



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)

The Grange, Sanfield farm, Lobb, Braunton, North Devon

("the land")

3. THE BREACH OF PLANNING CONTROL ALLEGED

The unauthorised change of use of barn situated on the Land to use as a single dwelling ("the unauthorised change of use"). The barn is shown shaded blue on the plan attached.

4. REASONS FOR ISSUING THIS NOTICE

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

1. In the opinion of the Council, the unauthorised change of use has taken place within the past 4 years.
2. The unauthorised change of use results in a new dwelling in the open countryside where the primary objective is to conserve the countryside's character, landscape, wildlife, agricultural recreational and natural resource value. In the absence of any overriding agricultural, horticultural or forestry need or any evidence of any social or economic benefit, it is considered that the unauthorised change of use is contrary to policies DST1 of the North Devon Local Plan and ST1 and ST16 of the Devon Structure Plan 2001 -2016. It is also considered that because of it's location, the unauthorised development is contrary to policies ENV1 and HSG9 of the emerging North Devon Local Plan.
3. As the unauthorised change of use is a re-use of a building in the countryside, policies ECN5 of the emerging North Devon Local Plan and DH10 of the adopted North Devon Local Plan are also relevant. It is considered that the unauthorised change of use is contrary to those policies as there is no evidence that attempts have been made to find a business use for the building nor that the residential use is subordinate to a business use. There is also no evidence that the unauthorised change of use is to be used for an agricultural or forestry worker or that it meets an identified housing need in the community.
4. It is not considered that the use of planning conditions would overcome the above reasons for issuing this Notice.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require 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. Cease the residential use of the Land within 12 weeks of this Notice taking effect.
2. Remove from the Land all items of a residential nature, including the kitchen and bathroom, and all debris which results from the same within 14 weeks of this Notice taking effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 27th June 2005 ("the effective date")* unless an appeal is made against it beforehand.

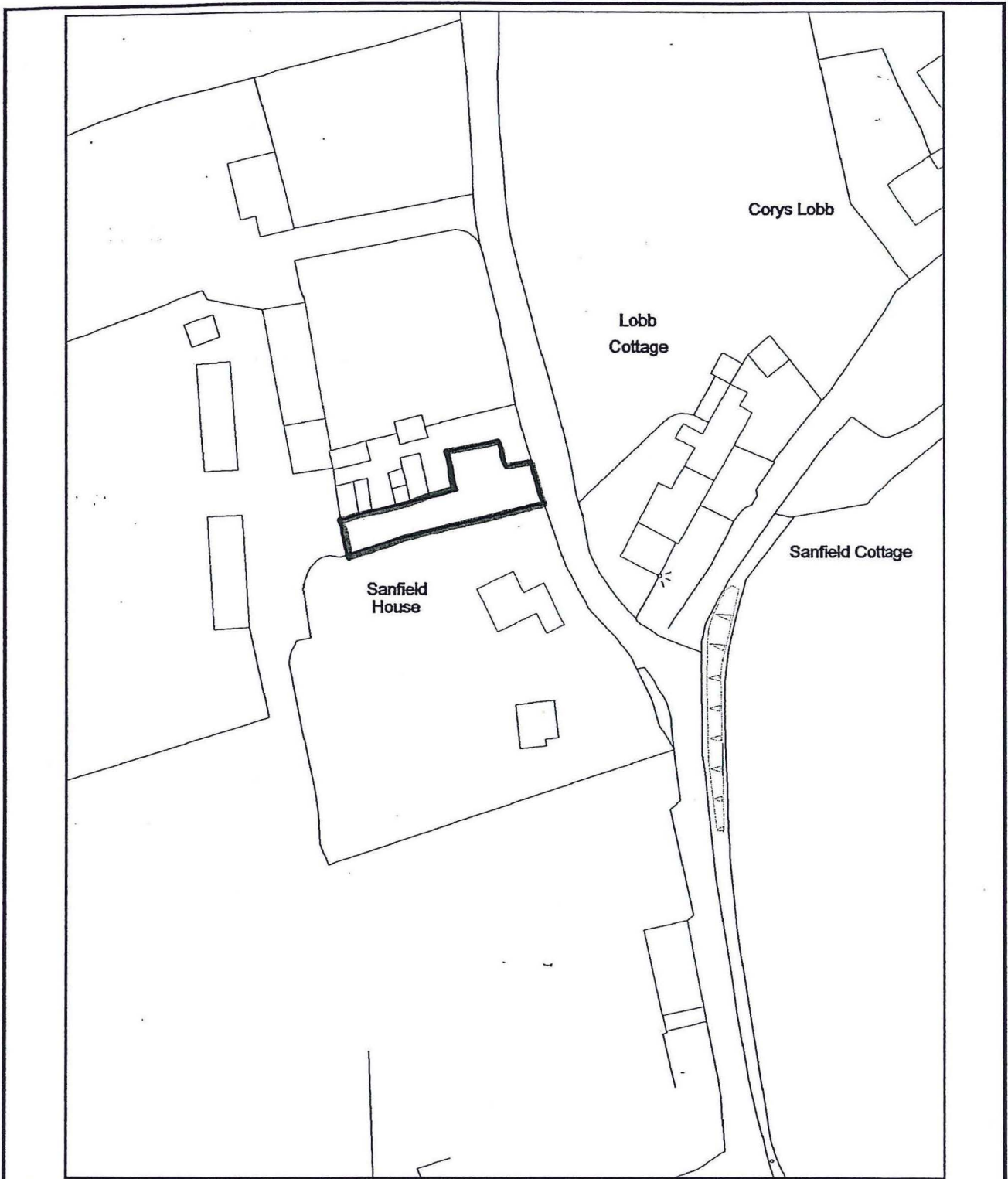
Dated : [date of issue] 20th May 2005

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



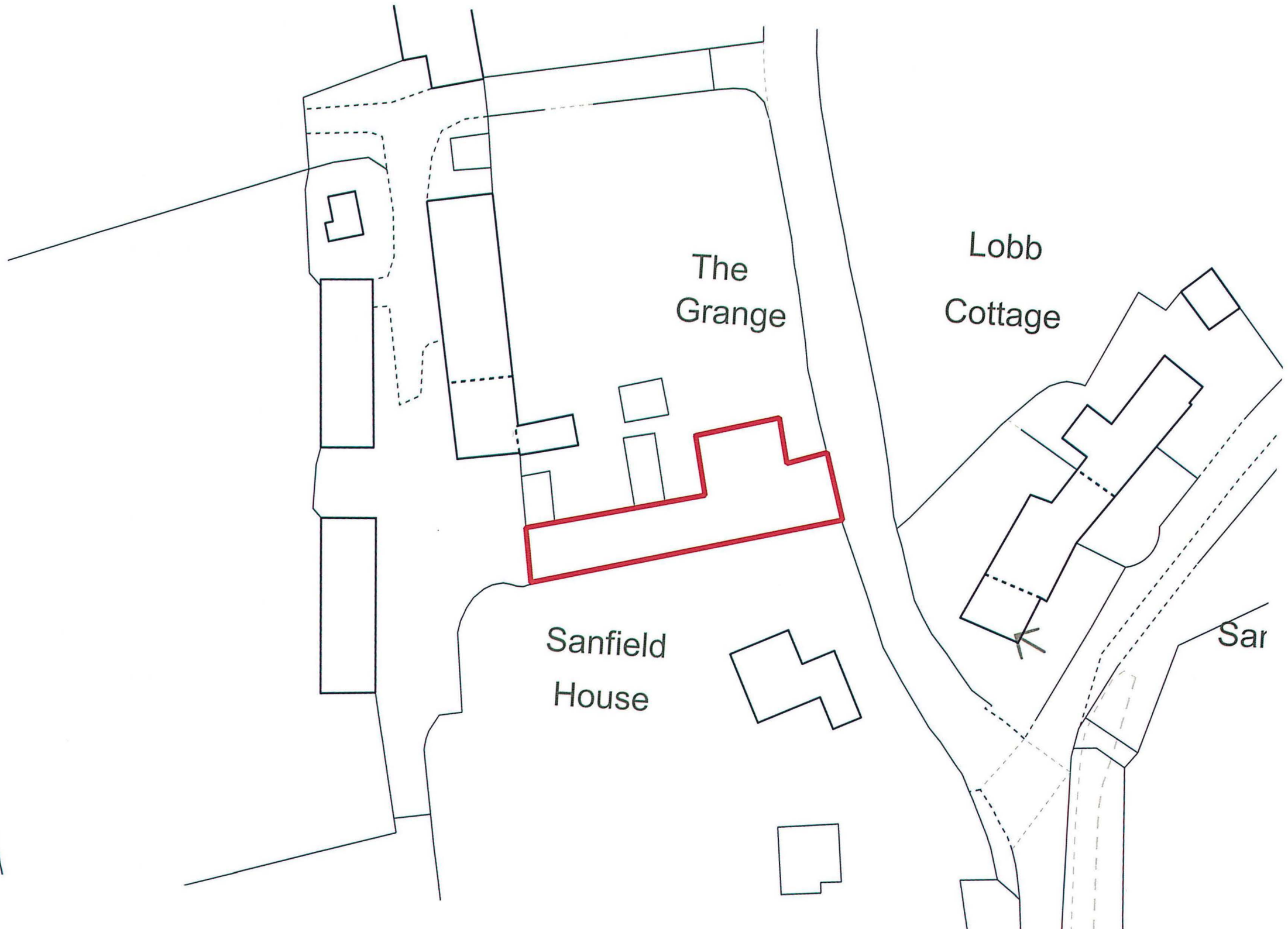
THE GRANGE.LOBB, BRAUNTON EX331JF - Scale:



**Print template -
TEMPLATE1**

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The
Grange

Lobb
Cottage

Sanfield
House

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