



I hereby certify that this is a true
copy of the original

Signed [redacted]

K. B. MORGAN
SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 3.12.96

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 numbered 1 attached hereto)

Westleigh Farm, Combe Martin, North Devon

("the land")

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

A material change of use of the land from agriculture to a mixed use of agriculture and the siting and residential occupation of two mobile homes marked A and B and shaded blue on the plan numbered 2 annexed hereto ("the unauthorised use")

4. **REASONS FOR ISSUING THIS NOTICE**

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

1. It appears to the District Council that the unauthorised use has occurred within the last 10 years.
2. The land is within an Area of Outstanding Natural Beauty and within a Coastal Protection area as defined by the Devon County Structure Plan Third Amendment. The Council's view is that the unauthorised use is both detrimental to the locality and inessential and is therefore contrary to both national policy and the said Structure Plan.
3. The unauthorised use also constitutes development away from the established centre of the community and in the absence of agricultural need is deemed to be contrary to the said Structure Plan.
4. The road giving access to the land is by reason of its inadequate width, horizontal alignment, gradient, junctions and lack of footway unsuitable to accomodate the increase in traffic generated by the unauthorised use.
5. The increased use of the access on to the A399 public highway generated by the unauthorised use could result in additional danger to all users of the road because of the limited visibility.
6. The District Council do not consider that the use of planning conditions would overcome the above reasons

5. WHEN YOU ARE REQUIRED TO ACT

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


6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the two mobile homes for residential purposes,
2. Remove the two mobile homes from the land,
3. Not to use, nor allow to be used, the land for the stationing of mobile homes,
4. Clear up and remove from the land all debris and rubbish resulting from taking the above steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 13th December 1996 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] 11th November 1996

Signed : 

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

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Dated : [date of issue]

Signed :

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

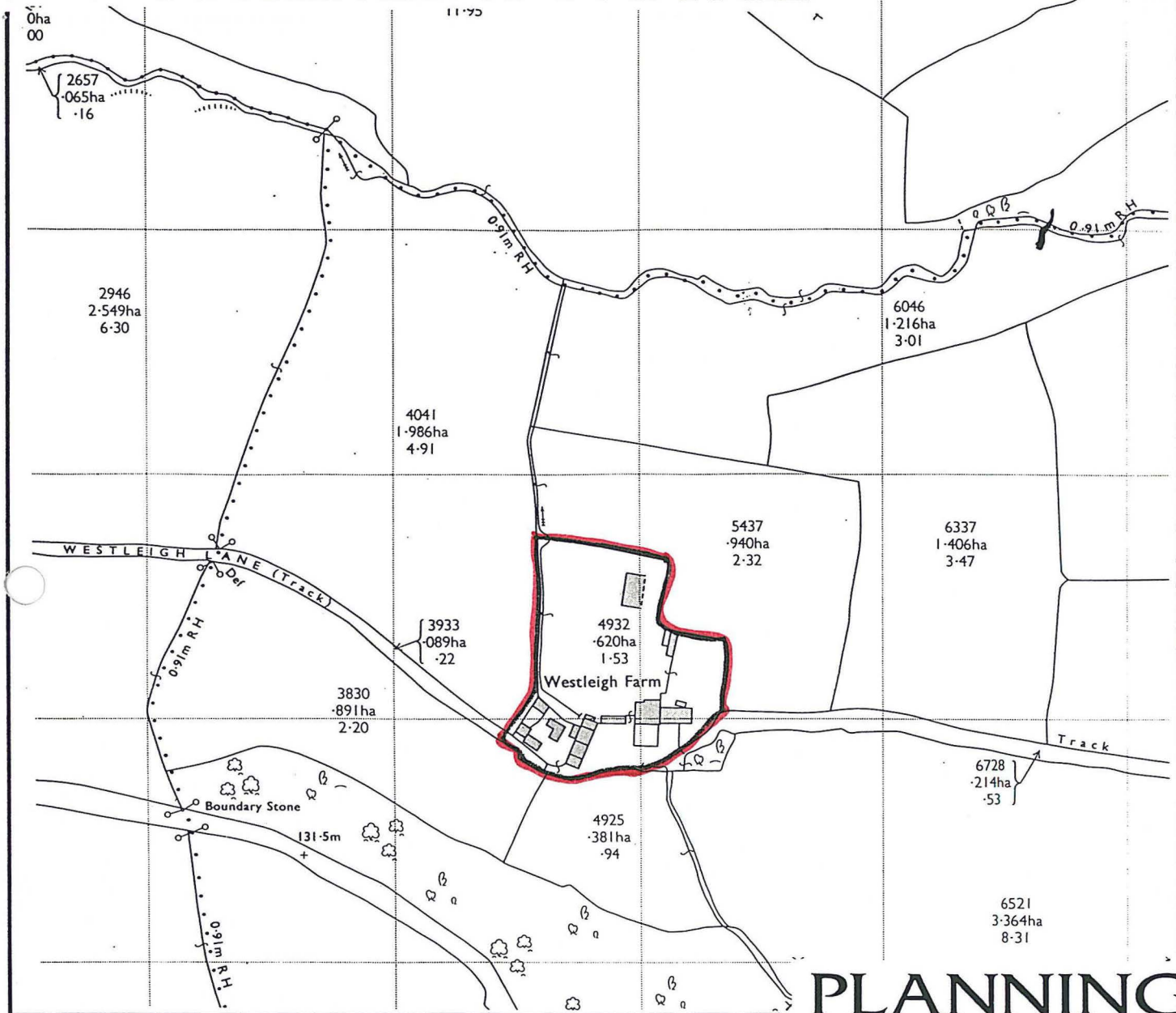
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the effective date. The enclosed booklet "Enforcement Appeals - A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. 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

PLAN 1



PLANNING

The Breach of Planning Control Which has Occurred:-

Unauthorised siting of mobile homes,

**Site:- Westleigh Farm,
Combe Martin.**

O.S. Plan No.	SS 6045
Scale	1:2500
Drawn	Sue Thomas
Date	January 1995

NOTATION



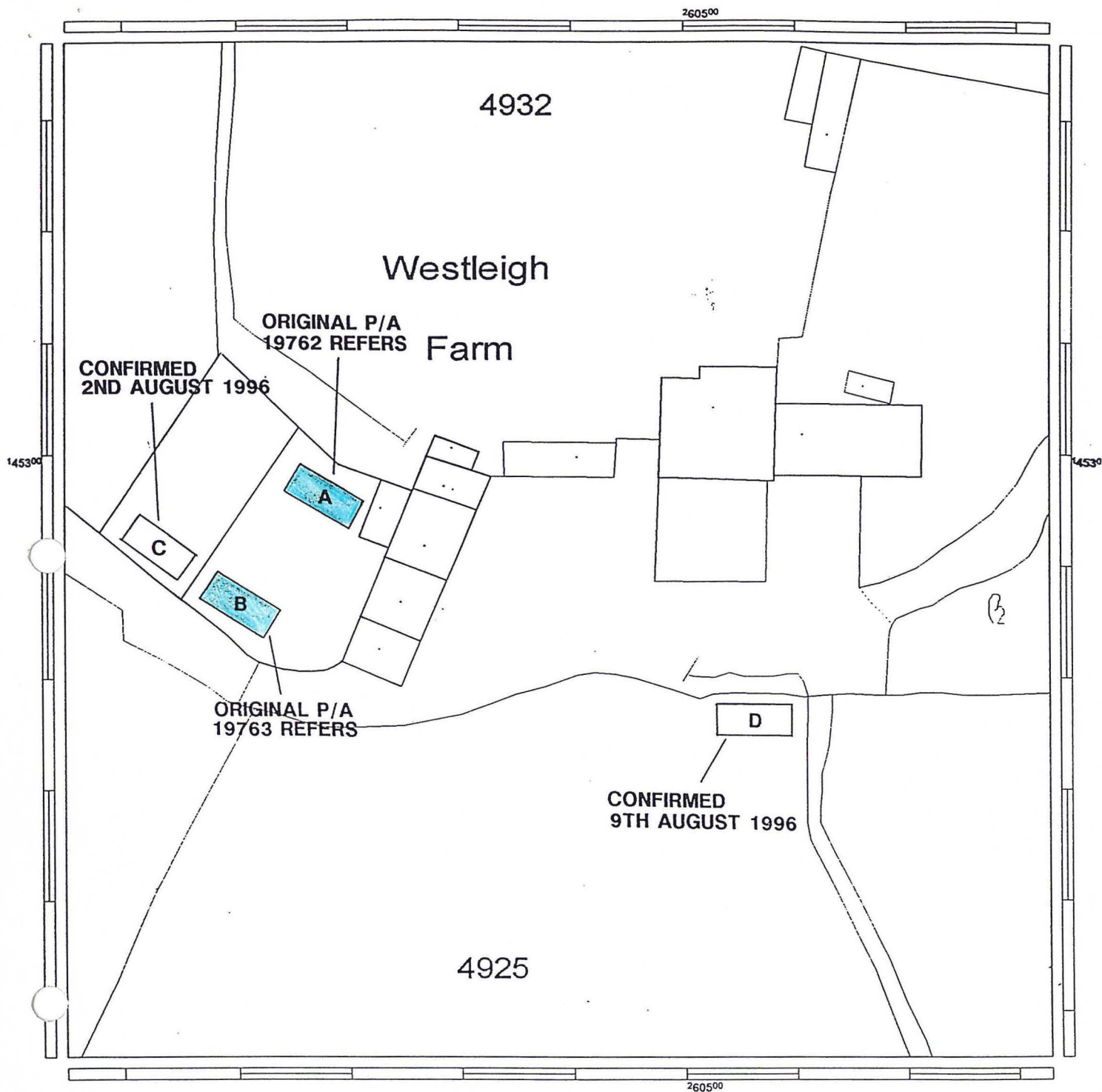
The Site



M.J.Easton Dip.T.P. M.R.T.P.I.,
Principal Planning Officer

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Civic Centre, Barnstaple, Devon, EX31 1EA



The Alleged Breach of Planning Control which has Occured:-
Unauthorised Mobile Homes

Site:- Westleigh Farm, Combe Martin.

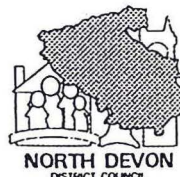
Scale: 1:500

Date: 05/11/96

M.J.Easton Dip.T.P., M.R.T.P.I.
Principal Planning Officer

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