



**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 attached)

Barn at Horswell Farm, Bishops Tawton, Barnstaple, Devon

("the land")

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

The unauthorised conversion of the Land to form 2 units of accommodation (the unauthorised works)

**4. REASONS FOR ISSUING THIS NOTICE**

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

1. The Council considers that that the unauthorised works have taken place within the past 4 years
2. The unauthorised works involve significant alterations and extensions to the barn which represents new development in the countryside, contrary to policy S4 of the Devon Structure Plan (First Review) and policy DST1 of the North Devon Local Plan which seek to protect the countryside.
3. The unauthorised works are also contrary to national guidance and planning policies relating to the conversion of rural buildings as set out in PPG 7, policy E6 of the said Devon County Structure Plan (First Review) and policy DTM3 of the North Devon Local Plan.
4. The unauthorised works are considered to have a detrimental effect by virtue of their size, massing and external appearance on the setting of the adjoining Grade II Listed Building, contrary to guidance set out in PPG 15, and to policy C11 of the said Devon County Structure Plan (First Review) and policy DB3 of the North Devon Local Plan.
5. On the 28<sup>th</sup> August 1998, the Council granted planning consent for the conversion of 3 barns at Horswell Farm, Bishops Tawton to form 3 units of all year holiday accommodation. The consent number is 21796. The Land is one of the barns covered by such consent and under the terms of the consent, could be converted into one unit of accommodation in accordance with drawing numbers s110.95.07A and s110.95.09A received by the Council on the 10<sup>th</sup> July, 1996. Whilst 2 barns have been converted in accordance with that consent the Land has not been. The Council is happy for the Land to be converted in accordance with the said drawing numbers s110.95.07A and s110.95.09A, copies of which are attached hereto.

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

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

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

1. Cease the use of the Land as 2 units of accommodation.
2. Carry out and complete all necessary works to the Land to form one unit of holiday accommodation so that the same accords with drawing numbers s110.95.07A and s110.95.09A copies of which are attached hereto.
3. Ensure that the single unit of accommodation required to be formed under step 2 above is used for holiday accommodation only and for no other purpose including any use for permanent residential accommodation.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 15 June 2001 ("the effective date")\* unless an appeal is made against it beforehand.

Dated: [date of issue] ..... 8 May 2001 .....

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

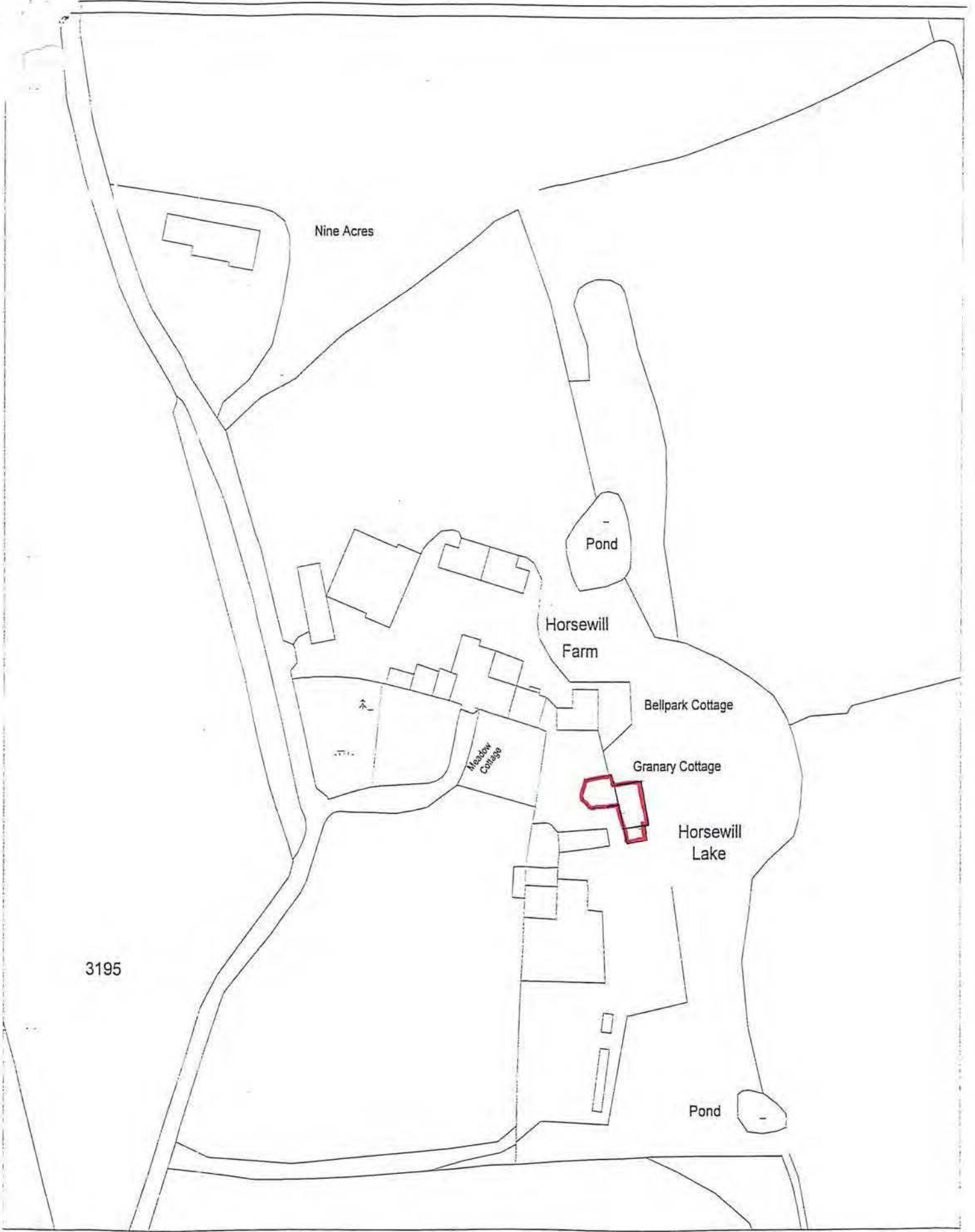
## **GUIDANCE NOTES FOR YOUR INFORMATION**

### **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.**



Civic Centre, Barnstaple.  
EX31 1EA

Site Location:

# HORSEWILL FARM, BISHOPS TAWTON

SCALE: 1:1250

COPY SUPPLIED TO: User Name

DATE 21st February 2001

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