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 Lower Southey Farm, Smeatharpe, Churchstanton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, did change the use of the land for the purpose of stationing a mobile home.

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.

(i) The site lies beyond the recognised limits of a designated settlement in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the development serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority the development does not constitute a genuine agricultural or other appropriate need and would therefore be contrary to this policy (C4).

(ii) The site is within the designated area of the Blackdown Hills AONB where it is the policy of the Local Planning Authority to safeguard the exceptional landscape and wildlife quality of the countryside through the strict control of development. In the opinion of the Local Planning Authority the development would constitute a visual intrusion which would be detrimental to the amenities of the AONB and would therefore be contrary to this policy C1.

The stationing of a mobile home on this prominent site in the countryside detracts significantly from the visual amenities of the locality.

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

Discontinue the use of the land for the purposes of a site for and stationing of a mobile home. Remove the mobile home from the land and reinstate the land to its condition prior to the breach of planning control

Time for compliance: six months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29th December 1993 unless an appeal is made against it beforehand.

Dated: 25th November 1993

Signed: 

on behalf of: TAUNTON DEANE BOROUGH COUNCIL

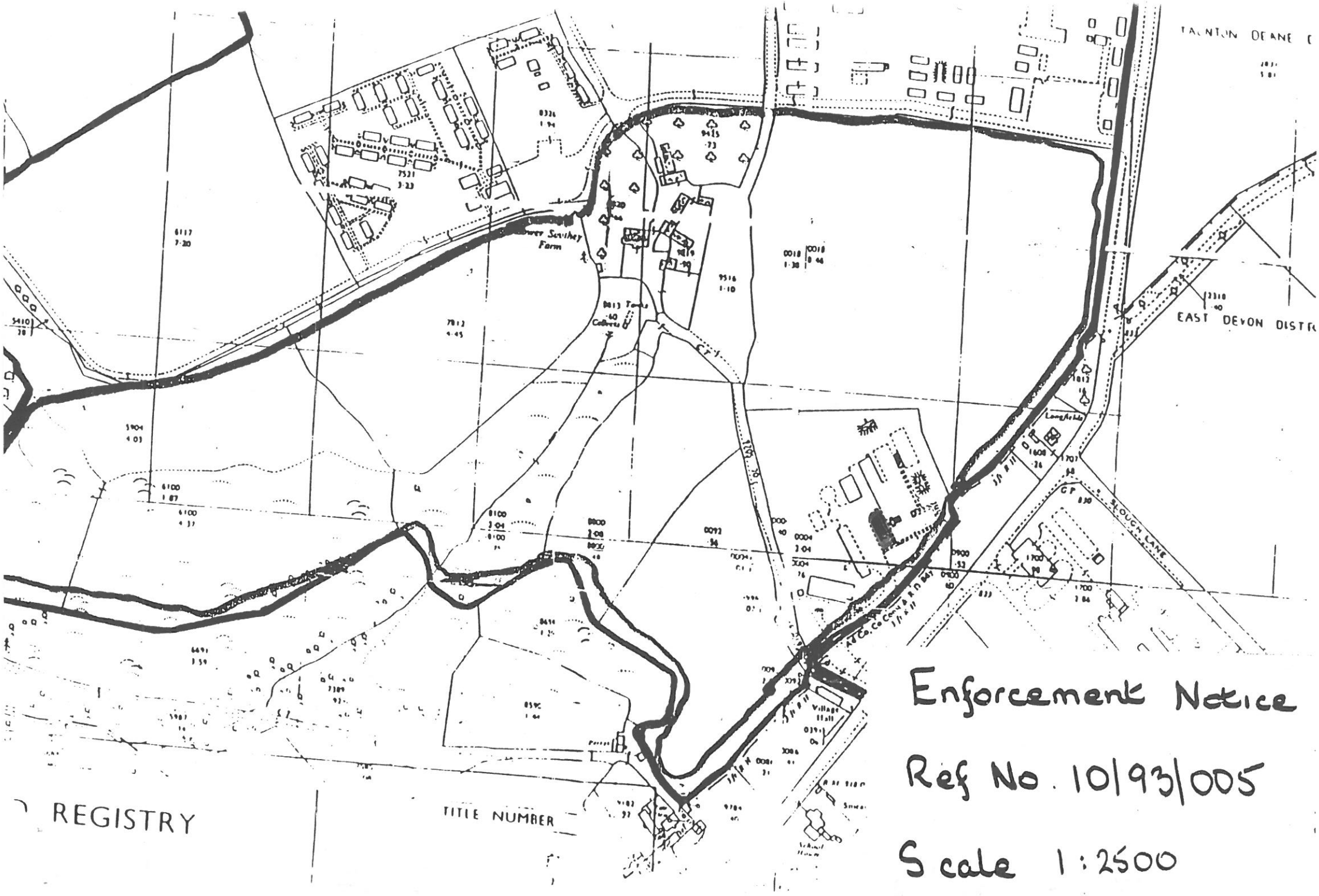
The Deane House,
Belvedere Road,
TAUNTON

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 Secretary of State before 29th December 1993. 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 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 29th December 1993 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

Ref No. 10/93/005

Scale 1:2500