



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

**OPERATIONAL DEVELOPMENT AND
MATERIAL CHANGE OF USE**

**LAND ADJOINING GREEN PARK FARM (PIG HEAVEN), WEST DOWN,
ILFRACOMBE, NORTH DEVON, EX34 8NW (HM LAND REGISTRY TITLE
NUMBER DN525152)**

**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")**

LEGAL FILE NO: LS/DH/14135
PLANNING FILE NO: PD/ENF/10343

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 considers it expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.

2. **THE LAND AFFECTED**

Land adjoining Green Park Farm (Pig Heaven), West Down, Ilfracombe, North Devon, EX34 8NW (HM Land Registry Title Number DN525152) as shown edged red on the enclosed Location Plan ("The Land")

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

Without planning permission and within the last 10 years, unauthorised material change of use of the land by virtue of the storage and residential use of caravans and an ancillary wood framed covered structure.

Without planning permission and within the last 4 years, unauthorised operational development consisting of the erection of the ancillary wood framed covered structure on the land.

4. **REASONS FOR ISSUING THIS NOTICE**

This Enforcement Notice has been issued to remedy the alleged breach of planning control. The Council considers it expedient to issue this notice for the following reasons:-

The storage and residential use of the caravans and the ancillary wood framed covered structure results in unjustified sporadic rural development which runs contrary to the aims of the development plan and National Planning Policy. The residential use is not justified in respect of any functional requirement relating to farming or forestry or any other rural industry therefore contrary to Policies ENV1, HSG8, HSG9 and HSG10 of the North Devon Local Plan and emerging Policy DM29 of the North Devon and Torridge Local Plan. It would also not fulfil any of the exceptional circumstances outlined in paragraph 55 of the National Planning Policy Framework. As such it would not represent a sustainable form of development in the countryside, contrary to the aims of the development plan and core principle of the National Planning Policy Framework.

The Local Planning Authority considers that the unauthorised change of use has occurred within the last 10 years and the unauthorised operational development has occurred within the last 4 years and that the above reasons for issuing this Notice cannot be overcome by the use of Planning Conditions.

5. WHEN YOU ARE REQUIRED TO ACT

The Council requires that the steps specified in paragraph 6 below be undertaken within 12 months from the date when this notice takes effect

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the residential use of the land shown edged red on the enclosed Location Plan.
2. Remove the caravans and the ancillary wood framed covered structure from the Land shown edged red on the enclosed Location Plan.
3. Remove all debris and other rubbish resulting from complying with Step 2 from the Land shown edged red on the enclosed Location Plan.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 13th September 2018 ("the effective date") unless an appeal is made against it beforehand.

Dated: 13th August 2018

Signed:
Solicitor, Head of Corporate & Community

On behalf of: North Devon District Council, Lynton House, Commercial Road, Barnstaple, North Devon, EX31 1DG

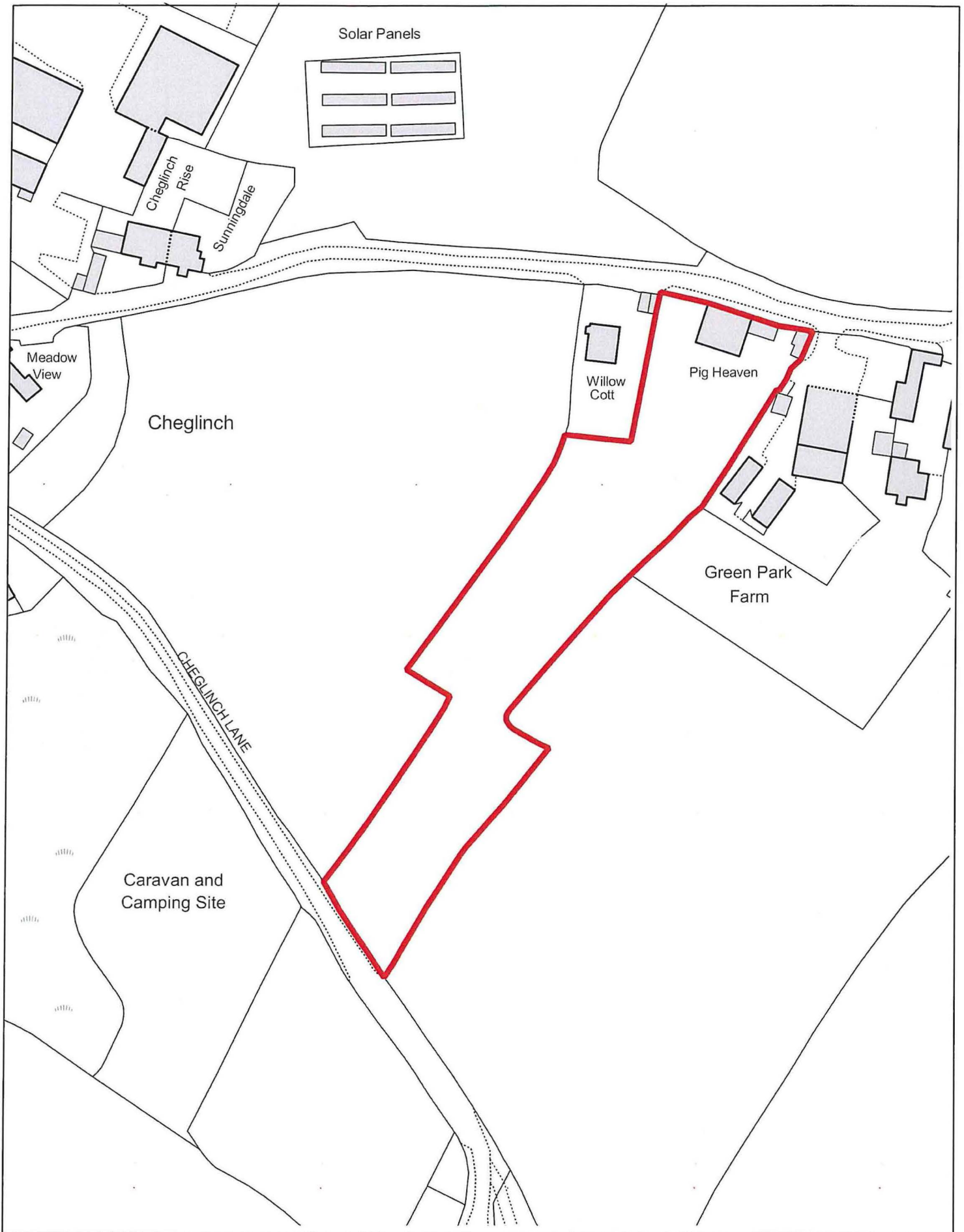
GUIDANCE NOTES FOR YOUR INFORMATION

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 attached Planning Inspectorate Guidance Sheet provides details of where you can obtain further information on the appeal process. Read it carefully. Please note that the fee payable for a Ground A appeal is £924 (2 x £462)

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.



Lynton House, Commercial Road,
Barnstaple, EX31 1EA

Enforcement Notice 10343
HM Land registry title number DN525152
Land adjoining Green Park Farm (Pig Heaven) West Down, EX34 8NW

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