



15.56.97.01. <sup>RF</sup>

Proforma - WSL11

**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")**

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

Signed

  
A. B. MORGAN  
SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 29.6.93

**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)(b) 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)

Thornlands Shooting Centre, Berry Down, Combe Martin, North Devon.

("the land")

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

A material change of use of the land to use for clay pigeon shooting.

**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.

By virtue of Class B to Part 4, Schedule II of the Town & Country Planning General Development Order 1988 ("the Order") use of land for clay pigeon shooting is permitted for not more than 28 days in total in one calendar year. However the Council consider that a permanent material change of use of the land has taken place.

The land is within an Area of Outstanding Natural Beauty and the unauthorised use is considered detrimental to the amenity of the area by reason of its intrusion into the landscape and by virtue of the noise emanating from the use.

In addition it appears to the Council that the use is detrimental to the amenity of neighbours and the public. The Council also consider that the road giving access to the land is by reason of its inadequate width and junctions, unsuitable to accommodate the increase in traffic associated with the unauthorised use.

## 5. WHEN YOU ARE REQUIRED TO ACT

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

## 6. WHAT YOU ARE REQUIRED TO DO

(1) Except as is permitted by the Town and Country Planning General Development Order 1988, or by any Order re-enacting the same :-

- (i) Cease the use of the land for clay pigeon shooting;
- (ii) Remove from the land all shooting stands ancillary to the use of the land for clay pigeon shooting; and
- (iii) Return the land to its original levels and condition prior to its use for clay pigeon shooting.

(2) 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 **29<sup>th</sup> MARCH 1993** ("the effective date")\* unless an appeal is made against it beforehand.

Dated: [date of issue] **17<sup>th</sup> February 1993**

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



## **GUIDANCE NOTES FOR YOUR INFORMATION**

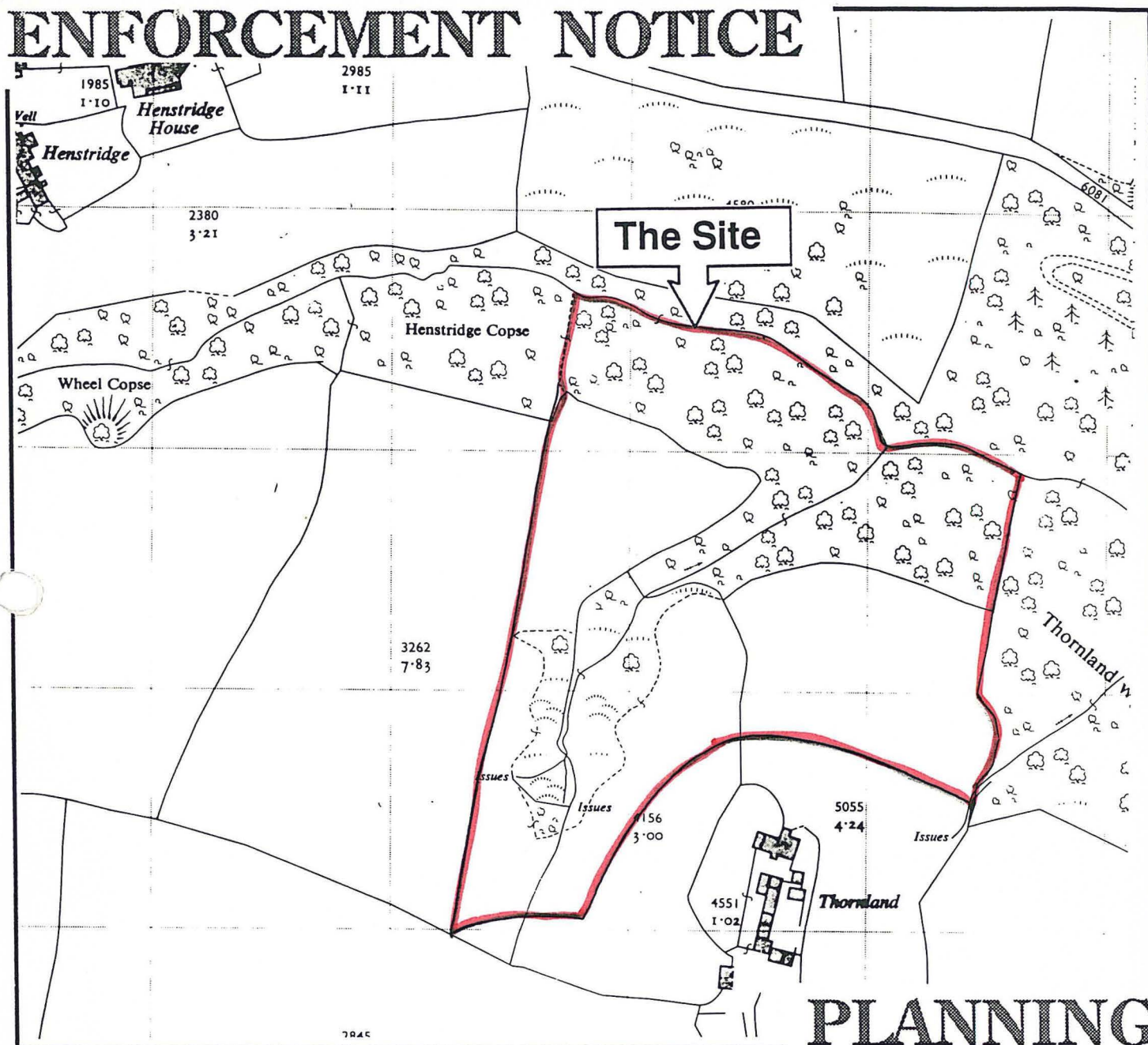
### **YOUR RIGHT OF APPEAL**

**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 Occured:-

Unauthorised Change of Use of Land,

**Site:- Thornlands Shooting Centre,  
Berry Down, Combe Martin.**

O.S. Plan No	SS 5844
Drawn	S.M.T.
Scale	1:2500
Date	February 1993

## NOTATION



The Site



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M. J. Easton, Dip. T.P., M.R.T.P.I.  
Civic Centre, Barnstaple,