# 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**

Premises and ancillary land known as Barn C, Upcott Farm, Nynehead, Wellington shown edged red on the attached plan.

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

(i) Without planning permission, the increase in the height of the roof of Barn C, Upcott Farm, Nynehead, Wellington and the provision of a first floor within the premises; and

(ii) Without planning permission, the use of the converted barn as a permanent residential dwelling.

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 barn lies in open countryside where development is strictly controlled. It is the opinion of the Local Planning Authority that this building is of inadequate size. To increase the height of the roof, walls and the floor area with the addition of a first floor materially alters the appearance of the building thus making it unacceptable under the Taunton Deane Local Plan Policy H7. Furthermore, the curtilage of the development does not provide adequate amenity space for a permanent dwelling together with adequate vehicle parking and manoeuvring.

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 premises and ancillary land at Barn C, Upcott Farm, Nynehead, Wellington as a permanent residential dwelling.

Time for compliance: 8 weeks after this notice takes effect.

(ii) Dismantle the roof of the unauthorised barn conversion at Barn C, Upcott Farm, Nynehead, Wellington, reduce the height of the walls to their previous height and remove the first floor in its entirety within the premises in accordance with the plans approved by the Local Planning Authority for use as a holiday let.

Time for compliance: 6 months after this notice takes effect.

6. **When this notice takes effect**

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

Dated: 22 January 2008

Signed: [redacted]

On behalf of: Taunton Deane Borough Council

The Deane House,
Belvedere Road,
TAUNTON.

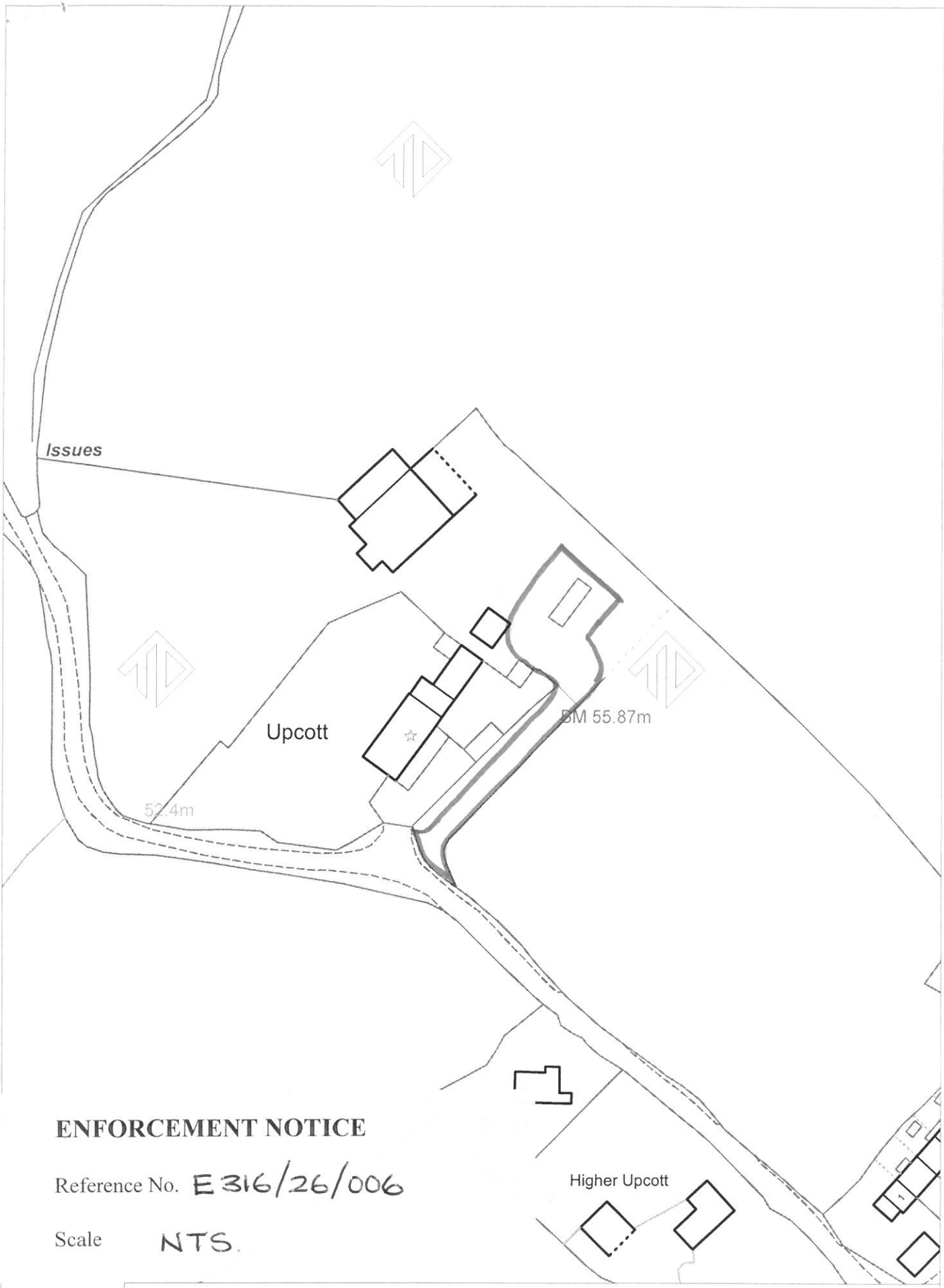
**Your right of appeal**

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 February 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 February 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.




# ENFORCEMENT NOTICE

Reference No. E316/26/006

Scale NTS.

Title:

Date: 30/11/2004

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Taunton Deane Borough Council

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