

NDDDC

I hereby certify that this is a true
copy of the original.

Signed

M. D. MORGAN
SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 3rd January 1996

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 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)

2, Summerland Place, Barnstaple, North Devon.

("the land")

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

A material change of use of the land from residential to use as residential and the storage of motor vehicles for commercial purposes ("the unauthorised use").

4. **REASONS FOR ISSUING THIS NOTICE**

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

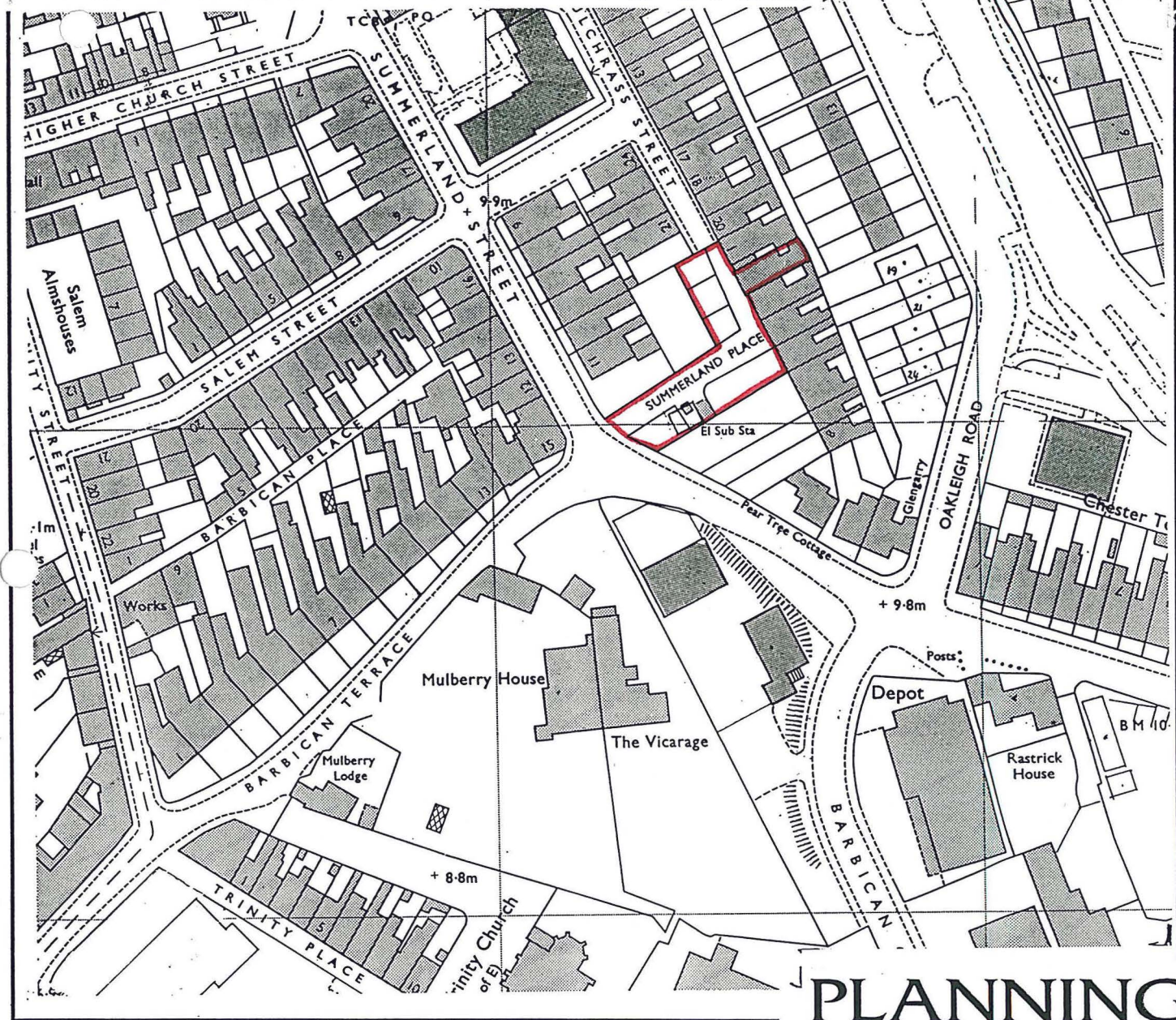
It appears to the Council that the above breach of planning control has occurred within the last ten years.

The land is in a residential area and the Council consider that the unauthorised use results in an undesirable intermingling of commercial and residential use which injuriously affects the amenities of the adjoining properties by reason of the noise, traffic movements and disturbance associated therewith.

In addition the land does not provide adequate space for the parking or manoeuvring of vehicles and with regard to the increase in the traffic movements the unauthorised use can generate, the Council are concerned that vehicles are encouraged to reverse and manoeuvre onto the adjacent public highway through an access of limited visibility resulting in interference with the free flow of traffic and additional danger to all road users.

The Council do not consider that planning conditions could overcome these objections to the unauthorised use.

ENFORCEMENT NOTICE



PLANNING

The Breach of Planning Control Which has Occurred:-
Unauthorised storage of vehicles.

**Site:- 2 Summerland Place,
Barnstaple.**

O.S. Plan No. SS 5632 NW

Scale 1:1250

Drawn P.E.Trodd

Date May 1995

NOTATION



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

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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 **28 TWENTY EIGHT** days from the date when this notices takes effect.


6. WHAT YOU ARE REQUIRED TO DO

- i) Cease the use of the land for storage of motor vehicles for a commercial purposes.
- ii) Remove from the land all vehicles stored thereon for commercial purposes.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **31st JANUARY 1996** ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] ..**20th December 1995**.....

Signed :.....

Solicitor, Legal Services Manager

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

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.