



607

**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 Park Lane Farm, Stowford, Bratton Fleming, North Devon

("the Land")

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

Material change of use of the Land from agriculture to mixed use of agriculture and the siting and residential occupation of a mobile home together with the construction thereto of a wooden extension ("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 in an area where having regard to national policy and pursuant to the policies and provisions of the adopted Devon County Structure Plan and the Local Plan, the Council will only normally permit residential development which is necessary in the interests of agriculture. The Council do not believe that there is an agricultural or other need for the unauthorised use such as would overcome the objections.

In addition, the Land is within an area of high landscape quality and the unauthorised use, by virtue of its incongruous character and appearance, is detrimental to the visual amenity thereof.

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

The Council do not consider that planning permission should be given because planning conditions could not overcome objections to 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 (3) months from the date when this notice takes effect] [redacted].

## 6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the mobile home for residential occupation.
- (ii) Cease the use of the wooden extension connected to the mobile home for residential occupation.
- (iii) Dismantle and remove from the Land the wooden extension to the mobile home.
- (iv) Remove from the Land the mobile home.
- (v) Clear up and remove from the Land all rubbish and debris resulting from taking the above-mentioned steps.

## 7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 4<sup>th</sup> JULY 1994 ("the effective date")\* unless an appeal is made against it beforehand.

Dated: [date of issue] 25<sup>th</sup> May 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.**

# ENFORCEMENT NOTICE

8400  
2-051ha  
5-07



## PLANNING

The Breach of Planning Control Which has Occured:-  
Unauthorised Siting & Occupation of Mobile Home,

Site:- Land Pt. O.S. 7884, known as,  
Park Lane Farm, Stowford.

O.S. Plan No	SS 6440
Drawn	S.M.T.
Scale	1:2500
Date	September 1993

### 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