

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 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)

Land being OS4200, Hutcherton Down, Gunn, Barnstaple, Devon

("the land")

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

The change of use of the land from agriculture to a mixed use of agriculture and storage of vehicles and scrap ("the unauthorised change")

4. **REASONS FOR ISSUING THIS NOTICE**

The Council consider it expedient to issue this notice for the following reasons:

1. The Council considers that the unauthorised change has taken place within the past 10 years.
2. The land is within the open countryside and the unauthorised change is visually obtrusive and out of character with the area. Policies exist with the primary objective of conserving the character and landscape of the area, unless there are social or economic benefits which outweigh the harm to that primary objective. It is not considered that there are any such social or economic benefits and therefore the unauthorised change is considered to be contrary to policy S4 in the Devon Structure Plan (First Review) and policies DST1 and DL3 in the emerging North Devon Local Plan, as well as being contrary to PPG7.
3. The Council considers that the use of planning conditions would not overcome the above reasons for issuing this notice.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of twenty eight (28) days from the date when this notices takes effect.

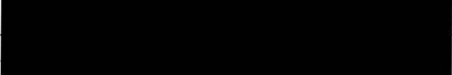
6. WHAT YOU ARE REQUIRED TO DO

1. Remove all vehicles not used for the purpose of agriculture from the land,
2. Cease the use of the land for the storage of vehicles not used for agricultural purposes,
3. Remove all scrap from the land,
4. Cease the use of the land for the storage of scrap,
5. Remove from the land all debris and other waste which results from the taking of the above steps.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 29th August 2000 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] 18th July 2000

Signed :
Sol 

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

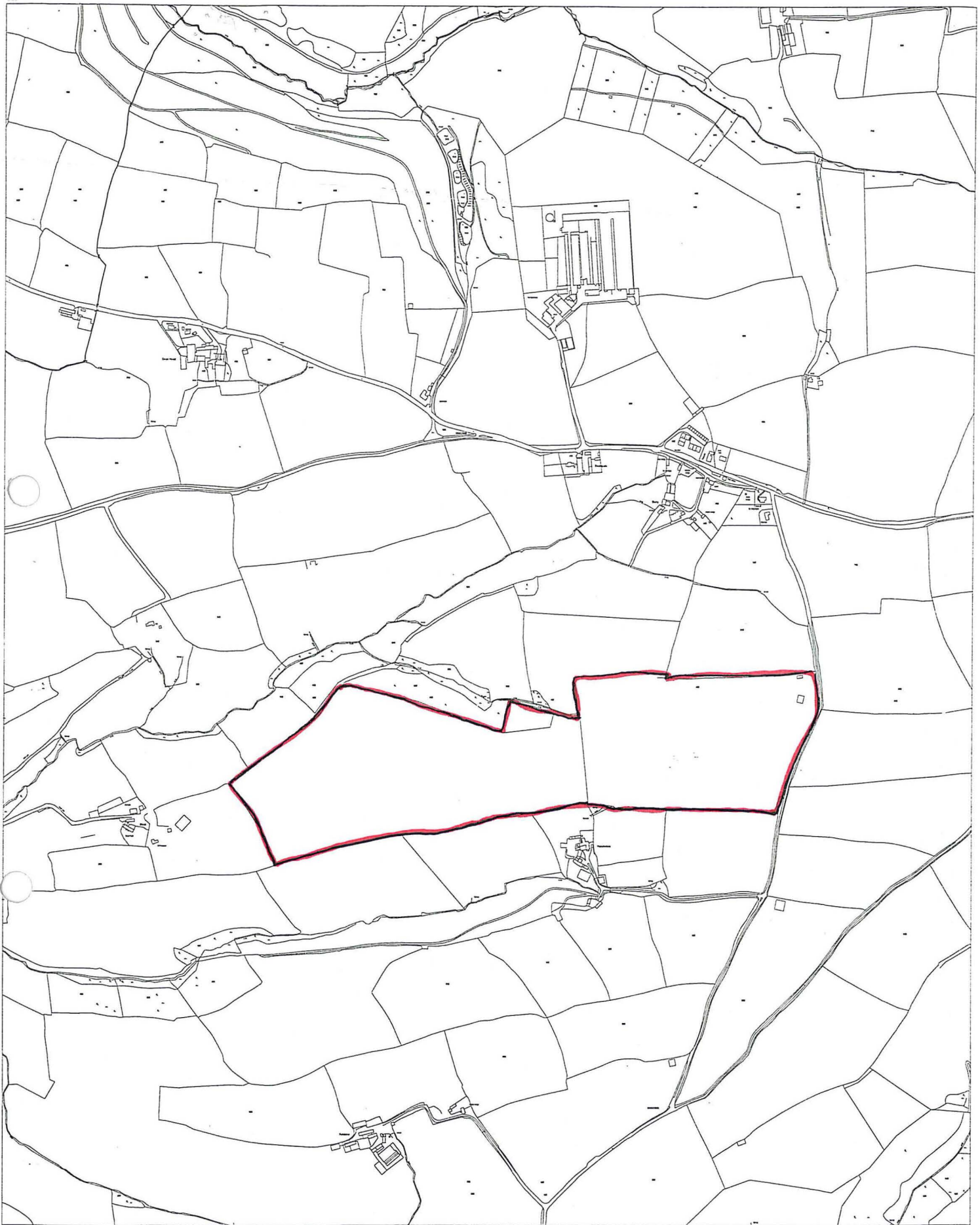
GUIDANCE NOTES FOR YOUR INFORMATION

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.



HUTCHERTON DOWN, GUNN

SCALE: 1:10000

DRAWN BY: User Name

DATE 4th July 2000

Originating Group:

ENFORCEMENT 1759

Drawing No.