

# NDDC

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

Signed

K. B. HUGHES  
COUNCILLOR

NORTH DEVON DISTRICT COUNCIL

DATED

16<sup>th</sup> January 1997

**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 attached)

Land known as Woolacombe Tor Farm, Roadway Corner, Woolacombe, North Devon  
("the land")

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

The unauthorised change of use of the land from agriculture to a mixed use of agriculture and the siting of a caravan ("the unauthorised change of 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 change of use has taken place within the last 10 years.
2. The caravan was initially placed on the land to accomodate the owner of the land whilst he was employed in constructing an agricultural barn on the land. It appears to the District Council that no work has been carried out to the barn for the past 4 months and that therefore as a matter of fact and degree the provisions of Part 5 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 ("the GPDO") are no longer applicable.
3. The land is within an Area of Outstanding Natural Beauty and is also within a Heritage Coast and a Coastal Preservation Area as defined by the Devon County Structure Plan Third Amendment. In the Council's opinion, the unauthorised change of use is not essential development and represents a detriment to the amenity of the area and as such is contrary to the said Devon County Structure Plan Third Amendment, the emerging North Devon Local Plan and to national policy.
4. In the opinion of the District Council, the use of planning conditions would not 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 one month from the date when this notices takes effect.


**6. WHAT YOU ARE REQUIRED TO DO**

1. Remove the caravan from the land and cease the use of the land for the stationing of a caravan other than as may be allowed under the GPDO or any statutory replacement thereof,
2. Remove all rubbish and other debris caused by the taking of the above step.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 7th February 1997 ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] 7th JANUARY 1997

Signed : ..  ..

on behalf of: North Devon District Council,  
Civic Centre,  
Barnstaple, Devon,  
EX31 1EA.

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\* specific date, not less than 28 clear days after date of service



## **GUIDANCE NOTES FOR YOUR INFORMATION**

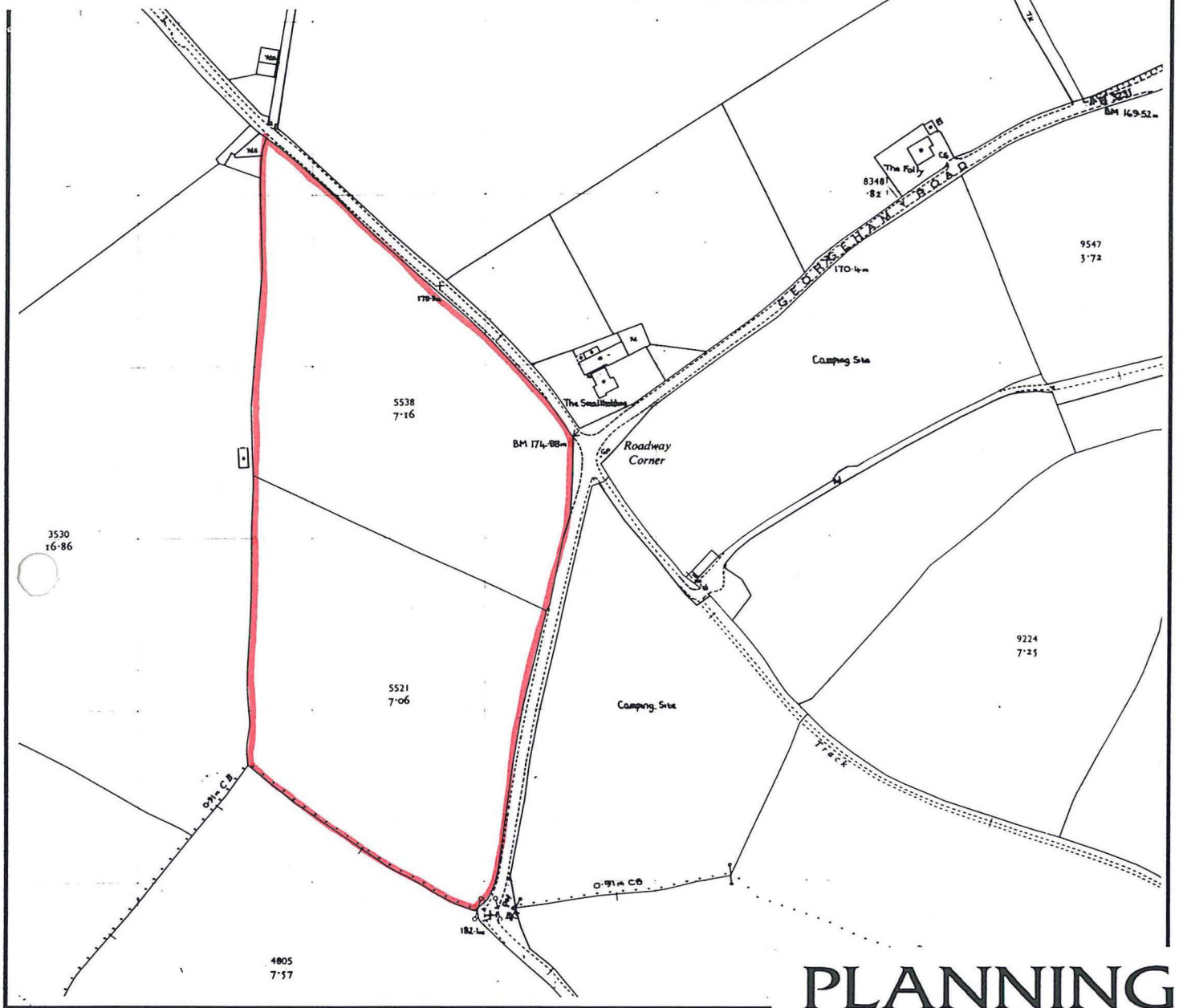
### **YOUR RIGHT OF APPEAL**

**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 Occurred:-**  
Unauthorised siting of mobile home,

**Site:- Woolacombe Tor Farm,  
Roadway Corner, Woolacombe.**

**O.S. Plan No.** SS 4642

**Scale** 1:2500 (Reduced)

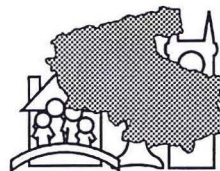
**Drawn** S.Thomas

**Date** May 1996

### NOTATION



The Site



**NORTH DEVON  
DISTRICT COUNCIL**

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

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Civic Centre, Barnstaple, Devon, EX31 1EA