



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

unauthorised development

**Ty-nant 1 St Marys Road Croyde
Braunton Devon EX33 1LF
HM Land Registry title number DN525090**

**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")**

Enforcement reference number: 10631

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 171(1)(a) of the Act, at the land described below. The Council considers it expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.

2. **THE LAND AFFECTED**

Ty-nant 1 St Marys Road Croyde Braunton Devon EX33 1LF as shown edged red on the enclosed location plan.

("The Land")

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

Within the last 4 years unauthorised development consisting of the conversion of a one first floor flat and offices/store into three 1 bedroom flats.

4. **REASONS FOR ISSUING THIS NOTICE**

This Enforcement Notice has been issued to remedy the alleged breach of planning control. The Council considers it expedient to issue this notice for the following reasons:

The development does not make adequate provision for the parking of vehicles within the site and will therefore be likely to encourage short-term parking on the highway, with consequent risk of additional danger to all users of the road and interference with the free flow of traffic. This is contrary to the provisions of Policy DMO6 of the North Devon and Torridge Local Plan, adopted October 2018.

No confirmation has been provided that the occupiers of the three flats will be eligible for permits to park all year round within the existing Croyde village public car park. In addition, if such eligibility is secured, the effective loss of these spaces to the general public increases pressure for on-street parking on the approach or within the village of Croyde. The proposal is therefore contrary to the provisions of Policy DMO6 of the North Devon and Torridge Local Plan, adopted October 2018.

5. **WHEN YOU ARE REQUIRED TO ACT**

The Council requires that the steps specified in paragraph 6 below be undertaken within nine months from the date when this notices takes effect.

6. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the building edged in blue on the attached location plan as three flats.
2. Reinstate the first floor of the building to no more than one flat and offices/store.
3. Remove any kitchen and cooking facilities from the first floor of the building except for one flat
4. Remove all wash facilities including any toilet, bath, shower, sink and taps from the first floor of the building except for one flat
5. Remove any rubbish or debris resulting from compliance with steps 1 - 4 from the land.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 12 December 2019 unless an appeal is made against it beforehand.

Dated: 12 November 2019

Signed:



Head of Place

On behalf of:

North Devon District Council
Lynton House
Commercial Road
Barnstaple
Devon
EX31 1DG

GUIDANCE NOTES FOR YOUR INFORMATION

THE 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.

Agents should note that if ground (a) is not pleaded at the very beginning the Inspectorate will not delay the processing of the appeal.

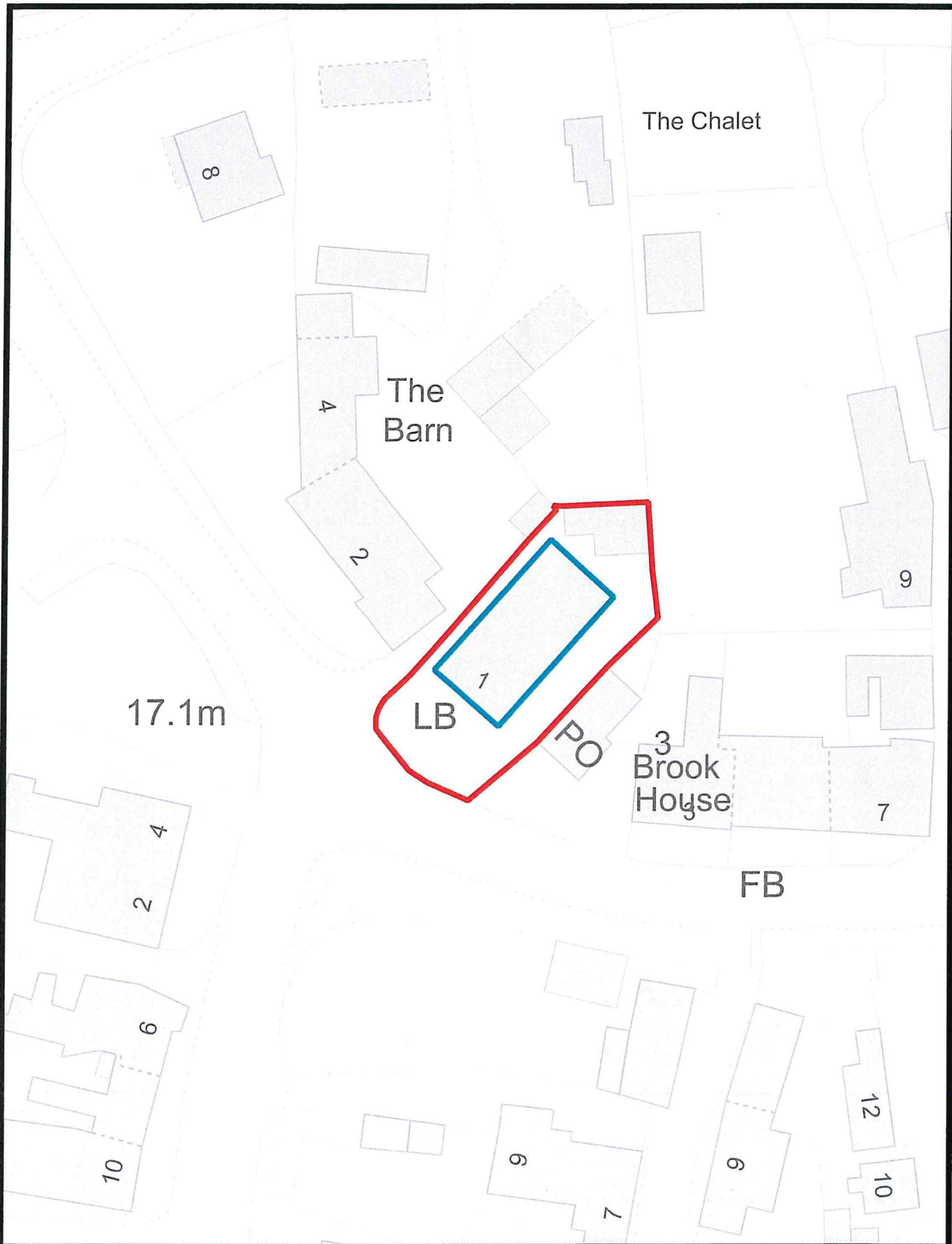
Appellants should set out all grounds for making their appeal and provide supporting facts for each ground when making the appeal.

It is important that if the appellant wants the planning merits of the development to be considered – known as the “deemed planning application” – they must plead ground (a) and pay the fee for that application to the local planning authority when making their appeal. If this is not done, the planning merits and any subsequent ground (a) appeal (Ground (a) – that planning permission should be granted (or that the condition or limitation referred to in the enforcement notice should be removed) cannot be considered by the Inspector. The appeal will only be determined on the grounds of appeal as submitted on the appeal form.

The attached Planning Inspectorate Guidance Sheet provides details of where you can obtain further information on the appeal process. Read it carefully. Please note that the fee payable for a Ground A appeal is £1848.00 (2 x £924.00).

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.



Lynton House, Commercial Road,
Barnstaple, EX31 1EA

**10631 - Ty-Nant, 1 St Mary's Road,
Manor Road, Croyde, EX33 1LF**

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Copy Supplied to:
Enforcement

Scale: 1:500 at A4
Date: November 2019

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000
Email enquiries@pins.gsi.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.