



724

IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY

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 consider it expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan attached)

10 Linden Close, Barnstaple, North Devon.

("the Land")

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

A material change of use of the land from residential to mixed residential and commercial by use of the land for delivery, distribution storage and sales of car parts ("the commercial use").

4. **REASONS FOR ISSUING THIS NOTICE**

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

It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The land is within a residential area and the Council consider that the commercial use is not suitable for its location by virtue of the detrimental effect on the amenity and character of the location. Having regard to the increase in traffic the commercial use can generate the Council consider that the increase in traffic movement and noise has a visual and detrimental effect on the amenity of the location. The land does not provide adequate space for the turning and parking of vehicles associated with the commercial use encouraging vehicles to park on the adjacent county highway which due to its narrowness and poor alignment is unsuitable for such.

The commercial use is contrary to adopted policy contained in the Barnstaple Local Plan for locating new industrial uses. The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of THREE (3) months from the date when this notice takes effect] [REDACTED]

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the commercial use of the Land.
- (ii) Remove from the Land all goods and materials stored thereon for the purposes of the commercial use.
- (iii) Remove from the Land all fixtures and fittings associated with the commercial use.
- (iv) Clear up and remove all rubbish and debris resulting from taking the above mentioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 6TH JUNE 1994 ("the effective date")* unless an appeal is made against it beforehand.

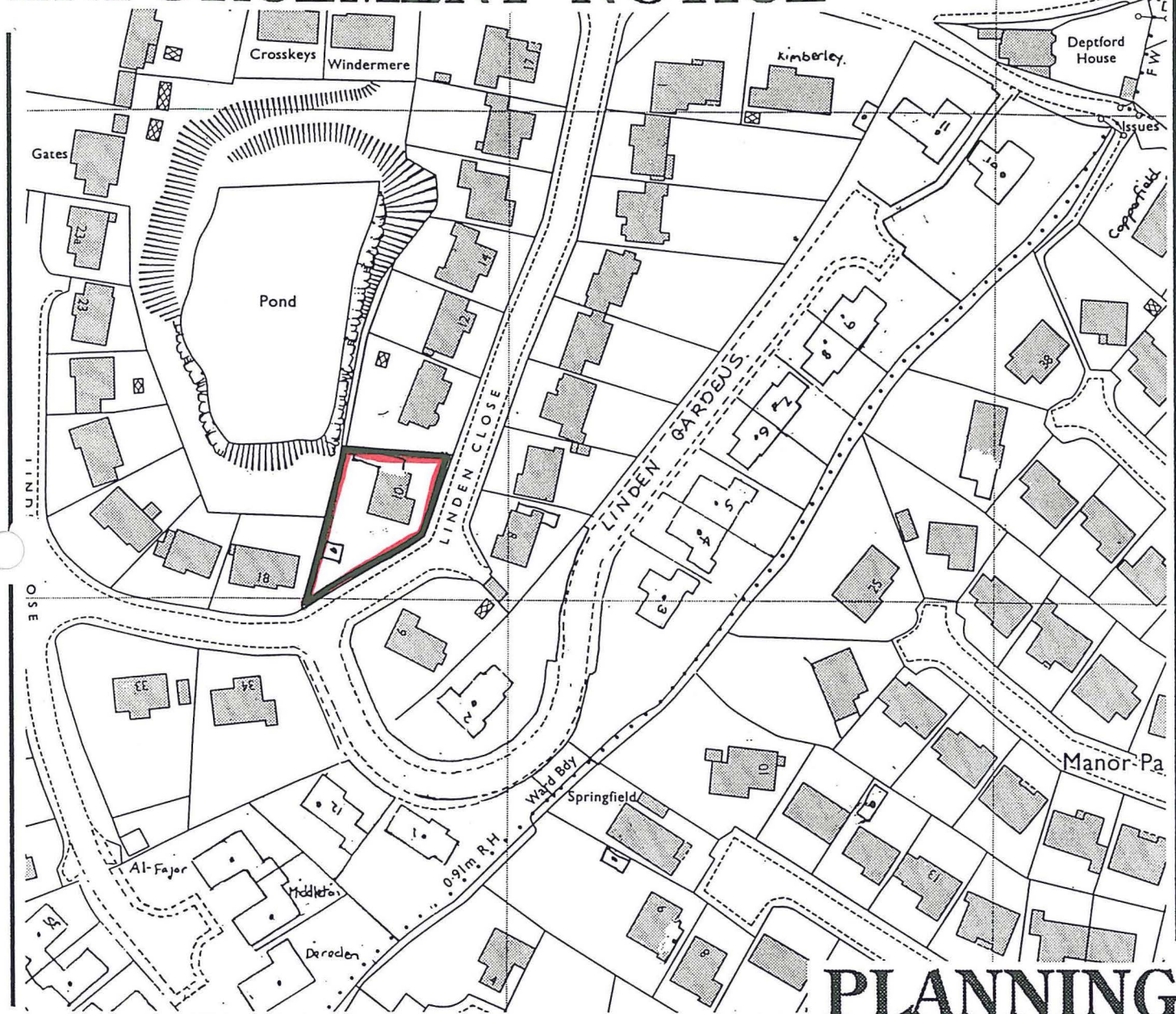
Dated: [date of issue] 27th April 1994

Signed: [REDACTED]

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

ENFORCEMENT NOTICE



PLANNING

The Breach of Planning Control Which has Occured:-
Unauthorised Use for Car Repairs & Sale of Components,

**Site:- 10, Linden Close,
Sticklepath, Barnstaple.**

O.S. Plan No	SS 5432 SW
Drawn	S.M.T.
Scale	1:1250
Date	January 1994

NOTATION



The Site



M.J.Easton Dip.T.P. M.R.T.P.I.,
Principal Planning Officer

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Civic Centre, Barnstaple, Devon
Ex31 1EA