



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

Signed



SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 8.2.94

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 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 between Two Moors and South View, Mariansleigh,
North Devon.

("the Land")

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

Material change of use of the Land to use for the parking and storage of vehicles, lorries and horseboxes and residential occupation thereof, and the siting and residential occupation of mobile homes ("the unauthorised use").

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 10 years.

On the 6th October 1989 permission was given for proposed erection of a Cottage on the Land, references 8149. Various works were begun and the Developer, being the owner of the Land, occupied a mobile home thereon. All works appear now to have ceased.

Having regard to the increase in traffic the unauthorised use can generate the Council consider that the continual use of an unauthorised access from the Land onto the adjacent County highway which does not provide adequate visibility from or of emerging vehicles, results in risk of danger to all road users and interference with the free flow of traffic.

The land is in a predominantly rural location, visible to the surrounding area, and the Council consider that the number and type of vehicles associated with the unauthorised use is detrimental to the visual amenity and represents an alien intrusion into the edge of village location of the Land.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of **Two (2)** ~~months~~/months from the date when this notice takes effect] [REDACTED]

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of all vehicles, lorries and horseboxes for residential occupation.
- (ii) Cease the use of all mobile homes for residential occupation.
- (iii) Remove all vehicles, lorries and horse boxes from the land.
- (iv) Remove all mobile homes from the land.
- (v) Clear up and remove all rubbish and debris resulting from taking the above mentioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **21ST MARCH 1994** ("the effective date")* unless an appeal is made against it beforehand.

Dated: [date of issue] 2nd FEBRUARY 1994

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.

