

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 at Pt OS 7600, Broadmoor, Warkleigh, Uemberleigh, North Devon

(“the land”)

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

Non-compliance with condition 1 of planning permission 31847 dated 8 November 2001 (copy appended to this Notice) which required 2 x skeet shooting towers thereby approved to be removed from the land and the land to be restored to its former agricultural condition on or before 31 December 2001.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The alleged breach of planning control has occurred within the past 10 years.

The Council considers that the siting and use of the two skeet shooting towers other than as ancillary to the temporary use of the land for clay pigeon shooting authorised by planning permission 30172 beyond the 28 days temporary use afforded under Schedule 2 Part 4 of the Town & Country Planning (General Permitted Development) Order 1995 is contrary to: -

- (1) Policies DST1 and DL3 of the North Devon Local Plan and C2 and S4 of the Devon Structure Plan (First Review) in that it results in a detrimental intrusion into the character and appearance of the countryside; and
- (2) Policy DST2 of the North Devon Local Plan in that it results in demonstrable harm to the amenity of occupiers of adjoining residential properties.

The Council does not consider that the use of planning conditions would overcome the above reasons.

5. WHEN YOU ARE REQUIRED TO ACT

The Council requires 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

- (i) Cease to use the two skeet shooting towers from the date on which this Notice takes effect;
- (ii) Remove from the land the two skeet shooting towers within 1 month of the date on which this Notice takes effect;
- (iii) Clear and remove all debris and rubbish resulting from the taking of the above steps within 1 month from the date on which this Notice takes effect;
- (iv) Restore the land to its former agricultural condition within 6 months of the date on which this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 23 August 2002 ("the effective date")* unless an appeal is made against it beforehand.

Dated: [date of issue] 18 July 2002

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

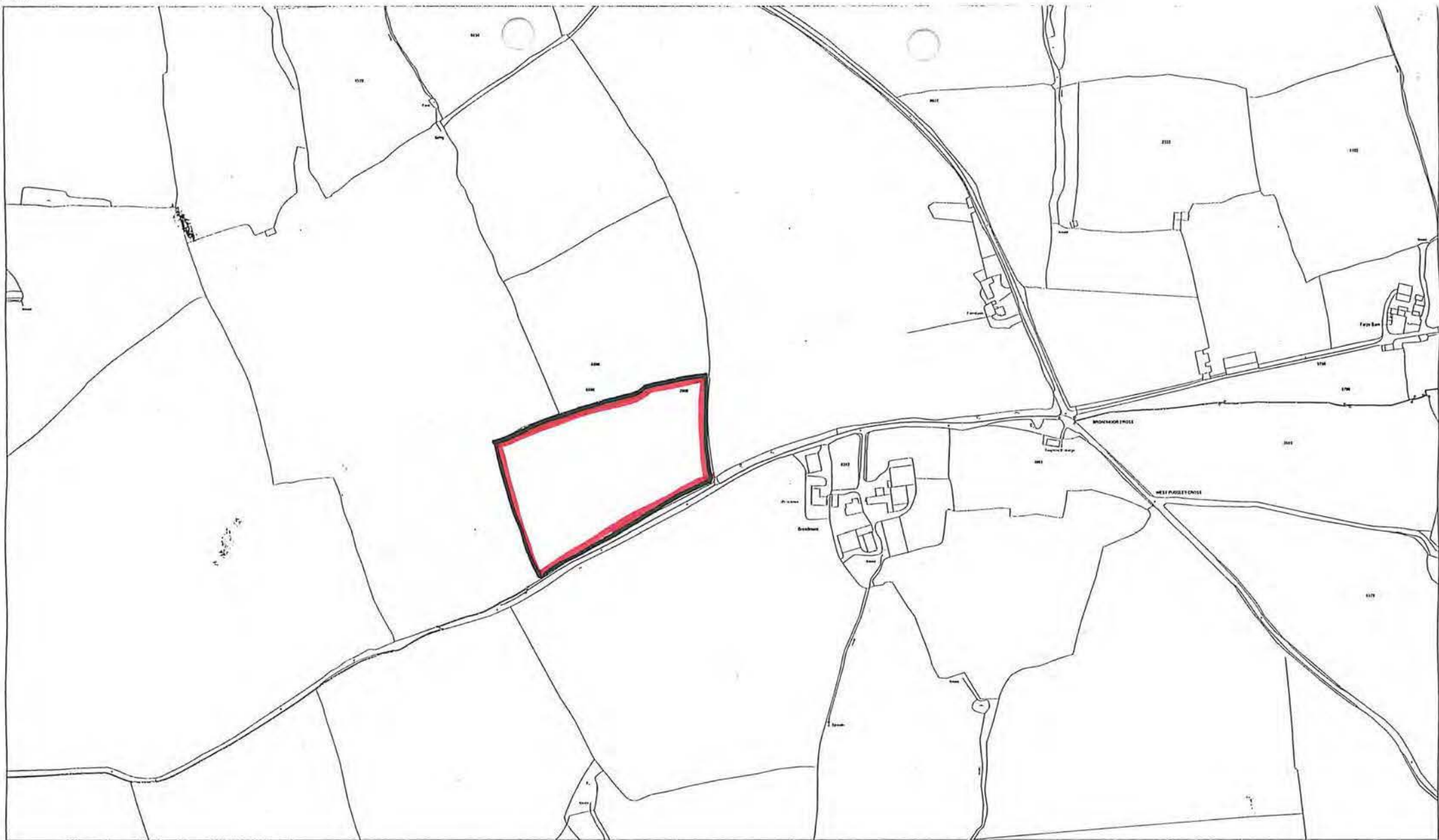
GUIDANCE NOTES FOR YOUR INFORMATION

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 periods 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.



Cartology
The Science of Maps

BROADMOOR, CHITTLEHAMPTON

SCALE: 1:5000

DRAWN BY: Erica Preece

DATE: 20th February 2002

Originating Group:

ENFORCEMENT 2343

Drawing No.

GRID 6323

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PLAN 1