



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

Signed

A. B. MORGAN

SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 10.1.95

IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE

AND ANCILLARY 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 planning considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan attached)

Land PT OS 0049, Birch Lane, Landkey, 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 siting and residential occupation of a twin unit mobile home on the land together with ancillary unauthorised works, namely the construction of a block and brick work extension to the rear thereof, a brick plinth surround and steps serving the twin unit mobile home, the whole being shown for identification purposes only coloured blue on the attached plan ("the unauthorised development").

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 unauthorised development has occurred within the last 10 years.

The land is in an area where having regard to national policy and pursuant to the policies and provisions of the Devon County adopted plan, the Council would only normally permit development which is necessary in the interest of agriculture. The Council does not believe there is an agricultural or other need for the unauthorised development such as would overcome the objections.

The Council consider that the roads giving access to the land by reason of their restricted width, poor alignment and substandard junctions are unsuitable to accommodate the increase in traffic, the unauthorised development can generate.

The Council do not consider that planning permission should be given, because planning conditions could not overcome the above objections to the unauthorised development.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of SIX (6) months from the date when this notice takes effect] [redacted].

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the unauthorised development for residential accommodation.
- (ii) Dismantle and remove from the land the extension forming part of the unauthorised development.
- (iii) Dismantle and remove from the land the brickwork plinth together with the steps forming part of the unauthorised development.
- (iv) Remove from the land the twin unit mobile home.
- (v) 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 30 JANUARY 1995 ("the effective date")* unless an appeal is made against it beforehand.

Dated: [date of issue] 21st December 1994

Signed:
Services Manager

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.

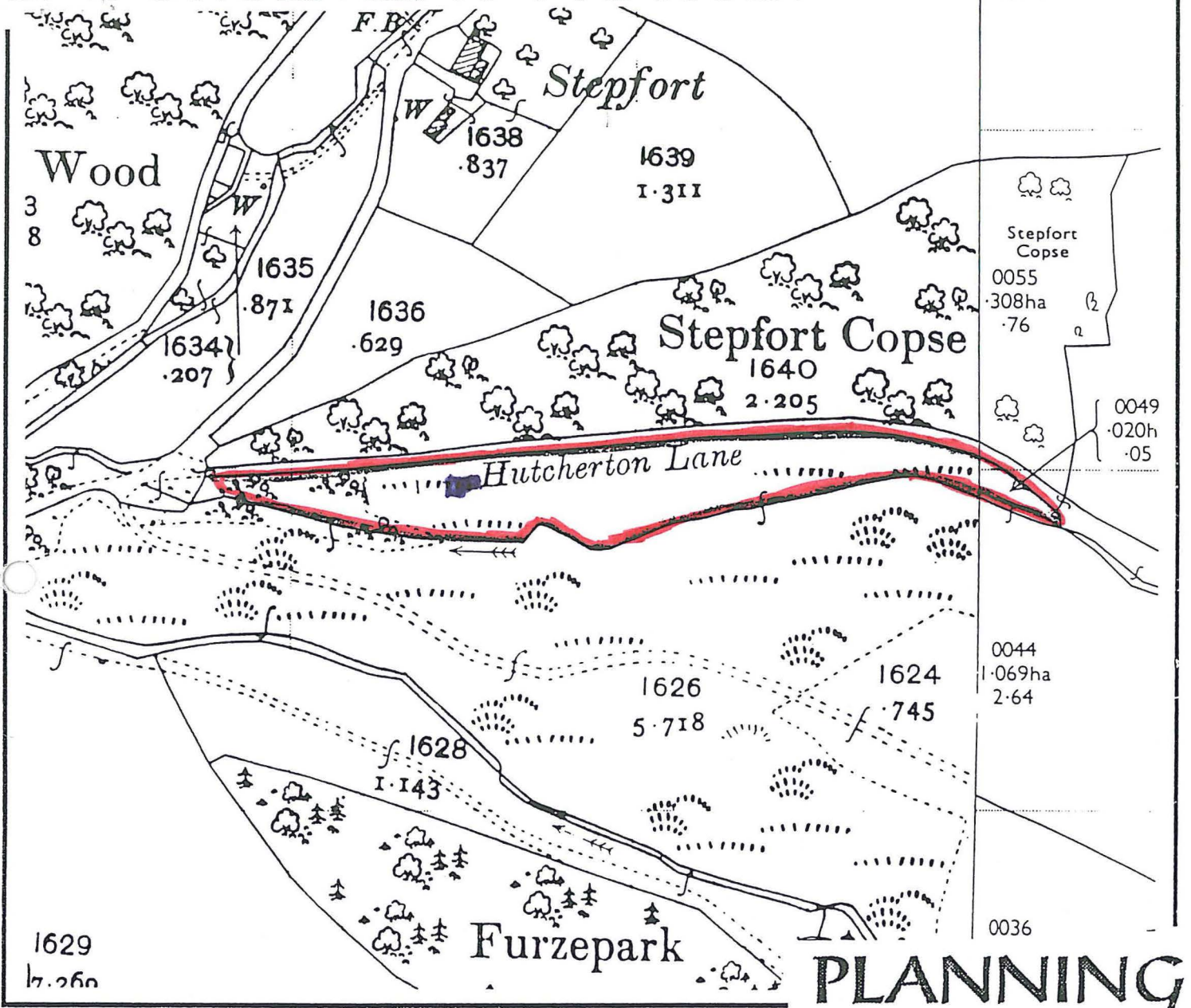
WHAT HAPPENS IF YOU DO NOT APPEAL

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.

ENFORCEMENT NOTICE

2-336

2-77/Una
6-85



PLANNING

The Breach of Planning Control Which has Occured:-
Unauthorised Change of Use, Siting/erection of Mobile Home, Buildings and diesel store.

Site:- Part O.S. field No. 0049,
Birch Lane, Landkey.

O.S. Plan No SS 6132 & 6232

Drawn P.Trodd

Scale

Date March 1994

NOTATION



The Site



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

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Civic Centre, Barnstaple, Devon
EX31 1EA