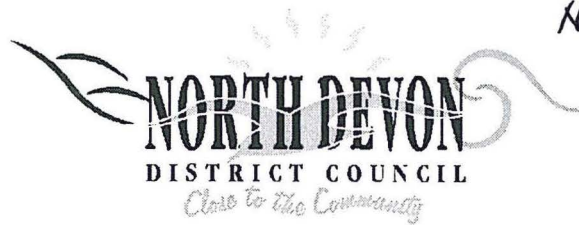


CF/ 11015

11.12.2007

NORTH WARCOMBE FARM  
LEE  
ILFRACOMBE



**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**ENFORCEMENT NOTICE**

**MATERIAL CHANGE OF USE  
AND  
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 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 to the siting and/or storage of unauthorised structures, objects and vehicles namely the kennel, summerhouse, container and the boat and trailer.

Unauthorised operational development by the erection of the goat shed, timber shed and corrugated iron sty.

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 is contrary to Planning Policy Statement 7 and also DVS1 of the North Devon Local Plan as the design of the structures do not contribute to the surroundings. The development has occurred within the countryside without any necessity being demonstrated and therefore is also contrary to policy ENV1 of the North Devon Local Plan. The development is visually detrimental to the Area of Outstanding Natural Beauty, (contrary to Policy ENV2) and fails to enhance the Heritage Coast or facilitate its greater enjoyment), contrary to Policy ENV3 of the North Devon Local Plan.

In addition, it is contrary to ENV5 of the North Devon Local Plan as it detracts from the unspoilt character and appearance of the Coastal Preservation Area.

The structures contribute to activity on site that generates additional vehicle movements through substandard access contrary to policy TRA6 of the North Devon Local Plan.

The structures erected on the land may not be erected as permitted development as the holding is less than 5 hectares and therefore Class A of Part 6 of Schedule 2 of the General Permitted Development Order 1995 does not apply.

The Local Planning Authority is satisfied that the structures amounting to the material change of use of the land have not been in place for more than ten years and four years for the unauthorised operational development and that they have not therefore acquired immunity from enforcement. The Local Planning Authority is of the opinion 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 6 months from the date when this notices takes effect.

**6. WHAT YOU ARE REQUIRED TO DO**

1. Remove all unauthorised structures, objects and vehicles not reasonably related to agriculture, the approximate location of each at the time of the site visit on the 22<sup>nd</sup> May 2007 is indicated on Plan 2A annexed hereto

**7. WHEN THIS NOTICE TAKES EFFECT**

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

Dated : 11<sup>th</sup> December 2007

Signed :  .....

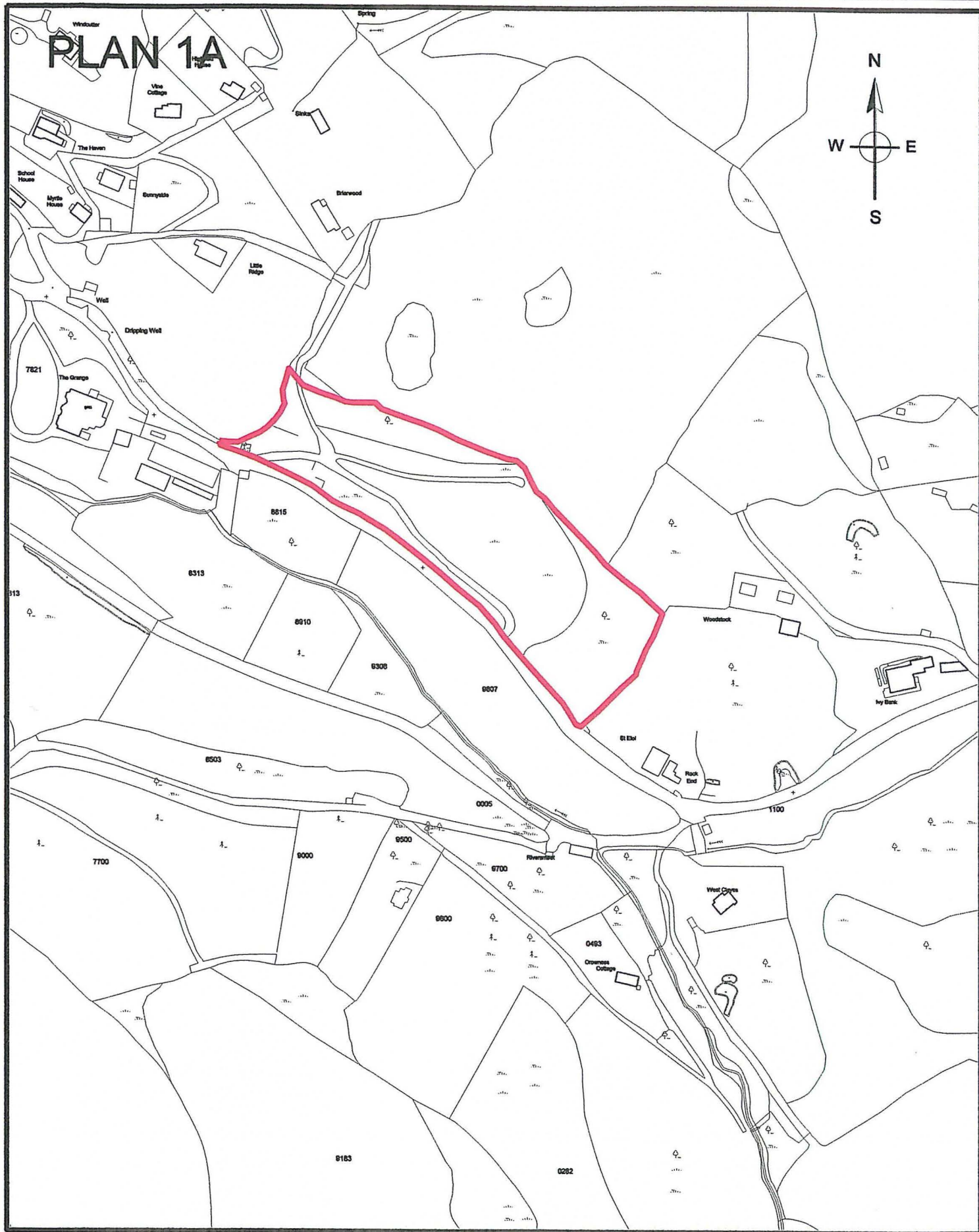
Solicitor

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

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\* specific date, not less than 28 clear days after date of service





## Plan to Accompany Enforcement Notice - Plan 1A - Structures/Objects/Vehicles

North Warcombe Farm, Lee, Ilfracombe EX34 8LN



Civic Centre, Barnstaple.  
EX31 1EA

SCALE: 1:2500

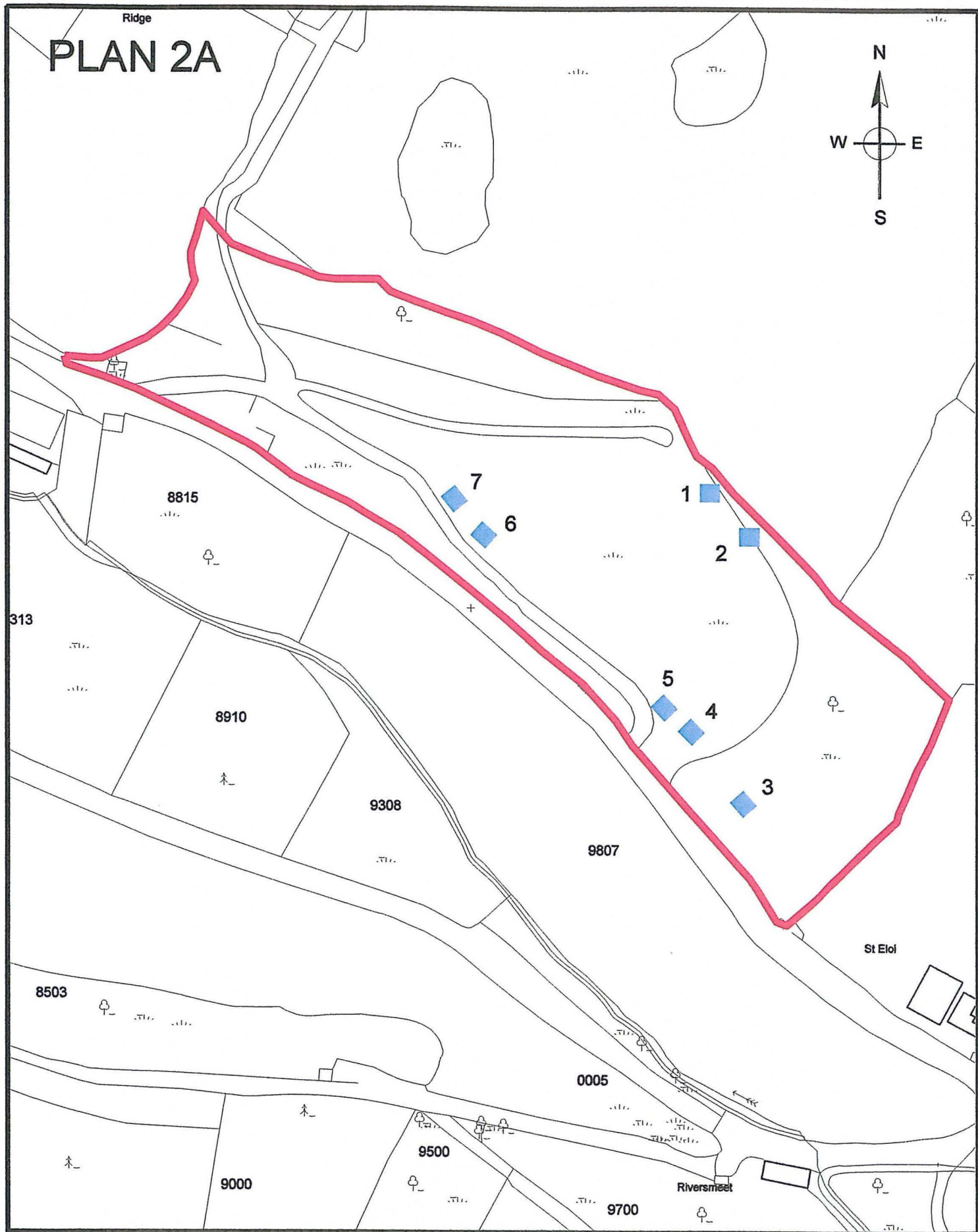
COPY SUPPLIED TO: Planning Unit

DATE 24th October 2007

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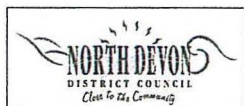
**Key to identify structures in Plan 2A**

- 1 Kennel
- 2 Summerhouse
- 3 Goat shed
- 4 Container
- 5 Timber shed
- 6 Corrugated iron sty
- 7 Boat and trailer



## Plan to Accompany Enforcement Notice - Plan 2A - Structures/Objects/Vehicles

North Warcombe Farm, Lee, Ilfracombe EX34 8LN



Civic Centre, Barnstaple.  
EX31 1EA

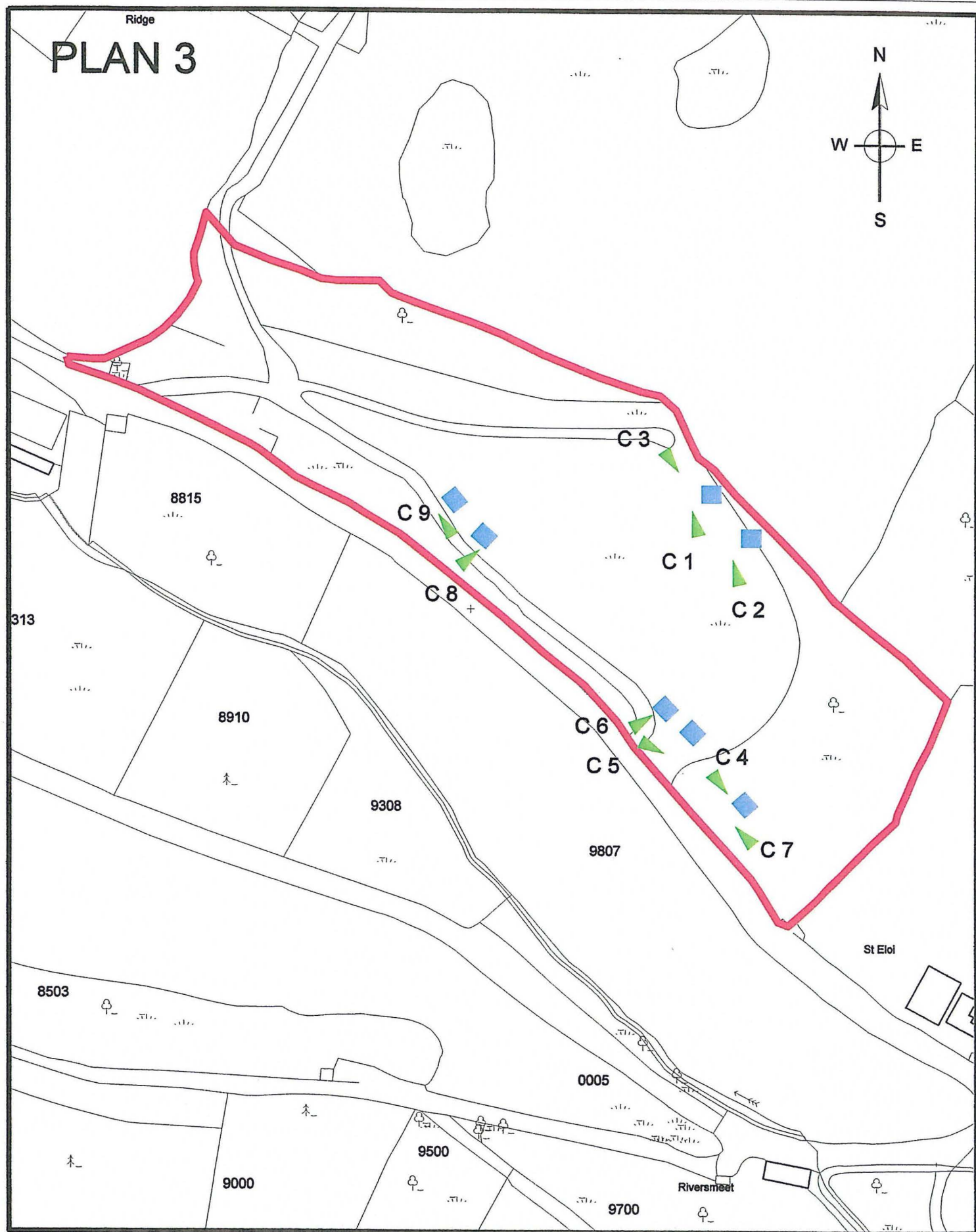
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## Plan to Accompany Enforcement Notice - Plan 3 - Structures/Objects/Vehicles - Photos

North Warcombe Farm, Lee, Ilfracombe EX34 8LN



Civic Centre, Barnstaple.  
EX31 1EA

SCALE: 1:1250

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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.**