



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

**MATERIAL CHANGE OF USE AND
OPERATIONAL DEVELOPMENT**

Land at 4428NE adjoining Brambles, Milkaway Lane, Croyde, Braunton, North
Devon, EX33 1QP [HM Land Registry Title No. DN. 591932]

**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")**

Policies such as ENV2, ENV3 and ENV5 of the North Devon Local Plan relating to the protected landscape have a similar objective that development must preserve and enhance the natural beauty of the area.

In respect of the National Planning Policy Framework (NPPF) guidance, at its heart is support for sustainable economic development including leisure and tourism projects within rural areas (Para. 28 refers). However support for a prosperous rural economy must be balanced against environmental impacts. Section 11 of the NPPF emphasises the planning system must also protect and enhance valued landscapes. Para. 115 specifically identifies great weight should be given to conserving landscape and scenic beauty in AONB's.

The stationing of the van and attachment of the associated porch structure in this field outside the village of Croyde is considered to harm the visual beauty of this otherwise undeveloped landscape. The development is very visible when viewed from the Saunton Down footpath, which runs in an elevated position to the south of the field. The development meets none of the requirements of Policy ENV1 referred to above and assessed against the landscape policies it represents incongruous development which does not preserve or enhance the natural beauty of the locality.

The Enforcement Notice seeks to remedy the breach of planning control in its entirety; lesser steps such as soft landscaping around the development would retain the unauthorised vehicle and porch structure and would not provide adequate screening in any event.

It is considered expedient and in the public interest to take enforcement action, as the breach is substantial, the site very visible and the level of protection to the landscape from its AONB designation is high. Several requests by the Local Planning Authority since December 2009 have failed to remedy the breaches of planning control.

The Local Planning Authority considers that the unauthorised change of use of the Land and associated Operational development have occurred within the last 10 and 4 years respectively and that the above reasons for issuing this 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 notices takes effect .

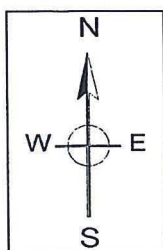
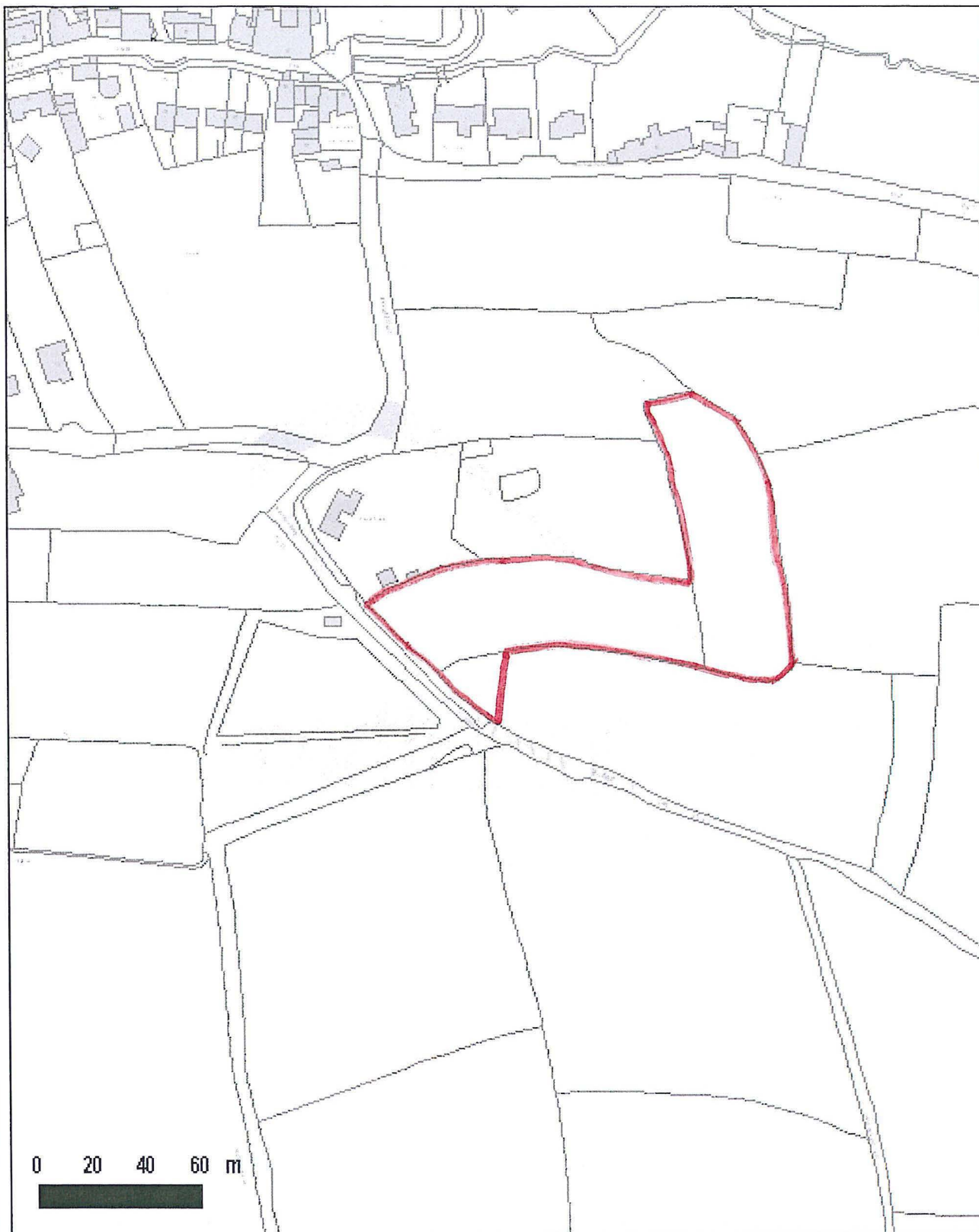
GUIDANCE NOTES FOR YOUR INFORMATION

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 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 £770.00 (2 x £385.00)

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.



7102/8639 Land off Milkaway Lane, Croyde

Scale 1:2074.9 **Date:** 23/07/2013

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North Devon Council, Civic Centre,
Barnstaple Devon EX31 1EA