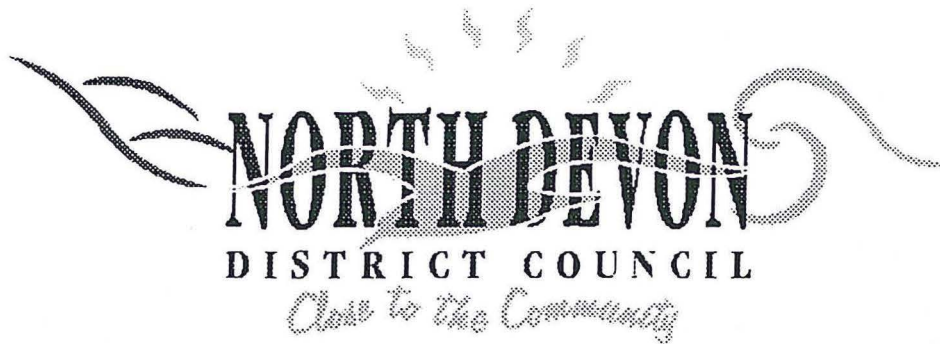


2026



**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)

Evoco Service Station, Exeter Road, Braunton, Devon

("the land")

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

Non-compliance with condition 2 of planning permission number 23185 dated 20th August 1997 which varied condition 3 of planning permission number 13501 dated 20th February 1991, namely:

"The illumination of the exterior of the forecourt canopy, the shop fascia and soffit of the fascia sign shall cease at or before 11.00 pm each day and shall not recommence until dusk the following evening as agreed in the agent's letter received by the local planning authority on 5th August 1997".

4.     **REASONS FOR ISSUING THIS NOTICE**

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

The Council consider that the breach of condition occurred in the last ten years.

The view is taken that illumination outside of the hours permitted has an adverse impact on the amenities of the adjoining and surrounding properties, which in particular would be contrary to policy DST2 of the emerging North Devon Local Plan.

It is not considered that this concern could be adequately overcome by amending the condition.

**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 illumination of:
  - (a) the exterior edge of the forecourt canopy;
  - (b) the shop fascia; and
  - (c) the soffit of the fascia sign,other than between the hours commencing at dusk and ending no later than 11.00pm of each day.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 10th November 1998 ("the effective date") unless an appeal is made against it beforehand.

Dated : [date of issue] ..5th October 1998.....

Signed : ..........

Director, Legal Services Manager

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



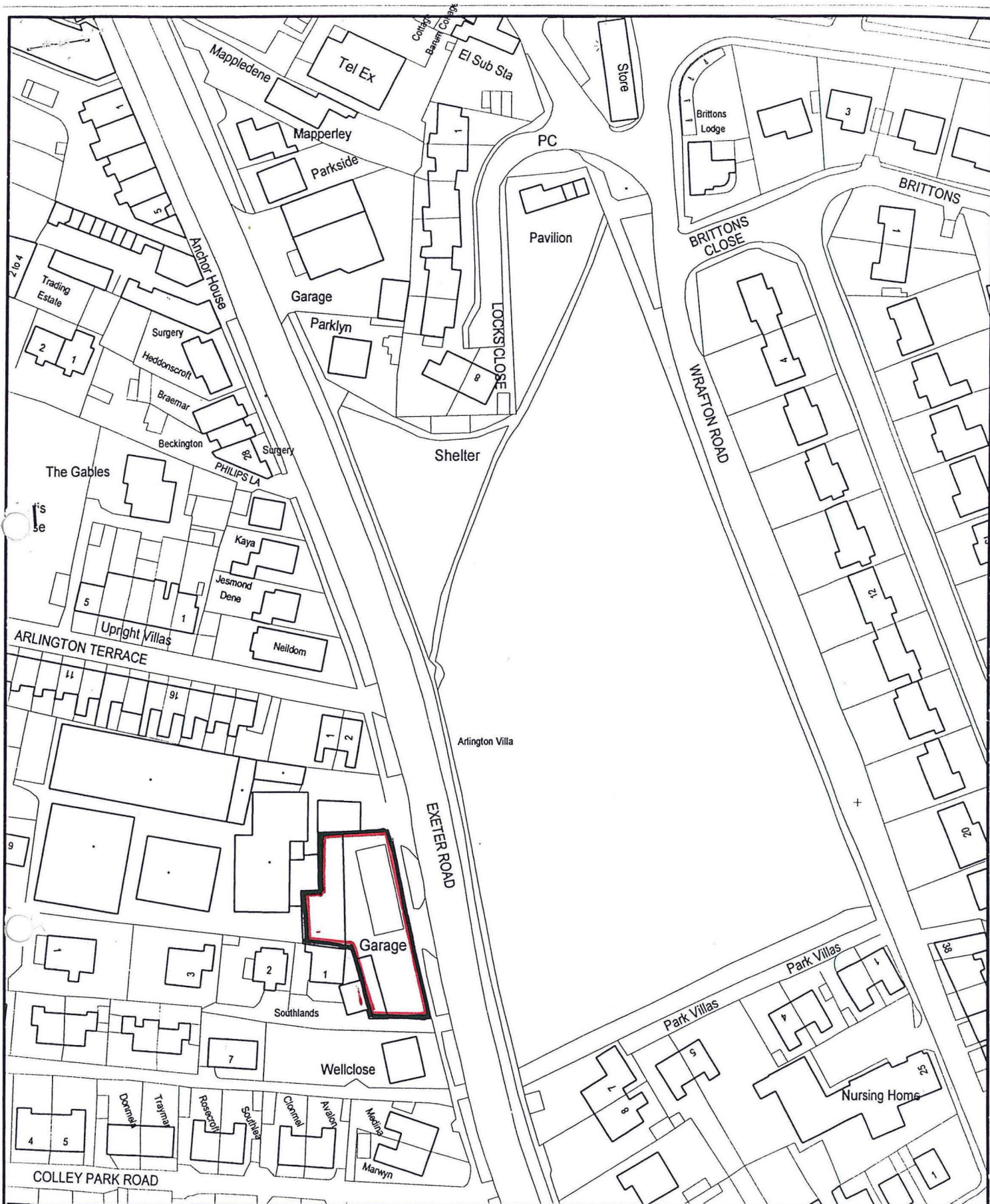
## **GUIDANCE NOTES FOR YOUR INFORMATION**

### **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.**



## Planning Enforcement

The Breach of Planning Control Which Has Occured  
Non-Compliance with Condition No.2 attached to Planning Application 23185

Site Location:

**Evoco Garage, Exeter Road, Braunton.**



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

SCALE: 1:1250

DATE 10th June 1998

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