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 Oxen Lane, North Curry, Taunton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of the land to a permanent gypsy site for 16 mobile homes, 16 caravans and 15 utility dayrooms.

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.

1. The proposed development by reason its scale and appearance will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct character of the North Curry Ridge Landscape Character Area, or the outlook from adjacent properties which would be detrimental to the amenity of the occupiers.

2. Oxen Lane leading to the site has substandard width and alignment and the junctions at either end have substandard visibility on to Windmill Hill and Greenway. Increased use of Oxen Lane and its junctions which would result from the proposed development would be prejudicial to highway safety.

3. The proposed development by reason of its scale, appearance and close proximity will be detrimental to the outlook from adjacent properties and by reason of increased activity arising from residential occupation of the scale proposed, will be detrimental to the amenity of the occupiers of adjacent properties.

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

(i) Stop using the land as a permanent gypsy site.

Time for compliance: 28 days after this notice takes effect.

(ii) Remove from the land the tourers, mobile homes and utility day rooms, roadways and hardstandings.

Time for compliance: 28 days after this notice takes effect.

(iii) Reinstate the land to the condition it was in prior to the alleged breach of planning control.

Time for compliance: 28 days after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 27 November 2004 unless an appeal is made against it beforehand.

Dated: 29 October 2004

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 27 November 2004. 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 27 November 2004 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.

IMPORTANT - THIS NOTICE AFFECTS YOUR PROPERTY

TAUNTON DEANE BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990

STOP NOTICE

Land at Oxen Lane, North Curry, Taunton

To: [redacted]

WHEREAS:

(1) The Taunton Deane Borough Council, being the Local Planning Authority for the land to which this Notice relates, has issued an Enforcement Notice dated 29 October 2004, under Section 172 of the Town and Country Planning Act, 1990, alleging that there has been a breach of planning control on the land described in Schedule 1 to this Notice; and

(2) The Council considers it expedient to prevent, before the expiry of the period allowed for compliance with the requirements of the Enforcement Notice, the activity alleged to constitute or form part of the alleged breach of control.

NOTICE IS HEREBY GIVEN that the Council, in exercise of its powers in Section 183 of the 1990 Act, now prohibits the continuation of the activity specified in Schedule 2 to this Notice.

A copy of the related Enforcement Notice, issued under Section 172 of the 1990 Act, is annexed to this Notice.

THIS NOTICE SHALL TAKE EFFECT on 30 October 2004 when all the activity specified in Schedule 2 to this Notice shall cease.



J. J. THORNBERRY
Solicitor to the Council

Dated the 29 October 2004

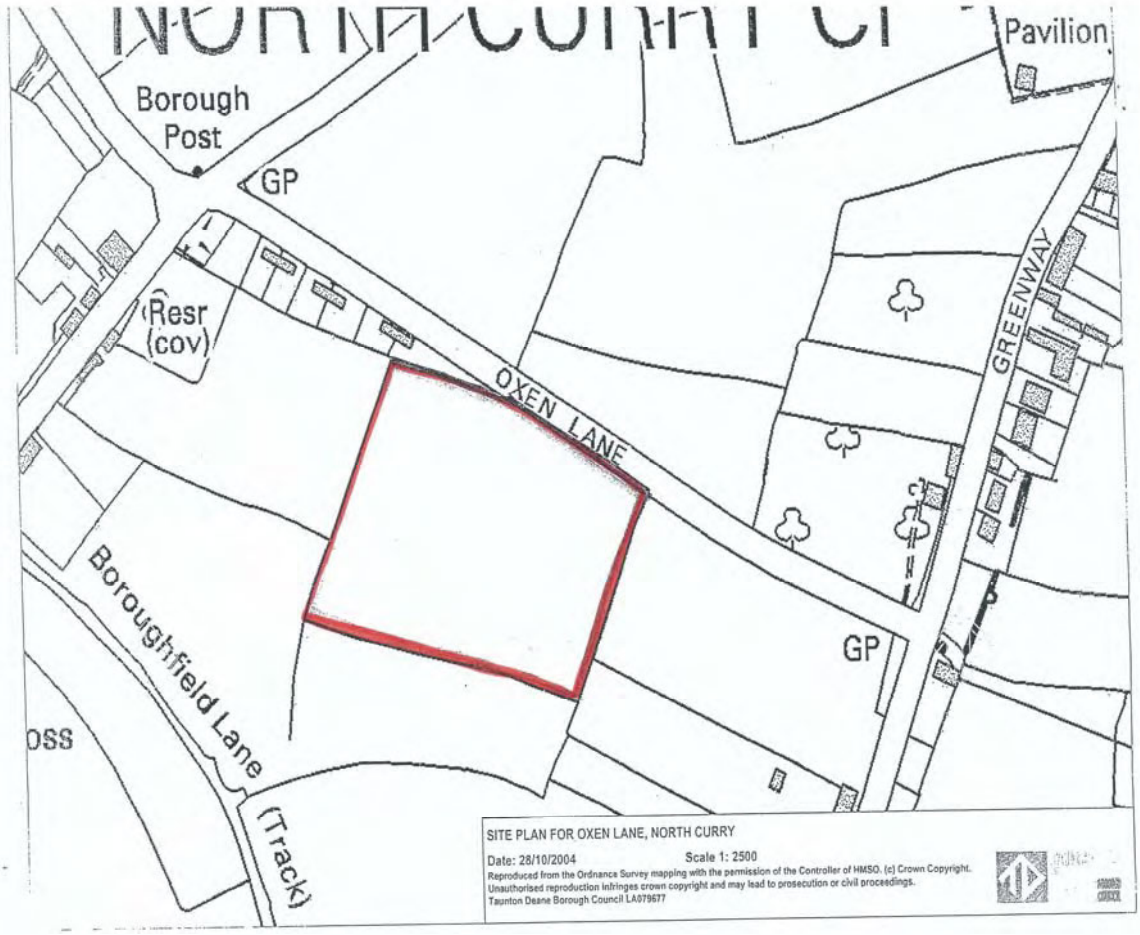
The Deane House
Belvedere Road
Taunton

SCHEDULE 1

The land to which this Notice relates comprises land at Oxen Lane, North Curry shown edged red on the annexed plan.

SCHEDULE 2

The activity to which this Notice relates is operational development consisting of the laying of roads, hardstandings, installation of septic tanks, provision of drainage and other earth works, and the stationing of mobile homes, touring caravans and utility dayrooms.


Pavilion
Borough Post
GP
Resr (cov)
OXEN LANE
GREENWAY
GP
Boroughfield Lane
(Track)
SITE PLAN FOR OXEN LANE, NORTH CURRY
Date: 28/10/2004
Scale 1: 2500
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Taunton Deane Borough Council LA079677