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 to the north of Manor Farm, Staplegrove, Taunton

TO: [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 to the north of Manor Farm, Staplegrove 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 8 February 2002 for the erection of 3 dwellings and garages on land to the north of Manor Farm, Staplegrove. (Application No. 34/2001/039).

4. **THE BREACH OF CONDITION**

   The following condition(s) has not been complied with:-

   See attached.

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

   Undertake the requirements of Condition 15 of planning permission no. 34/2001/039.

   TIME FOR COMPLIANCE – 3 weeks, 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: 20 March 2002



Signed: .....
Solicitor to the Council

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

15 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 is 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 Planning Authority 2 copies of the Consultant's 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 accepted 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 two working days. No further remediation works shall take place until a report thereon has been submitted to and accepted in writing by the Local Planning Authority. (g) On completion of all remediation works two copies of a certificate confirming the works have been completed in accordance with the remediation strategy, shall be submitted to the Local Planning Authority.


WHITE HILL
The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office.Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
TAUNTON DEANE
BOROUGH COUNCIL