

1457

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 Chapel Lane, Combe Martin, North Devon.

("the land")

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

A material change of use of the land from agriculture to use for the storage and siting thereon of a caravan ("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 located within an Area of Outstanding Natural Beauty, Coastal Preservation Area and Heritage Coast, it is also within an area identified as a medieval field system. The land is outside the Combe Martin development boundary and therefore the unauthorised use is considered contrary to the Structure Plan policy's CDE1, CDE3 and CDE5, in that the Council does not consider there is any proven need for the unauthorised use, it does not preserve or enhance the Area of Outstanding Natural Beauty nor does it represent essential development to the Coastal Preservation Area or Heritage coast.

In addition the unauthorised use is considered contrary to policy CM22 of the Combe Martin Local Plan in that the unauthorised use has a detrimental effect on the character and appearance of the medieval field system and the nearby village .

The land does not appear to be used for agricultural and the caravan stationed thereon appears to be used for the storage of vehicle spare parts and domestic items.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within **THREE (3) MONTHS** from when this notice takes effect.


6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land for the storage and siting of the caravan.
2. Remove the caravan from the land.
3. Clear up and remove all rubbish and debris resulting from taking the abovementioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **1st SEPTEMBER 1997** ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] **28th July 1997**

Signed :


Legal Services Manager, Solicitor

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

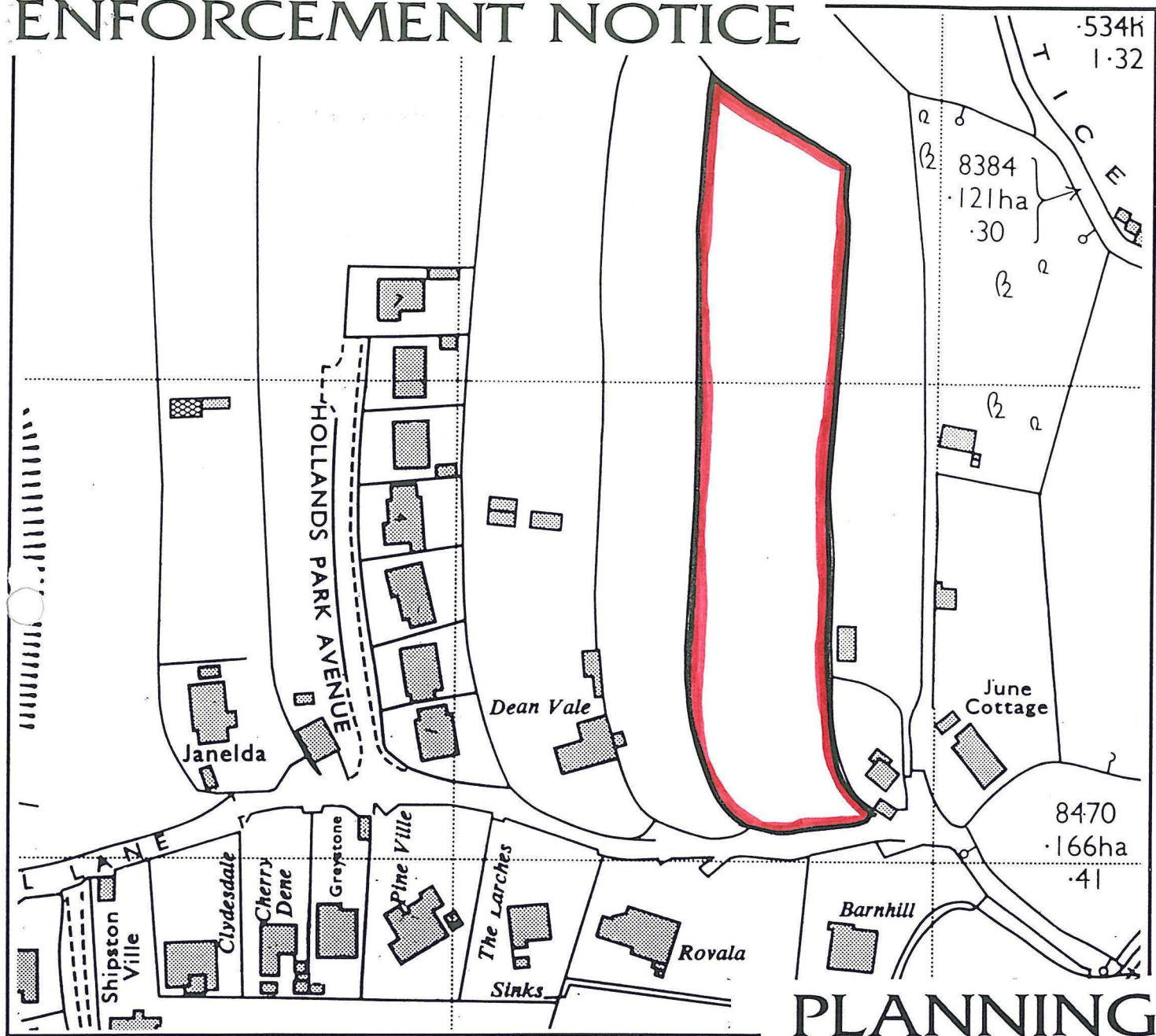
YOUR RIGHT OF APPEAL

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



The Breach of Planning Control Which has Occurred:-

Unauthorised Change of Use of Horticultural Land to Use for Storage of Caravans and Scrap,

**Site:- Land at Chapel Lane,
Combe Martin.**

O.S. Plan No.	SS 5846
Scale	1:1250
Drawn	S.Thomas
Date	March 1997

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