



ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE

IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

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

6, Summerland Street, Barnstaple, North Devon

("the land")

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

Without planning permission the material change of use of the land to use as 9 bedsits, ("the unauthorised 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 in the last ten years.

On 27th February 1997 a Certificate of Lawful Use was issued for use of the land as 8 bedsits and 2 shower rooms in accordance with the plan attached to the certificate. A retrospective planning application for conversion of a storeroom on the ground floor of the land, not included on the plan to the certificate, for use as the ninth bedsit has been refused.

The Council do not consider that there is adequate parking provision on the land for the unauthorised use, which encourages vehicles to park on the highway with consequent risk of danger to all road users and interference with the free flow of traffic. In addition there is insufficient amenity and storage area available on the land, and the Council consider that if the unauthorised use continues it will exacerbate the existing situation to the detriment of other occupants.

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[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.

ENFORCEMENT NOTICE



The Breach of Planning Control Which has Occurred:-
Unauthorised Formation of Bedsit

**Site:- 6 Summerland Street,
Barnstaple**

O.S. Plan No.	SS 5632
Scale	1:1250
Drawn	P.Trodd
Date	June 1996

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NOTATION



The Site



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

Civic Centre, Barnstaple, Devon, EX31 1EA

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of **TWO (2) MONTHS** the period specified in respect of each step in paragraph 6.

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land as nine bedsits.
2. Use the land in accordance with the Certificate of Lawful Use dated 27th February 1996.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **29th March 1998** ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] ...**19th February 1998.**

Signed :
Solicitor

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