

IMPORTANT:— THIS COMMUNICATION AFFECTS YOUR PROPERTY

(a)

NORTH DEVON DISTRICT

Council

TOWN AND COUNTRY PLANNING ACT 1971
(as amended)

Enforcement Notice
Material Change of Use

(b) 1 Sunflower Road, Barnstaple, North Devon

WHEREAS:

(1) It appears to the^(a) North Devon District Council ("the Council"), being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963^(c)

on the land or premises ("the land") described in Schedule 1 below.

(2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.

(3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers contained in the said section 87, for the reasons set out in [the annex to] this notice.^(d)

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] ^(e)

within [the period of Two ~~days~~ [months] from the date on which this notice takes effect] [the period specified in respect of each step in that schedule].^(f)

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of section 88 (10) of the Act, on 28th November 1989.^(g)

Issued 31st October 1989.

Council's address —

Civic Centre,
BARNSTAPLE, N DEVON

(Signed)

(Designation)

Solicitor
(The officer appointed for this purpose)

CONTINUED OVERLEAF — P.T.O.

NOTES TO THE LOCAL PLANNING AUTHORITY

- (a) Insert the name of the Council issuing the notice.
- (b) Insert the address or a description of the land to which the notice relates.
- (c) Where section 87(4)(c) of the Act applies insert "and within the period of 4 years before the date of issue of this notice."
- (d) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (e) Or, as the case may be, having regard to section 87(7)(a) and (b) of the Act. Where steps are required to be taken for more than one of the purposes provided for in section 87, the purpose for which each step is required should be specified in Schedule 3. Steps may be required as alternatives.
- (f) If a single period is to be specified, by which all the required steps must be taken, insert it here. But if a series of steps is required to be taken, with a different compliance period for each step, the appropriate period should be clearly stated against each step (in columns if more suitable) in Schedule 3.
- (g) The date selected must be not less than 28 clear days after all the copies of the notice will have been served (see section 87(5) of the Act).

SCHEDULE 1

Land or premises to which this notice relates

(Address or description)

1Sunflower Road, Barnstaple, North Devon

shown edged [red] [

] on the attached plan.^(h)

SCHEDULE 2

Alleged breach of planning control

(description of the material change of use alleged to have been made) (j)

Unauthorised change of use of single dwelling house into six
(6 No.) Bedsits

SCHEDULE 3

Steps required to be taken.^(k)

- (i) To revert the dwelling back to a single dwellinghouse

NOTES TO THE LOCAL PLANNING AUTHORITY

(h) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).

(j) If the new use is a mixed use, include all the uses comprising that mixed use.

(k) Specify the actual steps to be taken with, if appropriate, the compliance period for each step. The requirements should be clear and precise. See also notes (e) and (f) overleaf.

NORTH DEVON DISTRICT COUNCIL

ANNEX TO AN ENFORCEMENT NOTICE DATED 31ST OCTOBER 1989

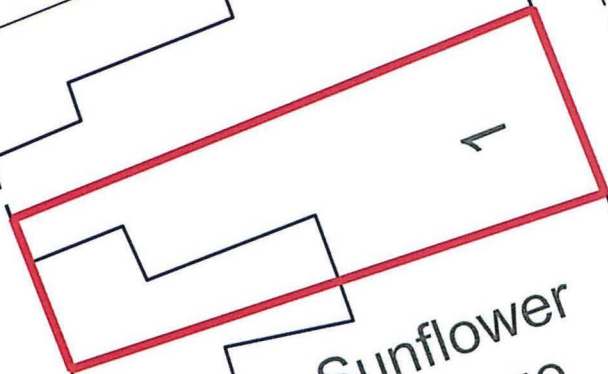
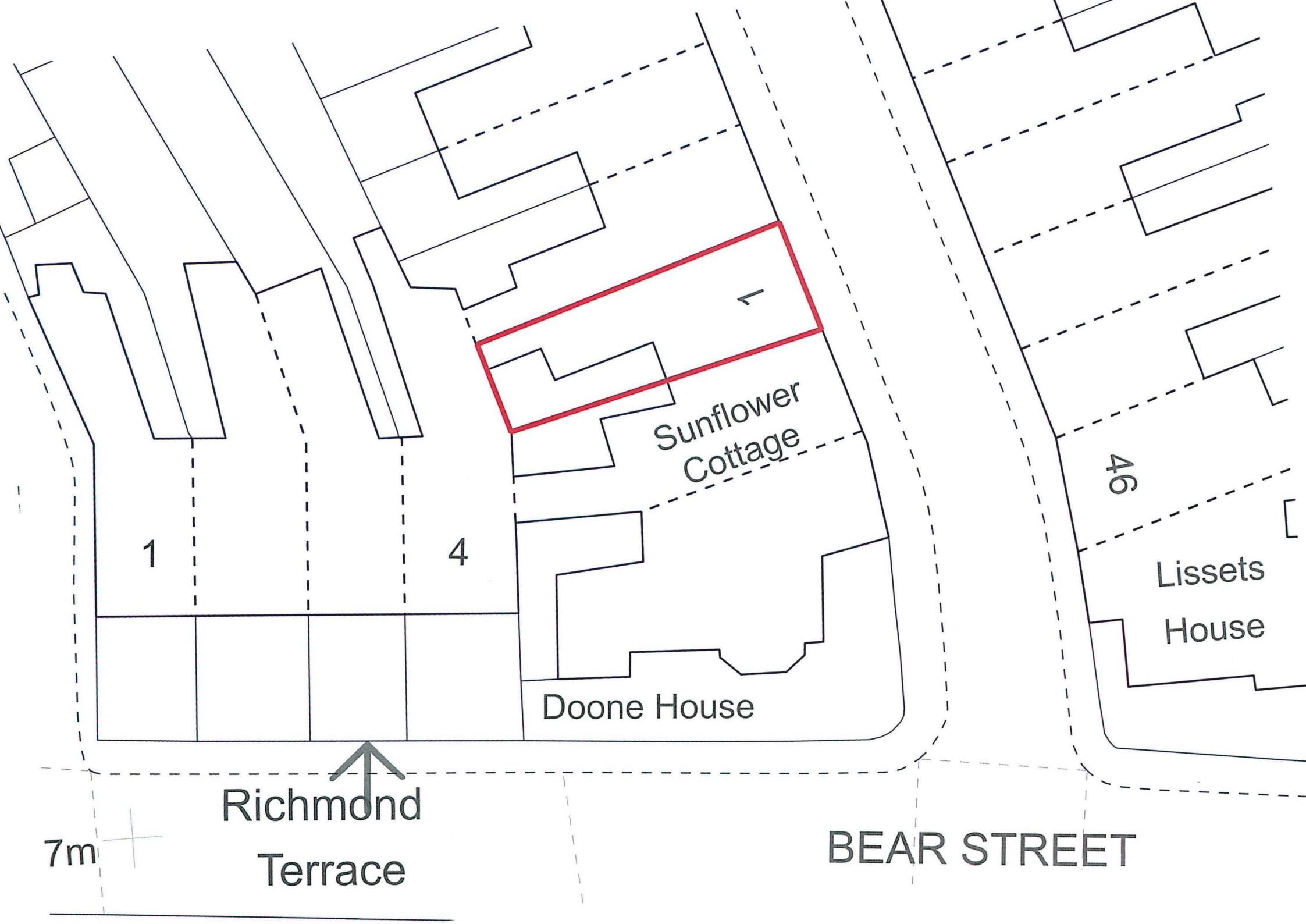
1. Information was received by the North Devon District Council Planning Directorate Enforcement Officer, Mr Ken Spencer on 1st June 1989 that 1 Sunflower Road, Barnstaple, North Devon had been converted from a single dwellinghouse into a house consisting of six bedsits.
2. After investigation by Mr Ken Spencer it was discovered that this property did not have the benefit of planning permission.
3. The property in question 1 Sunflower Road, Barnstaple, North Devon was inspected by Mr Ken Spencer on 21st June 1989 and he observed the following :
 - (a) The ground floor consisted of two bedsits, a kitchen and a bathroom
 - (b) The first floor consisted of two bedsits and a toilet
 - (c) The second floor consisted of two bedsits

There was a total of 6 separate bedsits, a communal kitchen, bathroom and toilet occupied by seven adults and two children
4. The Planning (Policy) Committee of 26th September 1989 authorised the Council's Solicitor to take enforcement action.
5. Had the applicant applied for planning permission it would have been recommended for refusal for the following reasons :
 - (a) The proposal would not comply with the adopted standards of the Local Planning Authority for the creation of houses in multiple paying occupation in that insufficient curtilage is available for amenity space, clothes and drying area, car parking facilities for the proposed flat units
 - (b) The Local Planning Authority considered the proposal would comprise over development of a site to the detriment of the future occupants of the property and the amenities enjoyed by the occupants of residential properties in the surrounding area
 - (c) The proposed development does not make adequate provision for the parking of vehicles within the site and would therefore be likely to encourage parking on the highway, with consequent risk of additional danger to all users of the road and interference with the free flow of traffic
6. The North Devon District Council considers it expedient to issue this Enforcement Notice.

DATED this 31st day of October 1989


Solicitor

AN/SUNFLOWER



Sunflower
Cottage

Doone House

46

Lissets
House

Richmond
Terrace

BEAR STREET

7m

1

4