

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

Signed



SOLICITOR
NORTH DEVON DISTRICT COUNCIL

DATED 27.11.96

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

BREACH OF CONDITION

**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)(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 considerations.

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

The Joinery Workshop, Wood Lane, Berrynarbour, North Devon
("the land")

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

On the 16th February 1988, planning consent under reference number 3531 was granted for the rebuilding of a covered store on the land subject to conditions. Condition 4 states that "no goods, plant or machinery shall be stored or displayed for sale in the open without the consent in writing of the Local Planning Authority". Goods are being stored in the open without the written consent of the Local Planning Authority in breach of Condition 4 ("the unauthorised breach").

4. **REASONS FOR ISSUING THIS NOTICE**

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

1. In the opinion of the Council, the unauthorised breach has taken place within the past 10 years.
2. The land is within an Area of Outstanding Natural Beauty and is also within a Coastal Preservation Area and a Heritage Coast as identified by the Devon County Structure Plan Third Amendment. The Council considers that the unauthorised breach constitutes a detriment to the amenity of the area and is contrary to both national and local policies.
3. In the opinion of the Council, any amendment of condition 4 would not overcome these reasons.



PLANNING

The Breach of Planning Control Which has Occurred:-

Non-Compliance with Planning Condition,

**Site:- Wigmores Joinery Workshop,
Wood Lane, Berrynarbor.**

O.S. Plan No. SS 5546

Scale 1:2500

Drawn S.Thomas

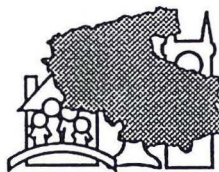
Date July 1996

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NOTATION



The Site



**NORTH DEVON
DISTRICT COUNCIL**

Civic Centre, Barnstaple, Devon, EX31 1EA

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

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of one month from the date when this notices takes effect.


6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of all open areas on the land for the storage of machinery, plant and other goods without the prior written consent of the Council

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 20th December 1996 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] 18th November 1996

Signed : 

Director, Legal Services Manager

on behalf of: North Devon District Council,
Civic Centre,
Barnstaple,
North 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.