



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 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**

Land at Southlands, King Street, Combe Martin, Ilfracombe, North Devon, EX34 0DA as shown edged in red on the enclosed Location Plan.

("The Land")

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

Unauthorised Operational Development under Section 171B(1) of the Act consisting of the erection of timber decking in the approximate position shown marked in blue on the enclosed Location Plan without planning permission within the last 4 years.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The timber decking to the front of the property represents an incongruous and visually detrimental addition within the street scene because of its substantial dimensions and in particular the extent of projection, which is 4.5m from the front elevation. The wooden materials and unfinished nature of the plinth below the decking add to this detrimental impact, which is clearly visible given the elevated nature of the front garden.

The position also means that when in use the decking will result in loss of privacy to adjacent neighbours. It is thus contrary to the provisions of Policy DVS1 and DVS3 of the North Devon Local Plan and Policy ST1 of the Devon Structure Plan.

The Local Planning Authority considers that the Operational Development has occurred within the last 4 years and that the above reasons for issuing this Notice cannot be overcome by the use of Planning Conditions.

5. WHEN YOU ARE REQUIRED TO ACT

The Council requires that the steps specified in paragraph 6 below be undertaken within three months from the date when this notices takes effect.

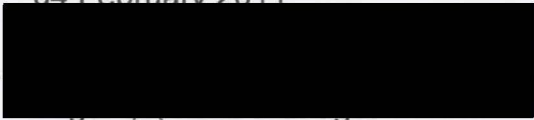
6. WHAT YOU ARE REQUIRED TO DO

1. Remove the timber decking from the land edged in red on the enclosed Location Plan.
2. Remove any debris resulting from the actions taken in step 1 above from the land edged in red on the enclosed Location Plan.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 07 March 2011 ("the effective date") unless an appeal is made against it beforehand.

Dated: 04 February 2011

Signed:


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 attached Planning Inspectorate Guidance Sheet provides details of where you obtain further information on the appeal process. Read it carefully.

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.



Location Plan to accompany Enforcement Notice

ENF 6965 - Southlands, King Street, Combe Martin



Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO:

Planning & Development Services DATE 13th December 2010

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