



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

BREACH OF CONDITION

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)(b) 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 attached)

Land known as Tree Beech Enterprise Park at Tree Beech, Gunn, Goodleigh, Barnstaple, North Devon
("the land")

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

Conditional Planning Permission reference 19081 dated 6th May 1997 authorised the change of use of existing redundant agricultural buildings on the land to Class B1, B2 and B8 uses (Cottage/Light Industrial) together with demolition of existing building, alterations to access and construction of new access road.

Condition 9 attached to Permission 19081 states:-

As soon as the new roadway detailed on drawing KHD:1:1196:1 is provided, the entire site shall be accessed from this facility and not via the original driveway to Tree Beech Farmhouse.

No steps have been taken to permanently close the northern end of the original driveway giving access to the land known as Tree Beech Enterprise Park nor to direct vehicles accessing the site only to do so via the approved new roadway to ensure that vehicles cannot gain access to the site via the original driveway in accordance with condition 9.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The use of the original driveway to Tree Beech Farmhouse as a means of access to the development permitted by Permission 19081 is prejudicial to the amenities of occupiers of adjacent residential properties and as such is contrary to policy DST2 of the North Devon Local Plan.

The breach of condition has occurred within the last ten years.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period specified in respect of each step in paragraph 6.


6. WHAT YOU ARE REQUIRED TO DO

1. Within one month of the date on which this Notice takes effect to submit to the Council for its approval in writing a detailed scheme of works /measures to ensure access to and from Tree Beech Enterprise Park is no longer obtained via the original access road to Tree Beech Farmhouse which is shown coloured green on drawing KHD:1:1196:1. Such scheme shall include details as to how the northern end of the original access road is to be closed off and of the signing to be erected at the southern end of the original access road directing traffic to gain access to Tree Beech Enterprise Park only via the new access road approved by Permission 19081.
2. Within two months of the date on which the Council gives its written approval of the scheme to be submitted under step 1 above to complete all the works/measures necessary to implement the approved scheme.
3. From the date on which the approved scheme is completed in accordance with step 2 above to ensure that no use of the original access road to Tree Beech Farmhouse is made by persons accessing Tree Beech Enterprise Park.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 17 November 2001 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] 5th October 2001

Signed : 

Solicitor, Legal Services Manager

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

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



TREE BEECH ENTERPRISE PARK

SCALE: 1:2600

DRAWN BY: User Name:

DATE 28th September 2001

Originating Group:

ENFORCEMENT

Drawing No.