

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)

Embassy Rooms, Meridian Place, Ilfracombe, North Devon

(“the land”)

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

The change of use of the land to a retail shop (“the unauthorised use”)

4. **REASONS FOR ISSUING THIS NOTICE**

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

1. It appears to the Council that the unauthorised use has commenced within the past 10 years.
2. The accommodation road giving access to the land is unsuitable to accommodate the increase in traffic generated by the unauthorised use, by reason of its inadequate width, vertical alignment, horizontal alignment, gradient, junction with the A361 and condition. This is considered to be
3. There is inadequate provision for the loading and unloading of goods vehicles within the land and as a result such vehicles are encouraged to stand on the highway with consequent risk of additional danger to all road users and interference with the flow of traffic in close proximity to a pedestrian crossing.
4. For the above reasons, the unauthorised use is considered to be contrary to Policy T19 in the Devon Structure Plan First Review 1995-2001 and Policy DS1 of the North Devon Local Plan.
5. The Council does not consider that the use of conditions would overcome the above reasons for issuing.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of 14 days from the date when this notices takes effect.

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land as a retail shop.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 22nd March 2002 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] 14th February 2002

Signed :.....

Solicitor

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

* specific date, not less than 28 clear days after date of service

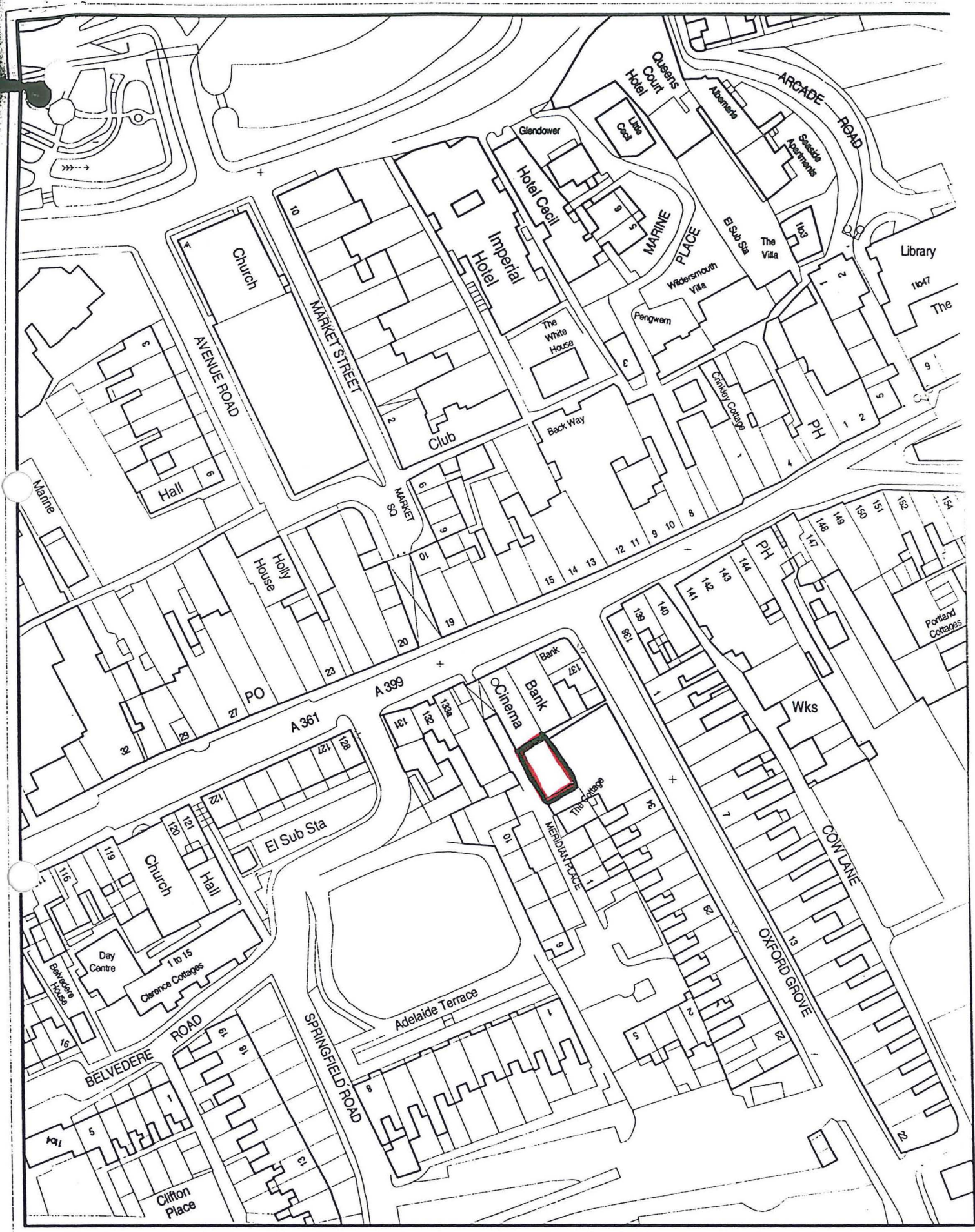
GUIDANCE NOTES FOR YOUR INFORMATION

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.



Location Plan

Site Location:

Embassy Rooms, Meridian Place, Ilf



Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO:

Planning Unit

DATE 31st January 2001

Reproduced from Ordnance Survey mapping by North Devon District Council under Copyright Licence No. LA07876X © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution.