



701

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)

Land at Combe Martin Wildlife and Dinosaur Park, Combe Martin, North Devon.

("the Land")

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

Unauthorised change of use of the Land for the siting and residential occupation of mobile homes ("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 10 years.

The Land is in an area where having regard to National Policy and pursuant to the policies and provisions of the adopted Devon County Plan and the emerging Local Plan, the Council would only normally permit residential development which is necessary in the interests of agriculture. The Council do not believe that there is an agricultural need for the unauthorised use which would overcome the objections. The Land is also within an Area of Outstanding Natural Beauty and the Council consider that the unauthorised use represents a visual detriment to the appearance of the location by reason of visual intrusion into the Landscape. In addition the Land is in a protected area as defined by the Coastal Preservation Policy in the adopted County Structure Plan within which only essential development will be permitted and the Council consider that the unauthorised use is not essential development pursuant to such policy.

Having regard to the increase in traffic an unauthorised use can generate, the road and access serving the Land is, by reason of its inadequate width and alignment, unsuitable to accommodate such increase in traffic.

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~~ /months from the date when this notice takes effect] [~~the period of~~ ~~in paragraph 6~~]

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the mobile homes on the Land for residential occupation.
- (ii) Remove the mobile homes from the Land.
- (iii) Clear up and remove all rubbish and debris resulting from undertaking the above-mentioned steps from the Land.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 9th MAY 1994 ("the effective date")* unless an appeal is made against it beforehand.

Dated: [date of issue] 21ST March 1994

Signed:

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.

[illegible]

**Site:- Combe Martin Wildlife Park,
Combe Martin.**

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