

(a)

NORTH DEVON DISTRICT

Council

TOWN AND COUNTRY PLANNING ACT 1971
(as amended)

Enforcement Notice
Material Change of Use

(b)BRAUNTON CRICKET CLUB CAR PARK, KELSEY CRICKET GROUND, FIELD LANE, BRAUNTON

WHEREAS:

(1) It appears to the^(a) North Devon District Council ("the Council"), being the local planning authority for the purposes of section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963^(c)

on the land or premises ("the land") described in Schedule 1 below.

(2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.

(3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers contained in the said section 87, for the reasons set out in [the annex to] this notice.^(d)

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] ^(e)

within [the period of twenty eight [days] ~~[months]~~ from the date on which this notice takes effect] ~~[the period specified in respect of each step in that schedule]~~.^(f)

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of section 88 (10) of the Act, on 4 NOVEMBER 19 88 .^(g)

Issued 30 September 19 88 .

Council's address —

Civic Centre,
BARNSTAPLE
EX31 1EA

(Signed).....

(Designation).....Solicitor.....
(The officer appointed for this purpose)

CONTINUED OVERLEAF — P.T.O.

NOTES TO THE LOCAL PLANNING AUTHORITY

- (a) Insert the name of the Council issuing the notice.
- (b) Insert the address or a description of the land to which the notice relates.
- (c) Where section 87(4)(c) of the Act applies insert "and within the period of 4 years before the date of issue of this notice."
- (d) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (e) Or, as the case may be, having regard to section 87(7)(a) and (b) of the Act. Where steps are required to be taken for more than one of the purposes provided for in section 87, the purpose for which each step is required should be specified in Schedule 3. Steps may be required as alternatives.
- (f) If a single period is to be specified, by which all the required steps must be taken, insert it here. But if a series of steps is required to be taken, with a different compliance period for each step, the appropriate period should be clearly stated against each step (in columns if more suitable) in Schedule 3.
- (g) The date selected must be not less than 28 clear days after all the copies of the notice will have been served (see section 87(5) of the Act).

SCHEDULE 1

Land or premises to which this notice relates

(Address or description)

Braunton Cricket Club Car Park, Kelsey Cricket Ground,
Field Lane, Braunton

shown edged [red] [] on the attached plan.^(h)

SCHEDULE 2

Alleged breach of planning control

(description of the material change of use alleged to have been made) (j)

Use of Cricket Club car park both as a car park and for lorry parking

SCHEDULE 3

Steps required to be taken.^(k)

(i)

Cease the use of the Cricket Club car park for the parking of lorries

NOTES TO THE LOCAL PLANNING AUTHORITY

(h) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).

(j) If the new use is a mixed use, include all the uses comprising that mixed use.

(k) Specify the actual steps to be taken with, if appropriate, the compliance period for each step. The requirements should be clear and precise. See also notes (e) and (f) overleaf.

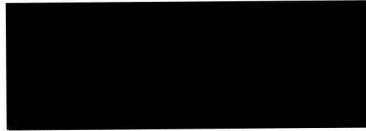
NORTH DEVON DISTRICT COUNCIL

ANNEXE TO ENFORCEMENT NOTICE ISSUED THE 30th DAY OF
SEPTEMBER 1988

1. Since 1984 the District Council has been receiving complaints that the Braunton Cricket Club Car Park has been used for the parking of lorries in addition to its normal use as a car park.
2. By planning application 2/84/1376/10/3 the Cricket Club made application to the Planning Committee for a proposed extension to the existing Cricket Club premises at Field Lane which indicated lorry parking on the car park. The application was refused because :
 - (a) In the opinion of the Local Planning Authority the use of the car park for lorry parking comprises a use detrimental to the character and appearance of the area and detrimental to the amenities enjoyed by the occupiers of residential properties in the locality.
 - (b) The proposal would be likely to result in an increase in commercial traffic along Field Lane which by reason of its width would be likely to cause congestion with consequent risk of additional danger to all road users.
 - (c) The proposed layout of the access and internal car parking provision of the site if used as a commercial car park would be likely to result in congestion in and around the junction due to the inadequate layout of the access and the internal turning arrangements for commercial vehicles, thereby resulting in conditions of danger to all road users.
3. During 1985 it was found that lorries had ceased using the car park and enforcement action was left in abeyance.
4. During the early part of 1988 further complaints were received that lorries were again using the Cricket Club car park. On 1st June 1988 an application No. 4553 for the proposed use of part of Braunton Cricket Club Car Park for the parking of two lorries was refused by the Planning Committee. The application was for a personal consent for M J Smale to park two lorries at the car park of the Braunton Cricket Club. The application was refused for the following reasons :
 - (a) In the opinion of the Local Planning Authority the use of the car park for lorry parking comprises a use detrimental to the character and appearance of the area and detrimental to the amenities enjoyed by the occupiers of residential property in the locality.
 - (b) The road giving access to the site is by reason of its inadequate width and junction unsuitable to accommodate the increase in traffic likely to be generated.
 - (c) The proposed development will be likely to result in a conflict between residential and commercial traffic which would be prejudicial to safety, amenity and convenience.
 - (d) The inadequate width of the access would be likely to cause congestion with consequent risk of additional danger to all users of the road.

(e) Enforcement action was authorised by the Committee.

(f) For the above reasons it is considered expedient to issue this enforcement notice.



ANNEXE/JF



6450
712ha
1.76

STADON CLOSE

SAUNTON ROAD

Town Farm

El Sub Sta

Tank

16.2m

Towns End

B M 16.45m

White Lion (P H)

WEST CROSS

Caen House

Caen Bridge

Works

Barnclose

14.9m

Cross Farm

Chapel Close

Club

Combrew

Almadere

Rydal Cott

Abattoir

Store

Caen Shopping Centre

El Sub Sta

River Caen

Youth Club

Car Park

Caen

Posts

Caen Health Centre

Anne M

Sunny Bank

Score Farm

Builder's Yard

Mariners Arms (P H)

De

Kingsend

GURBIN'S LANE

Tent & Sail Works

Stockwood

Indiana

VELATON LANE

Gospel Hall

Cricket Ground

Pavilion

Scout Hut

Path

B M 14.49m

Midfields

Pippins

Kailua

Belle Vista

14.0m

El Sub Sta

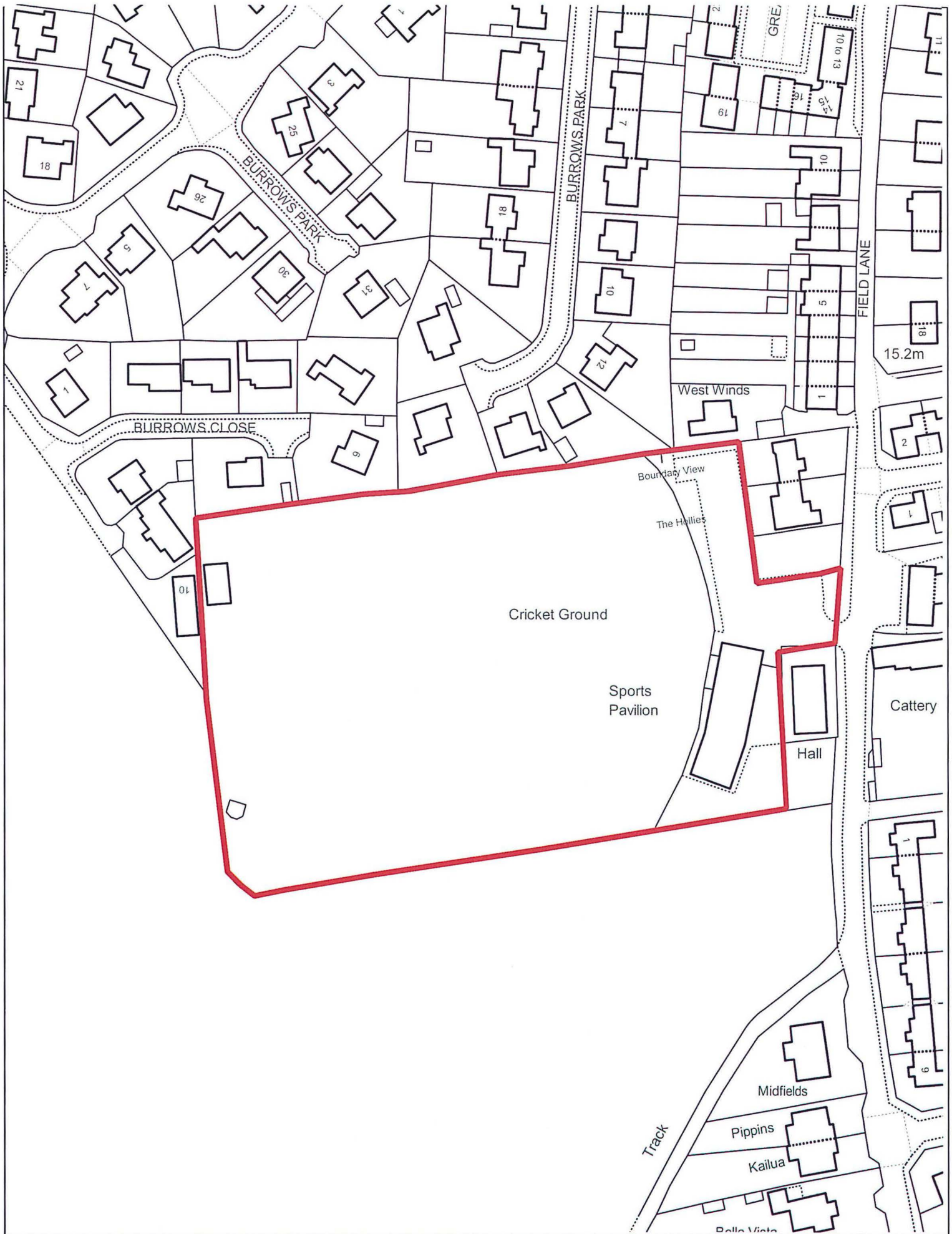
F S

Factory

Lane End

3700

5600



Lynton House, Commercial Road,
Barnstaple, EX31 1EA

Enforcement Notice 0834
Braunton Cricket Club Car Park, field lane, Braunton, EX33 1ES

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