



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

Signed

R. B. MURPHY

SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED

.....

**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 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)

Land at Marley Moor Farm, Knowstone, North Devon

("the Land")

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

Material change of use of the land from agriculture to mixed use of agriculture and the stationing of mobile homes for residential occupation and office use ("the unauthorised use").

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 above breach of planning control has occurred within the last 10 years.

The land is within an area where the Council would only normally permit development which, pursuant to its recognised Rural Settlement Policy and the provisions of the Devon County Structure Plan, is necessary in the interests of agriculture. The Council do not believe that there is an agricultural need or other need such as would overcome the Policy objection.

The Council consider that the unauthorised use is detrimental to the character and appearance of the area by reason of its conspicuous siting and intrusion into the Landscape.

Having regard to the increase in traffic the unauthorised use can generate the use of the access from the land onto the adjacent highway, by reason of the limited visibility from and of vehicles using the access, results in additional danger to all users of the road and interference with the free flow of traffic.

A planning application for the siting of a mobile home and office on the land has already been refused and the Council consider that the unauthorised use, if continued, would set a precedent for development along a road which, by virtue of its width and alignment is unsuitable to cater for the additional traffic generated.

## 5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of **TWELVE (12)** ~~months~~/months from the date when this notice takes effect] [~~the period of 12 months~~]

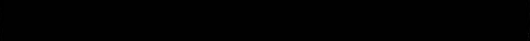
## 6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of all mobile homes for residential occupation.
- (ii) Cease the use of all mobile homes for office use.
- (iii) Remove the mobile homes used for residential occupation from the land.
- (iv) Remove the mobile home used for office use from the land.
- (v) Reinststate the Land to its condition prior to the unauthorised use commencing.
- (vi) 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 **7<sup>th</sup> MARCH 1994** ("the effective date")\* unless an appeal is made against it beforehand.

Dated: [date of issue] **3<sup>rd</sup> February 1994**

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



## **GUIDANCE NOTES FOR YOUR INFORMATION**

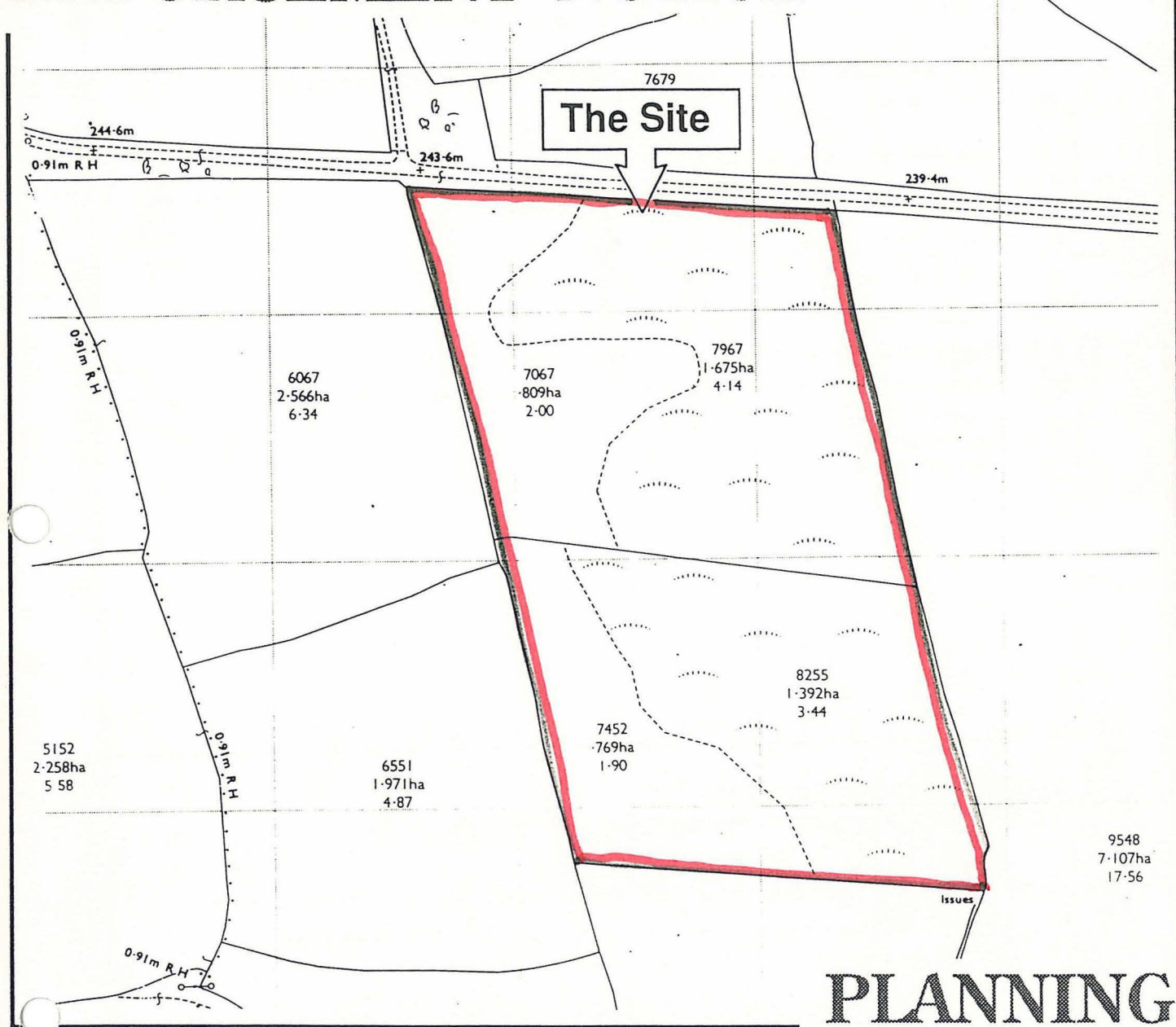
### **YOUR RIGHT OF APPEAL**

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



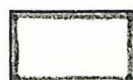
## PLANNING

The Breach of Planning Control Which has Occured:-  
Unauthorised Mobile Homes (2) and Caravan (1)

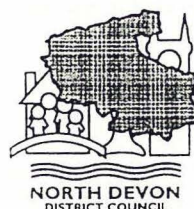
**Site:- Land at Marley Moor Farm,  
Knowstone.**

O.S. Plan No SS 8021  
Drawn  
Scale 1:2500  
Date August 1993

### 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 1FA