

**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")**

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

Signed

K. B. MORGAN  
SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 29.1.83

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)(b) 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 Lynton Cross, Bittadon, North Devon

("the land")

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

Without planning permission a material change of use of the land from residential dwelling and garden to use for residential dwelling, garden, vehicle repairs, sale and display of trailers, stationing and use of two mobile homes for use ancillary to sale and display of trailers, and the storage of scrap.

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 since the end of 1963. Previous applications for a workshop and trailer centre on the land have been refused on five occasions within the last two years including one on appeal.

The Council consider that the unauthorised use is incompatible with an area of high landscape quality adjoining an Area of Outstanding Natural Beauty and a Coastal Preservation Area. The use is detrimental to the visual amenities of the locality due to its siting within an area of open countryside separated from an existing permitted commercial use by the residential dwelling. It constitutes a new development and does not form part of the existing use carried out on the land adjacent to it. Consequently it is contrary to County Structure Plan and National Policies which seek to limit development in order to protect the rural character of the area.

It is considered that the use creates an increase in the amount of traffic entering and leaving the adjoining Class II road through an access that does not provide adequate visibility with consequent risk to users of the highway and interference with the free flow of traffic. Furthermore in the Council's opinion there is inadequate provision on the land for the parking and manoeuvring of vehicles and trailers.

The Council do not therefore consider that planning permission should be given as planning conditions could not overcome these problems.



## 5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of SIX (6) months from the date when this notice takes effect] [REDACTED].

## 6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the land for vehicle repairs.
- (ii) Cease the use of the land for sales and display of trailers.
- (iii) Cease the use of the land for stationing of two mobile homes for use ancillary to sale and display of trailers.
- (iv) Cease the use of the land for storage of scrap and materials ancillary to vehicle repairs.
- (v) Remove all trailers and other items on display from the land.
- (vi) Remove the mobile homes for use ancillary to sale and display of trailers from the land.
- (vii) Remove all scrap and other materials ancillary to vehicle repairs from the land.
- (viii) Clear up any rubbish and debris resulting from taking the above mentioned steps.

## 7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 13<sup>th</sup> JULY 1992 ("the effective date")\* unless an appeal is made against it beforehand.

Dated: [date of issue] 4<sup>th</sup> June 1992

Signed: .....  
[REDACTED]

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**

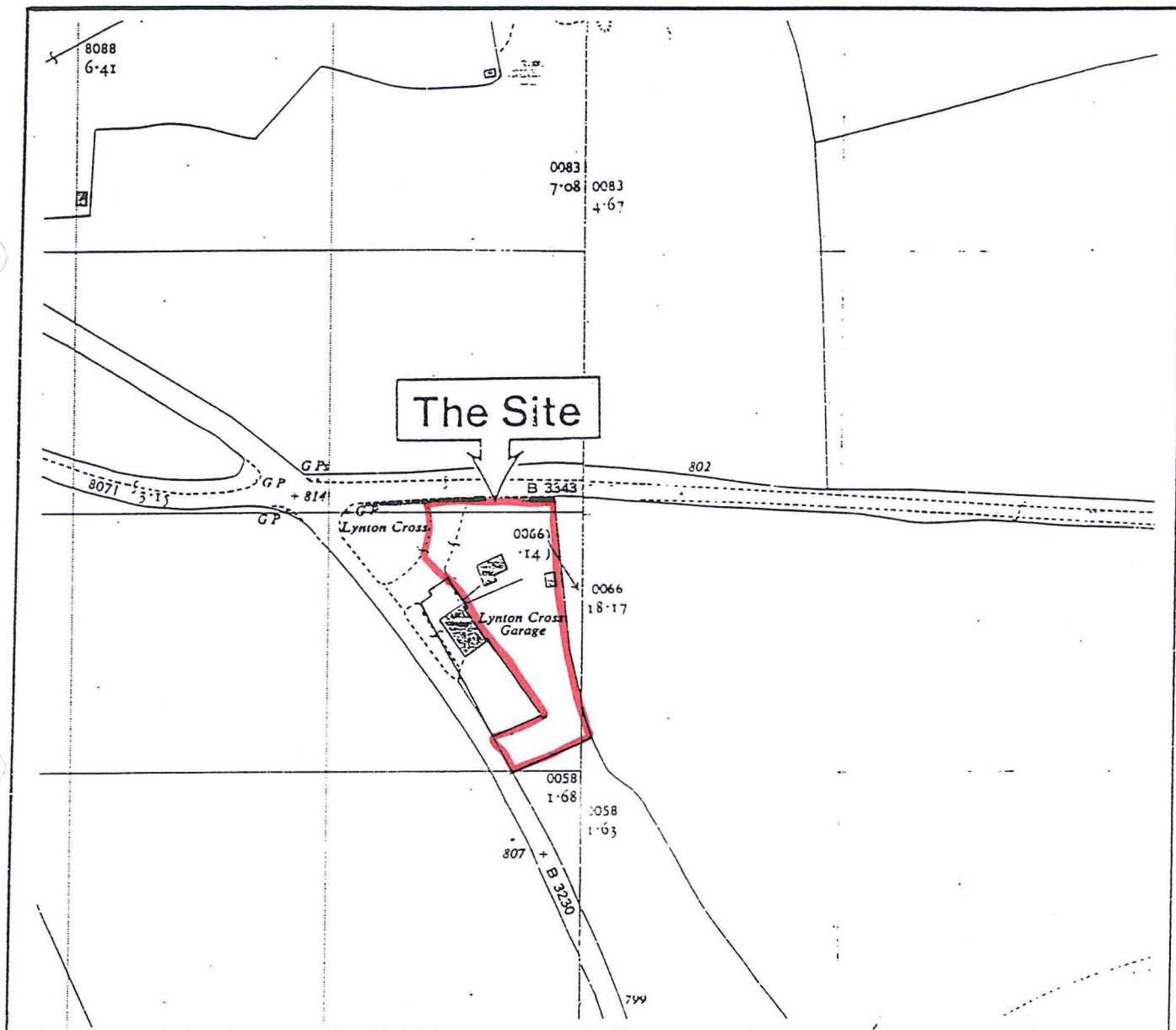
**If you do not appeal against this Enforcement Notice, it will take effect on the effective date and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in the notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.**



North Devon District Council  
Civic Centre, Barnstaple, Devon EX31 1EA

J. H. Martin Dip.T.P. M.R.T.P.I., Director of Planning.

## ENFORCEMENT NOTICE (PLANNING).



**Unauthorised Trailer, Mobile Homes, Vehicle Repairs, and Scrap**

**Lynton Cross Garage, Lynton Cross, Ilfracombe.**

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O.S. Plan No: SS. 5343 & 5443

Date: August 1991