



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(As amended)**

SECTION 215 NOTICE

SERVED BY: West Berkshire District Council ("the Council")

To: SITE COPY

1. THIS NOTICE is served by the Council under Section 215 of the Town and Country Planning Act 1990 ("the Act") because it appears to the Council that the amenity of a part of its area is adversely affected by the condition of the land described below.

2. THE LAND TO WHICH THE NOTICE RELATES

The land known as 5 Braemore Close, Thatcham, Berkshire, RG19 3XP, shown edged red on the attached plan ("the Land").

3. WHAT YOU ARE REQUIRED TO DO

The Council requires the following steps to be taken for remedying the condition of the Land:

Removal of Waste and Debris

1. Remove all waste items from the front and rear gardens, including but not limited to scrap metal, plastic containers, wood, vehicle parts, doors, insulation, gas cannisters, plastic bags, and corrugated sheeting.
2. Dispose of all waste at an authorised site.

Removal of unused Vehicles

3. Remove and lawfully dispose of the Volvo, registration number AV52 LGW.
4. Remove and lawfully dispose of the White Mercedes Benz Sprinter Van with registration number DG54 UDH.

Vegetation Management

5. Cut back overgrown vegetation, including weeds, brambles, and overhanging branches, including the large tree in the front garden, where they overhang neighbouring or public property, and mow the lawns.
6. Remove dead or decaying plants and dispose lawfully e.g. at an authorised site.

Tidying and Organising Stored Items

7. Store items (e.g., tools, garden equipment) neatly in a designated area, such as a shed or screened location, these should be located within the rear garden.
8. Remove any broken or dilapidated structures and dispose of lawfully.

General Maintenance

9. Ensure pathways and driveways are clear and unobstructed.

10. Repair or replace damaged fencing and boundary treatments.

6. TIME FOR COMPLIANCE

The steps listed above are to be complied with in full within **six months** of the date on which this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 13th November 2025 unless an appeal is made against it beforehand.

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES WHICH EXPLAIN YOUR RIGHT OF APPEAL AGAINST THIS NOTICE. YOU SHOULD READ THEM CAREFULLY

Sections 217 to 219 of the Act are also attached and set out the law applicable to this Notice.

Served on: Thursday 2nd October 2025

Signed:



Bob Dray, Development Manager

Authorised Officer on behalf of: West Berkshire District Council, Council Offices, Market Street, Newbury, RG14 5LD

Nominated Officer: Mrs Fenella Woods

Telephone Number: 01635 519451

Email: fenella.woods1@westberks.gov.uk

Reference: 22/00434/16OTHR

EXPLANATORY NOTE

Town and Country Planning Act 1990 – Section 215

YOUR RIGHT OF APPEAL

If you are aggrieved by the requirements of this notice, you have the right to appeal under **Section 217 of the Town and Country Planning Act 1990**.

You can appeal against this enforcement notice, but any appeal must be **received**, or posted in time to be **received**, by the Magistrates Court before the date specified in paragraph 7 of the notice.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Section 215 Notice, it will take effect on the date specified in paragraph 7 of the Notice. You must then ensure that the steps required for compliance, as set out in paragraph 6, are carried out within the period stated.

Failure to comply with a Section 215 Notice once it has taken effect and expired may result in prosecution and/or the Council entering the land to carry out the works in default, with the cost of those works being recovered from you.

HOW TO APPEAL

1. For land located in **West Berkshire**, the appropriate court is:
Reading Magistrates' Court
The Court House, Castle Street, Reading, RG1 7TQ
2. To appeal, you must make a **complaint to the Magistrates' Court** stating the grounds on which the notice is being challenged. You are strongly advised to seek independent legal advice from a Solicitor, Citizens Advice Bureau or Law Centre and to contact the court in advance for guidance on how to make the complaint.
3. An appeal against the notice may be on any of the following grounds—
 - (a) that the condition of the land to which the notice relates does not adversely affect the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;
 - (b) that the condition of the land to which the notice relates is attributable to, and such as results in the ordinary course of events from, the carrying on of operations or a use of land which is not in contravention of Part III of the Act;
 - (c) that the requirements of the notice exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;

(d) that the period specified in the notice as the period within which any steps required by the notice are to be taken falls short of what should reasonably be allowed.

4. If an appeal is lodged before the notice takes effect, **the notice is suspended** and does not take effect unless and until the appeal is determined or withdrawn.
5. On appeal, the Magistrates' Court may:
 - Quash the notice;
 - Vary its requirements;
 - Dismiss the appeal; or

Information on Reading Magistrates Court can be found here: <https://www.find-court-tribunal.service.gov.uk/courts/reading-magistrates-court-and-family-court>

You can phone them on 0118 980 1800, their opening hours are:

Monday to Thursday: 9am to 5pm

Friday: 9am to 4:30pm

Saturday and Sunday: Closed

Bank Holidays: Closed

SECTIONS 217-219 OF THE TOWN AND COUNTRY PLANNING ACT 1990

217—(1) A person on whom a notice under Section 215 is served, or any other person having an interest in the land to which the notice relates, may, at any time within the period specified in the notice as the period at the end of which it is to take effect, appeal against the notice on any of the following grounds:

- (a) that the condition of the land to which the notice relates does not adversely affect the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;
- (b) that the condition of the land to which the notice relates is attributable to, and such as results in the ordinary course of events from the carrying on of operations or a use of land which is not in contravention of Part III;
- (c) that the requirements of the notice exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of any part of the area of the local planning authority, who served the notice, or of any adjoining area;
- (d) that the period specified in the notice as the period in within which any steps required by the notice are to be taken falls short of what should reasonably be allowed.

(2) Any appeal under this section shall be made to the Magistrates Court acting for the petty sessions in which the land in question is situated.

(3) Where such an appeal is brought, the notice to which it relates shall be of no effect pending the final determination or withdrawal of the appeal.

(4) On such an appeal the Magistrates Court may correct any informality, defect or error in the notice if satisfied that the informality, defect or error is not material.

(5) On the determination of such an appeal the Magistrates Court shall give

directions for giving effect to their determination, including, where appropriate, directions for quashing the notice or for varying the terms of the notice in favour of the appellant.

(6) Where any person has appealed to a Magistrates Court under this section against a notice, neither that person nor any other shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.

218 —Where an appeal has been brought under section 217, an appeal against the decision of the Magistrates Court on that appeal may be brought to the Crown Court by the appellant or by the local planning authority who served the notice in question under section 215.

219 —(1) If, within the period specified in a notice under section 215 in accordance with subsection (2) of that section, or within such extended period as the local planning authority who served the notice may allow, any steps required by the notice to be taken have not been taken, the local planning authority who served the notice may—

(a) enter the land and take those steps, and

(b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

(2) Where a notice has been served under section 215—

(a) any expenses incurred by the owner or occupier of any land for the purpose of complying with the notice, and

(b) any sums paid by the owner of any land under subsection (1) in respect of expenses incurred by the local planning authority in taking steps required by such a notice,

shall be deemed to be incurred or paid for the use and at the request of the person who caused or permitted the land to come to be in the condition in which it was when the notice was served.

(3) Regulations made under this Act may provide that—

(a) [section 276](#) of the Public Health Act 1936 (power of local authorities to sell materials removed in executing works under that Act subject to accounting for the proceeds of sale);

(b) section 289 of that Act (power to require the occupier of any premises to permit works to be executed by the owner of the premises); or

(c) section 294 of that Act (limit on liability of persons holding premises as agents or trustees in respect of the expenses recoverable under that Act),

shall apply, subject to such adaptations and modifications as may be specified in the regulations, in relation to any steps required to be taken by a notice under section 215.

(4) Regulations under subsection (3) applying [section 289](#) of the Public Health Act 1936 may include adaptations and modifications for the purpose of giving the owner of land to which a notice under section 215 relates the right, as against all other persons interested in the land, to comply with the requirements of the enforcement notice.

(5) Regulations under subsection (3) may also provide for the charging on the land of any expenses recoverable by a local authority under subsection (1).