

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 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 coloured red on the plan attached)

Verge of Sticklepath Hill, Sticklepath, Barnstaple, Devon, EX31 2DP

(“the land”)

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

The unauthorised laying of a concrete base together with the unauthorised construction of a pole mounting to support a mobile phone antenna and the siting of equipment cabinets on the concrete base.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The unauthorised development is located within a residential area immediately adjoining and close to dwellings. It is highly visible within the streetscene and from residential properties, thus impacting on the enjoyment and amenities of occupiers of their dwellings. The potential impact of the completed unauthorised mobile phone antenna would also have an impact on the amenity and streetscene of the area. The unauthorised development is therefore considered to be contrary to Policy DVS3 of the North Devon Local Plan (adopted 2006).

The unauthorised development also results in an undue clutter on the edge of the highway in a prominent location to the detriment of the streetscape and the visual amenities. It is therefore contrary to Policy DVS1 of the North Devon Local Plan.

The Local Planning Authority considers that the Unauthorised Operational Development has occurred within the last four 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 require that the steps specified in paragraph 6 be undertaken within the period of 2 months from the date when this notice takes effect.

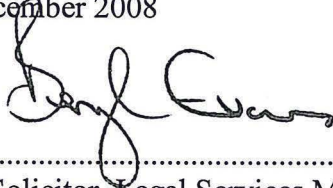
6. WHAT YOU ARE REQUIRED TO DO

1. Remove the pole mounting, equipment cabinets and concrete base
2. Reinstate the land and make good any damage

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 19th January 2009 ("the effective date") unless an appeal is made against it beforehand.

Dated : 15th December 2008



Signed :

Solicitor, Legal Services Manager

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 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.

THESE DRAWINGS COMPLY WITH THE LATEST ISSUES OF VODAFONE DOCUMENTATION HASP 450 & THE CONTRACTORS ANTENNA BUILD GUIDELINES NRCS/GUIDE/26.


ALL DIMENSIONS TO BE CHECKED ON SITE AND NOT SCALED FROM THIS DRAWING

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE FOLLOWING DRAWINGS:-

6003/0311/A3/02 - SITE LAYOUT PLAN

6003/0311/A3/03 - NORTH ELEVATION

6003/0311/A3/04 - SITE PLAN

 DENOTES VEHICULAR PARKING.

VODAFONE SITE GRID REFERENCE

255023, 132576

GRID REFERENCE TO THE CENTROID OF ANTENNA ARRAY

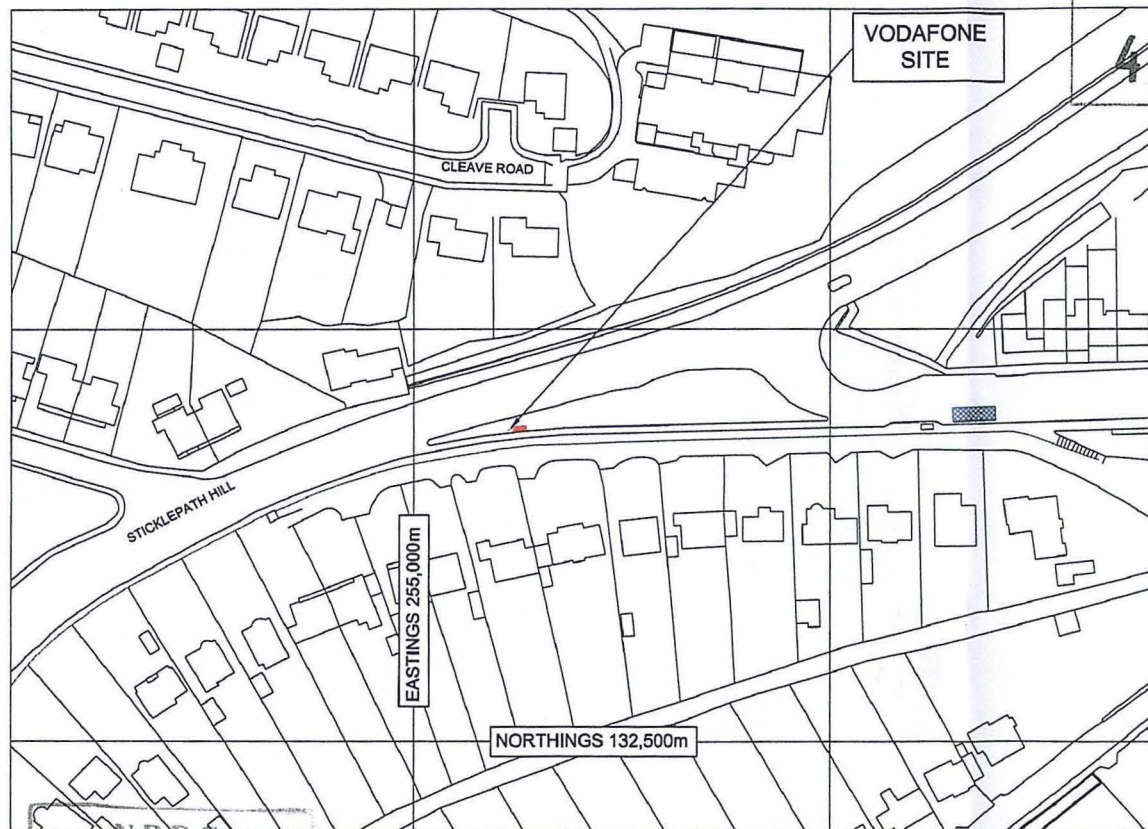
PLANNING



NORTH DEVON
DISTRICT COUNCIL
PLANNING DEPT

5 JUN 2007

44666



N.D.D.C.
PLANNING DEPT.

Ordnance Survey map extract.

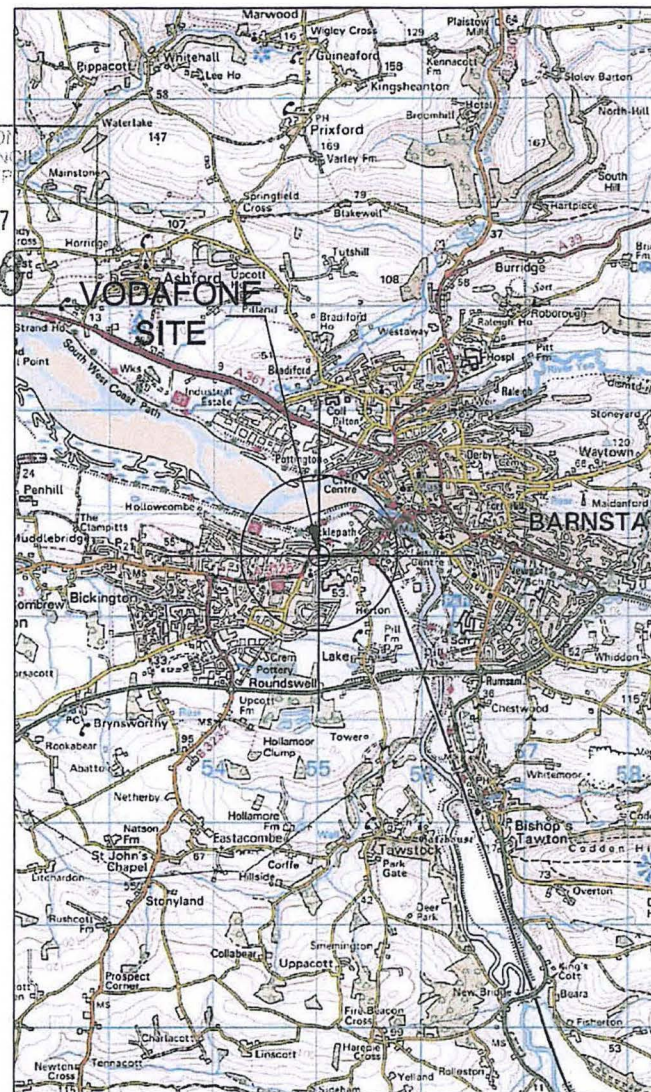
15 JUN 2007

Based upon Ordnance Survey at 1:1250



Reproduced from Ordnance Survey mapping

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FILE NO 44666



AREA PLAN Scale 1:50,000
EXTRACT FROM LANDRANGER SHEET 180

RECEPTION					THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH R.B.S. DESIGN MANUAL ISSUE 5, VODAFONE R.B.S. PROJECTS BUILDING REQUIREMENTS WORK AND ELECTRICAL SPECIFICATION.		STRATEGIC PROJECTS DESIGN OFFICE 395 GEORGE ROAD, ERDINGTON, BIRMINGHAM. B23 7RZ. TEL. 0121 344-4888 FAX. 0121 344-4776				DRAWN MJC	CHECKED R. CHAFFY	DATE APRIL 2007	SCALE AS SHOWN
			SITE ADDRESS STICKLEPATH HILL BARNSTAPLE NORTH DEVON EX31 2 DP		SITE NAME HIGHWAYS STICKLEPATH FARM		COMPUTER AIDED DRAWING - AVOID MANUAL MODIFICATION				DRAWING TITLE LOCATION MAPS			
E.V. DATE REMARKS			BY	CHK.	VODAFONE FILENAME 72717_01_IP3_0311.Dwg	CELL SITE No. 72717_0					DRAWING No. 6003/0311/A3/01		REVISION	