

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

**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 plan 1 attached)

Horse Box Meadow, Bittadon, Muddiford, EX31 4HJ

(“the land”)

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

Operational Development by the construction of a shed without planning permission within the last four years.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The unauthorised Operational Development raises conflict with policy ENV1 of the North Devon Local Plan in that it has not demonstrated any economic or social benefit to the local community and fails to protect or enhance the beauty of the landscape. Specifically it is detrimental to the Area of Great Landscape Value, contrary to policy ENV6. If a building is required for agricultural purposes then it comes within the scope of policy ECN7, which requires the functional need to be demonstrated and countryside impact to be minimised, which have not been done.

These policies in the North Devon Local Plan are reflective and the development is therefore also contrary to Policy CO4 (an Area of Great Landscape Value) of the Devon County Structure Plan and ENV1 and ENV2 of the draft Regional Spatial Strategy for the South West, relating to the visual detriment to the landscape, particularly the Area of Great Landscape Value.

The Local Planning Authority is satisfied that the shed has not been in place for more than four years and that it has therefore not acquired immunity from enforcement. The Local Planning Authority considers 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 below be undertaken within the period of 3 months from the date when this notice takes effect as stated at paragraph 7.

6. WHAT YOU ARE REQUIRED TO DO

1. Remove the unauthorised shed edged in blue on plan 2 and plan 3 as shown in Photograph A annexed hereto or where so ever fixed, placed or stored.
2. Clear and remove any debris resulting from the above step where so ever fixed, placed or stored from the land outlined in red on plan 1 annexed hereto

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 5th March 2008 ("the effective date")* unless an appeal is made against it beforehand.

Dated : 4th February 2008

Signed :

Solicitor, Legal Services Manager

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

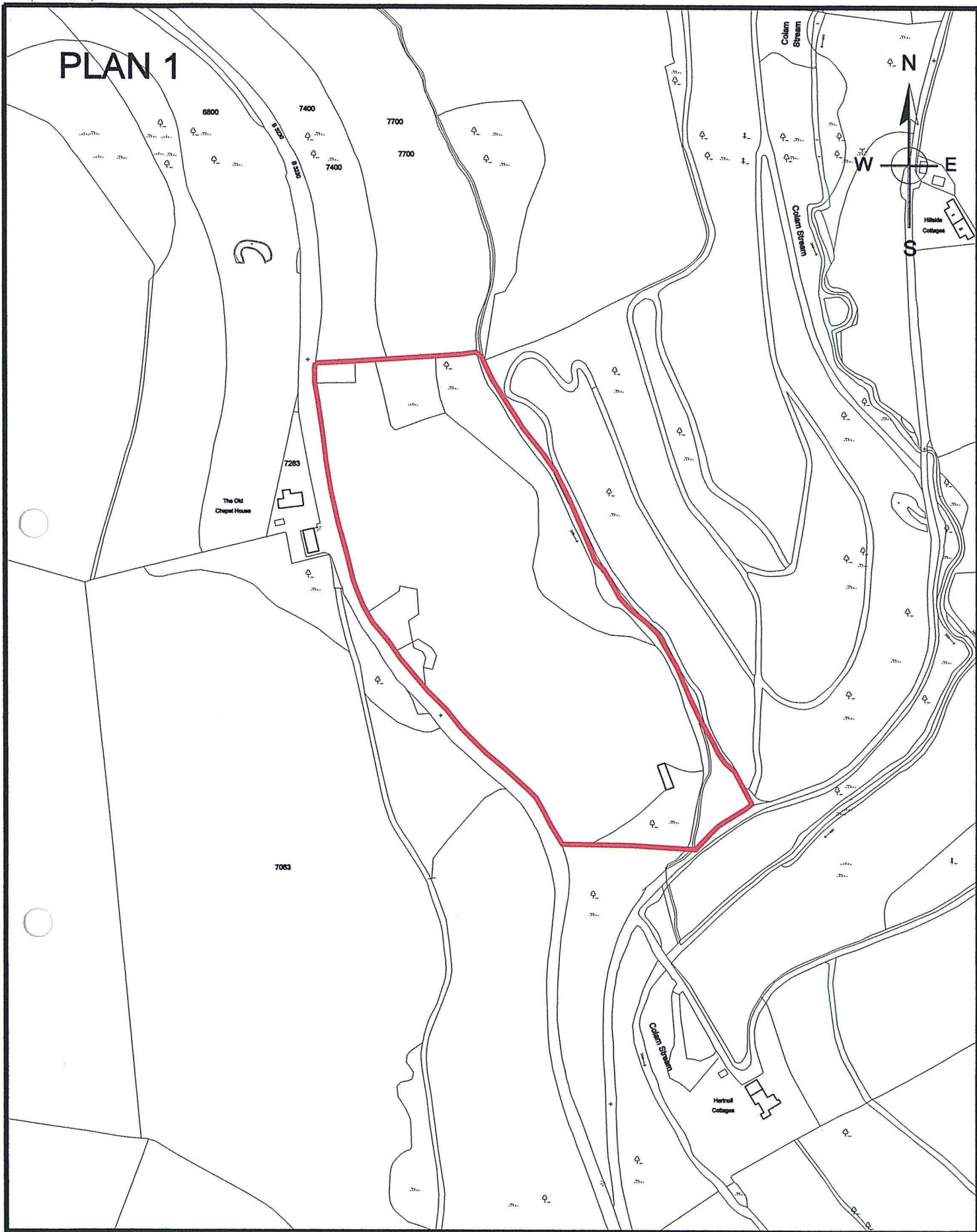
GUIDANCE NOTES FOR YOUR INFORMATION

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 stated, (paragraph 7 above). 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.

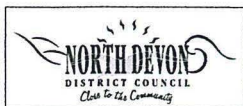
WHAT HAPPENS IF YOU DO NOT APPEAL

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 to Accompany Enforcement Notice - Plan 1 - Operational Development

Horsebox Meadow, Bittadon



Civic Centre, Barnstaple.
EX31 1EA

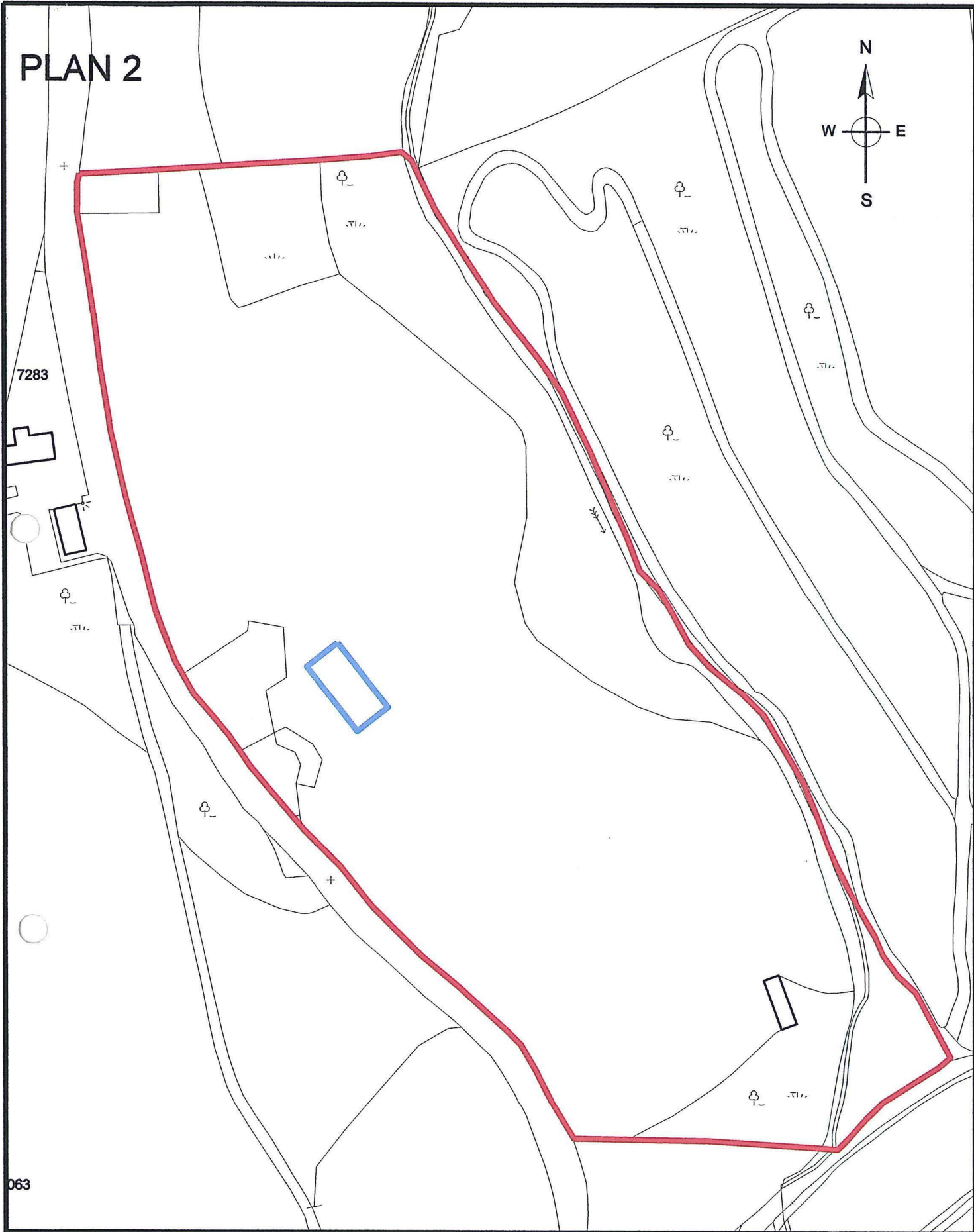
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COPY SUPPLIED TO: Planning Unit

DATE 6th December 2007

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PLAN 2



Plan to Accompany Enforcement Notice - Plan 2 - Operational Development

Horsebox Meadow, Bittadon



Civic Centre, Barnstaple.
EX31 1EA

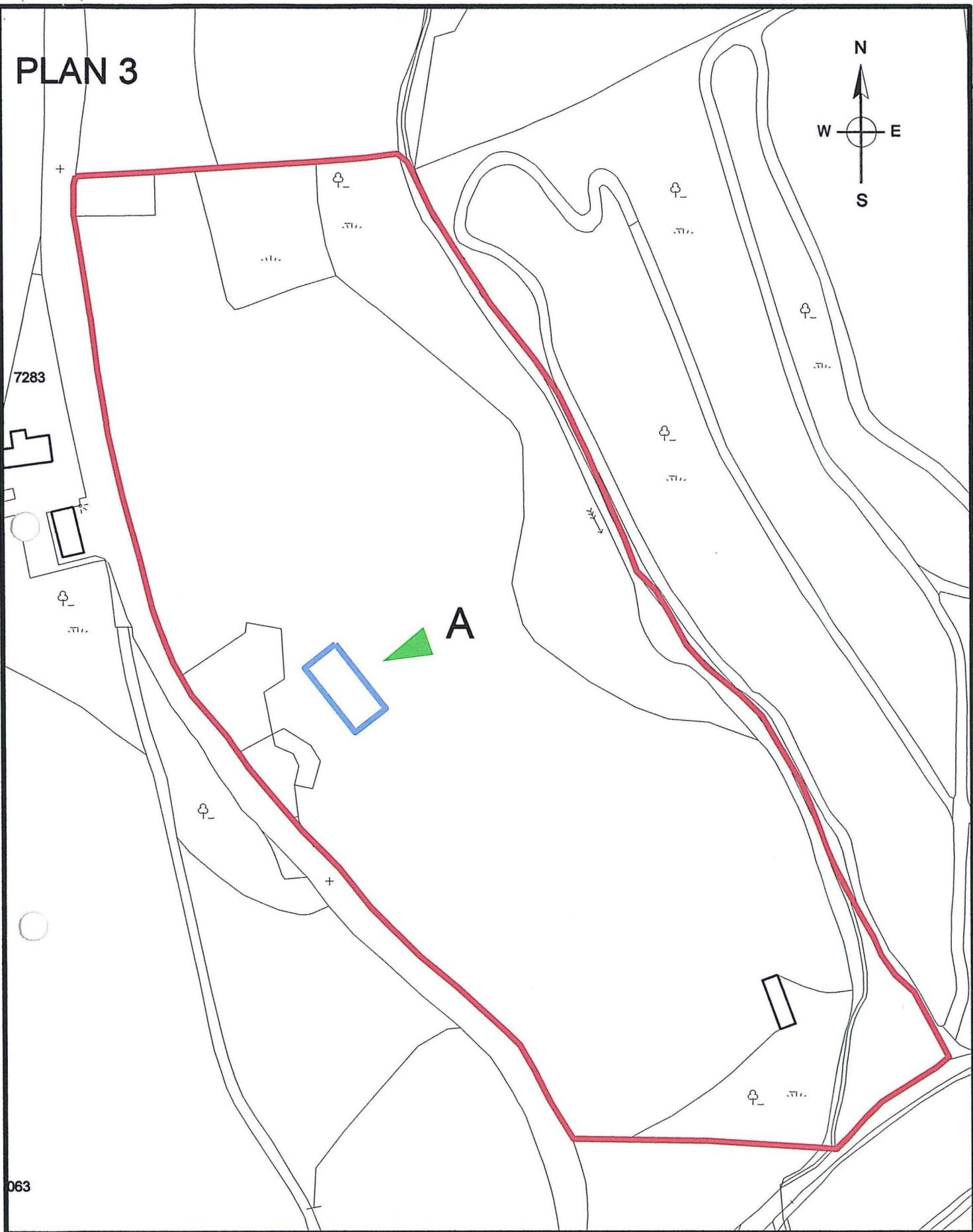
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DATE 6th December 2007

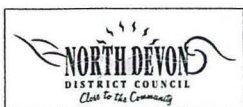
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PLAN 3



Plan to Accompany Enforcement Notice - Plan 3 - Operational Development

Horsebox Meadow, Bittadon - (Direction of Photograph)



Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO:

Planning Unit

DATE 6th December 2007

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