

E. 348

IMPORTANT:— THIS COMMUNICATION AFFECTS YOUR PROPERTY

(a)

NORTH DEVON DISTRICT

Council

TOWN AND COUNTRY PLANNING ACT 1971
(as amended)

Enforcement Notice

Material Change of Use

(b) Land at Francis Quarry, New Barnstaple Road, Ilfracombe in the County
of Devon.

WHEREAS:

(1) It appears to the^(a) North Devon District Council ("the Council"), being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963^(c)

on the land or premises ("the land") described in Schedule 1 below.

(2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.

(3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers contained in the said section 87, for the reasons set out in [the annex to] this notice.^(d)

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] ^(e)

within [the period of 28 [days] ~~[months]~~ from the date on which this notice takes effect] ~~[the period specified in respect of each step in that schedule].^(f)~~

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of section 88 (10) of the Act, on 7th February 19 86 .^(g)

Issued 3rd January 19 86 .

Council's address —

(Signed)

(Designation) Solicitor

(The officer appointed for this purpose)

CONTINUED OVERLEAF — P.T.O.

NOTES TO THE LOCAL PLANNING AUTHORITY

- (a) Insert the name of the Council issuing the notice.
- (b) Insert the address or a description of the land to which the notice relates.
- (c) Where section 87(4)(c) of the Act applies insert "and within the period of 4 years before the date of issue of this notice."
- (d) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (e) Or, as the case may be, having regard to section 87(7)(a) and (b) of the Act. Where steps are required to be taken for more than one of the purposes provided for in section 87, the purpose for which each step is required should be specified in Schedule 3. Steps may be required as alternatives.
- (f) If a single period is to be specified, by which all the required steps must be taken, insert it here. But if a series of steps is required to be taken, with a different compliance period for each step, the appropriate period should be clearly stated against each step (in columns if more suitable) in Schedule 3.
- (g) The date selected must be not less than 28 clear days after all the copies of the notice will have been served (see section 87(5) of the Act).

SCHEDULE 1

Land or premises to which this notice relates

(Address or description)

Land forming part of O.S.1878 being part of Francis Quarry, Ilfracombe.

shown edged [red] [

] on the attached plan.^(h)

SCHEDULE 2

Alleged breach of planning control

(description of the material change of use alleged to have been made) (j)

Unauthorised change of use by siting a caravan on the said land.

SCHEDULE 3

Steps required to be taken.^(k)

(i) Remove the caravan from the site.

Remove the caravan from the site.

NOTES TO THE LOCAL PLANNING AUTHORITY

(h) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).

(j) If the new use is a mixed use, include all the uses comprising that mixed use.

(k) Specify the actual steps to be taken with, if appropriate, the compliance period for each step. The requirements should be clear and precise. See also notes (e) and (f) overleaf.

NORTH DEVON DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971 (as amended)

ANNEX TO ENFORCEMENT NOTICE

ISSUED JANUARY 1986

1. On or before 1st August 1985 and land was used for the siting of an unauthorised caravan.
2. No planning application has been received by the Council in respect of the caravan.
3. The site is prominent within this part of the Coastal Preservation Area and is detrimental to the visual amenities of the area.
4. The unauthorised use is continuing.
5. If planning permission were applied for refusal would be recommended because the site is prominent within this part of the Coastal Preservation Area and is detrimental to the visual amenities of the area.
6. The Council therefore considers it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice.

3

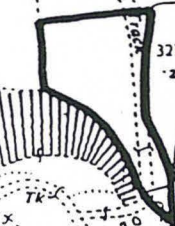
1878
14-01

1878
14-01

Francis Plantation

Francis Quarry
(Disused)

3271
20



2864
47

3360
22

3556
30

3952
1-58

3249
2-44

3046
2-96

3645
2-24

2043
13-77

0153
10-56

0134
11-88

15
'99

