

**IMPORTANT:— THIS COMMUNICATION AFFECTS YOUR PROPERTY**

(a)

NORTH DEVON DISTRICT

Council

**TOWN AND COUNTRY PLANNING ACT 1971  
(as amended)**

**Enforcement Notice**

**Material Change of Use**

(b) .....  
Agricultural Field OS 2954 off Dure Lane, North Molton  
.....

**WHEREAS:**

(1) It appears to the<sup>(a)</sup> North Devon District Council ("the Council"), being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963<sup>(c)</sup>

on the land or premises ("the land") described in Schedule 1 below.

(2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.

(3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers contained in the said section 87, for the reasons set out in [the annex to] this notice.<sup>(d)</sup>

**NOTICE IS HEREBY GIVEN** that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] <sup>(e)</sup>

within [the period of 28 days [days] ~~months~~] from the date on which this notice takes effect] [~~the period specified in respect of each step in that schedule~~].<sup>(f)</sup>

**THIS NOTICE SHALL TAKE EFFECT**, subject to the provisions of section 88 (10) of the Act, on 29th April 1988.<sup>(g)</sup>

Issued 29th MARCH 1988.....19

Council's address —

Civic Centre,  
Barnstaple  
EX31 1EA

(Signed).....

(Designation)..... Acting Solicitor  
(The officer appointed for this purpose)

**CONTINUED OVERLEAF — P.T.O.**

**NOTES TO THE LOCAL PLANNING AUTHORITY**

- (a) Insert the name of the Council issuing the notice.
- (b) Insert the address or a description of the land to which the notice relates.
- (c) Where section 87(4)(c) of the Act applies insert "and within the period of 4 years before the date of issue of this notice."
- (d) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (e) Or, as the case may be, having regard to section 87(7)(a) and (b) of the Act. Where steps are required to be taken for more than one of the purposes provided for in section 87, the purpose for which each step is required should be specified in Schedule 3. Steps may be required as alternatives.
- (f) If a single period is to be specified, by which all the required steps must be taken, insert it here. But if a series of steps is required to be taken, with a different compliance period for each step, the appropriate period should be clearly stated against each step (in columns if more suitable) in Schedule 3.
- (g) The date selected must be not less than 28 clear days after all the copies of the notice will have been served (see section 87(5) of the Act).

## **SCHEDULE 1**

### **Land or premises to which this notice relates**

*(Address or description)*

Field No. OS 2954 off Dure Lane, North Molton, Devon

shown edged [red] [

] on the attached plan.<sup>(h)</sup>

## **SCHEDULE 2**

### **Alleged breach of planning control**

*(description of the material change of use alleged to have been made) (i)*

The use of the field has changed from agriculture to use for the siting of one caravan which is used as a place of shelter and not for the purposes of agriculture

## **SCHEDULE 3**

### **Steps required to be taken.<sup>(k)</sup>**

(i) The caravan shall be removed

(ii) The land shall be returned to its former agricultural use

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### **NOTES TO THE LOCAL PLANNING AUTHORITY**

(h) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).

(j) If the new use is a mixed use, include all the uses comprising that mixed use.

(k) Specify the actual steps to be taken with, if appropriate, the compliance period for each step. The requirements should be clear and precise. See also notes (e) and (f) overleaf.




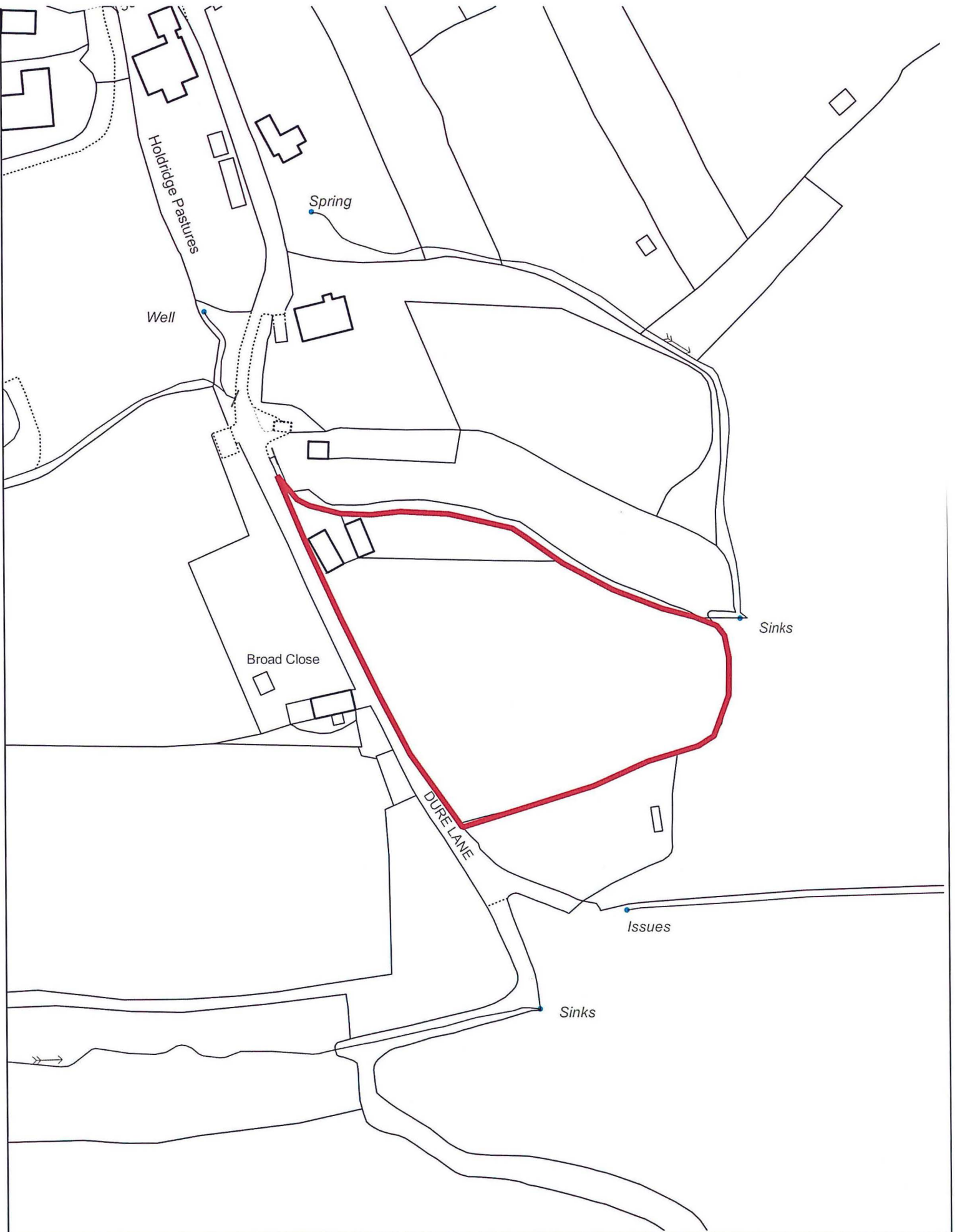
NORTH DEVON DISTRICT COUNCIL

Town & Country Planning Act 1971 (as amended)

ANNEXE TO ENFORCEMENT NOTICE ISSUED THE 29<sup>th</sup> DAY OF MARCH 1987

1. During August 1986 it was brought to the North Devon District Council's attention that ~~one~~ caravan had been sited on Field No. OS 2954 off Dure Lane, North Molton.
2. No planning application had been received by the Council in respect of the caravan.
3. Had planning permission been sought it would have been recommended for refusal for the following reasons :
  - (a) In the opinion of the Local Planning Authority the development comprises an alien intrusion in the rural landscape outside the limits of the village contrary to policy FE8 of the approved Devon County Structure Plan.
  - (b) The development is within an area designated as an Area of Great Landscape Value and in the opinion of the Local Planning Authority to approve this development would be contrary to policies C07 and C08 of the approved Devon County Structure Plan.
  - (c) The road giving access to the site, by reason of its width and horizontal alignment is unsuitable to accommodate the increase in traffic likely to be generated by the development.
  - (d) The development is likely to result in an increase in vehicular traffic along a designated public footpath with consequent loss of amenity and risk of additional danger and inconvenience to all users of the designated right of way.
  - (e) The development would be likely to result in an increase in vehicular traffic entering and leaving a Class III road through a junction that does not provide adequate visibility for emerging vehicles, thereby creating additional danger to all road users and interference with the free flow of traffic.
  - (f) The inadequate width and layout of the access would be likely to encourage excessive manoeuvring of the Class III road with additional danger to all road users and interference with the free flow of traffic
4. For these reasons North Devon District Council consider it expedient to issue this enforcement notice.

  
Acting Solicitor  
North Devon District Council,  
Civic Centre, Barnstaple



Lynton House, Commercial Road,  
Barnstaple, EX31 1EA

**Enforcement Notice 0920**  
**Field O.S. 2954, Dure Lane, North Molton, EX36 3JE**

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