

1414

**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)

41 St. Brannocks Road, Ilfracombe, Devon

("the land")

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

The change of use of the land from a hotel to mixed use of hotel and use for the repair and storage of motor vehicles ("the unauthorised development").

4.     **REASONS FOR ISSUING THIS NOTICE**

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

1. It appears to the Council that the unauthorised development has occurred within the last 10 years.

2. The unauthorised development is considered to be out of character with tourist facilities and accommodation within the vicinity. The unauthorised development has an adverse impact on the amenity of these facilities and on the area by reason of its visual intrusiveness. The unauthorised development is therefore considered to be contrary to the Devon County Structure Plan Third Alteration and the Deposit Version of the North Devon Local Plan.

3. It is also the view of the Council that there is inadequate storage/parking facilities for the unauthorised development on the land and that it results in an undesirable increase in, and change in character of, traffic using what is considered to be an inadequate junction.

4. Planning conditions can not overcome the planning objections to the unauthorised development

**5. WHEN YOU ARE REQUIRED TO ACT**

The Council require that the steps specified in paragraph 6 be undertaken within the period of three (3) months from the date when this notices takes effect.

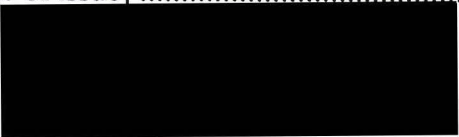
**6. WHAT YOU ARE REQUIRED TO DO**

1. Cease the use of the land for the storage and repair of motor vehicles,
2. Remove from the land all motor vehicles, parts and other scrap associated with the use of the land for the storage and repair of motor vehicles, and
3. Remove all debris and rubbish from the land arising from the taking of the above steps

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 7-5-96 ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] 29th March 1996

Signed : .....  


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

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\* specific date, not less than 28 clear days after date of service



## **GUIDANCE NOTES FOR YOUR INFORMATION**

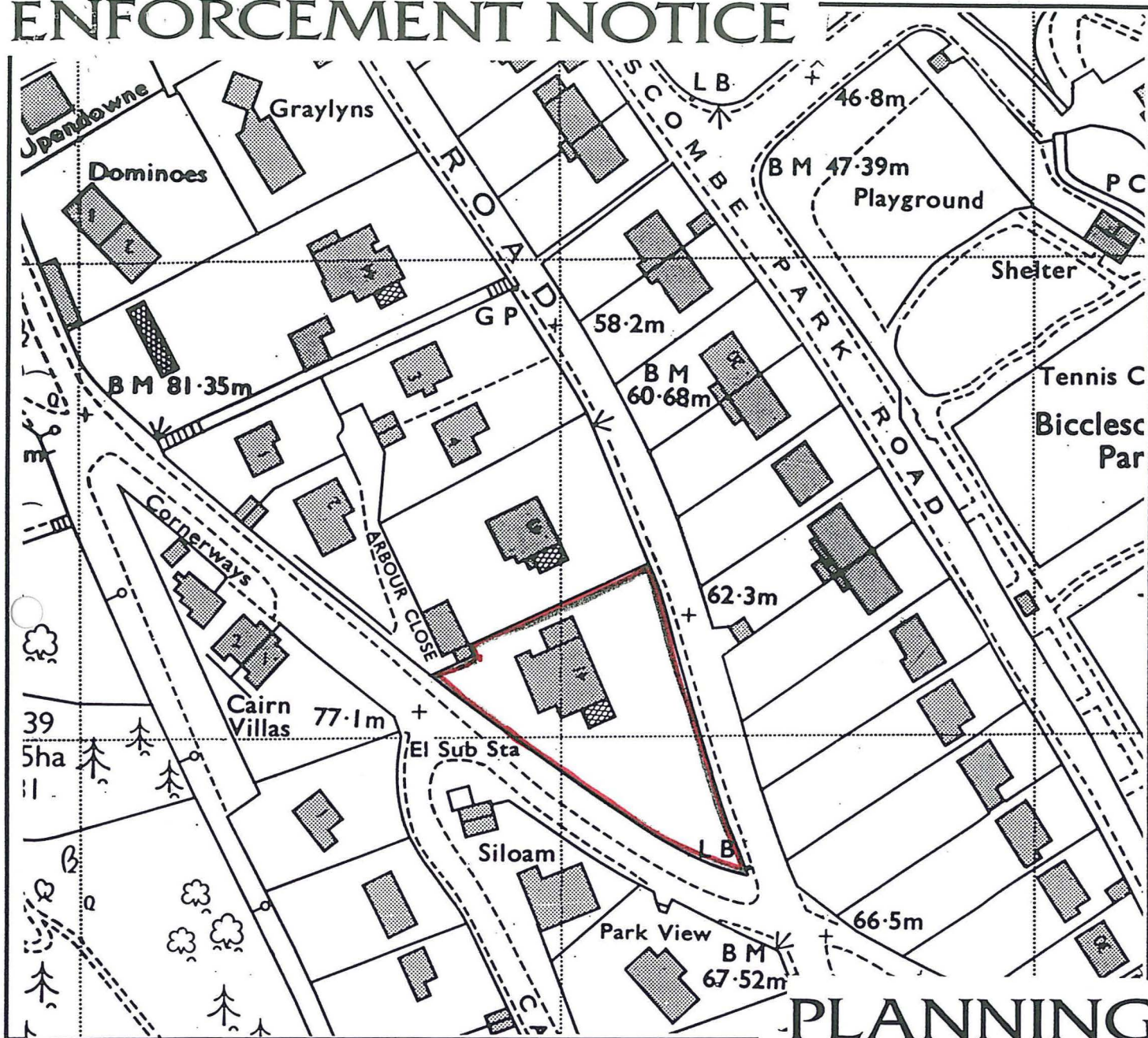
### **YOUR RIGHT OF APPEAL**

**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:-

Alleged Unauthorised Change of Use of Hotel Grounds to Use for Vehicle Repairs & Storage,

**Site:- 41, St. Brannocks Road,  
Ilfracombe.**

**O.S. Plan No.** SS 5146

**Scale** 1:1250

**Drawn** Sue Thomas

**Date** February 1996

## 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