

710

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 PT OS 4258 "Gypsy Field", Mullacott Cross, Ilfracombe, N. Devon together with the field shelter and hardstanding indicated on the plan for identification purposes only, by a blue cross.

("the Land")

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

A material change of use of the Land from agriculture to use for the storage of motor vehicles and trailers, scrap metal and various items of rubbish including park benches, mattresses and furniture and use of the field shelter for the storage of various items of furniture, domestic and commercial electrical appliances, lawn mowers and rubbish ("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 unauthorised use has occurred in the last 10 years.

The Land is in an open rural location within a Coastal Preservation Area where, having regard to conserving the landscape value and pursuant to National Policy and the Policies and provisions of the Devon County Structure Plan, Third Alteration, only development essential to agriculture is permitted. The Council do not believe that the unauthorised use is essential to agriculture and consider that, by virtue of the untidiness and incongruous appearance of it, the unauthorised use is detrimental to the amenity of the rural location.

Having regard to the increase in traffic the unauthorised use can generate the access to the Land from the adjacent public highway is, by reason of its limited visibility likely to result in conditions of danger to all road users and interference with the free flow of traffic.

The Council do not consider that planning conditions could overcome the objections to the unauthorised use.

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of 1 (ONE) months from the date when this notice takes effect] [redacted]

6. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Land for the storage of motor vehicles and trailers.
- (ii) Cease the use of the Land for the storage of scrap metal, all items of rubbish, park benches, mattresses and furniture.
- (iii) Cease the use of the field shelter for the storage of all items of furniture, electrical equipment, lawn mowers and rubbish.
- (iv) Remove from the Land all items referred to in steps (i) and (ii) above.
- (v) Remove from the field shelter all items referred to in steps (iii).
- (vi) Remove all fixtures to the field shelter and reinstate to its condition prior to the unauthorised use commencing.
- (vii) Break up and remove from the Land the concrete hardstanding.
- (viii) 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 20TH MARCH 1995 ("the effective date")* unless an appeal is made against it beforehand.

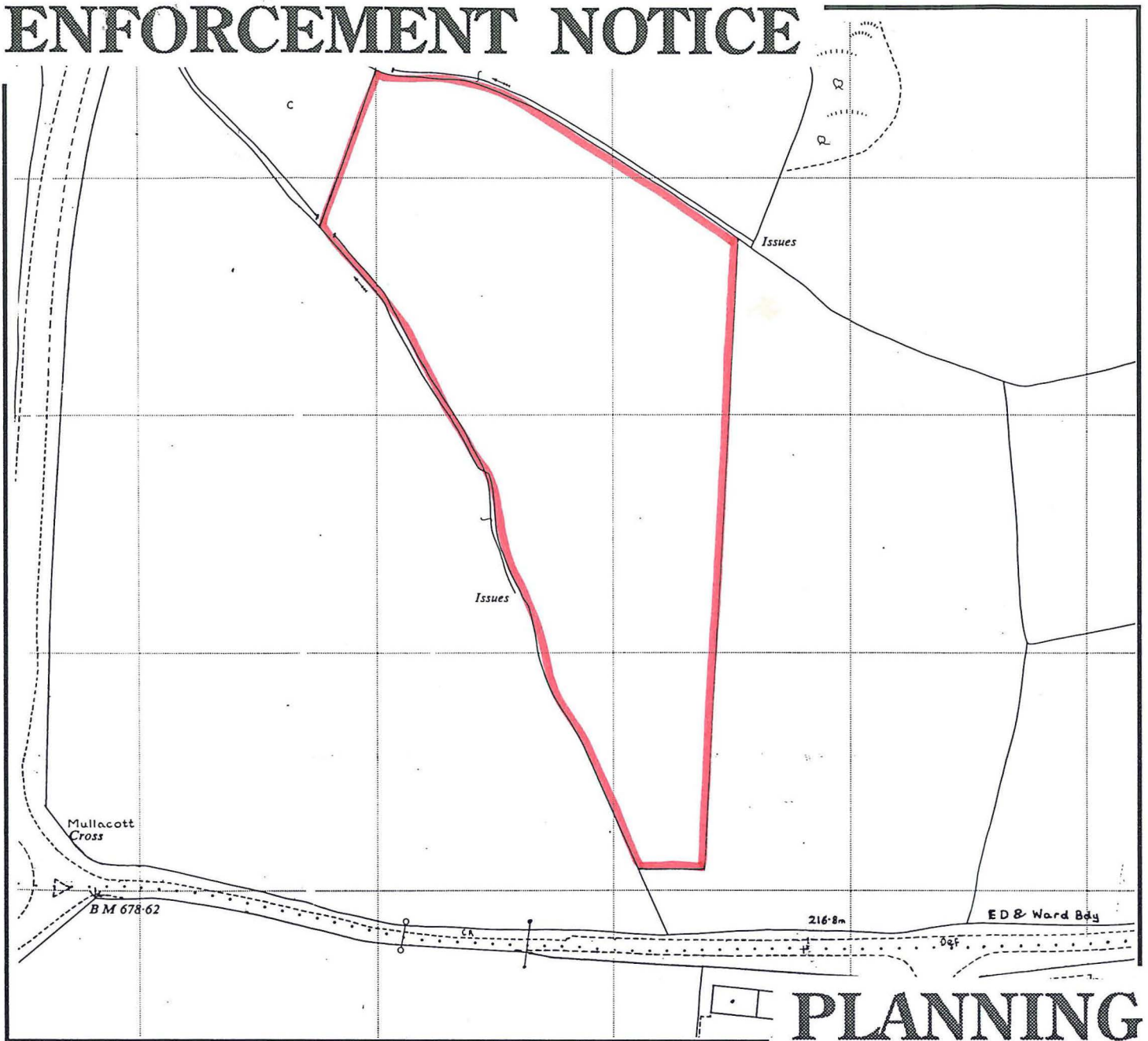
Dated: [date of issue] 10TH FEBRUARY 1995

Signed: [redacted] Solicitor, LEGAL 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

ENFORCEMENT NOTICE



The Breach of Planning Control Which has Occured:-
Unauthorised Storage of Motor Vehicles, Trailers & Scrap,

Site:- Land Pt. O.S. 4258, Gypsy Field,
Mullacott Cross, Ilfracombe.

O.S. Plan No	SS 5144
Drawn	S.M.T.
Scale	1:2500
Date	January 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