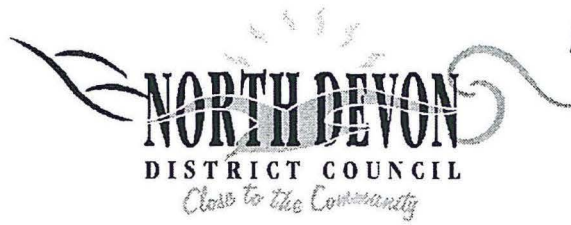


11015

11.12.2007



NORTH WARCOMBE FARM
LEE
ILFRACOMBE

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 plan 1A attached)

North Warcombe Farm, Lee, Ilfracombe, North Devon, EX34 8LN

("the land")

3. THE BREACH OF PLANNING CONTROL ALLEGED

Unauthorised change of use of the land from agricultural use to residential use by the siting and residential occupation of a caravan.

4. REASONS FOR ISSUING THIS NOTICE

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

The unauthorised change of use of the land from agricultural to residential is contrary to policy HSG10 and ENV1 of the North Devon Local Plan, which is concerned with temporary dwellings within the countryside and no justification has been provided for this development. It is also contrary to policies ENV2, ENV3 and ENV5 of the North Devon Local Plan.

In addition, the unauthorised change of use is contrary to policy TRA6 for general highway considerations as there is an increased use of a substandard access.

The caravan is sited in the countryside remote from services, employment, education, public transport and will increase the need for journeys to be made by private vehicles which is non-sustainable and in conflict with the advice in Planning Policy Guidance 13.

No functional need has been provided for a dwelling in the countryside and the Local Planning Authority considers that the above reasons for issuing the Notice cannot be overcome by the use of Planning Conditions.

The Local Planning Authority is satisfied that the caravan has not been in place for more than ten years and that it has not therefore acquired immunity from enforcement.

5. WHEN YOU ARE REQUIRED TO ACT

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

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the unauthorised residential occupation of the land shown outlined in red on plan 1A annexed hereto.
2. Remove the caravan from the land, the approximate position of which is shown as A on plan 2A annexed hereto.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 10th January 2008 ("the effective date")* unless an appeal is made against it beforehand.

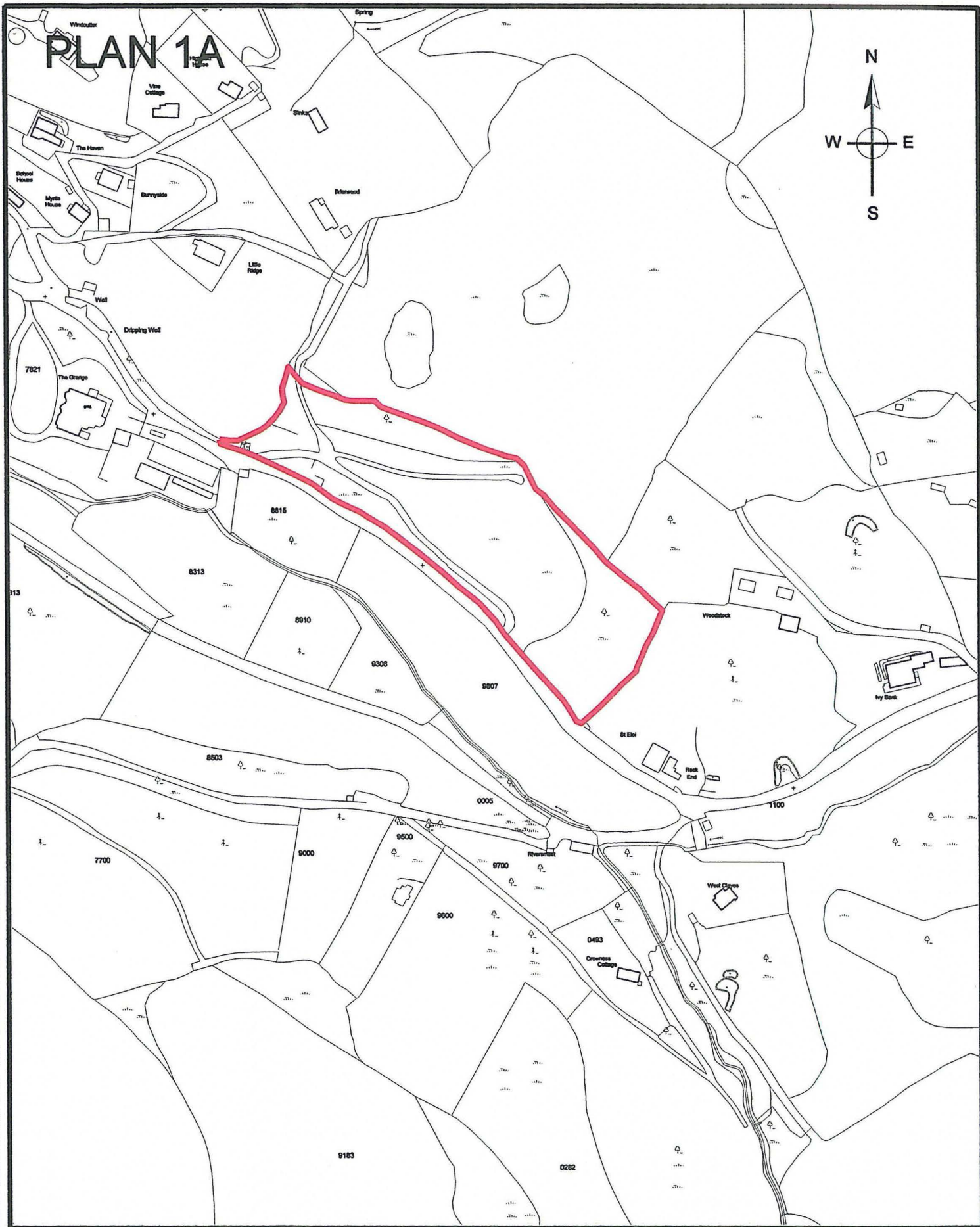
Dated : 11th December 2007

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



Plan to Accompany Enforcement Notice - Plan 1A - Caravan

North Warcombe Farm, Lee, Ilfracombe EX34 8LN



Civic Centre, Barnstaple.
EX31 1EA

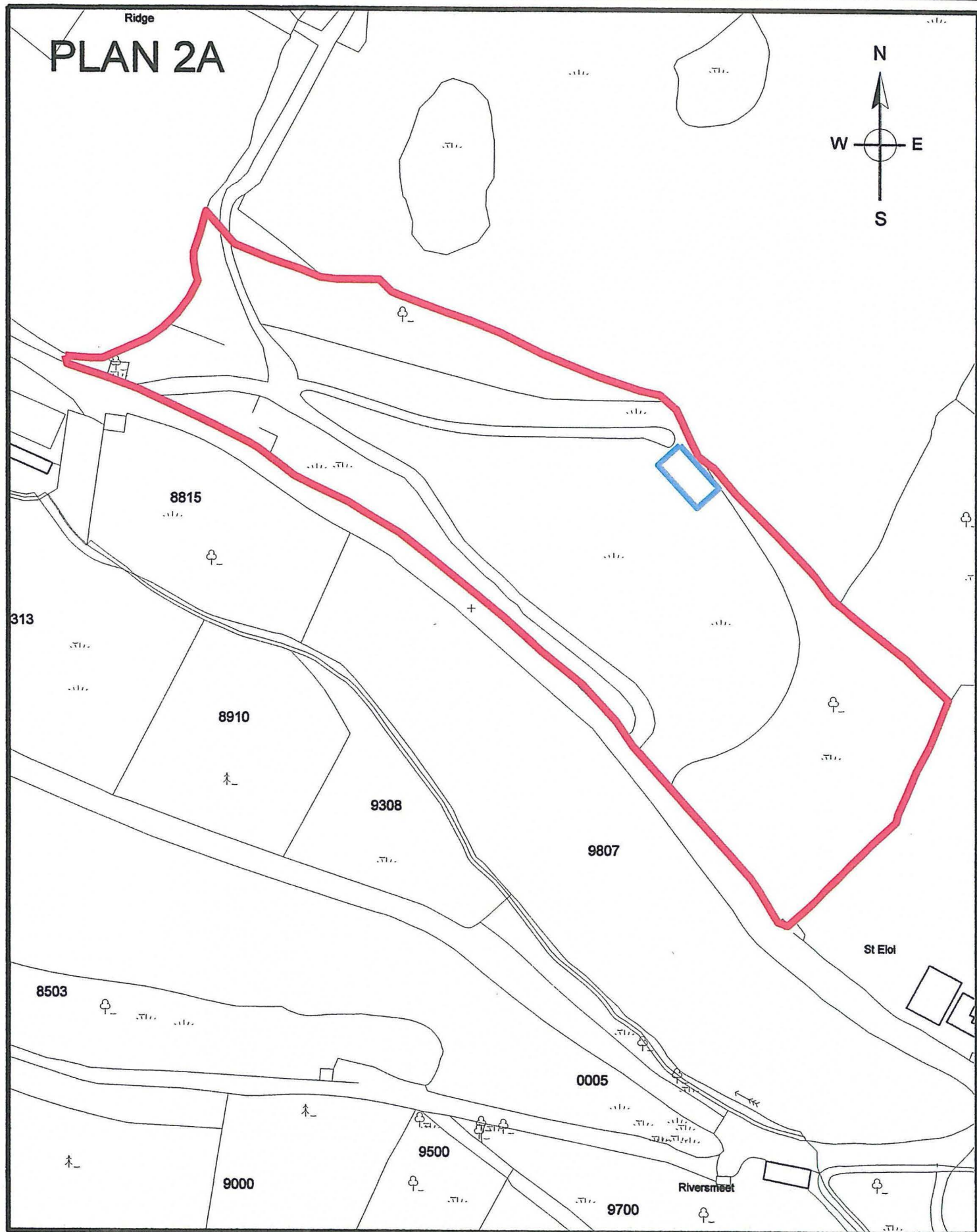
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COPY SUPPLIED TO:

Planning Unit

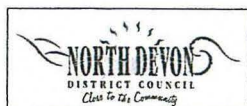
DATE 24th October 2007

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Plan to Accompany Enforcement Notice - Plan 2A - Caravan

North Warcombe Farm, Lee, Ilfracombe EX34 8LN



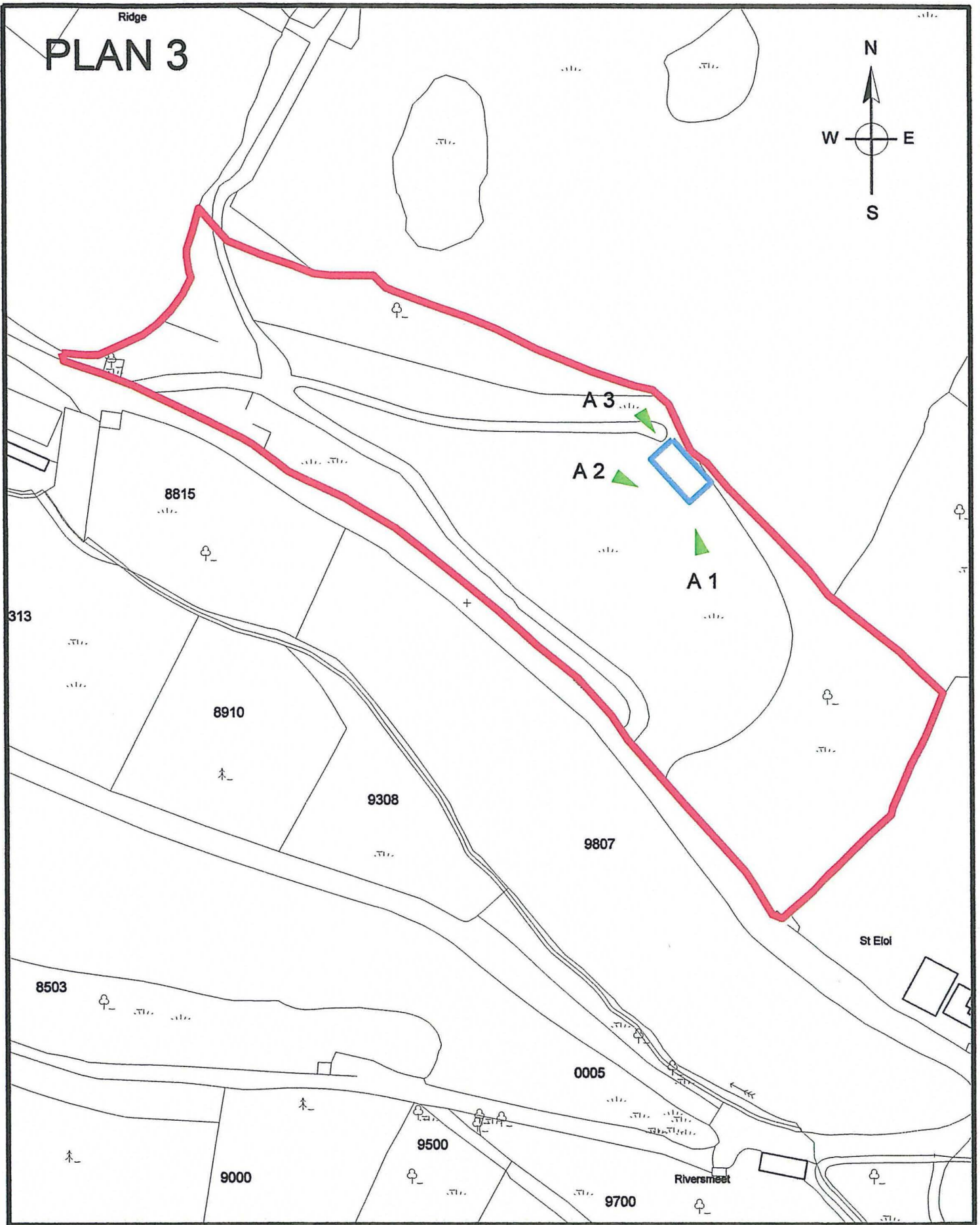
Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO: Planning Unit

DATE 24th October 2007

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Plan to Accompany Enforcement Notice - Plan 3 - Caravan - Photos. A1, A2 & A3

North Warcombe Farm, Lee, Ilfracombe EX34 8LN



Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO:

Planning Unit

DATE 24th October 2007

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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.