

4879



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 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 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 OS Part 8088, Lynton Cross, Bittadon, Ilfracombe, EX34 9RQ

("the land")

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

The siting and residential occupation on the land of a mobile home.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The siting of the mobile home is contrary to North Devon Local Policy as adopted. The site is in the open countryside where the overall aim is to protect the countryside for its own sake and where new residential development should be directed to local services on the grounds of sustainability, special justification is required for isolated new residential development such as the siting of a mobile home.

The use of the land as the siting of a mobile home is contrary to policies DST1 and DH6 of the Adopted North Devon Local Plan and policies ENV1, HSG9 and HSG10 of the Emerging North Devon Local Plan (Revised Deposit)

It also contravenes policies CO1, CO3 and CO5 of the Devon Structure Plan, DL1 and DL2 of the Adopted North Devon Local Plan and policies ENV2, ENV3 and ENV5 of the Emerging North Devon Local Plan (Revised Deposit).

The siting of the caravans is visually detrimental in this countryside location. It is an inappropriate and alien use in the countryside.

The site is considered inappropriate for residential development due to its reliance on a sub-standard access onto a classified highway. The use of the access would cause danger to road users.

The siting of the caravan on the land has occurred within the past ten years.

Imposing conditions would not overcome the above reasons.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of 4 weeks from the date when this notice takes effect.


6. WHAT YOU ARE REQUIRED TO DO

1. Remove the mobile home and all resulting debris from the land.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 2nd September 2005 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] 25th July 2005

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.

H.M. LAND REGISTRY		TITLE NUMBER DN 285726	
ORDNANCE SURVEY PLAN REFERENCE	SS 5343	Scale 1/2500	
COUNTY	DEVON	DISTRICT	NORTH DEVON
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DN 285726

ORDNANCE SURVEY
PLAN REFERENCE

SS 5343

Scale
1/2500

COUNTY DEVON

DISTRICT NORTH DEVON'

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NOTE. AREAS ON THIS PLAN ARE EXPRESSED
IN ACRES AND HECTARES.

