

NORTH DEVON DISTRICT COUNCILTOWN AND COUNTRY PLANNING ACT 1971 (as amended)
ENFORCEMENT NOTICE
THE OLD QUARRY MILLTOWN MUDDIFORD

I hereby
certify that
this is a true
copy of the
original

Legal Services
Manager

14/10/92

WHEREAS:-

- (1) It appears to the 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 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.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken (in order to remedy the breach) within (the period of six ~~days~~ months from the date on which this notice takes effect) (~~the period specified in respect of each step in that Schedule~~).

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of section 88(10) of the Act, on 16th June 1982.

Issued.....5th May.....1982.

Signed...

Solicitor

Civic Centre,
Barnstaple,
Devon.

SCHEDULE 1

Land or premises to which this notice relates

The Old Quarry forming O.S. Parcel 3681 at Milltown, Muddiford, Devon shown edged red on the plan annexed hereto.

SCHEDULE 2

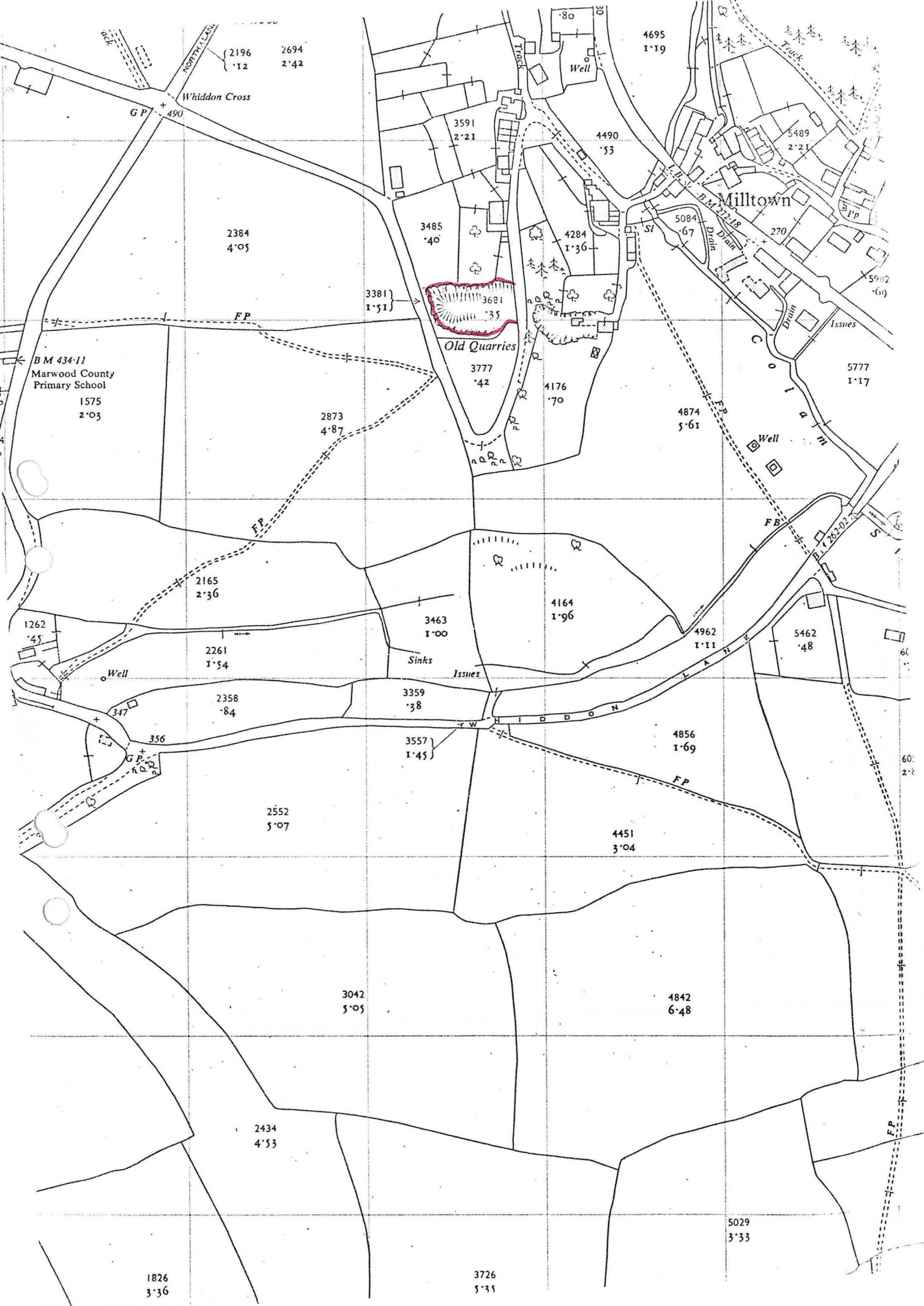
Alleged breach of planning control

The making of a material change in the use of the land to use for stationing a residential caravan.

SCHEDULE 3

Steps required to be taken

- (a) Cease using the land for stationing a residential caravan.
- (b) Remove the caravan from the land which is stationed there.



NORTH DEVON DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1971 (as amended)

ANNEX TO ENFORCEMENT NOTICE ISSUED 5TH MAY 1982

The Council consider it expedient to issue the Enforcement Notice as the development alleged therein took place without the benefit of Planning Permission and a subsequent application for planning permission for the development was refused for the following reasons :-

1. In the opinion of the Local Planning Authority the proposal comprises an intensification of sporadic development outside the reasonable limits of the hamlet.
2. The site is within an Area of Great Landscape Value and the proposed development would be detrimental to the appearance of that area by reason of its intrusion into the landscape.
3. In the opinion of the Local Planning Authority to approve this application would be contrary to the advice of the Secretary of State following the dismissal of an appeal on land to the east of this site in 1976.
4. The steepness of the proposed access would be likely to lead to conditions of danger and inconvenience.
5. The proposal would set a precedent for development along a road which by virtue of its width and alignment is unsuitable to cater for the additional traffic which would be generated.
6. The proposal would constitute development along a road which, by reason of its width, vertical alignment, horizontal alignment, gradient and condition is unsuitable to accommodate the increase in traffic likely to be generated.
7. The Local Planning Authority and the Local Highway Authority, in adopting the Devon County Council publication 'Residential Estates : Highways and Footpaths' dated March 1978, have indicated the acceptable standards to enable roads and footpaths to be adopted. The proposed access road constitutes a private street and does not conform to the acceptable standards. Therefore to approve this development would be contrary to the advice contained in the Department of the Environment Circular 79/74.