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 Higher Yalham Farm, Culmhead, Nr. Taunton shown edged red on the attached plans.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of the land for the purposes of:-

(a) stationing residential mobile homes, lorry bodies and ancillary vehicles, and
(b) breaking vehicles for scrap.

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.

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 proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority insufficient supporting justification has been presented and the development does not constitute a genuine agricultural or other appropriate need and is therefore contrary to this policy (C4).

The site is within the designated area of the Blackdown Hills Area of Outstanding Natural Beauty where it is the policy of the Local Planning Authority to safeguard the exceptional landscape and wildlife quality of the countryside through the strict control of development. In the opinion of the Local Planning Authority the development constitutes a visual intrusion which is detrimental to the amenities of the Area Of Outstanding Natural Beauty and is therefore contrary to this policy (C1).

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 for the purposes of stationing residential mobile homes, lorry bodies and ancillary vehicles, and the breaking of vehicles for scrap.

Time for compliance: 4 weeks after this notice takes effect.

(ii) Remove from the land the mobile homes, lorry bodies, ancillary vehicles and any scrap metal and reinstate the land to its condition prior to the breach of planning control.

Time for compliance: 4 weeks after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 11 February 1998 unless an appeal is made against it beforehand.

Dated: 9 January 1998

Signed: [redacted]

(2)

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 11 February 1998. 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 General Manager at Taunton Deane Borough Council. You should also send the Secretary of State the spare copy of this enforcement notice which is enclosed.

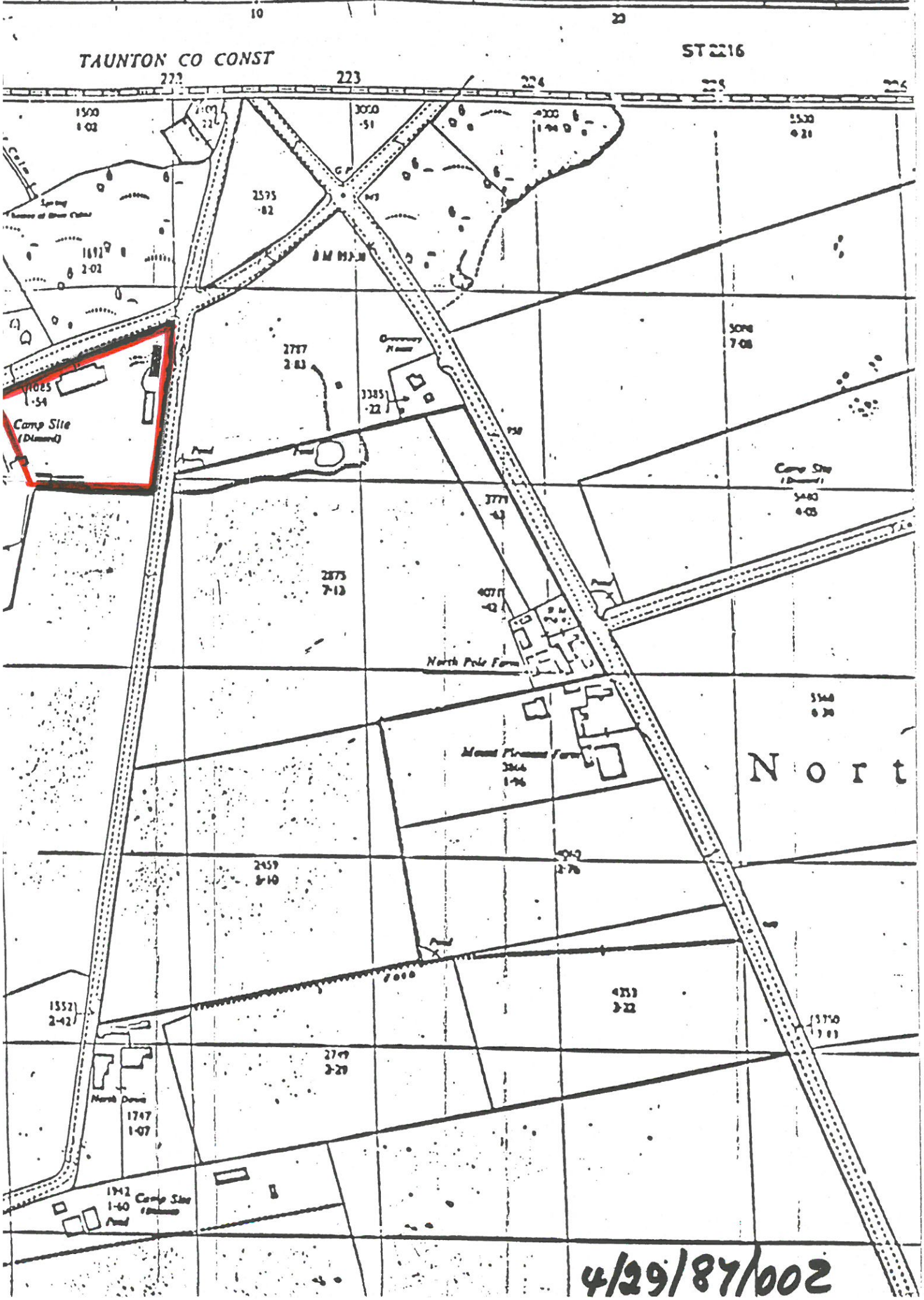
WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 11 February 1998 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.

IN PARCELS DIVIDED BY THE SHEET EDGE, THE ACREAGES ARE SHOWN TO SHEET EDGE ONLY.

TAUNTON CO CONST

ST 2216



4/29/87/002

ENFORCEMENT NOTICE

Reference No. 29/97/0034D

Scale 1: 1250

BOROUGH PLANNING & HEALTH OFFICER

REPRODUCED FROM ORDNANCE SURVEY MAP 3215 WITH THE SANCTION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE

TAUNTON DEANE BOROUGH COUNCIL

