAUNTON DEANE BOROUGH COUNCIL

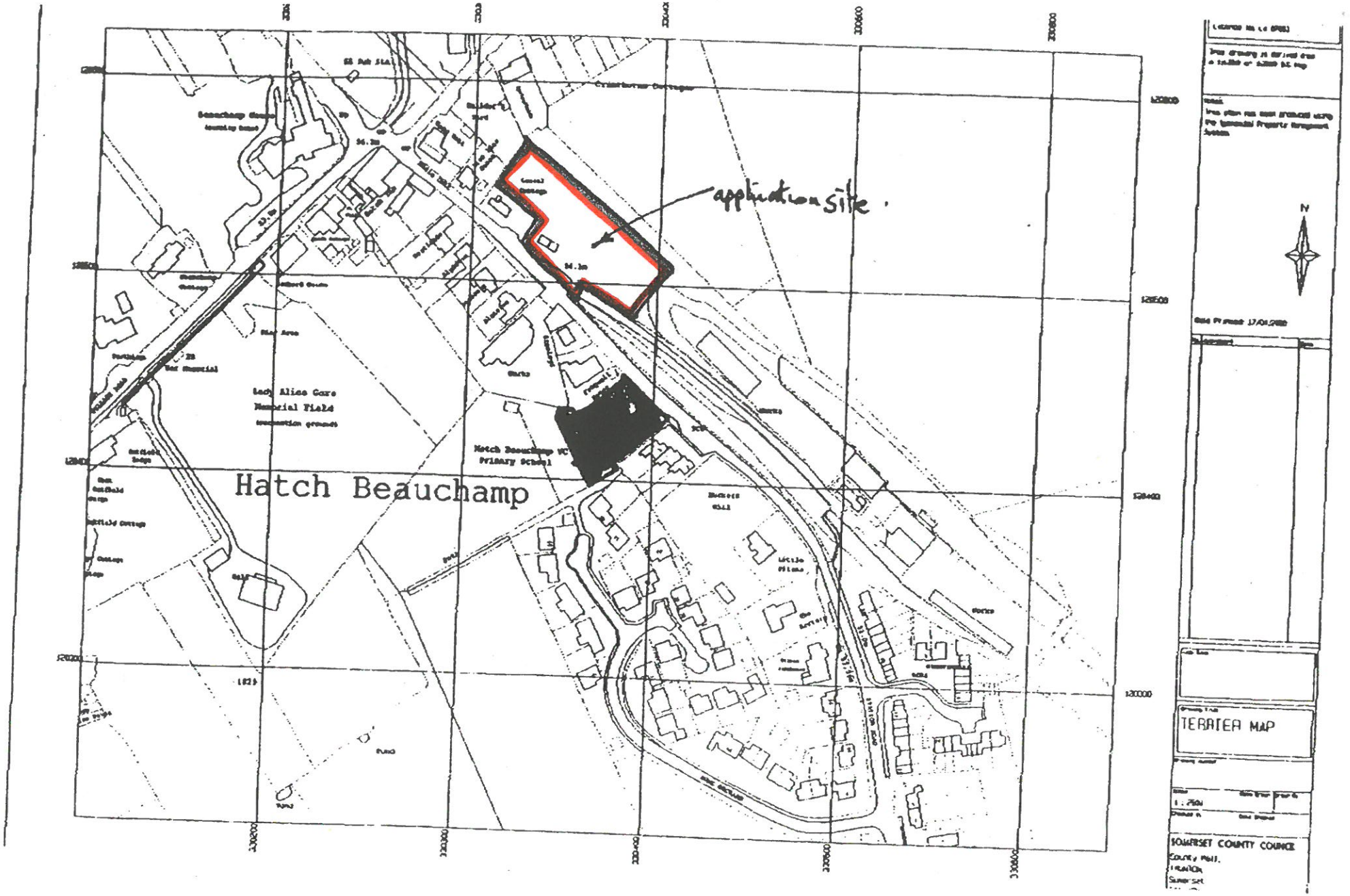
The Deane House
Belvedere Road
TAUNTON
TA1 1HE

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 15 February 2001. 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 15 February 2001 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.


application site.
Hatch Beauchamp
Lady Alice Gore Memorial Field
Hatch Beauchamp VC Primary School
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TERRAIN MAP
SOMERSET COUNTY COUNCIL