Somerset County Council

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

please ask for
Mr Farrant

extension
5007

my reference
25/W40/GCF/PJW

your reference

7 January 1993

The Secretary and Solicitor
Taunton Deane Borough Council
The Deane House
Belvedere Road
TAUNTON
Somerset

Dear Sir

Town and Country Planning Act 1990
Town and Country Planning General Development Order 1988 (as amended)
Breach of Condition Notice
Whiteball Sand Pit

I enclose for your attention a copy of a Breach of Condition Notice in respect of the above location.

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

SECRETARIAL & LEGAL DIVISION
11 JAN 1993
TAUNTON DEANE BOROUGH COUNCIL

0193k012.cxl

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[redacted]

please ask for: Mr Farrant
extension: 5007
my reference: 25/W40/GCF/PJW
your reference: 7
5 January 1993

RECORDED DELIVERY

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear Sir

Town and Country Planning Act 1990
Breach of Condition Notice
Whiteball Sand Pit

I refer to a letter dated 28 October 1992 sent to your offices in Exeter a copy of which has been passed to me for attention.

Since your company has not yet constructed the visibility splay I now serve upon your company formal Notice under Section 187A of the Town and Country Planning Act 1990 as amended. The Notice requires the completion of this splay within 2 calendar months from the date of service of this Notice upon your company.

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

I must emphasise that no tipping must take place until this work is completed to the Council's satisfaction.

Yours faithfully

County Secretary and Solicitor

0193k011.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 land at Whiteball in the

Parish of Thorne St Margaret in the

County of Somerset

[redacted]

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

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

2. THE LAND AFFECTED BY THIS NOTICE

Land comprising part of Ordnance Survey Plot No 9287 (Somerset Sheet ST 0818/0918) at Whiteball Sand Pit in the Parish of Thorne St Margaret in the County of Somerset 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 21st day of September 1992 for the continued infilling and restoration to agriculture of previous workings on the Land (Notice No 4/44/92/009).

4. THE BREACH OF CONDITION

The following condition has not been complied with:-

"(6) There shall be no obstruction to visibility greater than 900 mm above adjoining road level within a splay based on minimum co-ordinates of 2.4 m x 60 m to the east of the junction of Gypsy Lane with the Class III Road. Such visibility splay shall be constructed prior to the commencement of the development hereby approved and shall thereafter be maintained at all times."

5. WHAT YOUR COMPANY IS REQUIRED TO DO

Construct a visibility splay in accordance with the specification detailed in Condition 6 above.

TIME FOR COMPLIANCE 2 calendar months beginning with the day on which this Notice is served on your company.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect IMMEDIATELY it is served on your company or your company receives it by postal delivery.

Dated: 7th January 1993

County Secretary and Solicitor

Somerset County Council

County Hall

TAUNTON TA1 4DY

(REF: 25/W4C/GCF)

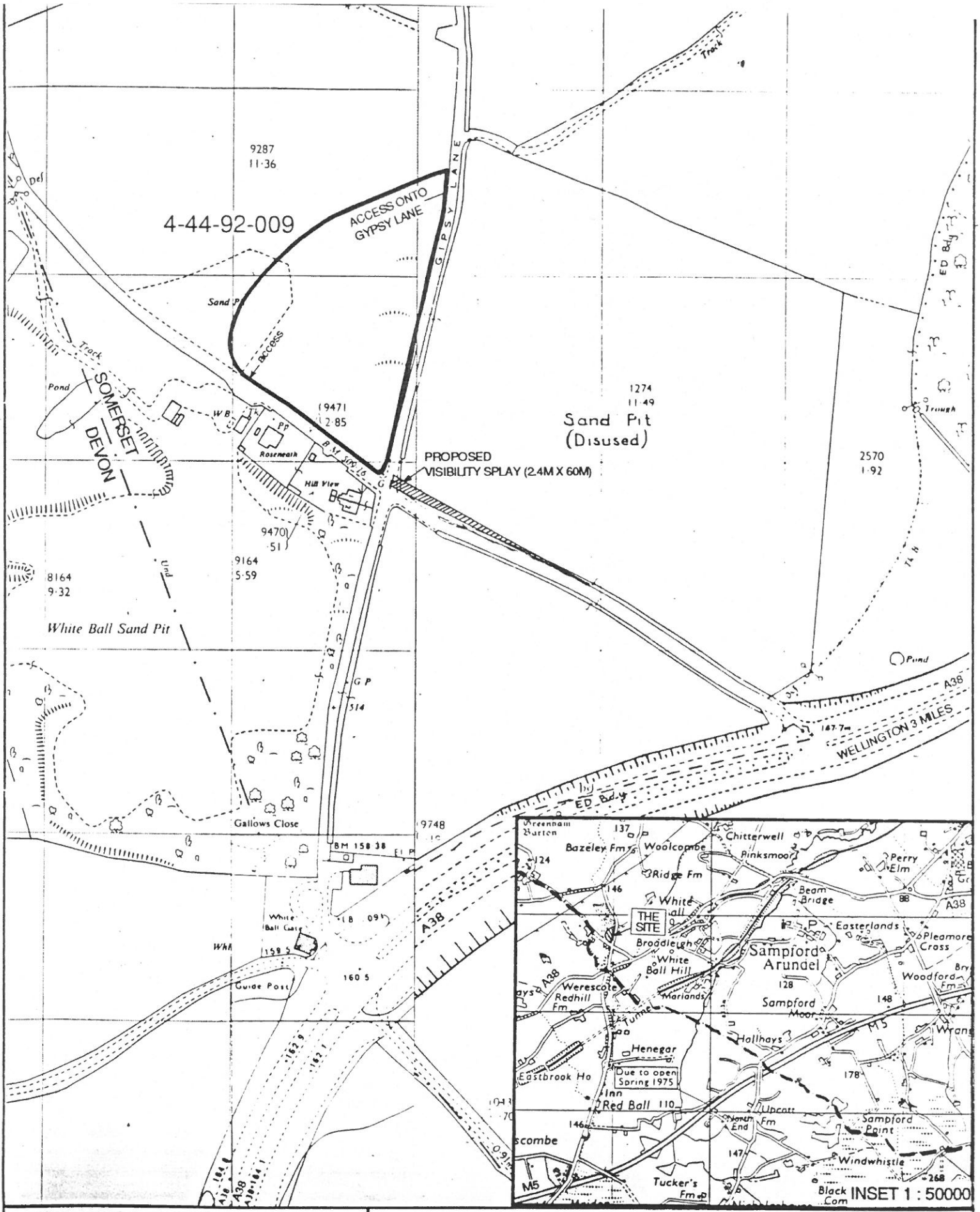
WARNING

THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

It is an offence to contravene the requirements 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 what this Notice requires you to do, you should get in touch immediately with Mr P Cheesman, Environment Department, Somerset County Council, County Hall, Taunton TA1 4DY.
Telephone number (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.



R J Chapman Director
Department for the Environment
County Hall, Taunton 0823 333451

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