



4156

**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 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 Part OS 7719 Yetland Holdings long Lane Berrydown Ilfracombe  
("the land")

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

The siting and occupation of a mobile home on land at Yetland Holdings, Long Lane Berrydown, Ilfracombe. EX34 0NZ and shown for identification purposes only edged red on the plan annexed hereto.

4.     **REASONS FOR ISSUING THIS NOTICE**

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

Devon County Structure Plan Policy 4 – The siting and occupation of the mobile home is contrary to this plan, as it constitutes development in the open countryside.

North Devon Local Plan Policy DST1- The siting and occupation of the mobile home does not conserve the character or appearance of the area and the social and/or economic benefits of the development do not outweigh the harm.

North Devon Local Plan-Revised deposit policy ENV1. - The siting and occupation of the mobile home does not provide social or economic benefits to the local community and does not protect or enhance the beauty, landscape or character of the countryside

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

The Council requires that the steps specified in paragraph 6 be undertaken within the period of 3 months from the date when this notice takes effect.

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

1. cease residential occupation of the mobile home
2. remove the mobile home from the land
3. remove any debris that may occur as a result of the above action and tidy up the site.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 1<sup>st</sup> March 2005 ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] 1<sup>st</sup> January 2005 .....

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.**

