DELEGATED REPORT

Appl'n No: 14/76/001
Owner: [redacted]

ADDRESS: Bryher, North End House, Creech St Michael, TAUNTON, Somerset.

An Enforcement Notice was served on 17th January 1977 requiring the provision of a parking area and garage space to be provided within the curtilage of cottage No 2 in accordance with the Planning permission granted under application 14/76/001. The compliance time was 1 year however the owner/occupier of the cottage was advised that if, at the end of the period, circumstances were unchanged; an extension of the period for compliance might be anticipated. This decision was taken because the cottage was sold to a lady who did not own a car and who wished to retain the approved parking area as a garden.

On 27th March 1985 the Planning Committee authorised deferment of compliance with the Enforcement Notice for a further period to 28th February 1986. Following a site visit on 28th February 1986 it was found that the cottage was in the same ownership and the circumstances were unchanged. It was recommended to the Planning Committee a further deferment of compliance with the Enforcement Notice for another year.

Since that time no further inspection of the property has taken place. The owner has recently past away and the property is to be sold. In view of the time that has elapsed since the Notice should have been complied with and the changes in policy regarding provision of car parking spaces that have occurred since the original Planning permission was granted, it is proposed that in Pursuant of powers under section 173A of the Town and Country Planning Act 1990 the Enforcement Notice be withdrawn with immediate effect.

In preparing this report the Enforcement Officer has considered fully the implications and requirements of the Human Rights Act 1988

CONTACT OFFICER: Mr J A W Hardy

Signature: J A W Hardy Date: 2nd September 2011

Land Charges

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1971

ENFORCEMENT NOTICE

To: [redacted]

Does not apply to Old Party

Cottage

WHEREAS:-

1. You are the owner of the land situate at North End House, Creech St. Michael, in the TAUNTON DEANE BOROUGH in the County of Somerset which is more particularly delineated on the attached plan (Plan 'A') and thereon edged red ('the Land')

2. The TAUNTON DEANE BOROUGH COUNCIL ('the Council') are the District Planning Authority and exercise the functions of the Local Planning Authority for the purposes of the provisions of Section 87 of the Town and Country Planning Act 1971 ('the Act')

3. On the 19th day of March, 1976, the Taunton Deane Borough Council as Local Planning Authority upon an application in that behalf made under Part III of the Town and Country Planning Act 1971, granted permission for the following development, namely:-

'Conversion of North End House, Creech St. Michael, into two cottages and provision of parking facilities, as amended by applicant's agents plans received on 13th February, 1976 and further amended on 2nd March, 1976.'
('the Permission')

4. The Permission was granted subject (inter alia) to the following condition:-

'Before Cottage No. 2 is occupied the parking area and garage space shall be properly consolidated and surfaced, and such area and space shall not be used other than for the garaging and parking of vehicles in connection with the development hereby permitted.' (The parking area and garage space are shown coloured blue on the attached plan (Plan 'B') ('the Condition').

5. It appears to the Council that within the period of four years before the date of service of this notice there has been a breach of planning control in that the Permission has been implemented but the Condition has not been complied with in the following respects, namely:-

The parking area and garage space have not been consolidated and surfaced.

6. The Council consider it expedient having regard to the provisions of the development plan and to all other material considerations to serve this notice.

continued . . . .

NOW THEREFORE TAKE NOTICE that in exercise of the powers contained in Section 87 of the Act the Council HEREBY REQUIRE YOU within a period of one year beginning with the date on which this notice takes effect to take the following steps to comply with the condition:-

Consolidate and surface the parking area and garage space.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(3) of the Act,

ON THE 28th DAY OF February 197 7

DATED THIS 14th DAY OF January 197 7

Signed .....

Secretary and Solicitor

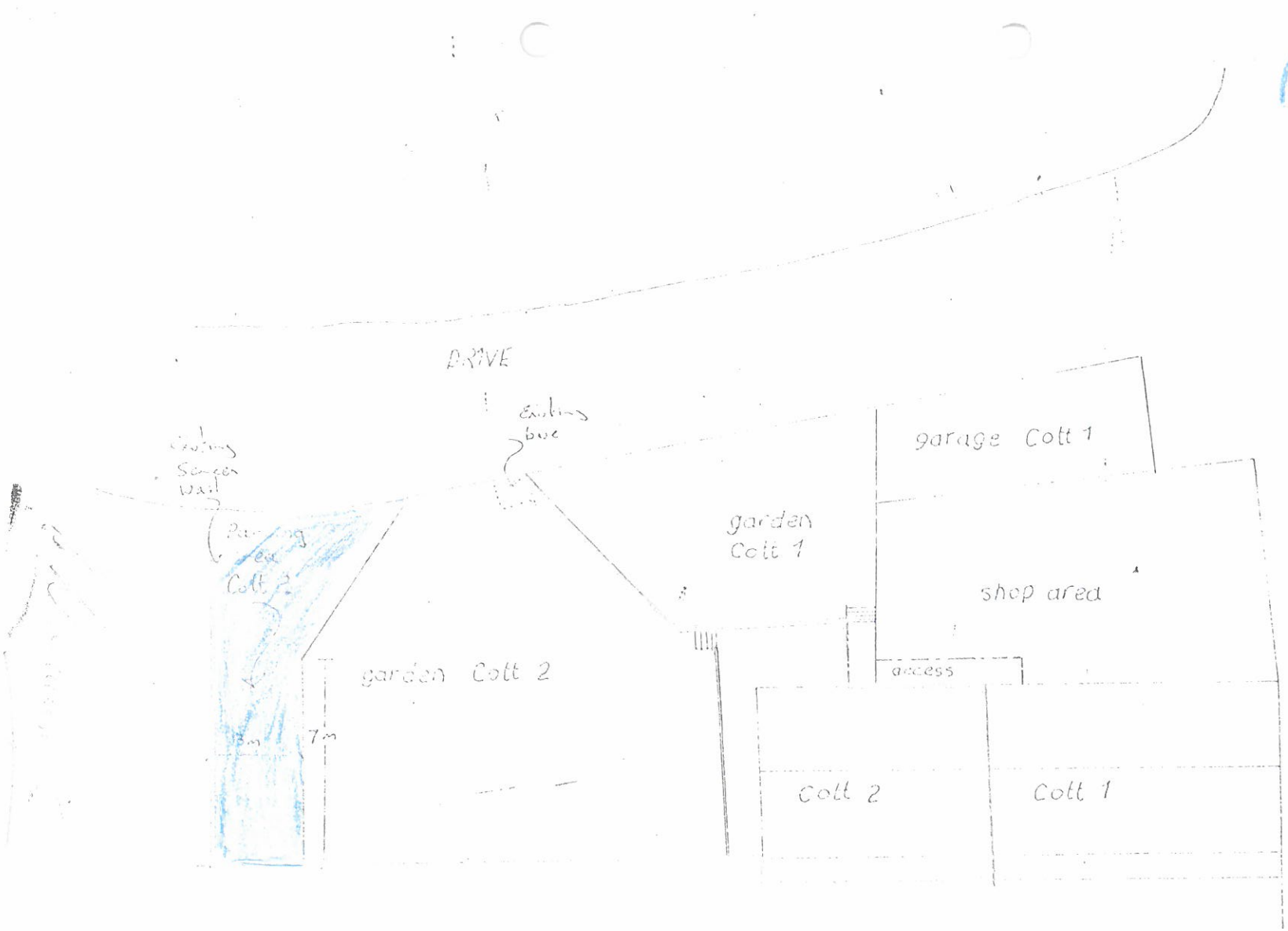
Municipal Buildings,
Taunton, Somerset.

Ref: DGE/SDC/PD.11/A/46

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL AGAINST AN ENFORCEMENT NOTICE contained in Section 88 of the Act. Copies of this section and of other relevant sections of the Act are attached hereto.

IT IS IMPORTANT THAT YOU SHOULD READ THEM


North End
Northend Farm
Northend Villa
Crookwood Terrace
5214
5·47
6924
1·52
5034
1·52
2224
1·03
1533
11·69


DRIVE
existing
Garden
Garage
Wall
existing
bus
garden
Cott 1
garage Cott 1
shop ared
access
garden Cott 2
7m
Cott 2
Cott 1