

IMPORTANT:— THIS COMMUNICATION AFFECTS YOUR PROPERTY

(a)

North Devon District

Council

**TOWN AND COUNTRY PLANNING ACT 1971
(as amended)**

**Enforcement Notice
Material Change of Use**

(b) Little Roadway Farm, Woolacombe, North Devon comprising field nos.
1546, 0234, 9737, 9926, 9924, 8230, 7939, 9547 and 0148

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 28 [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 28th March 19 86 .^(g)

Issued February 19 86 .

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)

All that land known as Little Roadway Farm, Woolacombe, North Devon comprising field numbers 1546, 0234, 9737, 9926, 9924, 8230, 7939, 9547 and 0148.

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)

The alleged material change of use is from use as agricultural land to unauthorised use as a touring caravan site.

SCHEDULE 3

Steps required to be taken.^(k)

- (i) Remove unauthorised caravans from the land.
- (ii) Return the land to its condition before the use began.

NOTES TO THE LOCAL PLANNING AUTHORITY

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

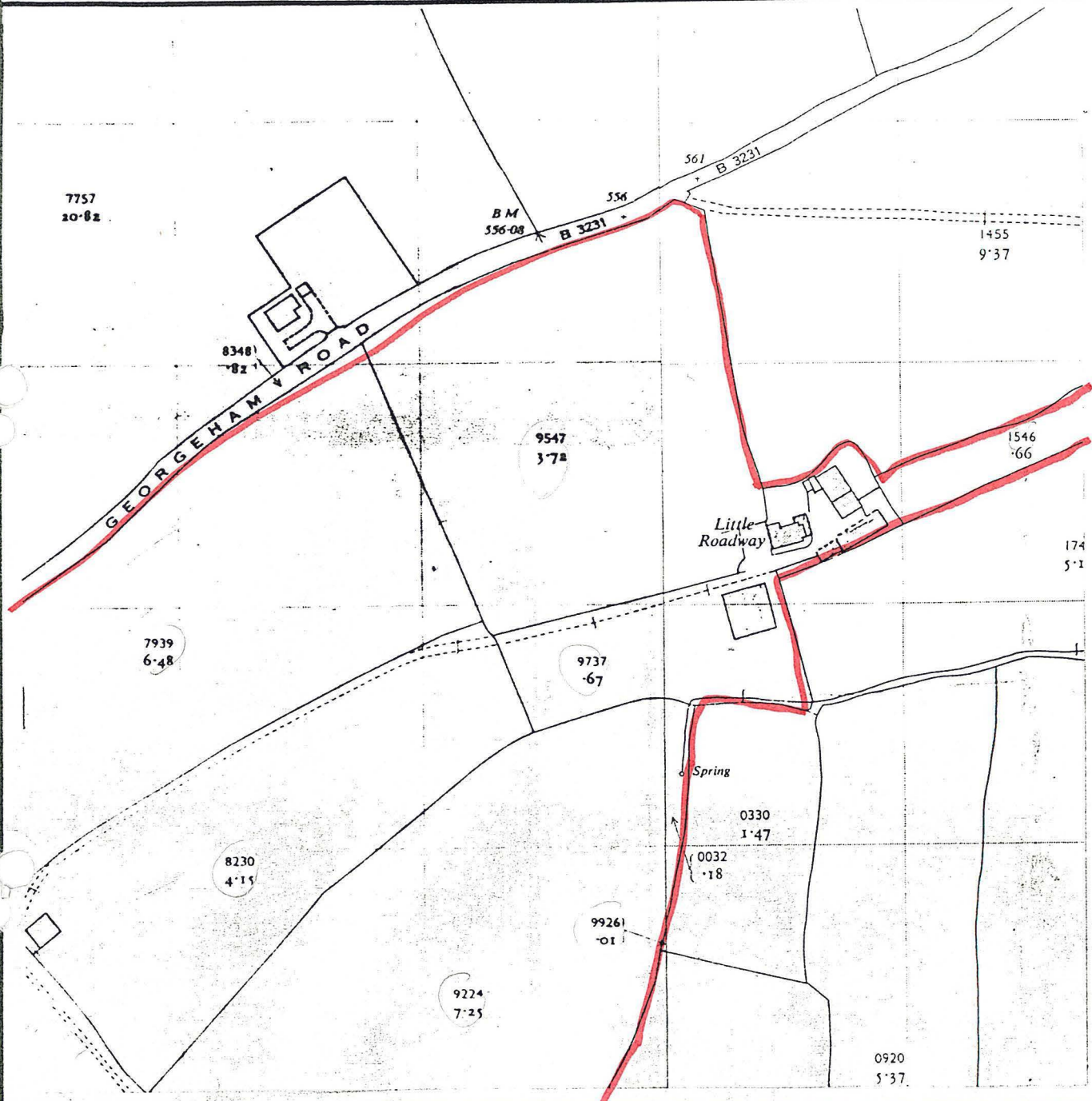
(j) If the new use is a mixed use, include all the uses comprising that mixed use.

(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.

J.H Martin. Dip.T.P.. M.R.T.P.I.
Director of Planning.
Civic Centre. Barnstaple.



Enforcement Notice Plan.

LITTLE ROADWAY FARM,
MORTEHOE.

Scale.

1: 2500

OS Plan no.

SS 4642 * 4742

Drawn. A.T.

Date.

12TH FEB. 1986

Ref.

NORTH DEVON DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971 (as amended)

ANNEX TO ENFORCEMENT NOTICE : ISSUED

FEBRUARY 1986

1. On the 4th November 1975 an application for proposed change of use, agricultural land to touring caravan park, OS 76, Little Roadway Farm, Woolacombe, Mortehoe was refused.
2. The reasons for refusal were:
 - (a) The site is an exposed field in open and predominantly undeveloped countryside of high amenity value. The use as a caravan site would constitute a prominent intrusion and conflict with the visual qualities of the area.
 - (b) As directed by the County Engineer on behalf of Devon County Council:
 - (i) The proposal would result in a material increase in the use of the present sub standard access, thereby causing additional hazards and/or inconvenience to other road users.
 - (ii) The access roads by virtue of the width, alignment and sub standard junctions are unsuitable to cater for the increased traffic the proposal would attract.
3. On the 6th September 1983 an application for proposed change of use; agriculture to seasonal touring caravan park for 100 units OS nos. 9547 and 0148 Little Roadway Farm, Woolacombe was refused.
4. The reasons for refusal were:
 - (I) The site is an exposed field in open and predominantly undeveloped countryside of high amenity value. The use as a caravan site would constitute a prominent intrusion and conflict with the visual amenities of the area.
 - (II) The site is outside of any Area of Search for touring caravans as defined in the Devon County Structure Plan and would be contrary to policy HD7 of the Structure Plan by virtue of its visual intrusion in the landscape and conflict with road safety.
 - (III)
 - (a) The proposed development is likely to result in a material increase in caravan traffic using the B.3231 which is of inadequate width and alignment to accommodate that increase, with consequent risk of additional danger to all road users and interference with the free flow of traffic.
 - (b) The proposal is contrary to the Devon County Structure Plan policy TR29 which is normally to permit the provision of a new access of the appropriate design standard only where it does not detract from or conflict with the function of the route; this policy is extended to include a material increase in the use of an existing access.
 - (c) The proposed development would be likely to result in a material increase in the volume and a material change in the character of traffic entering and leaving the Class II road through a junction

that is of inadequate width, layout and visibility for emerging vehicles, with consequent risk of additional danger to all road users and interference with the free flow of traffic.

- (d) The proposal is likely to result in a material increase in caravan traffic using the unclassified county road which is of inadequate width, with consequent risk of additional danger to all road users.
 - (e) The access onto the unclassified county road is of inadequate width and junction to accommodate the traffic likely to be generated by the proposal without prejudice to public safety.
- 5. The land edged red on the plan attached to the Enforcement Notice continues to be used as an unauthorised touring caravan site.
 - 6. The Council therefore considers it expedient, having regard to the provisions of the development plan and all other material considerations to issue this Enforcement Notice.