Important – This notice affects your property

Taunton Deane Borough Council

Town and Country Planning Act 1990

Stop Notice

Land at Plot 1 (Sunny Dene), Dene Road, Cotford St Luke, Taunton

To: (i) [redacted]
(ii)

(iii) Whom it may concern, Plot 1 (Sunny Dene), Dene Road, Cotford St. Luke, Taunton.

Whereas:

(1) The Taunton Deane Borough Council (hereinafter referred to as "the Council"), being the Local Planning Authority for the land to which this notice relates, has issued an enforcement notice dated 19 December 2007, under Section 172 of the Town and Country Planning Act 1990 (hereinafter referred to "the 1990 Act"), alleging that there have been breaches 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 activities alleged to constitute or form part of the alleged breaches 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 activities 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 20 December 2007 when all the activities specified in Schedule 2 to this notice shall cease.

[redacted]
Solicitor to the Council

Dated: 19 December 2007

The Deane House, Belvedere Road, Taunton, TA1 1HE

Schedule 1

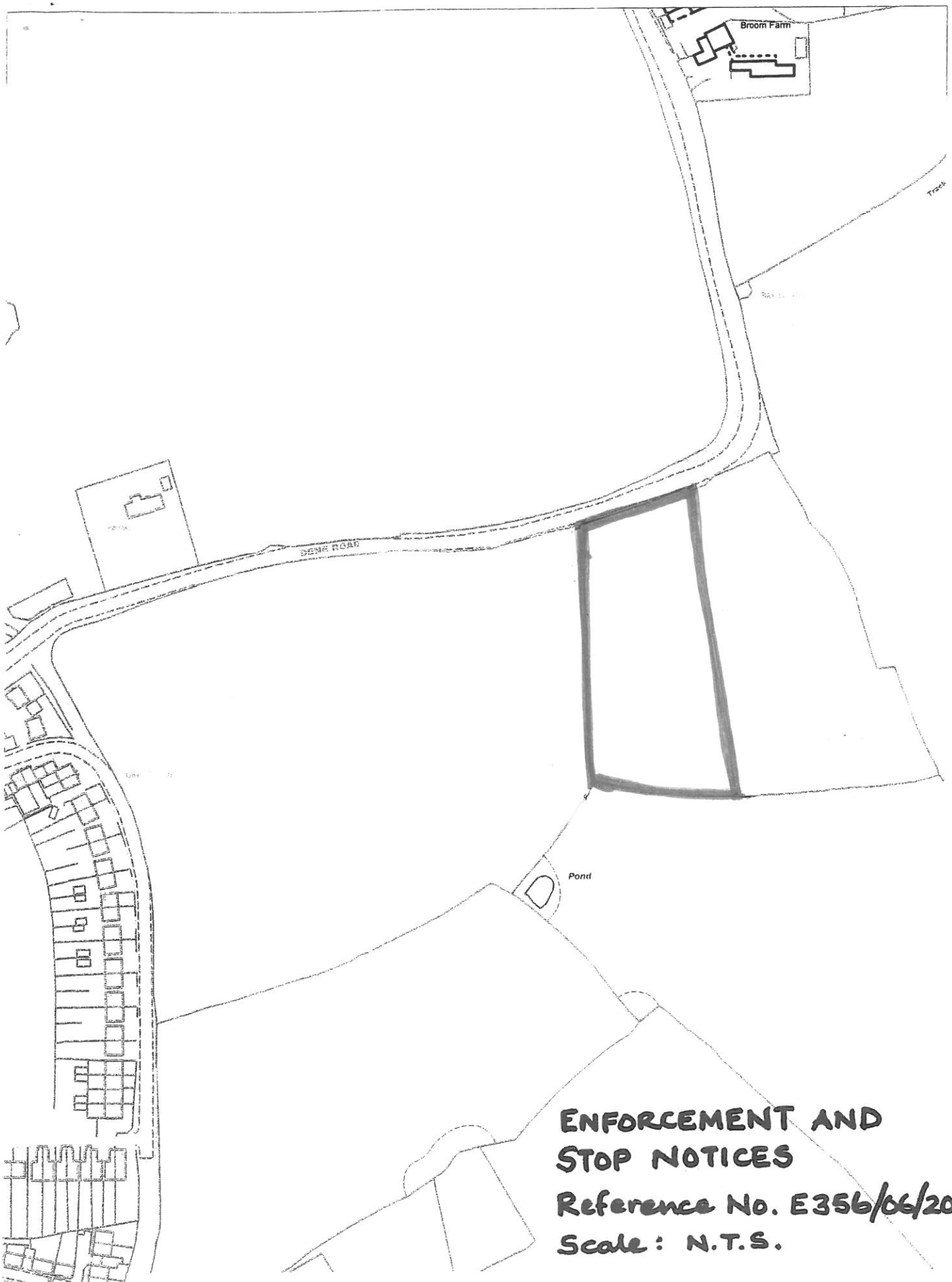
The land to which this Notice relates comprises land at Plot 1 (Sunny Dene), Dene Road, Cotford St Luke, Taunton shown edged red on the annexed plan.

Schedule 2

The activities to which this notice relates are:-

(1) operational development other than that approved under planning permission No 06/2006/035 dated 19 October 2006; and

(2) the use of the land for the stationing of caravans or mobile homes (other than the three units on site at the time of service of this notice).



ENFORCEMENT AND STOP NOTICES
Reference No. E356/06/2007
Scale: N.T.S.

Title:

Date: 30/11/2004

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Taunton Deane Borough Council

TAUNTON DEANE BOROUGH COUNCIL

Enforcement Notice
Operational Development and 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 have been breaches 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**

Land at Plot 1 (Sunny Dene), Dene Road, Cotford St Luke, Taunton shown edged red on the attached plan.

3. **The breaches of planning control alleged**

(i) Without planning permission the carrying out of construction works on the land affected other than works approved under planning permission No 06/2006/035, namely the provision of a concrete hard standing and a septic tank; and

(ii) Without planning permission a material change of use of the land affected to a residential caravan site.

4. **Reasons for issuing this notice**

It appears to the Council that the above breaches of planning control have occurred within the last four years and ten years respectively.

The site is 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 need. As no need has been demonstrated, the development is contrary to Taunton Deane Local Plan Policy H12.

The unauthorised construction work and the change of use constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality.

The visual impact of the development is such that even if a need for the development is demonstrated this would not outweigh the harm caused by the visual impact.

The Council does not consider that planning permission should be given because planning conditions could not overcome these objections to the development.

5. **What you are required to do**

(i) Stop using the land at Plot 1 (Sunny Dene), Dene Road, Cotford St Luke, Taunton for the stationing of a mobile home and two Caravans and remove the same from the land.

Time for compliance: Four weeks after this notice takes effect.

(ii) Break up the concrete hard standing and excavate the unauthorised septic tank and remove both the concrete debris and the septic tank from the land. Reinstate the land to the condition it was in prior to the breaches of planning control

Time for compliance: Four weeks after this notice takes effect.

6. **When this notice takes effect**

This notice takes effect on 28 January 2008 unless an appeal is made against it beforehand.

Dated: 19 December 2007

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 Planning Inspectorate before 28 January 2008. The enclosed booklet "Making your enforcement appeal" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to The Planning Inspectorate if you decide to appeal. The other should be sent to the Chief Executive at Taunton Deane Borough Council. You should also send The Planning Inspectorate 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 28 January 2008 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.



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