

**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

# **ENFORCEMENT NOTICE**

**OPERATIONAL DEVELOPMENT**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)  
("the Act")**

**ISSUED BY: North Devon District Council ("the Council")**

1 **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to it that there has been a breach of planning control, under Section 171A(1)(a) of the Act, at the land described below. The Council consider it expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan number 1 attached)

2 West View, Blackmoor Gate, Kentisbury, Barnstaple, North Devon

("the land")

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

The unauthorised erection of buildings, dog kennels, enclosures and concrete hardstandings, the approximate positions of which are shown by blue edging on the plan numbered 2 attached ("the unauthorised development").

4. **REASONS FOR ISSUING THIS NOTICE**

The Council consider it expedient to issue this notice for the following reasons:

1. It is considered that the unauthorised development has taken place within the past 4 years.
2. The land is in the open countryside, outside of any development boundary. The primary objective is to conserve the character and landscape of the area. It is considered that the visual appearance of the unauthorised development is such that the unauthorised development does not meet those primary objectives. It is further considered that there are no economic or social benefits which outweigh the harm caused by the unauthorised development. As a consequence, the unauthorised development is considered to be contrary to policies DST1 and DB7 of the North Devon Local Plan and policy S4 of the Devon structure Plan First review.
3. It is further considered that the unauthorised development adversely affects the distinctive character of the area and as a consequence is considered to be contrary to policy DL3 of the North Devon Local Plan and C2 of the Devon Structure Plan First Review.
4. It is also considered that the unauthorised development does not enhance or protect the beauty of the landscape as so is contrary to policy ENV1 of the emerging North Devon Local Plan Second Deposit.
5. It is not considered that the use of planning conditions would overcome the above reasons for issuing this Notice.

**5. WHEN YOU ARE REQUIRED TO ACT**

The Council require that the steps specified in paragraph 6 be undertaken within the period of 42 days from the date when this notice takes effect.

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

1. Dismantle and remove the unauthorised building, kennels and enclosures from the land
2. Remove the concrete hardstandings from the land
3. Clear up and remove from the land any building materials or other debris resulting from taking the above steps, and
4. Reinstate and grass the areas of land on which the buildings, kennels, enclosures and hardstandings stood.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 15<sup>th</sup> April 2004 ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] ..... *5<sup>th</sup> March 2004* .....

Signed : .....  .....

Solicitor, Legal Services Manager

on behalf of: North Devon District Council,  
Civic Centre,  
Barnstaple,  
North Devon.  
EX31 1EA.

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\* specific date, not less than 28 clear days after date of service

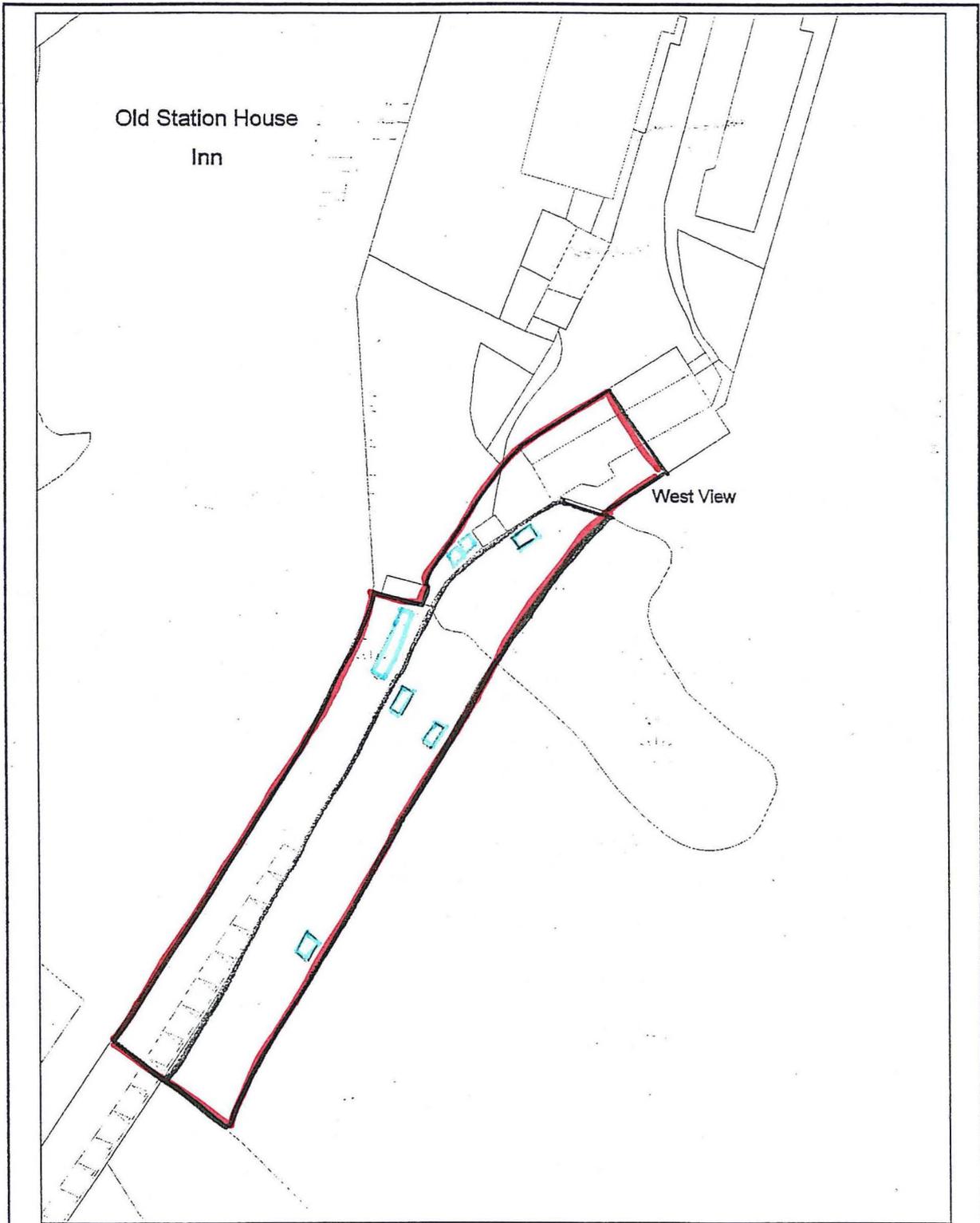
## **GUIDANCE NOTES FOR YOUR INFORMATION**

### **YOUR RIGHT OF APPEAL**

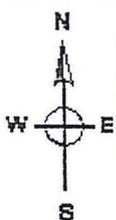
**You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the effective date. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. 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 the effective date 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.**



West View, Blackmoor Gate, EX31 4NW - Scale:



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