

741

# 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)

Land at Stowford Farm, Stowford, Bratton Fleming, Devon.

(“the land”)

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

A material change of use of the land from agriculture to a mixed use of agriculture, the siting and occupation of three mobile homes, together with the storage of building materials, motor vehicles, scrap materials and rubbish (“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 unauthorised use has occurred within the last 10 years.

The land is in an area where pursuant to the Third Alteration of the Devon County Structure Plan the Council would normally only permit residential development which is necessary in the interest of agriculture. The Council believe that there is no agricultural need for the unauthorised use that overrides this policy.

The unauthorised use is considered to be visually detrimental to the character and appearance of the locality by reason of its untidyness and incongruous nature.

The road giving access to the land by reason of its inadequate width, horizontal alignment and junctions is considered unsuitable to accomodate the increase in traffic the unauthorised use could generate.

The Council do not consider that planning permission should be given because planning conditions could not overcome these 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 months from the date when this notice takes effect.

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

1. Cease the use of the three mobile homes for residential purposes
2. Remove the three mobile homes from the land.
3. Cease the use of the land for the storage of motor vehicles, building materials, scrap and other rubbish.
4. Remove all motor vehicles, building materials, scrap and other rubbish from the land including any rubbish and debris resulting from the taking of the steps mentioned above.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 21-9-95 ("the effective date")\* unless an appeal is made against it beforehand.

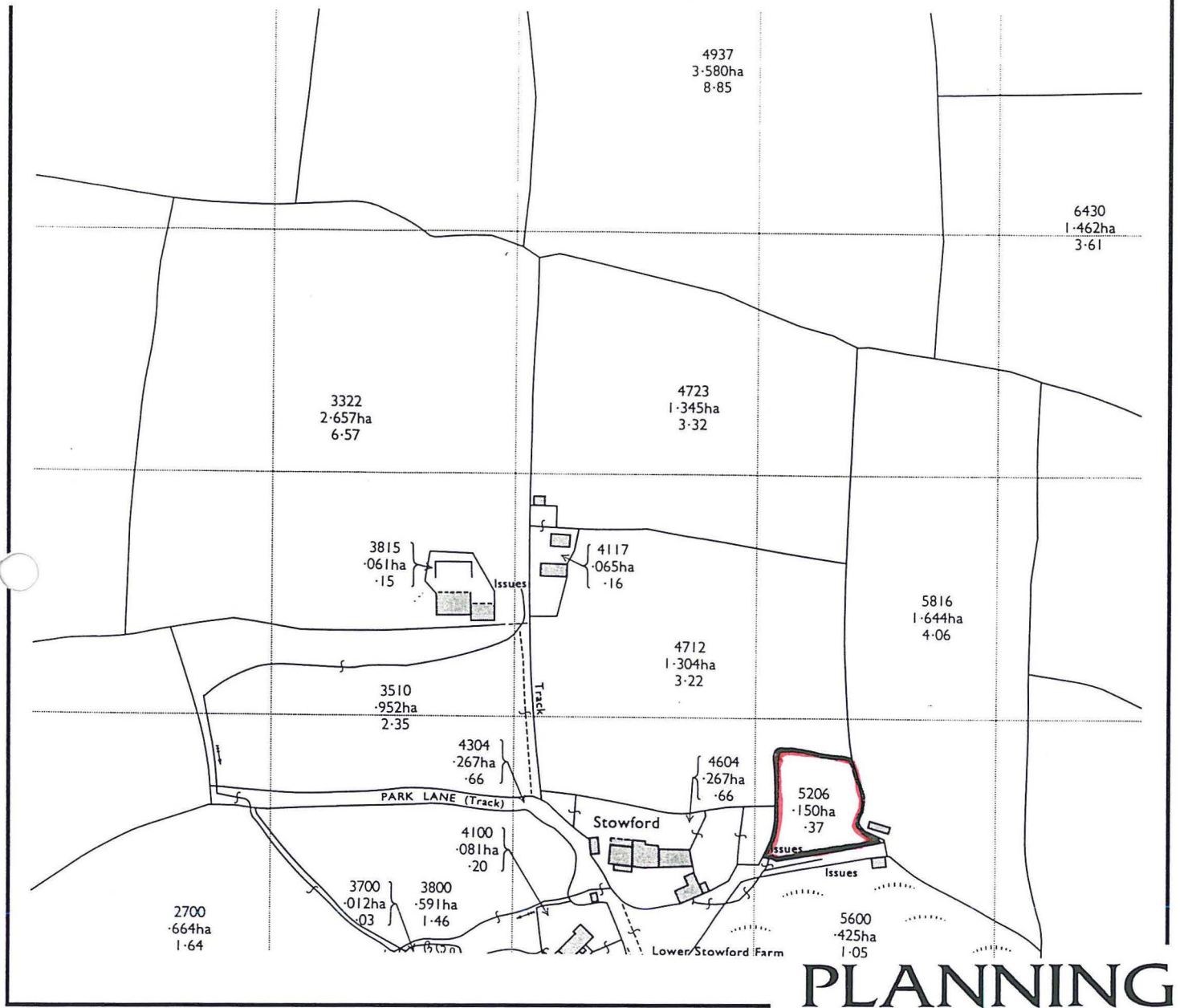
Dated : [date of issue] 17th August 1995

Signed :   
Sent to:

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

# ENFORCEMENT NOTICE



## PLANNING

### The Breach of Planning Control Which has Occurred:-

Unauthorised Siting & Occupation of Mobile Home,

**Site:- Pt. O.S. 5206, Higher Stowford,  
Bratton Fleming.**

**O.S. Plan No.** SS 6541

**Scale** 1:2500

**Drawn** Sue Thomas

**Date** September 1994

### 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