

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. D. MORGAN
SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 29.6.97

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 Pt OS 3087 "Magpies Rest", East Anstey, Nr Two Gates Cross, Rackenford, North Devon.

("the land")

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

A material change of use of the land from agriculture to mixed use of agriculture and the stationing of mobile homes currently joined together by a porch, for residential occupation

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.

The land is in an area where the Council would only normally permit development which to the Council's satisfaction is necessary in the interests of agriculture. The siting and residential occupation of the mobile homes on the land constitutes isolated development which in the absence of any overriding need is contrary to the Council's recognised Rural Policy. No justification has been provided and the Council is not satisfied that the agricultural need claimed for the unauthorised use is such as to overcome the planning objection.

The increased use of the access onto the adjoining public highway would by reason of the limited visibility from and of vehicles using the access, result in additional danger to all users of the road and interference with the free flow of traffic.

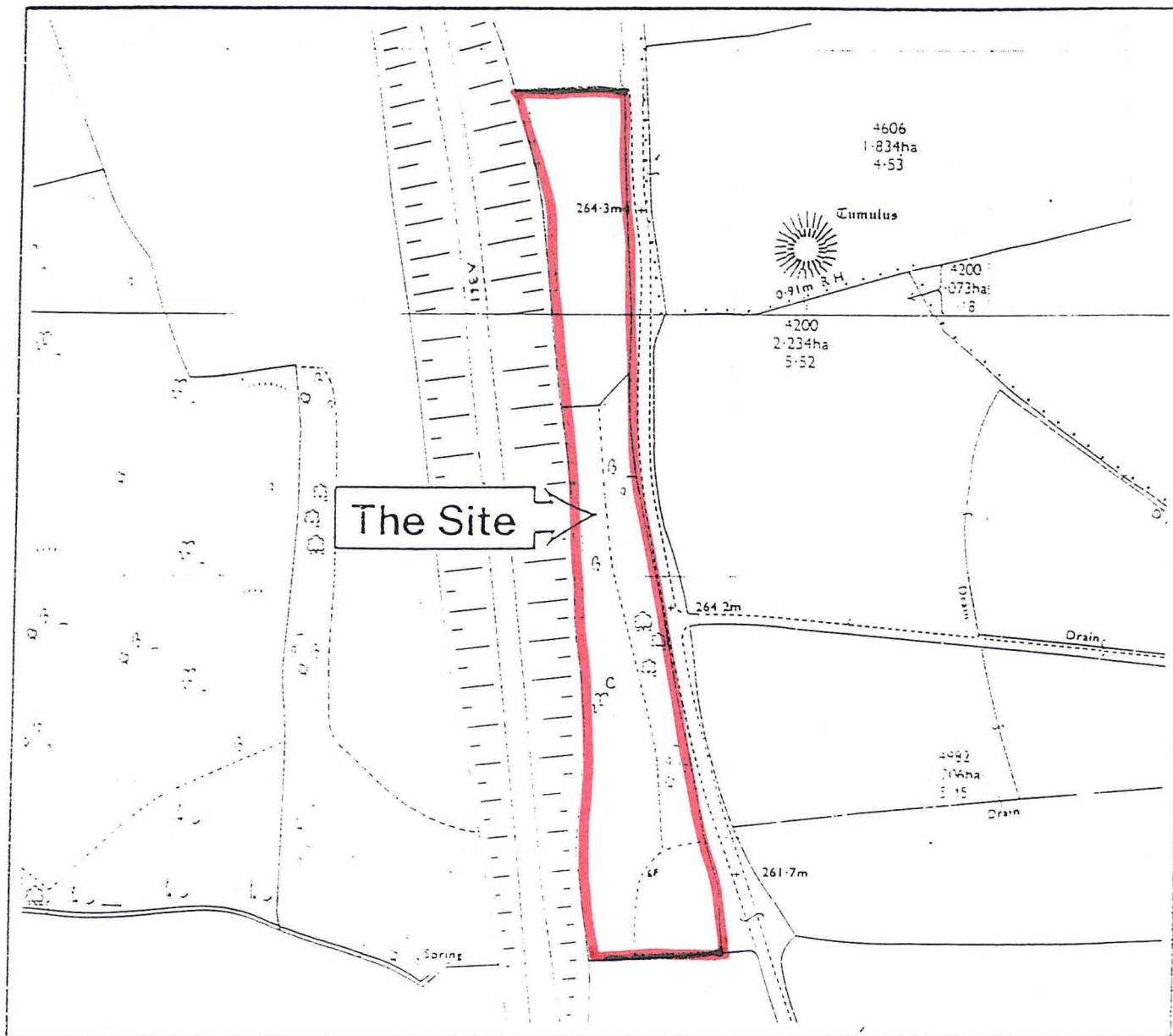
The Council do not consider that planning permission should be given because planning conditions could not overcome these problems.



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 CHANGE OF USE
STING & RESIDENTIAL OCCUPATION
OF MOBILE HOMES

P.T OS 3087 'MAGPIES REST' RACKENBROD

Reproduced from the Ordnance Survey Maps Crown Copyright Reserved.

O.S. Plan No: SS. 8619 & 8620

Drawn: CMT

Scale: 1/2500

Date: August 1991

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) ~~days or weeks~~ months from the date when this notice takes effect] ~~the period specified in paragraph 6~~

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the mobile homes for residential occupation.
- (ii) Dismantle and remove the porch joining the mobile homes together.
- (iii) Remove the mobile homes from the land.
- (iv) Clear up and remove all rubbish and debris from the land resulting from taking the above mentioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 7th AUGUST 1992 ("the effective date")* unless an appeal is made against it beforehand.

Dated: [date of issue] 25th June 1992

Signed:
Solicitor

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.