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 premises and ancillary land at 56 Winchester Street, Taunton shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the change of use of the premises from a dwelling house, as defined in Class C3 of the Town and Country Planning (Use Classes) Order 1987 to a dwelling house not constituting a single household, and the sub-division of the dwelling house into two flats.

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 premises are located in a street of predominantly single family dwellings. The change of use is therefore contrary to the expressed policy of the Local Planning Authority to protect the character of such areas and to resist the conversion of properties to flats and multiple occupation of such properties. Furthermore, if permitted, the change of use would be likely to create an undesirable precedent for further similar proposals which the Local Planning Authority would then find difficult to resist leading to a further deterioration in the character and environment of the area.

The sub-division of the property to 2 flats represents an overdevelopment of the site at the expense of adequate amenity areas and results in a pattern of development out of character with the surrounding area.

Inadequate provision has been made for off-street parking and manoeuvring space within the site and the change of use, if allowed, would give rise to additional on-street parking to the detriment of highway safety.

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) Discontinue the use of the premises for the purpose of a dwelling house not constituting a single household

Time for compliance: six calendar months after this notice takes effect.

(ii) Reinstate the premises to a single dwelling house in the form existing prior to the breach of planning control.

Time for compliance: six calendar months after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 23rd August, 1994 unless an appeal is made against it beforehand.

Dated: 19th July, 1994



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 23rd August, 1994. 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 is for you to keep as a duplicate for your own records. 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 23rd August, 1994 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. 38/94/054

Scale 1:1250