

NDDDC

*Hereby certified to be a
true copy of the original*

*[Redacted signature]
NDDC.
Civic Centre,
Barnstaple.*

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)

12, New Road, South Molton, North Devon.

("the land")

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

Without planning permission the creation of a vehicular access ("the access") by the removal of a garden boundary hedge of approximately 7m wide along the frontage adjacent to New Road, South Molton ("the unauthorised works")

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 in the last four years.

The unauthorised works provide for a vehicular access allowing vehicles to enter and leave the land from the adjacent A373 road. The Council do not consider that the access provides adequate visibility from and of emerging vehicles, with the consequent risk of danger to all road users and interference with the free flow of traffic.

The access is also in close proximity to a road junction and the Council consider that the increased use of the access could result in confusion when vehicles enter and leave the land causing additional danger to all road users and further interference with the free flow of traffic. The access is contrary to the County Highways adopted criteria set out in Structure Plan Policy TRN11 (3rd alteration) applied in determining proposals for development.

In addition the Council consider the loss of the garden boundary hedge and the creation of the access is detrimental to the street - scene and area adjacent to 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 **THREE (3) MONTHS** from the date when this notice takes effect.

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the access.
2. Close the access created by the unauthorised works by planting a hedge along the boundary frontage of the land with New Road (A373) save for the provision of a pedestrian access adjacent to the side of the house on the land, the pedestrian access being shown in the approximate location marked by a blue cross on the attached plan.
3. Clear up and remove all rubbish and debris resulting from taking the abovementioned steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **18th SEPTEMBER 1997** ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue]**7th August 1997**.....

Signed :
Solicitor, Legal Services Manager

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

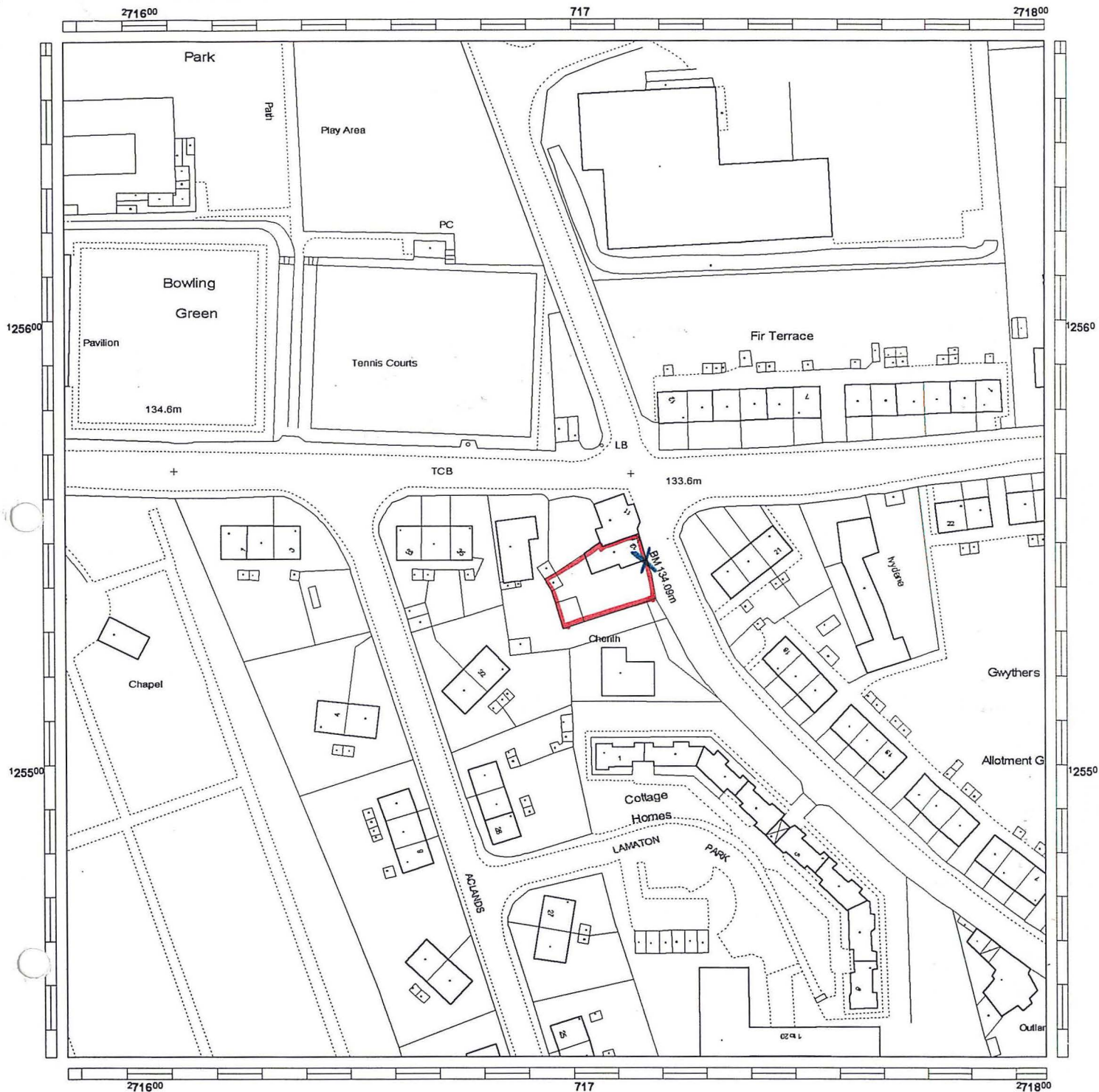
YOUR RIGHT OF APPEAL

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.

PLANNING ENFORCEMENT



The Breach of Planning Control which has Occured:-
Unauthorised Vehicular Access

Site:- 12 New Road, South Molton.

Scale: 1:1250

Date: 21/01/97

NOTATION

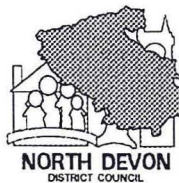


The Site

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

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Barnstaple,
Devon
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