

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

BREACH OF CONDITION

**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 it that there has been a breach of planning control, under Section 171A(1)(b) 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)

Big Meadow Camp Site, Watermouth, Berrynarbour, North Devon

("the land")

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

On the 30th July 1993 planning consent ref: 17232 ("the planning permission") was granted for the change of use of that part of the land as is edged blue on the said plan to allow use by touring caravans subject to conditions. Condition 3 states "This permission authorises a maximum number of 15 touring caravans on the Big Meadow Camping Site".

More than 15 touring caravans have been stationed on the land at any one time, and so a breach of condition 3 has occurred ("the unauthorised breach").

4. **REASONS FOR ISSUING THIS NOTICE**

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

1. The site is within an area of Outstanding Natural Beauty, a Coastal Preservation Area and the Heritage Coast as defined within the Devon County Structure Plan Third Alteration. The unauthorised breach is not essential and is detrimental to the appearance of the locality and is therefore contrary to the said Structure Plan, the emerging North Devon local Plan and National Policies

2. The view of the Council is that the use of the land for a limited number of touring caravans in the area edged blue on the plan is acceptable but that the stationing more than 15 touring caravans on the land is detrimental to the appearance of the locality and increases the visual impact of the land to an unacceptable degree.

3. The increase in traffic resulting from the unauthorised breach would cause a danger to other road users as a result of inadequate junctions and the width of the approach roads. In the Council's view, the nature of the traffic would be altered which would also affect road safety in the locality.

4. In the opinion of the Council, planning consent should not be given for the unauthorised breach, as the use of planning conditions would not overcome the above reasons.

5. In the opinion of the Council, the unauthorised breach has occurred within the last 10 years.

Big Meadow Camping Site Watermouth

NORTH

PL

30 JUN 1993

ਉਸਤਦਾਰ:

[REDACTED]

A M E N

PLAN

Toilet Block

Barnant's Wood

Kiln O
(Divided)

1:250(

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within two months from the date when this notice takes effect


6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land for the stationing of more than 15 touring caravans

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on ¹⁷⁻¹⁰⁻⁹⁶ 17-10-96 ("the effective date")* unless an appeal is made against it beforehand.

Dated : [date of issue] ¹³⁻⁹⁻⁹⁶ 13-9-96

Signed : 

Donator, Legal Services Manager

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

* 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.