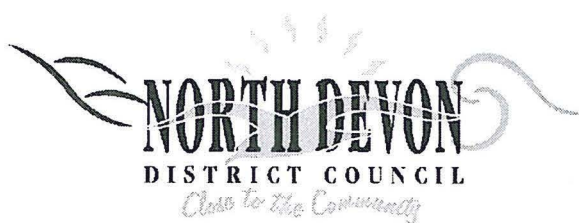


CF/ 10780

7.6.2007
DEANS COURT
SOUTH WOLTON



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 considers 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)

Deans Court, Deans Park, South Molton, EX36 3DY

("the land")

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

Change of use of agricultural land to non-agricultural storage area and creation of hard surfaces

4. **REASONS FOR ISSUING THIS NOTICE**

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

The site is outside of the designated development boundary for South Molton. The purpose of the Development Boundary is to control and regulate the growth of the settlement and is based on a careful assessment of the character setting and capacity for growth of South Molton. The Development Boundary defines the edge of the settlement from agricultural land beyond. The incursion of non-agricultural activities by way of the storage of items associated with a non-agricultural business use and the provision of extensive areas of hard standing to facilitate the said use alters the character and visual appearance of this edge of settlement location to its visual detriment by extending prominent activities from an accepted and well screened business base at Deans Court into open land beyond.

The use of the land activities are further considered detrimental to the amenities of adjoining residential properties and as such the use and activities are contrary to policies DVS1, DVS2, DVS3 and ENV1 of the North Devon Local Plan and policies ST1, CO1 and CO6 of the Devon Structure Plan

The Local Planning Authority considers that the unauthorised material change of use has occurred within the last 10 years and that the above reasons for issuing the Notice cannot be overcome by the use of Planning Conditions.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of 28 days from the date when this notices takes effect

6. WHAT YOU ARE REQUIRED TO DO

1. Remove all materials, vehicles and trailers from the site outlined in red on plan 1 annexed hereto where so ever stored or placed that are not specifically necessary for agriculture.
2. Remove the unauthorised hard surface and waste material where so ever stored, placed or fixed from the land edged blue within the area edged red on plan 1 annexed here to and return the land to its former condition of pasture.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 9th July 2007 ("the effective date")* unless an appeal is made against it beforehand.

Dated : 7th June 2007

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

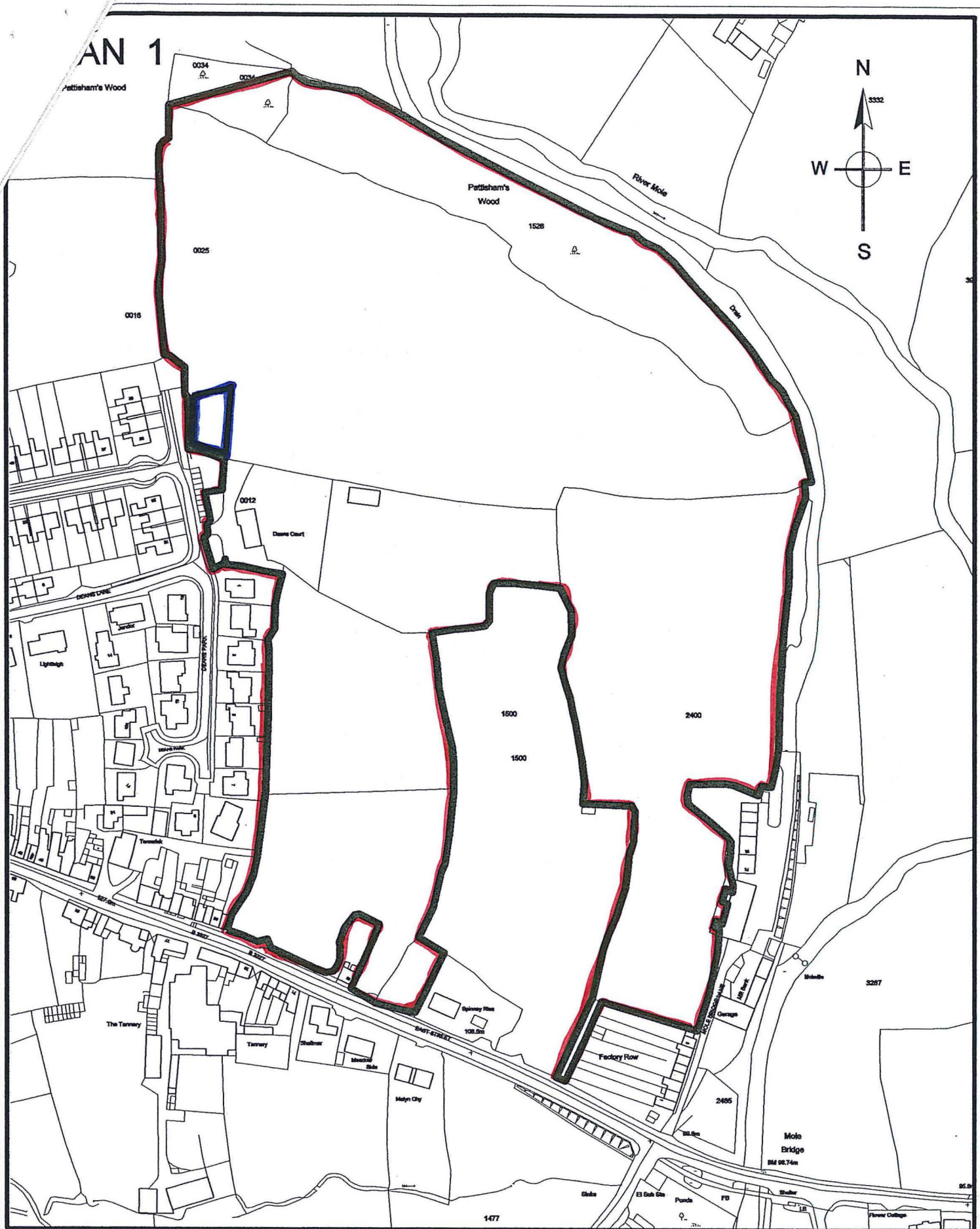
GUIDANCE NOTES FOR YOUR INFORMATION

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.

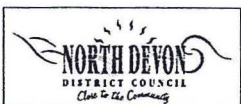
WHAT HAPPENS IF YOU DO NOT APPEAL

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.



Plan to Accompany Enforcement Notice Indicating Extent of Site Ownership in Red

Deans Court, Deans Park, South Molton



Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:2500

COPY SUPPLIED TO:

Planning Unit

DATE 20th April 2007

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