



**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

---

**YELLAND STRAWBERRY FARM  
HARRACOTT NEAR BARNSTAPLE  
NORTH DEVON EX31 3JL**

---

**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**

Land at Yelland Strawberry Farm, Harracott Near Barnstaple, North Devon  
EX31 3JL as shown edged red on the enclosed Plan 1. ("the Land")

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

Unauthorised Change of Use of the Land under Section 171B(3) from agricultural use to a mixed use of agricultural and for the siting and storage of 3 mobile homes.

4. **REASONS FOR ISSUING THIS NOTICE**

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

**HSG9 (Permanent Dwellings in the Countryside)**

There is no established functional need for persons to live on the holding, contrary to Part A of policy HSG9

The agricultural use of the land does not necessitate the siting of mobile homes for persons to live on the land.

**ENV1 (Development in the Countryside)**

A rural location is not required for the siting of 3 mobile homes in conjunction with any established agricultural use requiring the siting of such mobile homes contrary to Part A of policy ENV1.

The siting of 3 mobile homes is not required to provide economic or social benefit to the local community in the area and is contrary to Part B of policy ENV1.

The siting of 3 mobile homes does not enhance the scenic beauty or diversity of the landscape in which the mobile homes are set and is contrary to Part C of policy ENV1.

The Local Planning Authority considers that the unauthorised change of use of the land has occurred within the last 10 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 one month from the date when this notice takes effect.

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

Step 1.

Cease the unauthorised change of use of the land edged red on the attached plan by the siting and storage of mobile homes.

Step 2.

Remove the three mobile homes from the land edged red on the attached plan

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 23 December 2010 ("the effective date") unless an appeal is made against it beforehand.

Dated: 23 November 2010

Signed

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 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.**

**POLICY REFERRED TO IN PARAGRAPH 4 ABOVE**

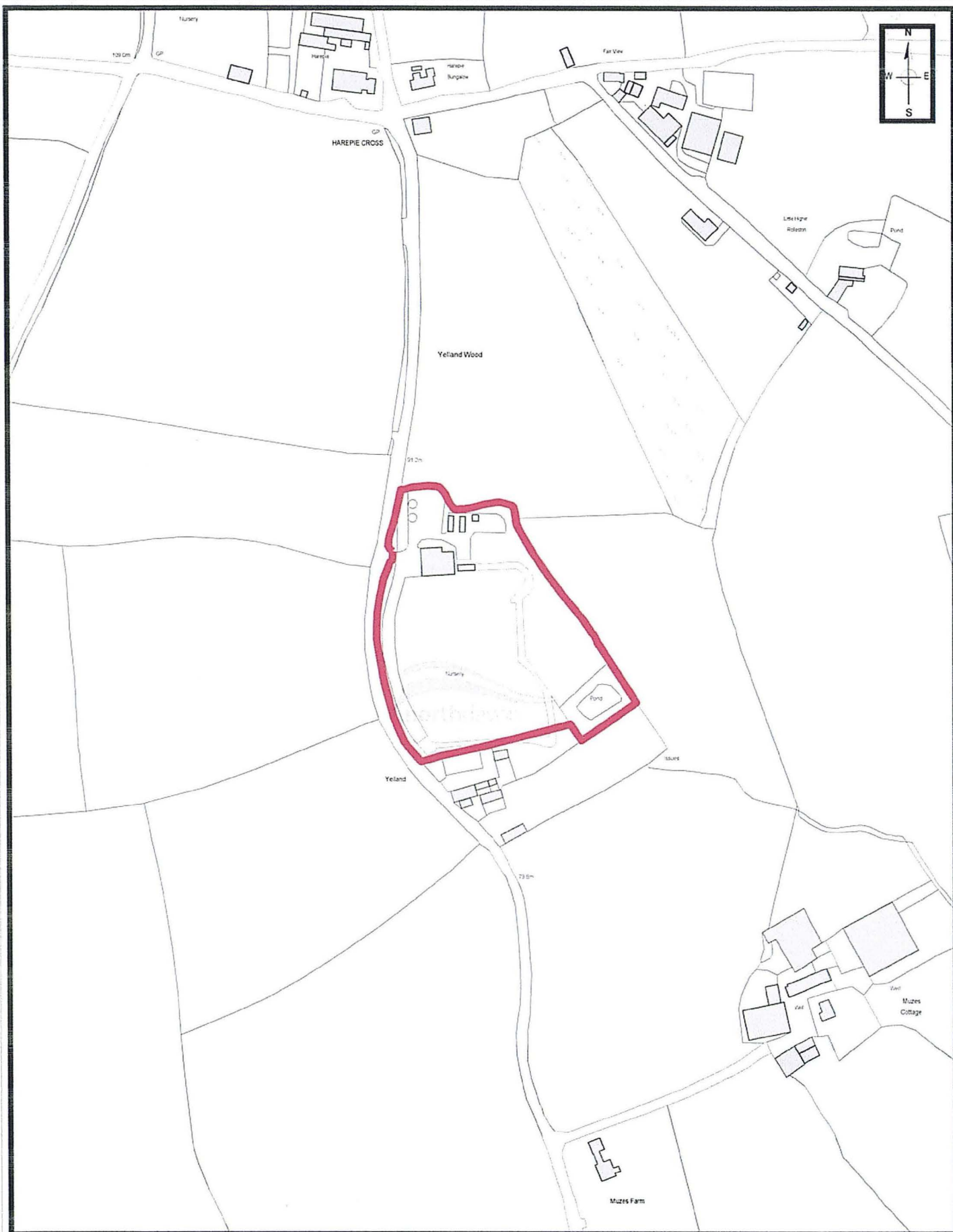
**POLICY ENV1 (DEVELOPMENT IN THE COUNTRYSIDE)**

**DEVELOPMENT IN THE COUNTRYSIDE WILL ONLY BE PERMITTED WHERE:-**

**A) A RURAL LOCATION IS REQUIRED;**

**B) IT PROVIDES ECONOMIC OR SOCIAL BENEFITS TO THE LOCAL COMMUNITY; AND**

**C) IT PROTECTS OR ENHANCES ITS BEAUTY, THE DIVERSITY OF ITS LANDSCAPE AND HISTORIC CHARACTER, THE WEALTH OF ITS NATURAL RESOURCES AND ITS ECOLOGICAL, RECREATIONAL AND ARCHAEOLOGICAL VALUE.**



Civic Centre, Barnstaple.  
EX31 1EA

## Location Plan

### ENF 5879 - Yelland Strawberry Farm, EX31 3JL

SCALE: 1:2500

COPY SUPPLIED TO:

Planning & Development Service DATE 19th November 2010

Reproduced from Ordnance Survey mapping by North Devon District Council under Copyright Licence No. 100021929 © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.