



1866

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 considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan attached)

Land adjacent to Birch Lane and Birch Farm known as PT OS 0065, Landkey, North Devon

(“the land”)

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

Without planning permission a change of use of the land from agriculture to use for the stationing and residential occupation of a mobile home and caravan and the storage of a trailer and various items of furniture and machinery.

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 use has occurred within the last 10 years.

The unauthorised development is outside the boundaries of any town or village where development is only permitted if there is a proven agricultural need. In the Council’s opinion, there is no such need.

The unauthorised development is in the countryside where the primary objective is to conserve it’s character and landscape unless economic and/or social benefits outweigh this objective. The Council do not consider that such benefits exist.

Because of the above matters, the Council consider that the unauthorised development is contrary to policies contained within the Devon County Structure Plan (First Review) and the emerging North Devon Local Plan as well as being contrary to National Policies.

The Council do not consider that planning permission should be given because planning conditions could not overcome these objections to the unauthorised use.

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 notice takes effect.

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the residential occupation of the mobile home and caravan
2. Remove the mobile home and caravan from the land
3. Cease the use of the land for the stationing of a mobile home and caravan
4. Remove from the land the trailer, furniture and machinery
5. Cease the use of the land for the storage of the trailer, furniture and machinery
6. 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 31 May 1999 unless an appeal is made against it beforehand.

Dated : 22 April 1999.....

Signed : .....
Services Manager

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

