

NDDDC

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

**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)

Tanglewood, Broomhill, Muddiford, North Devon.

(“the land”)

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

Without planning permission the construction of a stone and block wall of approximately 1.3 metres high together with 3 wooden posts incorporated on top of the wall increasing it to a height of approximately 2 metres, and projecting approximately 3 metres north/east along the dividing boundary between the land and the adjacent property. (“the unauthorised development”)

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 four years.

On 2nd December 1992 planning permission reference 16130 was granted for the conversion of the existing 2 holiday units and 1 staff unit into the 2 permanent dwellings. In order to protect the appearance and character of the rural location within which the land is situated, Condition number 2 thereto expressly withdrew permitted development rights pursuant to the General Development Order 1988 (as amended). Therefore any development on the land, including the construction of a wall, requires planning permission. Despite invitations to do so no application for the unauthorised development has been submitted.

In planning terms, the Council consider that the principle issue relates to the appearance of the unauthorised development in particular the unfaced blockwork on one side and the wooden posts on top. If an application for planning permission were submitted proposing the unauthorised development then approval would be recommended by the Principle Planning Officer subject to conditions that it be faced in random matching stone on both sides and that the wooden posts be removed.

However, in the absence of an application the Council has been unable to formally consider the alternatives in order to overcome the detriment to the amenity which the Council consider results from the unauthorised development.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within **SIX (6) MONTHS** from the date when this notice takes effect.


6. WHAT YOU ARE REQUIRED TO DO

1. Dismantle and remove from the land the unauthorised development.
2. Clear up and remove from the land all rubbish and debris resulting from taking the abovementioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **15th JUNE 1997** ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] **8th May 1997**

Signed : 

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

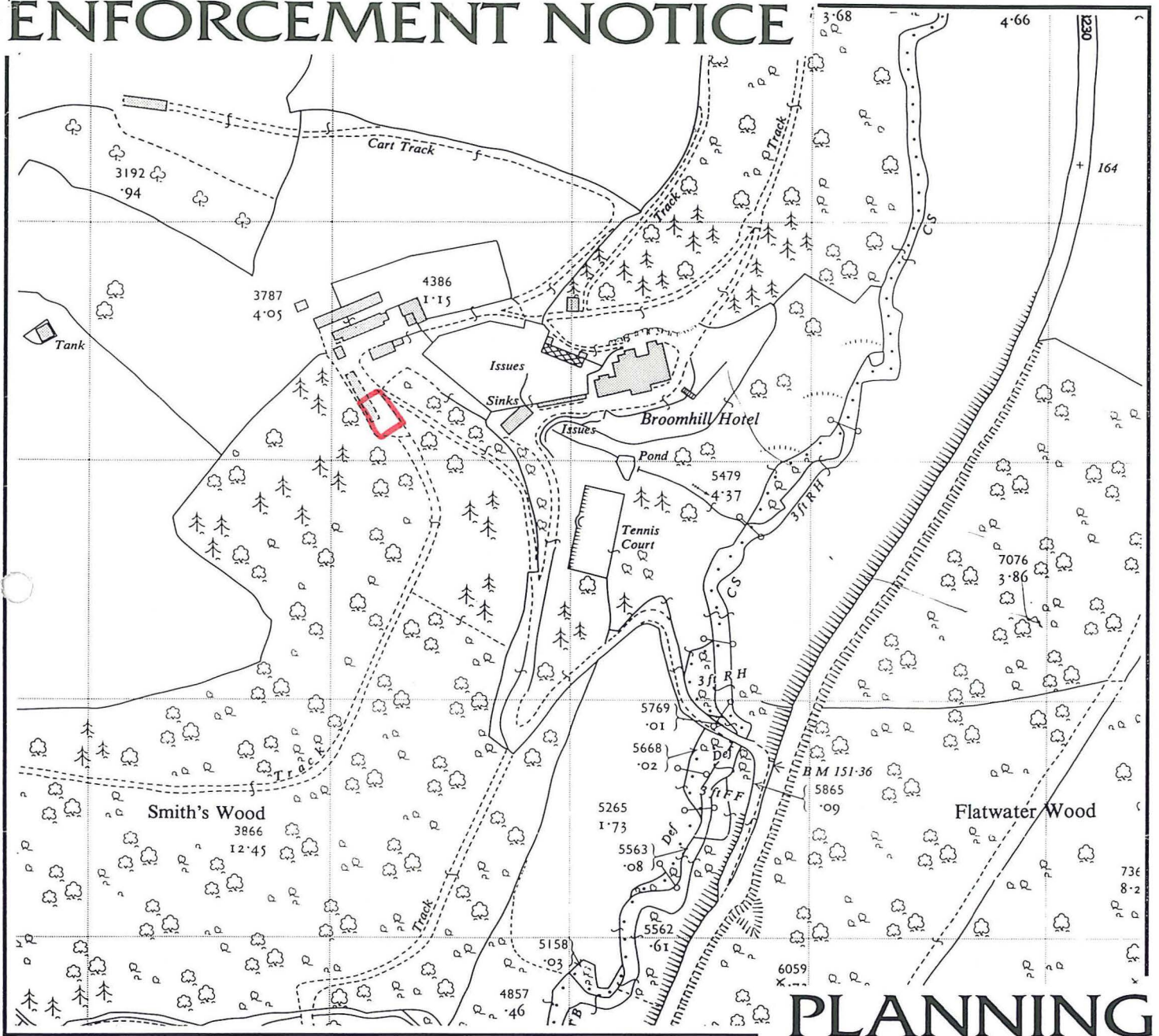
YOUR RIGHT OF APPEAL

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.

ENFORCEMENT NOTICE



The Breach of Planning Control Which has Occurred:-

Unauthorised Construction of Boundary Wall,

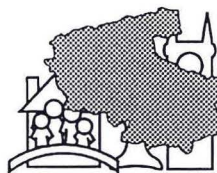
**Site:- Tanglewood, Broomhill,
Muddiford.**

O.S. Plan No.	SS 5636
Scale	1:2500
Drawn	S.Thomas
Date	March 1997

NOTATION



The Site



**NORTH DEVON
DISTRICT COUNCIL**

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

Civic Centre, Barnstaple, Devon, EX31 1EA

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