

(a)

NORTH DEVON DISTRICT

Council

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

**Enforcement Notice**  
Operational Development

(b) LAND PART O.S. 8100 MORTEHOE WOOLACOMBE DEVON

**WHEREAS:**

(1) It appears to the<sup>(a)</sup> 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 within the period of 4 years before the date of issue of this notice 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 the building, engineering, mining or other operations 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.<sup>(c)</sup>

**NOTICE IS HEREBY GIVEN** that the Council require that the steps specified in Schedule 3 below be taken [in order to remedy the breach] [<sup>(d)</sup>

within [the period of 56 [days] [months] from the date on which this notice takes effect] [~~the period specified in respect of each step in that Schedule~~].<sup>(e)</sup>

**THIS NOTICE SHALL TAKE EFFECT**, subject to the provisions of section 88(10) of the Act, on 1st September 1987 19<sup>(f)</sup>

Issued 24th July 19 87

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) See paragraph 29 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (d) 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.
- (e) 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.
- (f) 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 field No. O.S. 8100 situate at Woolacombe Bay Holiday Park,  
Mortehoe in the County of Devon

shown edged [red] [ ] on the attached plan.<sup>(g)</sup>

## SCHEDULE 2

### **Alleged breach of planning control**

*(description of operations carried out on the land) (h)*

Unauthorised engineering operations consisting of :

(a) The excavation and levelling of land together with the laying  
of concrete to form permanent concrete hardstandings for tent pitches

(b) Installation of piped services to each pitch including electricity  
and water by new underground supply

## SCHEDULE 3

### **Steps required to be taken<sup>(i)</sup>**

- (i) Remove the concrete hardstandings
- (ii) Remove the water and power points from the site of each concrete  
hardstanding
- (iii) Remove the underground piped water and electricity supply
- (iv) Restore the land to its original levels
- (v) Restore the land to its original condition before the unauthorised  
operations were begun

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#### **NOTES TO THE LOCAL PLANNING AUTHORITY**

- (g) See paragraph 31 of DOE Circular 38/81 (Welsh Office Circular 57/81).
- (h) Where the works being enforced against are on only part of the land identified in Schedule 1, their position should be shown on the plan.
- (i) 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 (d) and (e) overleaf.



NORTH DEVON DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1971

ANNEXE TO ENFORCEMENT NOTICE ISSUED THE

24 day of July 1987

1. Field No. O.S. 8100 at Mortehoe, North Devon is a field of some 8 acres and has the benefit of an Established Use Certificate for camping. The field slopes quite steeply.
2. During 1986 and 1987 operations amounting to the formation of levelled areas have been carried out by cutting and filling on the slope. The grass is replaced by inert material and a concrete pad and each area is served with water and electricity by newly formed underground supply.
3. If a planning application had been submitted for the unauthorised operations it would have been refused for the following reasons :
  - i. The site is located within the Coastal Preservation Area where only development considered to be essential is normally permitted. In the opinion of the Local Planning Authority the development is not essential nor does it comprise improvements to existing facilities with little impact on the Protected Area.
  - ii. The site lies within an Area of Outstanding Natural Beauty where there is a presumption against development. In the opinion of the Local Planning Authority the development is not necessary to the economic or social well being of the locality and to grant approval would be contrary to Policy CO7 of the Devon County Structure Plan.
  - iii In the opinion of the Local Planning Authority the development results in alterations to the landscape, detrimental to the visual amenities of the area.
  - iv In the opinion of the Local Planning Authority the proposal contributes to an intensified and uniform use of the camping field to the detriment of the visual amenities of the area.
4. For these reasons North Devon District Council consider it expedient to issue this Enforcement Notice.

(Signed) ..

Solicitor





