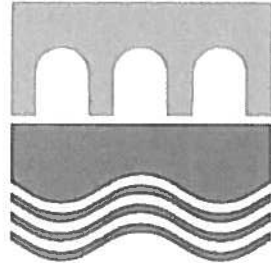


**TORRIDGE
DISTRICT
COUNCIL**



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

06/2013

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act
1991)
("the Act")**

ISSUED BY: Torridge District Council ("the Council")

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (TCPA 1990)

ENFORCEMENT NOTICE

Issued by: Torrington District Council (the Council)

1. Enforcement Notice

This is a formal notice issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the TCPA 1990, at the Land. It is considered expedient to issue this notice, having regard to the provisions of the development plan and to all other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. The Land To Which The Notice Relates

Land at Glenhaven Broadwoodwidge Lifton Devon PL16 0JS shown edged red on the attached plan (the Land).

3. The Alleged Breach of Planning Control

On 3rd August 1990 planning permission reference 01/0894/90/13/0003 was granted for the retention of an extension to private garage workshop store and toilet and retrospective change of use to an industrial workshop subject to two conditions. The second of those conditions was that power driven machinery shall only be operated on the premises between the hours of 0800 and 1800 on weekdays, 0800 and 1300 on Saturdays and at no time on Sundays or Bank Holidays. It appears to the Council that this condition has not been complied with as power driven machinery has been operated before 0800 and after 1800 on weekdays, before 0800 and after 1300 on Saturdays and at various times on Sundays and Bank Holidays

4. Reasons For Issuing This Notice

It appears to the Council that the above breach of planning control has occurred within the last ten years. Residential premises are situated in the immediate surroundings of the site. Noise and smells caused by welding; angle grinding and the use of power tools outside the permitted hours are causing significant disturbance to nearby residents at times when they might reasonably expect the area to be peaceful. The Council do not consider that there should be any relaxation of the

condition in question which already permits reasonably long operating hours for a business.

The use in breach of condition is not an appropriate use of the land as the noise and smells detract from the character of the neighbourhood. It is therefore contrary to Development Plan Policy DVT11 (Impact of Development on Amenity) and the potential harm that could result to the amenity to neighbours is unlikely to have allowed officers to support an application to either vary or remove the second condition. .

5. What You Are Required To Do

You must stop operating power driven machinery on any part of the land before 0800 and after 1800 on weekdays, before 0800 and after 1300 on Saturdays and at any time on Sundays or Bank Holidays.

6. Time For Compliance

The period for compliance with the steps set out in paragraph 5 is:

30 days from the date this notice takes effect.

7. When This Notice Takes Effect

This notice takes effect on **Monday 29th July 2013** unless an appeal is made against it beforehand.

Dated: 10th June 2013(Date of issue)

Signed:



Ken Miles Solicitor

COUNCIL'S AUTHORISED OFFICER

on behalf of Torridge District Council

Riverbank House

Bideford

EX39 2QG

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice, but any appeal must be **received** by the Planning Inspectorate (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) **before** the date specified in paragraph 7 of the notice.

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

- On-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs).
- By getting enforcement appeal forms from the Planning Inspectorate on 0117 372 6372 or by e-mailing the Planning Inspectorate at enquiries@pins.gsi.gov.uk.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:

- The name of the local planning authority.
- The site address.
- Your address.
- The effective date of the enforcement notice.

This should **immediately** be followed by your completed appeal forms.

The Planning Inspectorate's address and contact details are as follows:

The Planning Inspectorate

CST Room 3/05

Temple Quay House

2 The Square

BRISTOL BS1 6PN

Direct line: 0117 372 6372

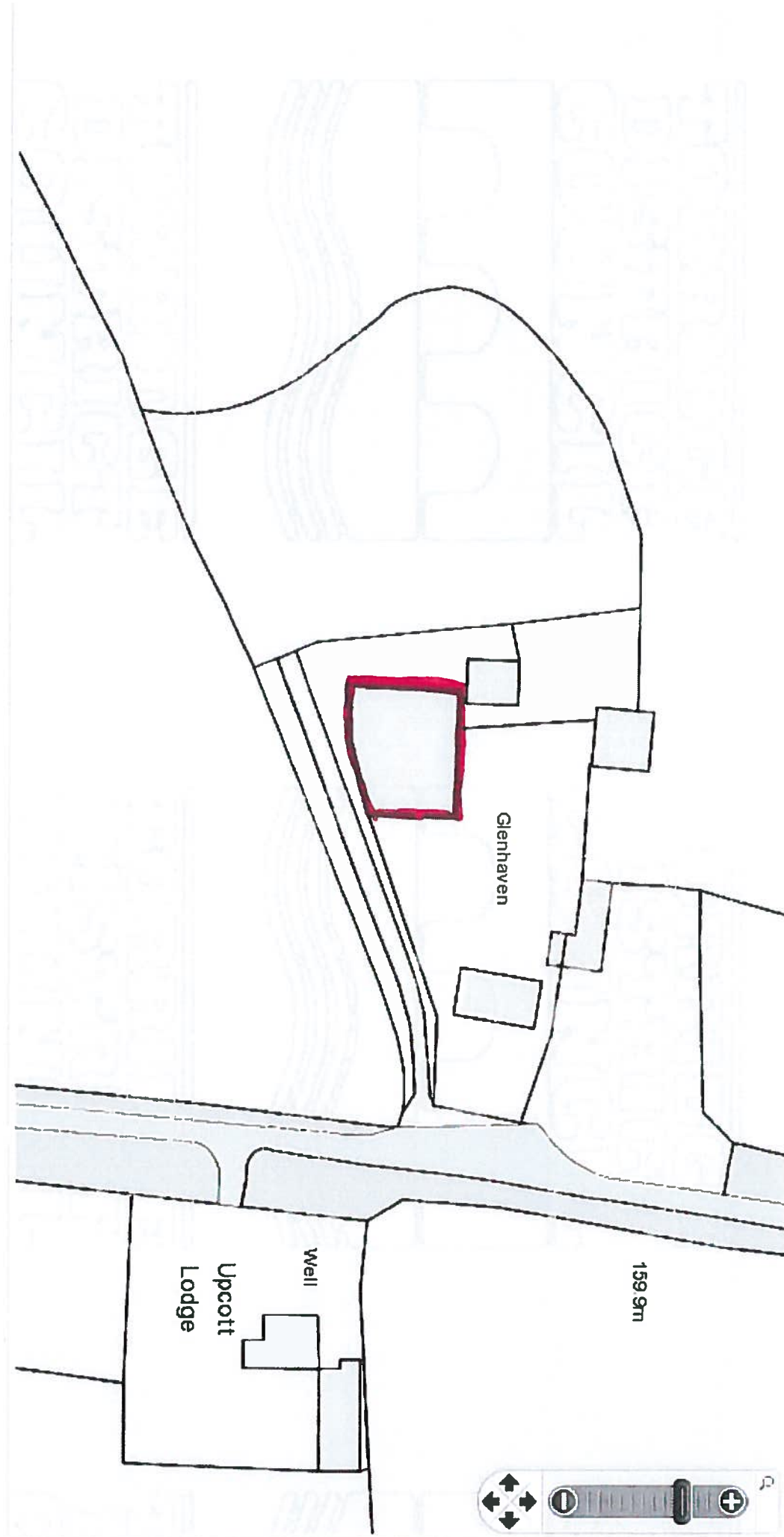
Fax number: 0117 372 8782

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice 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 paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Persons served with a copy of this enforcement notice are as follows:

Mr G Rendle of Glenhaven Broadwoodwidge Lifton Devon PL16 0JS



07 June 2013 16:33:59

