

06/11031

1.2.2008

LAND AT BAGGY LODGE  
CROYDE

**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**ENFORCEMENT NOTICE**

**OPERATIONAL DEVELOPMENT**

**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 the Council that there has been a breach of planning control, under Section 171A(1)(a) of the Act, at the land described below. The Council consider it expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.

2.     **THE LAND AFFECTED** (shown edged red on the plan attached)

Land at Baggy Lodge, Croyde, Devon, EX33 1PA (shown for identification purposes edged red on the plan attached hereto and marked "Plan 1" ("the land"))

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

Unauthorised Development – Siting of two underground storage containers and associated engineering works without planning permission within the last four years.

4.     **REASONS FOR ISSUING THIS NOTICE**

The Council consider it expedient to issue this notice for the following reasons:

The storage containers by virtue of their position, size and design of the front elevation represent an alien, intrusive and non-essential development, out of character in this countryside location and resulting in a detrimental impact on the visual amenity of the landscape, which is a designated Area of Outstanding Natural Beauty, Heritage Coast and Coastal Preservation Area. The proposal is thus considered contrary to the provisions of Policies ST1, ST5, CO3 and CO5 of the Devon Structure Plan 2001 – 2016 and Policies DVS1, DVS3, ENV1, ENV2, ENV3 and ENV5 of the adopted North Devon Local Plan 2006.

**5. WHEN YOU ARE REQUIRED TO ACT**

- A, The Council requires that step 1 specified in paragraph 6 below be undertaken within the period of 28 days from the date when this notice takes effect (see 7. Below).
- B, The Council requires that steps 2 and 3 specified in paragraph 6 below be undertaken within the period of 3 months from the date when this notice takes effect (see 7. Below).

**6. WHAT YOU ARE REQUIRED TO DO**

- 1) Remove the two unauthorised containers from the land shown on Plan 1 edged in red; the containers being indicated edged in blue on Plan 2 and Plan 3 and as shown in attached photograph A (Plan 3 also indicates the position and direction of shot of Photograph A by the green triangle marked A)
- 2) Re-instate the earth bank from where the containers were removed to match the gradient of the surrounding hillside.
- 3) Clear up and remove all rubbish and debris resulting from taking the above mentioned steps where so ever fixed, placed or stored.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on Friday 29<sup>th</sup> February 2008 ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] .....Friday 1<sup>st</sup> of February 2008.....

Signed : ....

Solicitor, Legal Services Manager

on behalf of: North Devon District Council,  
Civic Centre,  
Barnstaple, Devon,  
EX31 1EA.

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\* specific date, not less than 28 clear days after date of service



## **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 enclosed booklet “Enforcement Appeals - A Guide to Procedure” sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.**

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

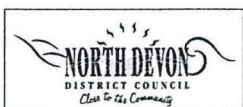
**If you do not appeal against this Enforcement Notice, it will take effect on the effective date and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in the notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.**

# PLAN 1



## Plan to Accompany Enforcement Notice - Plan 1

### Baggy Lodge, Croyde



Civic Centre, Barnstaple.  
EX31 1EA

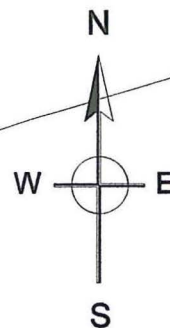
SCALE: 1:1250

COPY SUPPLIED TO: Planning Unit

DATE 27th November 2007

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# PLAN 2



Civic Centre, Barnstaple.  
EX31 1EA

## Plan to Accompany Enforcement Notice - Plan 2

Baggy Lodge, Croyde

SCALE: 1:500

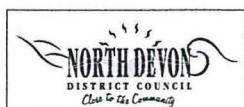
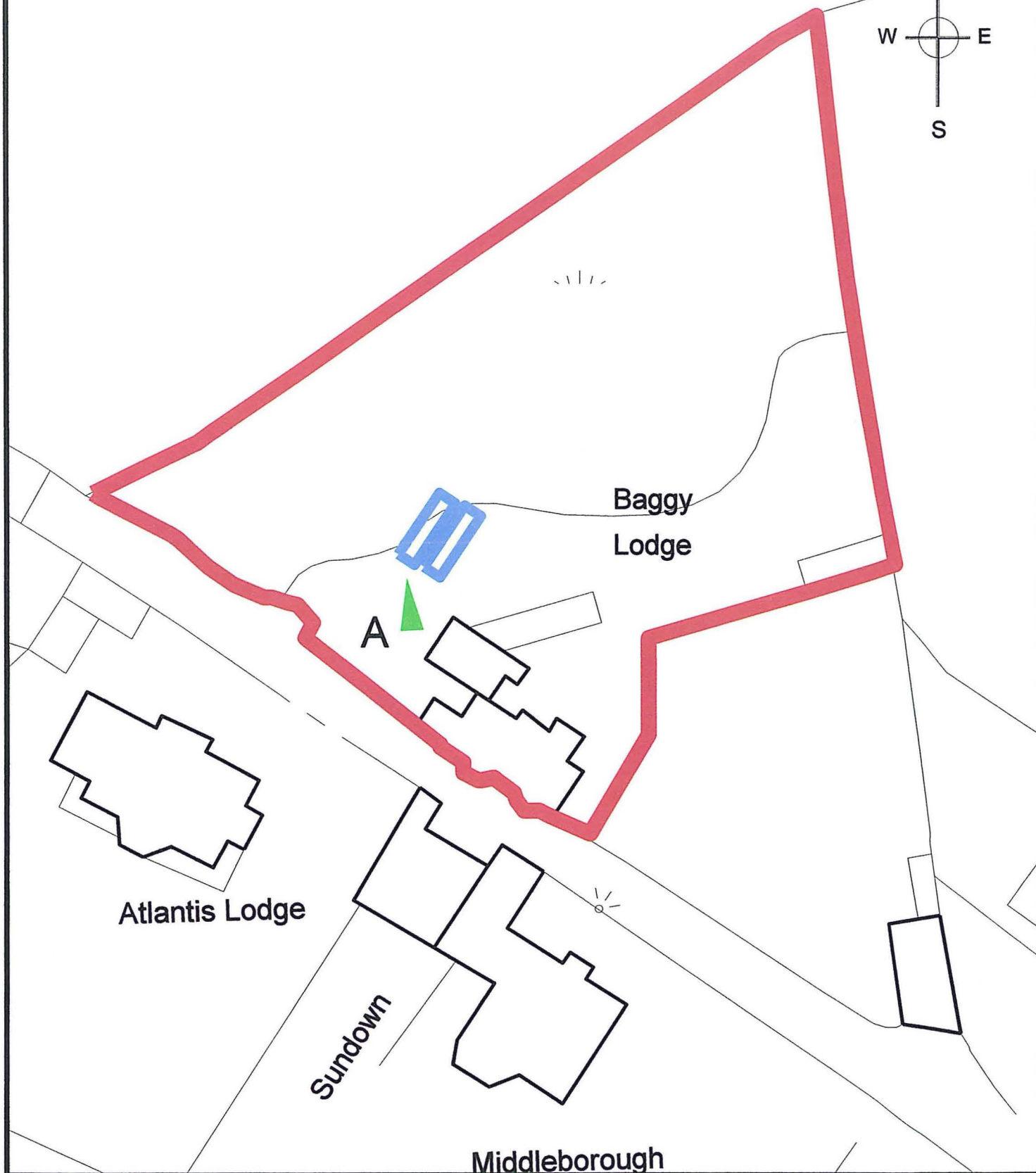
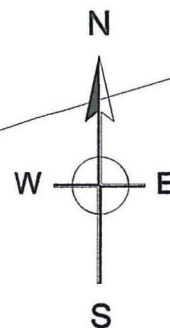
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# PLAN 3



Civic Centre, Barnstaple.  
EX31 1EA

## Plan to Accompany Enforcement Notice - Plan 3

Baggy Lodge, Croyde

SCALE: 1:500

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