

2643



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE

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 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 Hawthorn Cottage, Chittlehamholt, North Devon

("the land")

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

The material change of use of the land to a mixed use of dwellinghouse and siting and residential occupation of a mobile home, the approximate position of the mobile home being shown edged blue on the plan attached ("the Unauthorised Use")

4. **REASONS FOR ISSUING THIS NOTICE**

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

It is understood that the breach occurred within the last ten years.

It is considered that the Unauthorised Use represents an undesirable intrusion of isolated residential development in the countryside. No overriding justification for the Unauthorised Use has been provided and the view is taken that the same is therefore contrary to policies in both the Devon Structure Plan First Review and the emerging North Devon Local Plan.

Furthermore, due to the substandard nature of the approach roads to the land and the general inadequacy of the access thereto, it is also considered that the residential use of the mobile home is also contrary to policies in the Structure Plan and is generally harmful to the interests of highway safety and convenience.

The views of the Council in this respect were recently upheld by an inspector in an appeal decision dated 18th February 2000.

It is not considered that these objections could be overcome by the use of conditions.

5. WHEN YOU ARE REQUIRED TO ACT

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

6. WHAT YOU ARE REQUIRED TO DO

Unless otherwise permitted by the Town and Country Planning Act 1990 (as amended), permanently:

1. cease the residential occupation of the mobile home;
2. remove the mobile home from the land; and
3. clear up any rubbish or debris resulting from the implementation of steps 1 and 2 above.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 9th July 2000 ("the effective date") unless an appeal is made against it beforehand.

Dated : [date of issue] 26th May 2000

Signed :
Solicitor

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

r.dell.hawthorn



ENFORCEMENT 2643

SCALE: 1:1250

DRAWN BY: User Name

DATE 11th January 2000

Originating Group:

Organisation

Drawing No:

Enforcement 2643