



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

MATERIAL CHANGE OF USE

**Strawberry Fields, Shute Lane,
Combe Martin, Devon, EX34 0HW
(HM Land Registry title numbers
DN424498 and DN646348)**

**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 171(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**

Strawberry Fields, Shute Lane, Combe Martin, Devon, EX34 0HW 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 of an additional mobile home (caravan) to that permitted under planning permission 62041.

4. **REASONS FOR ISSUING THIS NOTICE**

Planning permission was granted under application 62041 on 20th December 2016 for the change of use of an existing mobile home to use as a holiday let. Condition 3 of the planning permission specified the position of the approved mobile home (hereinafter known as the first mobile home) on the Land. In April 2017, the first mobile home was moved to the north east of the Land and a new mobile home (hereinafter known as the Second Mobile Home) was placed in the approved position. As a result, there are now two mobile homes on the Land.

The Land lies within the countryside where change of use of land is controlled and limited to that which meets local economic & social needs, rural building reuse and use that is necessarily restricted to a countryside location in accordance with Policy STO1 Principles of Sustainable Development and Policy STO7 (4) Spatial Development Strategy for Northern Devon's Rural Area of the North Devon and Torridge Local Plan adopted in October 2018. Following the siting of the second mobile home there is no functional requirement for the retention and storage of the first mobile home on the Land insofar as it does not meet any of the criteria listed under Policy STO7.

The Land lies within an Area of Outstanding Natural Beauty and Heritage Coast. The storage of another mobile home detracts from the visual and landscape amenity of the area and is therefore contrary to Policy STO9 (7) of the Local Plan entitled Coast and Estuary Strategy.

The Local Planning Authority considers that the unauthorised change of use has occurred within the last 10 years and that the above reasons for issuing the 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 3 months from the date when this notice takes effect.

6. WHAT YOU ARE REQUIRED TO DO

1. Remove the first mobile home (caravan) from the Land.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 30th June 2019 unless an appeal is made against it beforehand.

Dated: 31st May 2019

Signed:

Head of Place

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

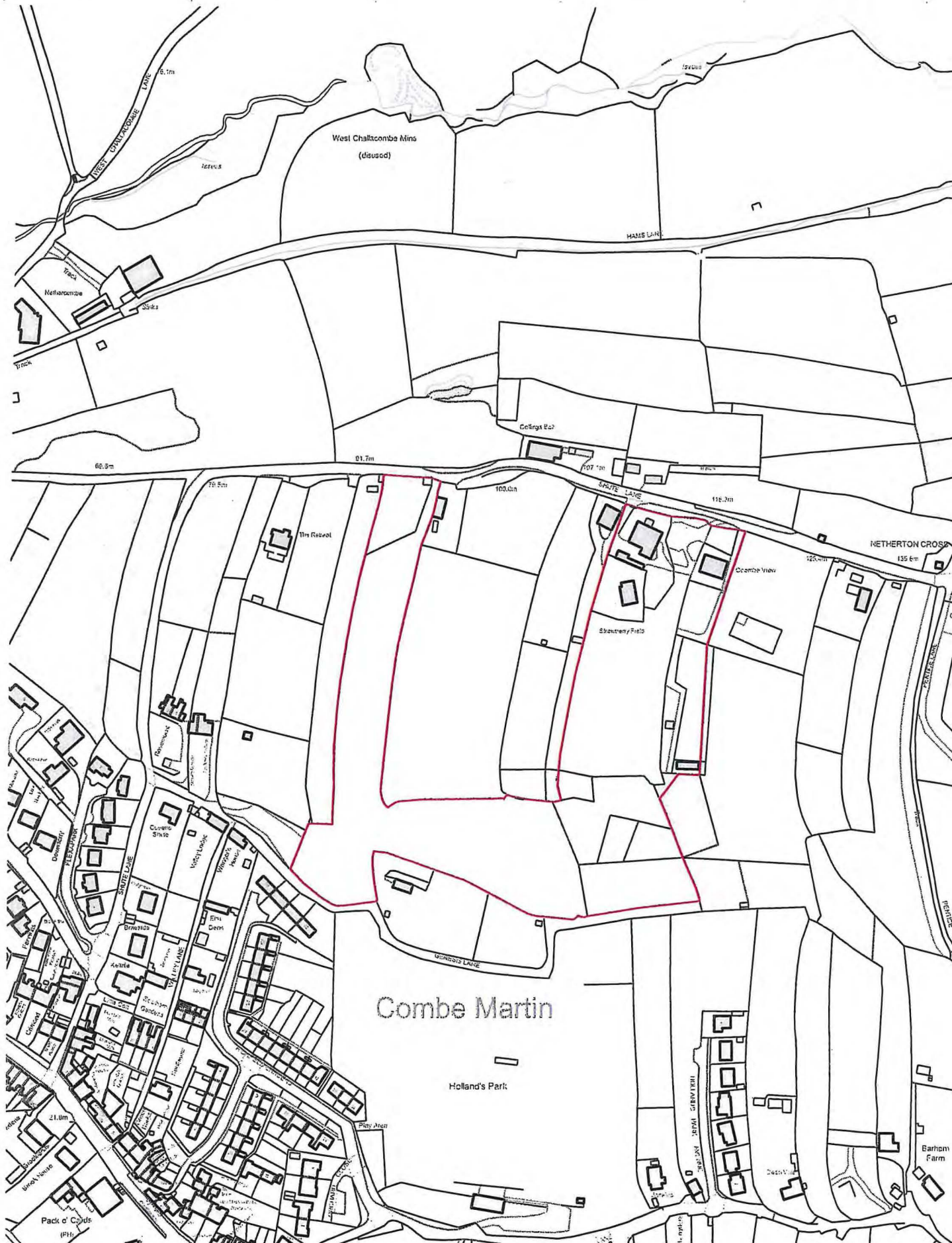
GUIDANCE NOTES FOR YOUR INFORMATION

THE 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 £924.00 (2 x £462.00).

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.



Combe Martin

Holland's Park



Lynton House, Commercial Road,
Barnstaple, EX31 1EA

Strawberry Fields, Shute Lane, Combe Martin EX34 0HW

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