



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

**unauthorised operational development
and material change of use**

**Land on the south side of Narracott Lane
George Nympton South Molton EX36 4HZ
HM Land Registry title number DN264615**

**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")**

Enforcement reference number: 10846

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**

Land on the South side of Narracott Lane George Nympton South Molton EX36 4HZ as shown edged red on the enclosed location plan ("The Land")

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

Within the last 4 years unauthorised operational development consisting of the creation of a dwelling and within the last 10 years unauthorised material change of use of the land consisting of residential use and the storage of non-agricultural items and domestic paraphernalia.

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 unauthorised dwelling is within a countryside location where development is strictly limited to that which:

- is justified in a rural location *and*
- would maintain the character of the area *and*
- demonstrates that the residential accommodation is required in connection with a farm enterprise with a functional need and which would support a financially sound or evolving agricultural enterprise.

The creation of a separate unit of residential accommodation in the open countryside would not be justified in respect of Policy ST07 of the North Devon and Torridge Local Plan which seeks to restrict new development in the countryside to that which requires a rural location and provides for social or economic needs. This policy is further supported by DM28 relating to rural workers dwellings and paragraph 79 of the National Planning Policy Framework. In this case none of the exceptions referred to in ST07, DM28 or Paragraph 79 would apply as there is no exceptional need for the occupants to reside close to their place of work and there are no agricultural operations on site

associated with the occupants. The residential occupancy is not necessary in the countryside.

The existing building comprises a corrugated metal structure which has been part converted with timber cladding and upvc windows, domesticating the barn. By virtue of the incongruous materials and design form, the development is not acceptable either in terms of design of a residential unit or for an agricultural building, in terms of design form, materials or fenestration contrary to design policies ST07 ST04 and DM04.

The conversion of this building comprises works which would see more than significant external alteration and substantive rebuilding of the barn contravening DM27(c).

5. WHEN YOU ARE REQUIRED TO ACT

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

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the residential use of the land edged in red on the attached location plan
2. Remove all upvc doors and windows from the building edged in blue on the attached location plan
3. Remove the kitchen and all cooking facilities from the building edged in blue on the attached location plan
4. Remove all wash facilities including any sink, toilet and bath from the building edged in blue on the attached location plan
5. Remove all not agricultural items and domestic paraphernalia from the land edged in red on the attached location plan
6. Remove any rubbish or debris resulting in compliance with steps 1-5.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 09 November 2019 unless an appeal is made against it beforehand.

Dated: 09 October 2019

Signed:



Head of Place

On behalf of:

North Devon District Council
Lynton House
Commercial Road
Barnstaple
Devon
EX31 1DG

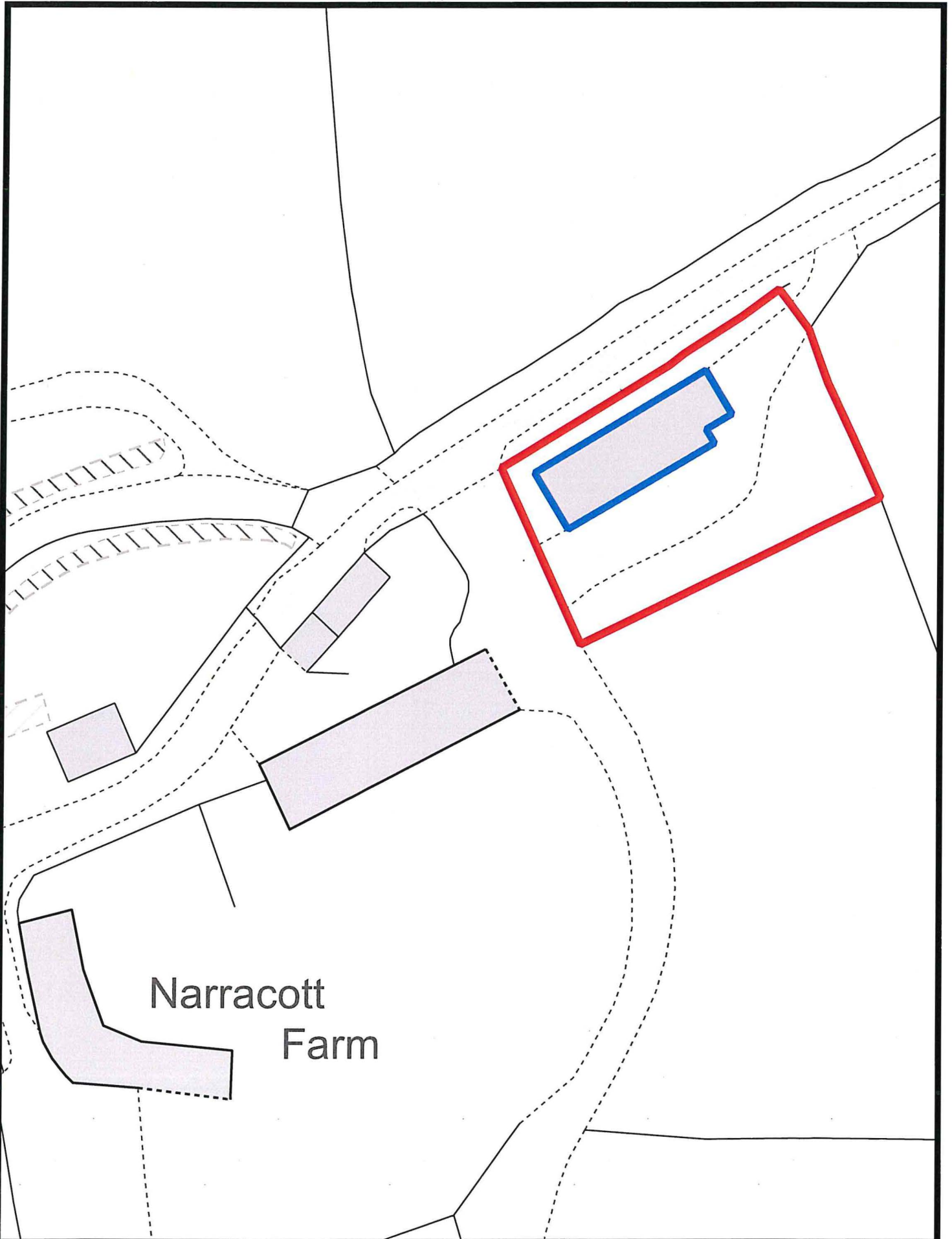
GUIDANCE NOTES FOR YOUR INFORMATION

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.



Narracott
Farm



Lynton House, Commercial Road,
Barnstaple, EX31 1EA

**10846 - Land South of Narracott Lane,
George Nympton, South Molton, EX36 4HZ**

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Copy Supplied to:
Enforcement

Scale: 1:500 at A4
Date: September 2019

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000
Email enquiries@pins.gsi.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.



Dear Resident,

PLANNING ENFORCEMENT

We have been made aware that a notification has been delivered to you re potential planning enforcement action.

If you wish to discuss your housing circumstances with a member of the Housing Options Service you can do this in the following ways:

www.northdevon.gov.uk

Housing

Housing Advice

On this site you will be able to access a 'General Housing Advice' website, where you will be able to access some general advice:

- How to solve problems that are affecting your housing situation.
- What to do if you have been asked to leave your property.
- How you can find somewhere else to live.
- How North Devon Council may be able to help you.

If you wish to register a request for a housing case to be opened as you are at risk of homelessness within 56 days then you will need to go to:

www.northdevon.gov.uk

Housing

Housing Advice

Apply here for help

If you wish to make an application to be added to the Housing Register:

www.northdevon.gov.uk

Housing

Apply for housing through Devon Home Choice

Please note that if you do not have access to the internet you can also call Customer Services on 01271 388870.

Yours sincerely

Service Lead Housing Options & Homelessness Service