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IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

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)

17 St. Brannocks Road, Ilfracombe, North Devon.

("the land")

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

Without planning permission the demolition of a wall and the creation of a parking area and vehicular access from the land onto the adjacent County highway ("the unauthorised development")

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 development has occurred within the last four years.

The land is within a Conservation Area within which the policies and provisions of the Devon County Structure Plan, Third Alteration, and the Local Plan have regard to development conserving and enhancing the area. It is also part of a terrace of residential properties which have pedestrian gateway frontages only and the Council consider that the unauthorised development is alien to the appearance of the terrace and visually detrimental to the street scene and the Conservation Area.

There is inadequate space for the manoeuvring of vehicles within the land and onto the adjacent County highway resulting in unacceptable danger and inconvenience to users of the adjacent County highway and interference with the free flow of traffic. In addition the inadequate depth of the parking area will result in parked vehicles extending over the pavement with additional danger to users of the pavement and adjacent County highway.

An application for the unauthorised development has already been refused and dismissed on appeal.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of TWO (2) ~~months~~/months from the date when this notice takes effect] [~~the period of two (2) months~~]

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the vehicular access.
- (ii) Cease the use of the parking area.
- (iii) Reinstall a means of enclosure of less than 1 metre in height along the frontage of the Land.
- (iv) Clear up and remove all rubbish and debris resulting from taking the above mentioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 20TH MARCH 1995 ("the effective date")* unless an appeal is made against it beforehand.

Dated: [date of issue] 10TH FEBRUARY 1995

Signed:  SOLICITOR LEGAL SERVICES MANAGER

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.

