



**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)

Land at Vellacott Farm, Vellacott Lane, Combe Martin, Devon

("the land")

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

The unauthorised increase in land level achieved by the tipping of soil and the formation of earthbanks on the Land in the approximate position shown by blue hatching on the said plan ("the unauthorised development")

4.     **REASONS FOR ISSUING THIS NOTICE**

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

The Council considers that the above breach of planning control has occurred within the last 4 years.

The Land is in a prominent and elevated location within an Area of Outstanding Natural Beauty, the Coastal Preservation Area and is also adjacent to the Exmoor National Park. The Council considers that the unauthorised development harms the natural beauty of the landscape and is, as a consequence contrary to Policies C3 and C4 of the Devon Structure Plan (First Review) and policies DL1 and DL1A of the North Devon Local Plan. The Council also considers that the unauthorised development is contrary to Policy C7 of the Devon County structure Plan (First review) and Policy DL2 of the North Devon Local Plan

The unauthorised development is also considered to be contrary to Policies S4 of the Devon Structure Plan (First Review) and DST1 of the North Devon Local Plan by virtue of the adverse impact of the unauthorised development on the open landscape character with insufficient agricultural justification and economic/social benefits to outweigh the primary objectives of these policies.

The Council do not consider that the use of planning conditions would overcome the above reasons for issuing this Notice



## Planning Enforcement

### The Breach of Planning Control Which Has Occurred

### Unauthorised Engineering Works

Site Location:

Land known as Vellacott Farm, Vellacott Lane, Combe Martin



M.J. Easton Dip.T.P.I. M.R.T.P.I.,  
Principal Planning Officer

SCALE: 1:2500

DATE 17th January 2000

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

The Council require that the steps specified in paragraph 6 be undertaken within six (6) months from the date when this notice takes effect.

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

1. Remove from the Land all soil used to create the unauthorised development.
2. Reinstate that part of the Land shown hatched blue on the plan to the original level.
3. Following compliance with steps 1 and 2 above, seed the part of the Land shown hatched blue with grass seed.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 28<sup>th</sup> June 2002 unless an appeal is made against it beforehand.

Dated : 27<sup>th</sup> May 2002

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.**