

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

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

ISSUED BY: Exeter City Council (the "City Council")

1. NOTICE

This notice is issued by the City Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. The City Council considers it expedient to issue this notice, having regard to the provisions of the development plan and to 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 on the east side of Belle Vue Road, Exeter EX4 5BP shown edged red on the attached plan (the "**Land**").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the construction of two wild bird enclosures on the Land.

4. REASONS FOR ISSUING THIS NOTICE

The development is contrary to Paragraph 135 of the National Planning Policy Framework, Objective 9, CP 16 and CP17 of the Exeter Local Development Framework Core Strategy and Saved Policies L1, LS1, LS4, EN5, DG1 and DG4 of the Exeter Local Plan First Review 1995-2011 because the bird enclosures:

- 1) create an unacceptable impact upon neighbouring amenity that does not allow local residents to feel at ease within their homes and gardens as a result of noise generated with the use and associated bird activity;
- 2) create an unacceptable impact upon the local distinctiveness and character of the landscape setting area and Duryard Valley Park as a result of poor design and impacts associated with the use;
- 3) are not an appropriate use of land within Duryard Valley Park as it is not linked to agriculture, forestry, the rural economy or outdoor recreation; and
- 4) create a nuisance due to noise and lack of management of the facility.

It appears to the City Council that the above breach of planning control has occurred within the last 10 years.

5. WHAT YOU ARE REQUIRED TO DO

You must:

1. Dismantle Enclosure A (as shown on the attached site plan);
2. Remove any floor coverings from the area formerly occupied by Enclosure A;
3. Dismantle Enclosure B (as shown on the attached site plan);
4. Remove any floor coverings from the area formerly occupied by Enclosure B;
5. Permanently remove all materials resulting from steps 1 to 4 from the Land
6. Permanently remove all other structures and paraphernalia associated with the use of the Land for a wild bird rescue and release facility including, but not limited to, sheds/outbuildings/shelters, pallets, solar lights, rubber matting, plastic paddling pools, raised beds, plastic tubs, food containers and water containers.

6. TIME FOR COMPLIANCE

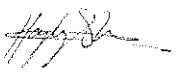
The period for compliance with the steps set out in paragraph 5 is 3 (three) months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 10 June 2026, unless an appeal is made against it beforehand.

Dated:

Signed:

...  (Hayley Stokes)

On behalf of: Exeter City Council, Paris Street, Exeter EX1 1JN

Nominated Officer: Sara Jenkins

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LPA Reference: ENF/ 25/00013