

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**

The siting and occupation of a mobile home in the approximate position shown in blue on the attached plan for use as a 24 hour supervision, management and security unit in breach of condition 2.15 attached to permission 26128 dated 9th December 1999.

4. **REASONS FOR ISSUING THIS NOTICE**

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

Conditional Planning Permission 26128 authorised the stationing of a 24 hour supervision, management and security unit alongside the new internal access road to Tree Beech Enterprise Park on the Land at Gunn.

Condition 2.15 of Permission 26128 states:

Prior to the installation of the security management unit on site, precise details of:

- (i) its internal accommodation
- (ii) its size and appearance
- (iii) its precise location

shall be submitted to and agreed in writing with the Local Planning Authority and thereafter only installed on site in accordance with the agreed details.

The Council received no written details in respect of the security management unit prior to the siting and occupation of the mobile home on the Land. The Council has not agreed to the installation of the mobile home as either a temporary or permanent unit for the 24 hour supervision, management and security of the site as authorised by permission 26128.

The Council therefore considers there to be a breach of condition 2.15 which has occurred during the last 10 years.

Furthermore the Council considers that the mobile home and its apparent use as a residential dwelling is not an appropriate facility to meet the need for the 24 hour supervision, security and management unit approved by permission 26128.

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

1. Within six weeks of the date on which this Notice takes effect remove the mobile home from the Land together with all items associated with its siting and occupation.
2. Within six weeks of the date on which this Notice takes effect remove any debris and all domestic paraphernalia resulting from the siting and use of the mobile home from the Land.

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

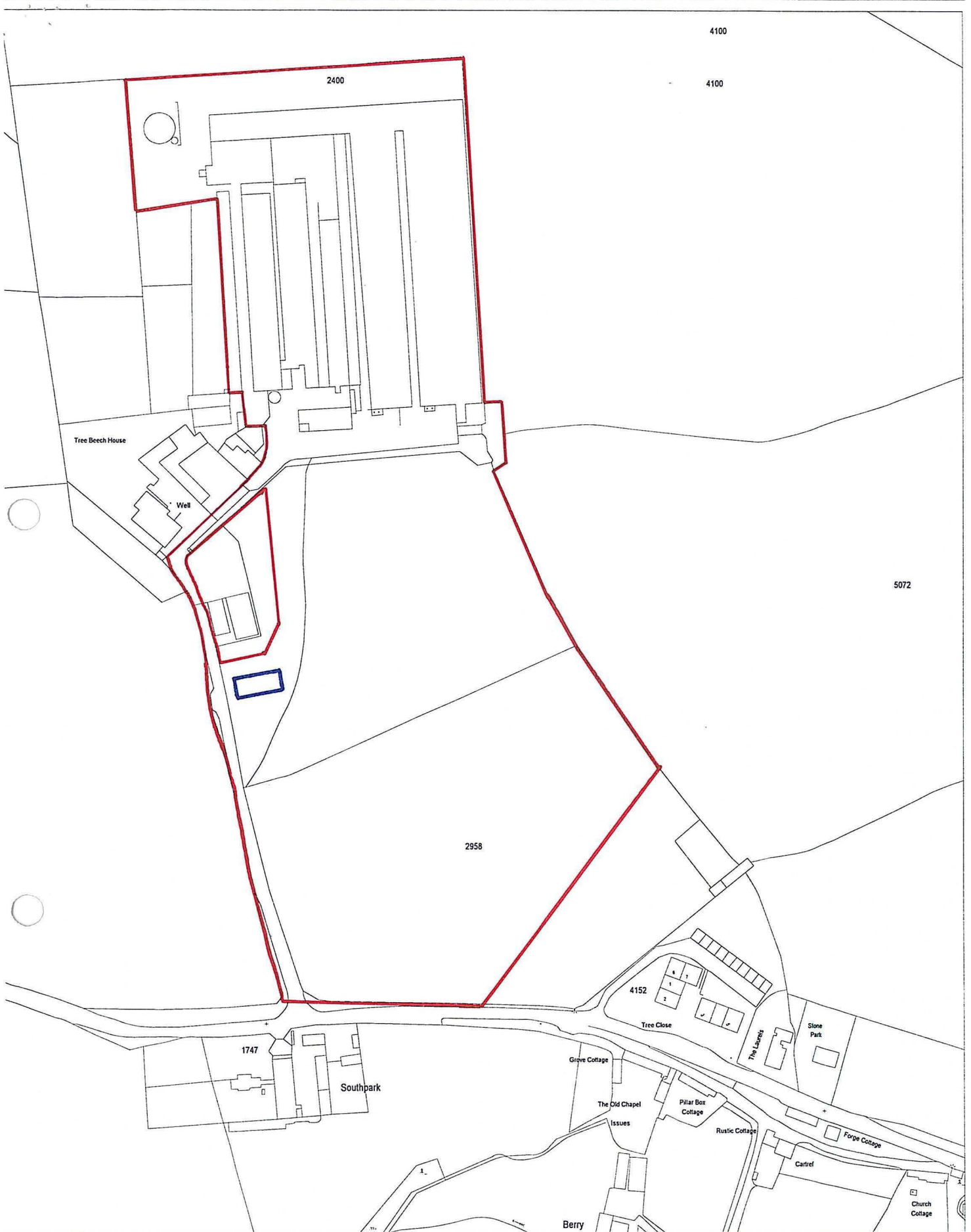
GUIDANCE NOTES FOR YOUR INFORMATION

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.



TREE BEECH ENTERPRISE PARK

SCALE: 1:2600

DRAWN BY: User Name

DATE 28th September 2001

Originating Group:

ENFORCEMENT

Drawing No.