

Dene Cottage

*Dene Cottage
Barnstaple 1/7/97*

NDDC

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)

Dene Cottage, Birdswell Lane, Berrynarbor, North Devon

("the land")

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

Without planning permission a change of use of the land from residential chalet to use for the storage of carpentry and decorator's equipment ("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.

The land is within an Area of Outstanding Natural Beauty and whilst the use is confined to the interior of the land, it does not appear to have changed the external appearance of the land.

A planning application has been invited and has since 1994 been registered but the required fee has not been paid and accordingly the Council has not been able to formally consider the application. The Council consider that given the history of the use and the current small scale use, it would be appropriate to grant a temporary, personal permission for storage use only in order that the Council could maintain control of the development and reassess its effect on the amenities in the locality.

However in not being able to consider an application the Council are concerned that if the unauthorised use becomes established without restriction this could result in a detriment to the amenity and effect on traffic

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within **THREE (3) MONTHS** from the date when this notices takes effect.

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the unauthorised use of the land.
2. Remove from the land all decorating and carpenters equipment.
3. Clear up and remove from the land all rubbish and debris resulting in taking the above mentioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on (“the effective date”)* unless an appeal is made against it beforehand.

Dated : [date of issue]

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

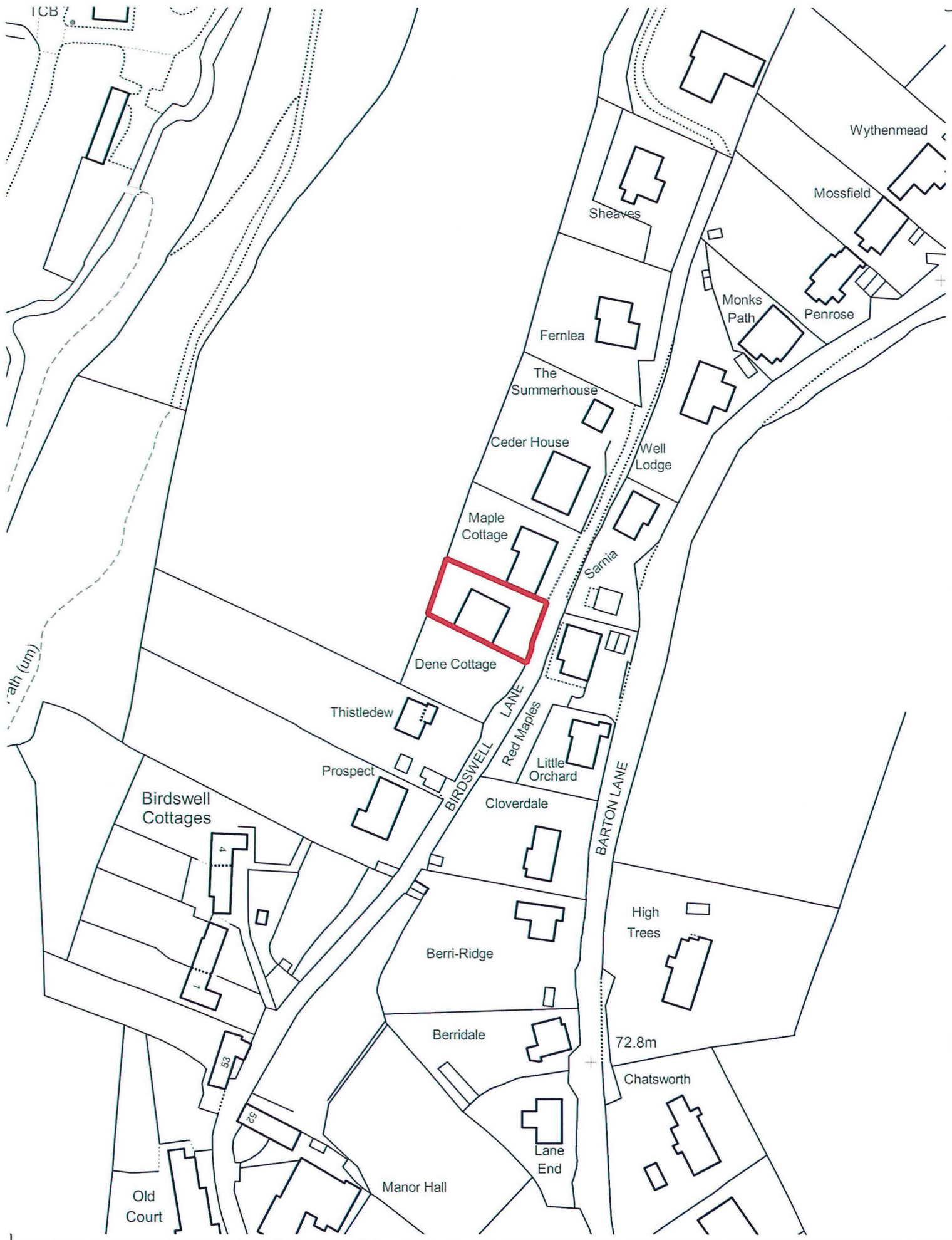
GUIDANCE NOTES FOR YOUR INFORMATION

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.



Lynton House, Commercial Road,
Barnstaple, EX31 1EA

Enforcement Notice 1845
Dene Cottage, Birdswell Lane, Berrynarbor, EX34 9SF

QGIS