

**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 considers 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 plans attached)

Honeycleave Farm, Ilfracombe, EX34 8NA

(“the land”)

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

Change of use of the land from agriculture to the siting and residential occupation of mobile homes as shown coloured blue on the attached plan 2

4.     **REASONS FOR ISSUING THIS NOTICE**

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

The site is in the Open Countryside where development should be strictly controlled in the interest of protecting the character and appearance of the landscape and on the grounds of sustainability. The siting and residential use of the caravans is contrary to Policy ST16 of the Devon County Structure Plan and policies ENV1 and, HSG9 of the North Devon Local Plan.

They are in a countryside location outside a development boundary and within the Coastal Preservation Area. There are therefore environmental and sustainability reasons as to why it is unacceptable and it is contrary to policy ENV5 of the North Devon Local Plan

The caravans are sited in the open countryside remote from services, employment, education, public transport and will increase the need for journeys to be made by private vehicles which is non-sustainable and in conflict with the advice in PPG13.

The Local Planning Authority considers that the above reasons for issuing the Notice cannot be overcome by the use of Planning Conditions.

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

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

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

1. Cease residential occupation of the mobile homes coloured blue on plan 2 attached hereto
2. Remove the mobile homes coloured blue on plan 2 attached here to from the land
3. Clear and remove any debris resulting from the above steps from the land outlined in red on plan 1 attached hereto where so ever fixed, placed or stored

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 30<sup>th</sup> September 2007 ("the effective date")\* unless an appeal is made against it beforehand.

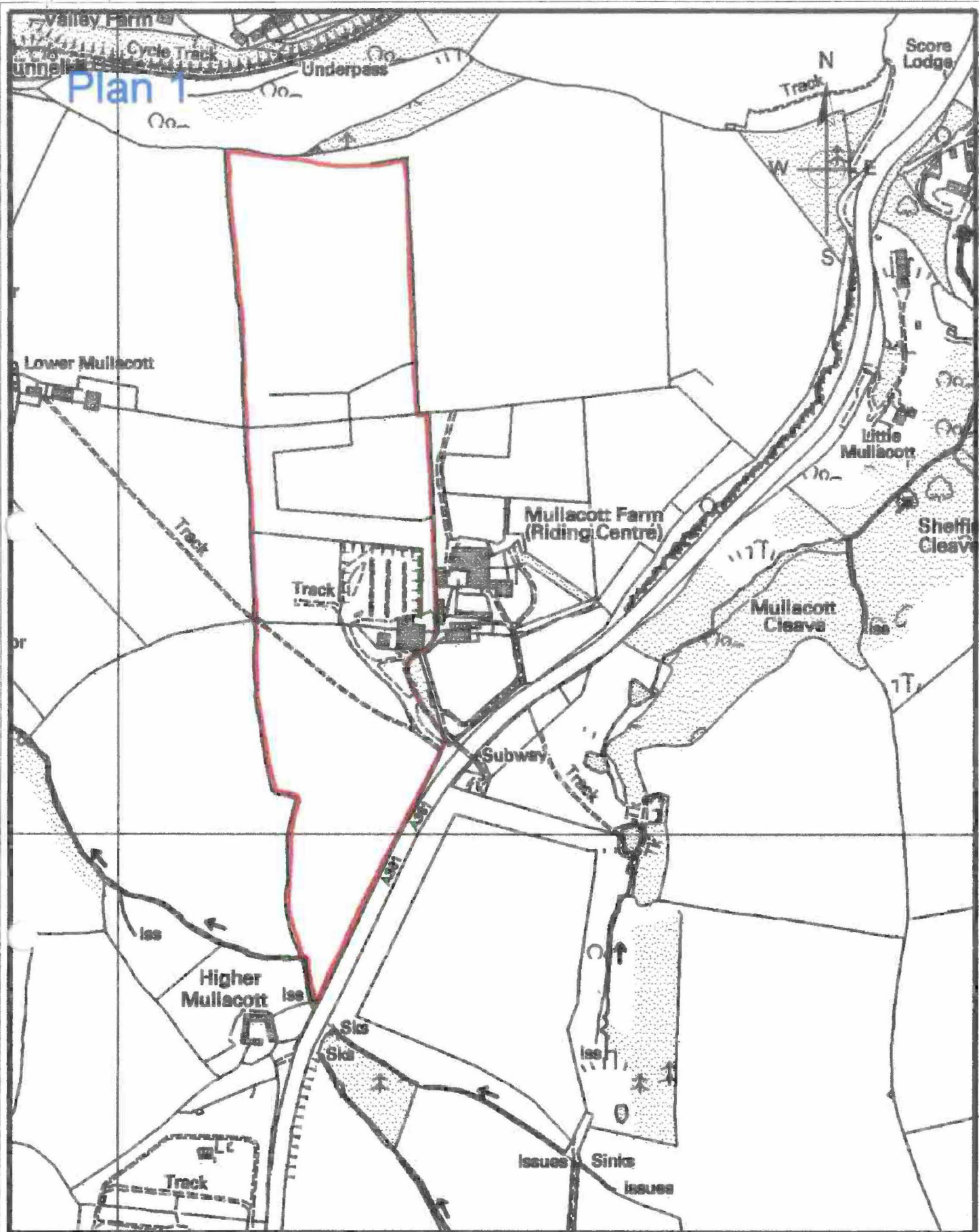
Dated :

Signed

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

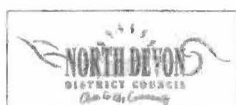
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\* specific date, not less than 28 clear days after date of service



**Plan to Accompany Enforcement Notice - Plan 1 - The Site**

**Honeycleave Farm, Ilfracombe EX34 8NA**



Civic Centre, Barnstaple.  
EX31 1EA

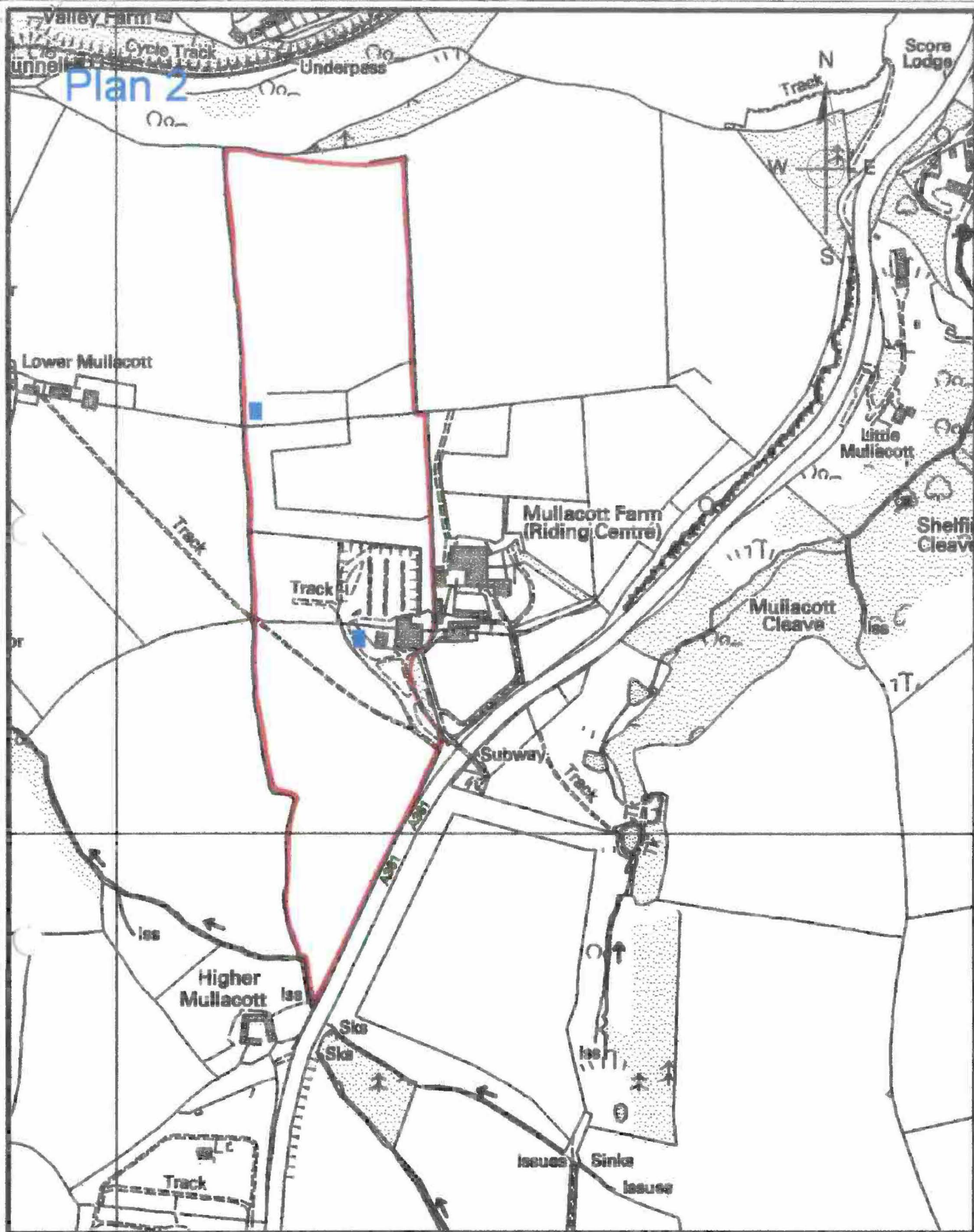
SCALE: 1:5000

COPY SUPPLIED TO:

Planning Unit

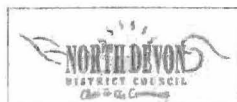
DATE 19th July 2007

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**Plan to Accompany Enforcement Notice - Plan 2 - Site & Position of Breach(es)**

**Honeycleave Farm, Ilfracombe EX34 8NA**



Civic Centre, Barnstaple.  
EX31 1EA

SCALE: 1:5000

COPY SUPPLIED TO: Planning Unit

DATE 19th July 2007

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## **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.**