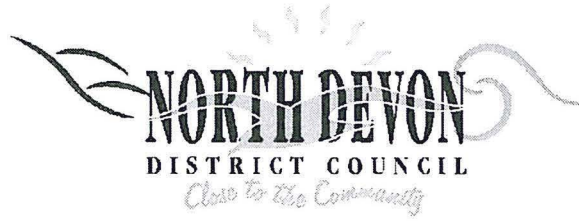


DH/ 10781

6.9.2007



TRUDE FARM
GOODLEIGH

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 attached Plans A and B)

Trude Farm, Goodleigh, Barnstaple, North Devon, EX32 7NH

("the land")

3. THE BREACH OF PLANNING CONTROL ALLEGED (shown in the attached 7 Photographs referred to in Plan B)

Siting and residential use of a mobile home for domestic purposes on agricultural land/Storage of non-agricultural material including a pre-fabricated concrete bungalow (woolaway bungalow) and vehicles not used for agricultural purposes

4. REASONS FOR ISSUING THIS NOTICE

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

The site is in the Open Countryside where development should be strictly controlled on the grounds of sustainability and in the interest of protecting the character and appearance of the landscape.

The Local Planning Authority, having had regard to the information provided as part of planning application 42432, do not consider that there is sufficient evidence that the holding can both provide and maintain a financially viable agricultural business, which would warrant, on a functional basis, the provision of full time, on site, residential accommodation. Accordingly, the development is contrary to policy HSG10 relating to temporary accommodation on new farm enterprises and advice contained within Annex A of PPS7 Sustainable Development in Rural Areas (2004).

The siting of the mobile home represents unsupported development in the open countryside contrary to policies HSG10 and ENV1 of the North Devon Local Plan and policies ST1 and ST16 of the Devon Structure Plan. The mobile home is located on a visually prominent site in the open countryside, insufficiently screened by landscaping or hedgerow features, which detracts from the character and appearance of the landscape contrary to policies ENV1 and DVS2 of the North Devon Local Plan and CO1 of the Devon Structure Plan. The site of the mobile home is also remote from services, employment, education, public transport and will increase the need for journeys to be made by private vehicles which is unsustainable and in conflict with the advice in PPG13.

The unauthorised development results in an increased use of the access onto the public highway, which without significant improvement, (which itself would compromise established hedgerow features) has limited visibility from and of vehicles using the access. As such, it results in additional danger to all users of the road and interference with the free flow of traffic. In addition, the roads leading to the site are of inadequate width, vertical alignment, horizontal alignment, gradient, junctions and condition. This makes them unsuitable for unjustified development in the open countryside in that the infrastructure cannot support the additional traffic to be generated, contrary to policy TRA6 of the North Devon Local Plan.

The storage of the pre-fabricated concrete bungalow (woolaway bungalow), the lorry body (Storing domestic paraphernalia), the domestic vehicles and caravan on the site does not comprise essential agricultural uses or activities. The items are located in a visually prominent site in the open countryside insufficiently screened by landscaping or hedgerow features. As such, they result in the intrusion of development in a location, which should be protected for its own sake in order to preserve the character and appearance of this landscape setting. Accordingly, the uses and activities are contrary to policies ENV1 and DVS2 of the North Devon Local Plan and CO1 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 requires that Step A specified in paragraph 6 be undertaken within the period of 6 months from the date when this notice takes effect and that Steps B and C be undertaken within the period of 3 months from the date when this notice takes effect.

6. WHAT YOU ARE REQUIRED TO DO

- | | |
|----|--|
| A] | Cease the use of the mobile home for residential purposes and remove the mobile home from the land edged red on Plan A where so ever stored, placed or fixed. |
| B] | Remove the pre-fabricated concrete bungalow (woolaway bungalow) and all non-agricultural materials from the land edged red on Plan A where so ever stored or placed. |
| C] | Remove all vehicles including the lorry body and caravan from the land edged red on Plan A where so ever stored or placed. |

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 8 October 2007 ("the effective date") unless an appeal is made against it beforehand.

Dated : 6 September 2007.

Signed :

Solicitor

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

GUIDANCE NOTES FOR YOUR INFORMATION

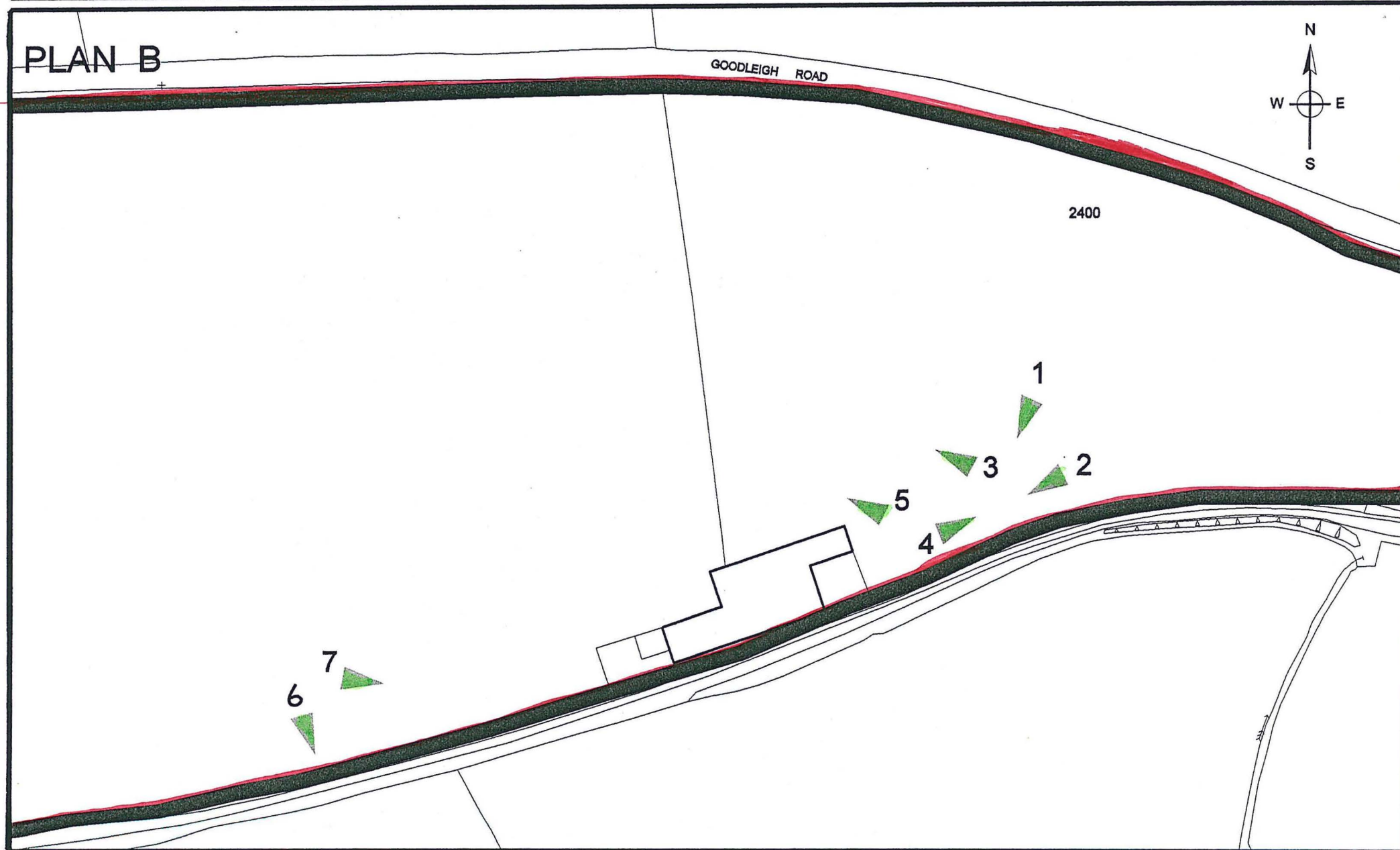
YOUR RIGHT OF APPEAL

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 B



Plan B to Accompany Enforcement Notice - Land Holding in Red - Direction of Photographs in Green

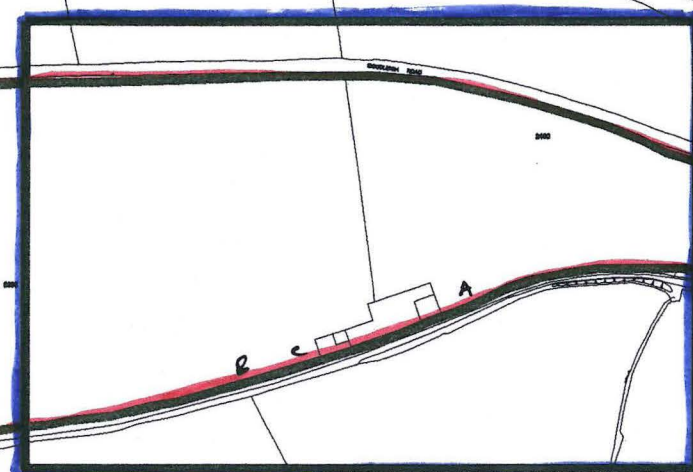
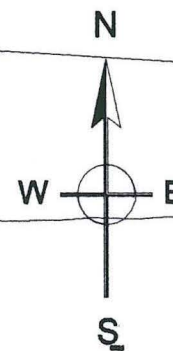
Trude Farm, Goodleigh



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COPY SUPPLIED TO:
Planning Unit
Scale: 1:1250
Date: 20th April 2007

PLAN A



Plan A to Accompany Enforcement Notice - Land Holding in Red - Area of Plan B in Blue

Trude Farm, Goodleigh

COPY SUPPLIED TO:
Planning Unit
Scale: 1:4000
Date: 20th April 2007



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