ENFORCEMENT NOTICE
OPERATIONAL DEVELOPMENT

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

Land forming highway verge adjacent to Shoreditch Road, Taunton at its junction with Killams Drive, Taunton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

The erection of a 15 metre high telecommunications mast not in accordance with details submitted for a slim line monopole under Reference TEL/1/05 which acquired deemed permission on 3 March 2005 in that:

(i) The diameter of the mast as erected is 1.03 m;

(ii) The mast, as erected, does not have a steptaper at a height of 6 m;

(iii) The mast, as erected, is painted green rather than having a grey finish;

(iv) The antennae of the mast as erected exceed the permitted width of 35 cm.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

The mast has a poor relationship to existing dwellings with an over bearing impact which is detrimental to their amenity contrary to the requirements of Taunton Deane Local Plan Policy.

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) Dismantle the telecommunications mast and remove it from the land.

Time for compliance: 12 weeks after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17 November 2006 unless an appeal is made against it beforehand.

Dated: 17 October 2006

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 17 November 2006. 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 17 November 2006 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.



Title:

Date: 29/11/2004

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Taunton Deane Borough Council LA079677

TAUNTON DEANE BOROUGH COUNCIL