IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1971

ENFORCEMENT NOTICE

To: [redacted]

Of:

WHEREAS:-

1. You are the owner/occupier of land situate at Swan House Stores Sand Street Milverton in the Borough of Taunton Deane in the County of Somerset which is more particulary delineated on the attached plan 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 purpose of the provisions of Section 87 of the Town and Country Planning Act 1971 ("the Act")

3. On the 13th day of August 1987 the Council as Local Planning Authority upon an application in that behalf made under Part III of the Act granted permission (reference number 23/87/012) for the erection of single storey extension to shop at Swan House Stores Sand Street Milverton as amended by letter and plan 528/2A dated 23rd July, 1987 ("the permission")

4. The permission was granted subject to five conditions the fifth of which provides as follows:-

> 5 Before the building hereby permitted is brought into use, a screen wall 1.5m high shall be constructed in a position and of materials to be submitted to and approved by the Local Planning Authority on the north eastern side of the loading area referred to in Condition 3."

5. It appears to the Council that within a period of four years before the date of this Notice there have been certain breaches of planning control in that the permission has been implemented and Condition 5 has not been complied with insofar as it applies to the land and the development has not been carried out in accordance with the approved plan inasmuch as a flat roof has been constructed and not a pitched roof as shown on plan No. 528/2A.

6. The Council consider it expedient having regard to the provisions of the Structure Plan and to all other material considerations to issue

this Enforcement Notice in exercise of their powers contained in Section 87 of the Act for the reasons set out in the Annex to this Notice

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 two calendar months to take the following steps to remedy the breach of planning control:-

(a) Construct a screen wall 1.5m high in a position and of materials to be submitted to and approved by the Local Planning Authority on the north eastern side of the loading area.

(b) Remove the existing flat roof and replace it with a pitched roof as shown on plan No. 528/2A dated 23rd July, 1987

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act,

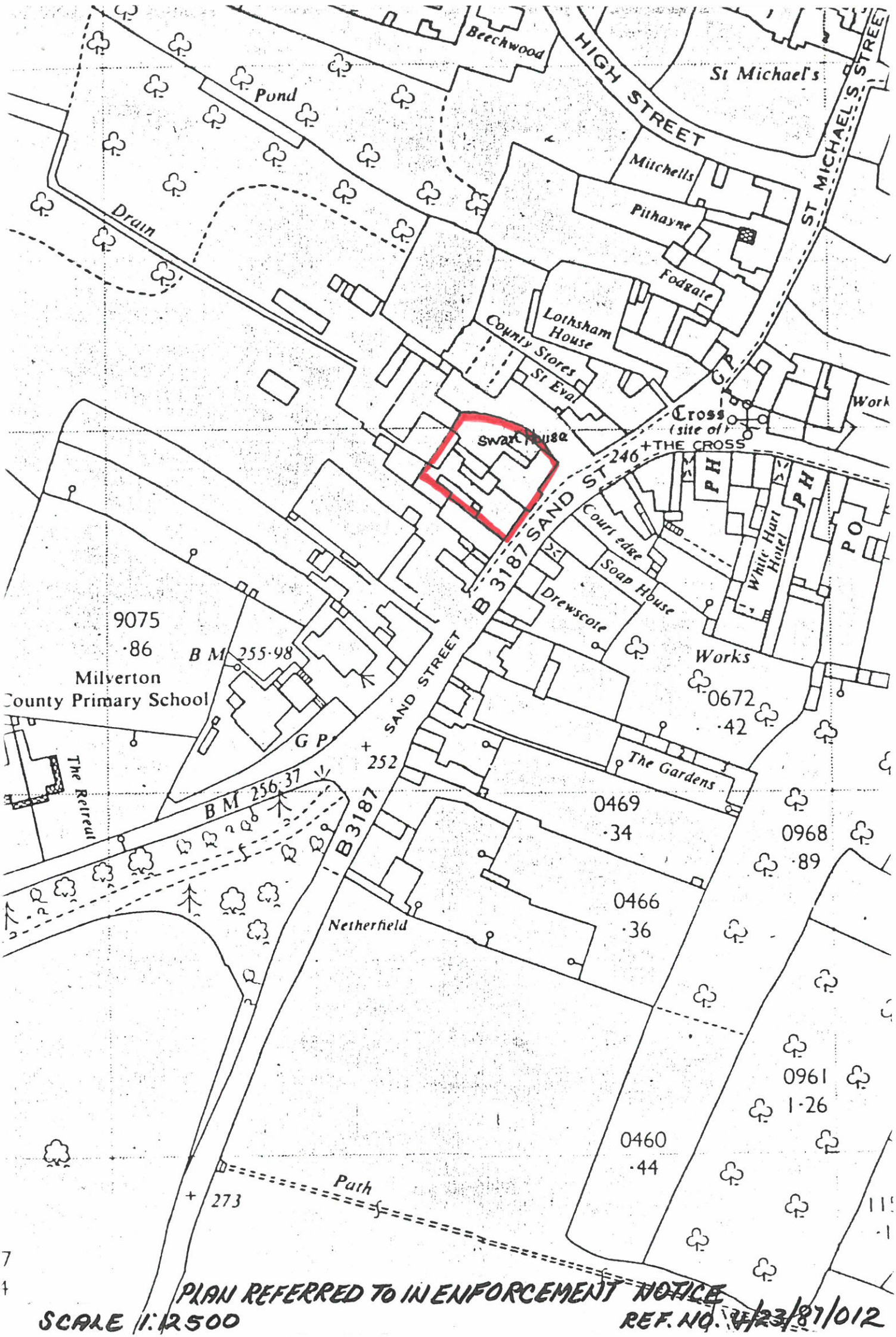
ON THE 29TH DAY OF APRIL 1988
DATED THIS 30TH DAY OF MARCH 1988

SIGNED .....
Secretary and Solicitor

The Deane House,
Belvedere Road,
Taunton, Somerset.

REF. GPD/SMT/PD.11/A/259

YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL AGAINST AN ENFORCEMENT NOTICE contained in Section 88 of the Act which are set out in the explantory booklet "Enforcement Notice Appeals - A Guide to Procedure" enclosed herewith.




PLAN REFERRED TO IN ENFORCEMENT NOTICE

SCALE 1:2500

REF. NO. [illegible]/87/012

THE ANNEX hereinbefore referred to:

Reasons why the Council consider it expedient to issue an Enforcement Notice to alleviate the injury to amenity caused by the failure to comply with Condition 5 imposed on the planning permission dated 13th August, 1987 (reference number 23/87/012) and the plans approved therewith

In order to safeguard the visual amenities of the area

Dated this 30th day of March 1988

Signed .....
Secretary and Solicitor

REF. GPD/SMT/PD.11/A/259