County Secretary and Solicitor's Department
County Hall
Taunton TA1 4DY

J K Whitcutt LL.B., Solicitor
County Secretary and Solicitor

Telephone Taunton (0823) 333451

Fax (0823) 255258

Somerset County Council

[redacted]

please ask for
Mr Farrant

extension
5007

my reference
GCF/PJW

your reference

1 November 1994

LEGAL
- 2 NOV 1994
TAUNTON DEANE
BOROUGH COUNCIL

Dear Sir

Town and Country Planning Act 1990
Town and Country Planning General Development Order 1988 as amended
Breach of Condition Notice
Wellington Brickworks, Poole

I enclose for your information a copy of a Breach of Condition Notice served by the County Planning Authority in respect of the above site.

Please will you enter details of this Notice in the Register of Enforcement Notices required to be kept by your Council in accordance with the provisions of Article 28 of the 1988 General Development Order as amended.

Yours faithfully

[redacted]

for County Secretary and Solicitor

County Secretary and Solicitor's Department
County Hall
Taunton TA1 4DY

J K Whitcutt LL.B., Solicitor
County Secretary and Solicitor

Telephone Taunton (0823) 333451 Fax (0823) 255258

[redacted]

please ask for: Mr Farrant
extension: 5007
my reference: GCF/PJW
your reference:

1 November 1994

RECORDED DELIVERY
IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Sir

Town and Country Planning Act 1990
Breach of Condition Notice
Wellington Brickworks, Poole

I understand from the Director for the Environment that 4 conditions (Conditions 5 to 8 inclusive) which were imposed when planning permission was granted in August 1994 for the extension of the existing waste skip yard and waste transfer area at the above site have not been complied with. A copy of this permission is enclosed for your information.

I therefore serve upon you formal Notice under Section 187A of the Town and Country Planning Act 1990.

This Notice requires the following:-

1. surface the first 10 metres of the access track with tarmacadam;

2. submit details of the screen fence to be erected along the northern boundary of the site;

3. submit details of a scheme of planting along the northern boundary of the site;

4. submit details of the site drainage.

This Notice has to be complied with within 28 days of the date of service of this Notice upon you.

Your attention is also drawn to the notes set out at the end of the Notice.

A copy of this letter together with the enclosure has been sent to Messrs Bruton Knowles for information.

Yours faithfully

County Secretary and Solicitor

CC THE DIRECTOR FOR THE ENVIRONMENT - REF: DC/PEC WR/WDL/296/RTC

CC [redacted]

1094k198.cxl

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

SOMERSET COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

(as amended by the Planning and Compensation Act 1991)

BREACH OF CONDITION NOTICE

relating to part of Ordnance Survey Plot No 1065 (Somerset Sheet ST 1521 - 1979 Edition) at Wellington Brickworks, Poole in the Parish of Wellington in the County of Somerset

TO: [redacted]

ISSUED BY: Somerset County Council ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by the Council as the County Planning Authority under Section 187A of the above Act because it considers that 4 conditions imposed on a grant of planning permission, relating to the land described below, have not been complied with. It considers that you should be required to comply with the conditions specified in this Notice.

2. **THE LAND AFFECTED**

   Land comprising part of Ordnance Survey Plot No 1065 (Somerset Sheet ST 1521 - 1976 Edition) at Wellington Brickworks, Poole in the Parish of Wellington in the County of Somerset and shown edged red on the plan annexed hereto.

3. **THE RELEVANT PLANNING PERMISSION**

   The relevant planning permission to which this Notice relates is the permission granted by the Council on the twenty fourth day of August One thousand nine hundred and ninety-four, for the extension of existing waste skip yard and

waste transfer area at Wellington Brickworks, Poole, Wellington as described in the plans and drawings submitted (Notice No 4/46/94/006).

4. **THE BREACH OF CONDITION**

The following conditions have not been complied with:-

"(5) The first 10m of the access road from the public highway shall be surfaced with tarmac and maintained in good order throughout the life of the site.

(6) Prior to the commencement of the use hereby permitted, a screen fence shall be erected along the northern boundary of the site. Details of the fence to be submitted to and approved by the LPA.

(7) Prior to the commencement of the use hereby permitted, details of a scheme of planting along the northern boundary shall be submitted to and approved by the LPA. Such scheme to be implemented in the first planting season following approval of the details.

(8) Details of the drainage of the site shall be submitted to and approved by the LPA. The drainage scheme shall be implemented prior to the commencement of the use hereby permitted.

It appears to the Council that the conditions have not been complied with fully, as:-

(a) The first 10m of the access road from the public highway has not been surfaced with tarmacadam as required by Condition No 5.

(b) Details of the screen fence have not been submitted to the LPA for approval as required by Condition No 6.

(c) Details of a scheme of planting have not been submitted to the LPA for approval as required by Condition No 7.

(d) Details of the drainage of the site have not been submitted for approval as required by Condition No 8".

5. **WHAT YOU ARE REQUIRED TO DO**

(a) Surface the first 10 metres of the access track with tarmacadam.

Time for compliance: 28 days after this notice takes effect.

(b) Submit details of the screen fence, to be erected along the northern boundary of the site.

Time for compliance: 28 days after this notice takes effect.

(c) Submit details of a scheme of planting along the northern boundary of the site.

Time for compliance: 28 days after this notice takes effect.

(d) Submit details of the site drainage.

Time for compliance: 28 days after this notice takes effect.

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect **IMMEDIATELY** it is served on you or it is received by postal delivery.

[redacted]

Dated: 1 November 1994 Signed: .....
County Secretary and Solicitor

Somerset County Council
County Hall
TAUNTON
TA1 4DY

(Ref: GCF)

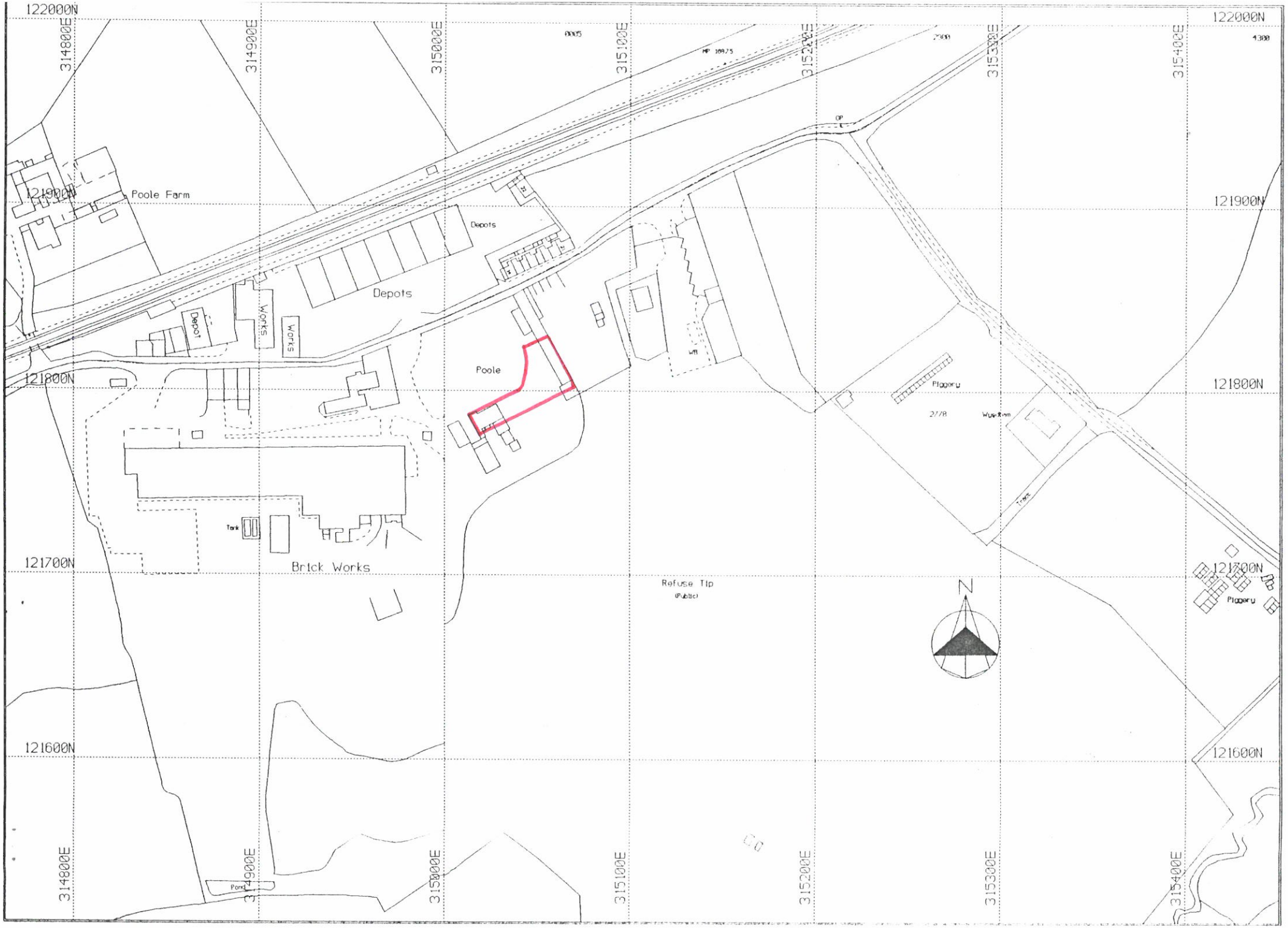
WARNING

THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

It is an offence to contravene the requirement stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this Notice requires you to do, you should get in touch immediately with [redacted] Environment Department, Somerset County Council, Taunton, TA1 4DY - telephone (0823) 255423.

If you need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE


122000N
314800E
314900E
315000E
315100E
315200E
315300E
315400E
121900N
121800N
121700N
121600N
Poole Farm
Depots
Depots
Depot
Works
Works
Poole
Tank
Brick Works
Refuse Tip
(Public)
Pond
Piggery
Piggery
N