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)

BREACH OF CONDITION NOTICE

relating to land at the side of Creffields, Spring Grove, Milverton (Bathealton Parish).

[redacted]

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

1. **THIS IS A FORMAL NOTICE** which is issued by the Council as Local Planning Authority under Section 187A of the above Act because it considers that a condition imposed on the grant of planning permission, relating to the land described below, has not been complied with. It considers that you should be required to comply with the condition(s) specified in this Notice.

2. **THE LAND AFFECTED BY THIS NOTICE**

   The land at the side of Creffields, Spring Grove, Milverton (Bathealton Parish) shown edged red on the plan annexed hereto.

3. **THE RELEVANT PLANNING PERMISSION**

   The relevant planning permission to which this Notice relates is the permission granted by the Council on 19 February 1997 for the erection of a horticultural storage building and formation of access, land to the side of Creffields, Spring Grove, Milverton (Bathealton Parish). (Application No. 03/1997/001).

4. **THE BREACH OF CONDITION**

   The following conditions have not been complied with:-

   03 (i) Before any part of the permitted development is commenced, a scheme of planting of trees and shrubs, which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority.

(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

(iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained to the satisfaction of the Local Planning Authority and, any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

07 Prior to the new access being brought into use, it shall be hard surfaced in tarmacadam or such other material as shall be agreed in writing by the Local Planning Authority for a distance of 4 metres back from the edge of the carriageway.

10 Prior to the commencement of the development hereby permitted, the existing garage building and stored materials shall be completely cleared from the site.

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

(a) Submit the further details in respect of your proposed landscaping scheme, as required by the Local Planning Authority in its letter to you dated 8 May 1997 and once approved, undertake the landscaping scheme in its entirety;

(b) Provide the hard surfacing required to the first 4 metre length of the new access from the edge of the carriageway;

(c) Demolish the existing garage building and remove from the land all the materials resulting from this demolition and any other materials stored on the land.

TIME FOR COMPLIANCE - 2 months, beginning with the day on which this Notice is served on you.

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect IMMEDIATELY it is served on you, or you receive it by postal delivery.

Dated: 6 July 1999



on behalf of: TAUNTON DEANE BOROUGH COUNCIL

The Deane House,
Belvedere Road,
TAUNTON.
TA1 1HE

WARNING

THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt what this Notice requires you to do, you should get in touch immediately with Mr. R. Bryant, Member Services Unit, Taunton Deane Borough Council, The Deane House, Belvedere Road, Taunton, TA1 1HE (Tel: 01823 356414).

If you need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE



ENFORCEMENT NOTICE

Reference No. 03/97/001

Scale 1: 1250

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TAUNTON DEANE
BOROUGH COUNCIL

Scale 1:1,250 Date 5/3/1999