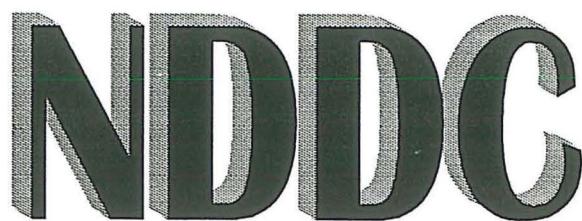


762/3



**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

## **ENFORCEMENT NOTICE**

**OPERATIONAL DEVELOPMENT**

**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 considerations.

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

Part O.S. 7719, Yetland Holdings, Berrydown Cross, Berrynarbour, Devon.

(“the land”)

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

1. The unauthorised construction of a wooden building on the land which is being used for residential accommodation shown for identification purposes only by a blue cross on the plan attached hereto and measuring 5.25 metres by 5.60 metres, and,
  2. The unauthorised construction of a windmill on the land shown for identification purposes only by a red cross on the said plan
- hereinafter called “the unauthorised development”

4.     **REASONS FOR ISSUING THIS NOTICE**

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

1. The Council considers that the unauthorised development has taken place within the last 4 years.
2. The land is within an Area of Outstanding Natural Beauty and within a Coastal Preservation Area and the Council considers that the unauthorised development, which materially affects the appearance of the land, is a detriment to the locality and therefore contrary to the Third Alteration of the Devon County Structure Plan, national policy and the draft North Devon Local Plan.
3. The Third Alteration of the Devon County Structure Plan also provides that residential development should not be permitted outside of towns and villages unless there is a proven agricultural need. The Council considers that the unauthorised use is contrary to that policy.
4. The Council considers that planning permission should not be granted for the unauthorised development as planning conditions would not overcome the reasons mentioned above.

**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

**6. WHAT YOU ARE REQUIRED TO DO**

1. Cease the use of the land for residential purposes,
2. Dismantle and remove the wooden building from the land,
3. Dismantle and remove the windmill from the land, and
4. Clear up all rubbish, materials and other debris from the land resulting from taking the above mentioned steps.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 8-5-96 ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] 29-3-96

Signed : [redacted]

Legal Services Manager

on behalf of: North Devon District Council,  
Civic Centre,  
Barnstaple,  
North Devon.  
EX31 1EA.

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\* specific date, not less than 28 clear days after date of service



## **GUIDANCE NOTES FOR YOUR INFORMATION**

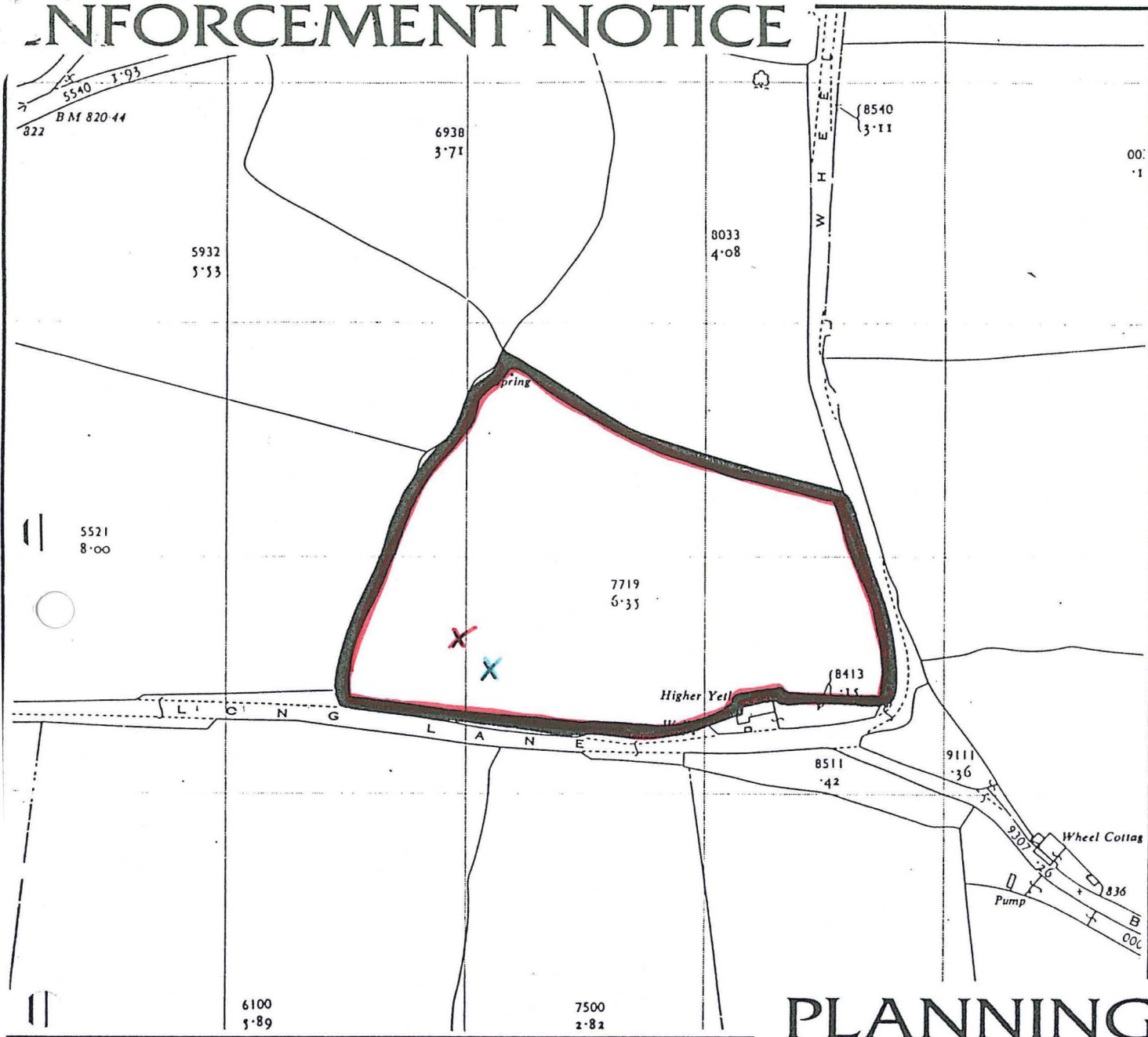
### **YOUR RIGHT OF APPEAL**

**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



**Breach of Planning Control Which has Occurred:-**  
 Unauthorised siting & occupation of shed,

**Site:- Pt. O.S. 7719, Yetland Holdings**  
**Long Lane, Berrydown,**  
**Berryton.**

O.S. Plan No. SS 5744

Scale 1:2500

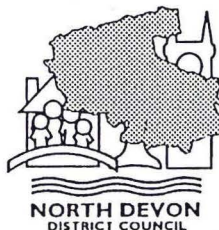
Drawn , Sue Thomas

Date January 1995

## 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