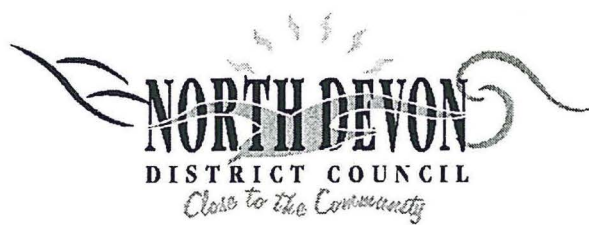


3816



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

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")

1 **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears that there has been a breach of planning control, under Section 171A(1)(a) of the Act, at the land described below. The Council consider it expedient to issue this notice, having regard to the provisions of the development plan and to other material considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan attached)

The first floor flat known as 23A South Street South Molton North Devon
("the land")

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

The removal of traditional wooden vertical sash windows and their replacement with Upvc/Aluminum windows, which due to their design, composition and method of opening produce an adverse appearance to the designated Conservation area of South Molton

4. **REASONS FOR ISSUING THIS NOTICE**

The Council consider it expedient to issue this notice for the following reasons:

The installations of the three Upvc/ Aluminum windows at 23A South Street, South Molton produce an adverse appearance to the designated Conservation area of South Molton due to their design and the use of Upvc / aluminum materials and style of opening and so are deemed contrary to the following: -

Devon County Structure Plan First Review C11, which reads " The quality of Devon's historic environment should be conserved and enhanced. In providing for new development particular care should be taken to conserve the special historic character of settlements, the character and appearance of conservation areas, listed or other buildings of historic or architectural interest and their settings and parks and gardens of special historic interest and their settings."

The North Devon Local Plan DB1 which reads " Development within or outside but affecting a conservation area will only be permitted where: (a) it preserves or enhances the character or appearance of the area; (b) it is in keeping with the scale, architectural quality and features of the area and does not detract from the setting of historic or architecturally important buildings; (c) external building materials are appropriate to those that are traditional in the conservation area; (d) The proposal does not detract from the existing landscape or townscape elements of the conservation area including open spaces, street patterns, floorscape, roofscape, plot boundaries, trees, hedgerows wall, parks and footpaths; (e) it does not involve the demolition of buildings which make a positive contribution to the character or appearance of the area."

The North Devon Local Plan Revised Deposit EVN16, (Development in conservation areas) which reads: - "Development within or affecting a conservation area will only be permitted where it preserves or enhances the character or appearance of the area."

5. WHEN YOU ARE REQUIRED TO ACT

The Council requires that the steps specified in paragraph 6 be undertaken within the period of 3 months from the date when this notice takes effect.

6. WHAT YOU ARE REQUIRED TO DO

- 1) You are required to remove the three uPVC/Aluminium windows installed in the first floor flat known as 23A South Street South Molton.
- 2) Fit replacement windows with traditional vertical sash windows consisting of two panes over two panes with a single vertical glazing bar, such design to be approved by the local authority prior to installation
- 3) Remove all debris from the site

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 18th March 2005 ("the effective date")* unless an appeal is made against it beforehand.

Dated : 7th February 2005

Signed :
Solicitor, Legal Services Manager

on behalf of: North Devon District Council,
Civic Centre,
Barnstaple,
North Devon.
EX31 1EA.

* specific date, not less than 28 clear days after date of service

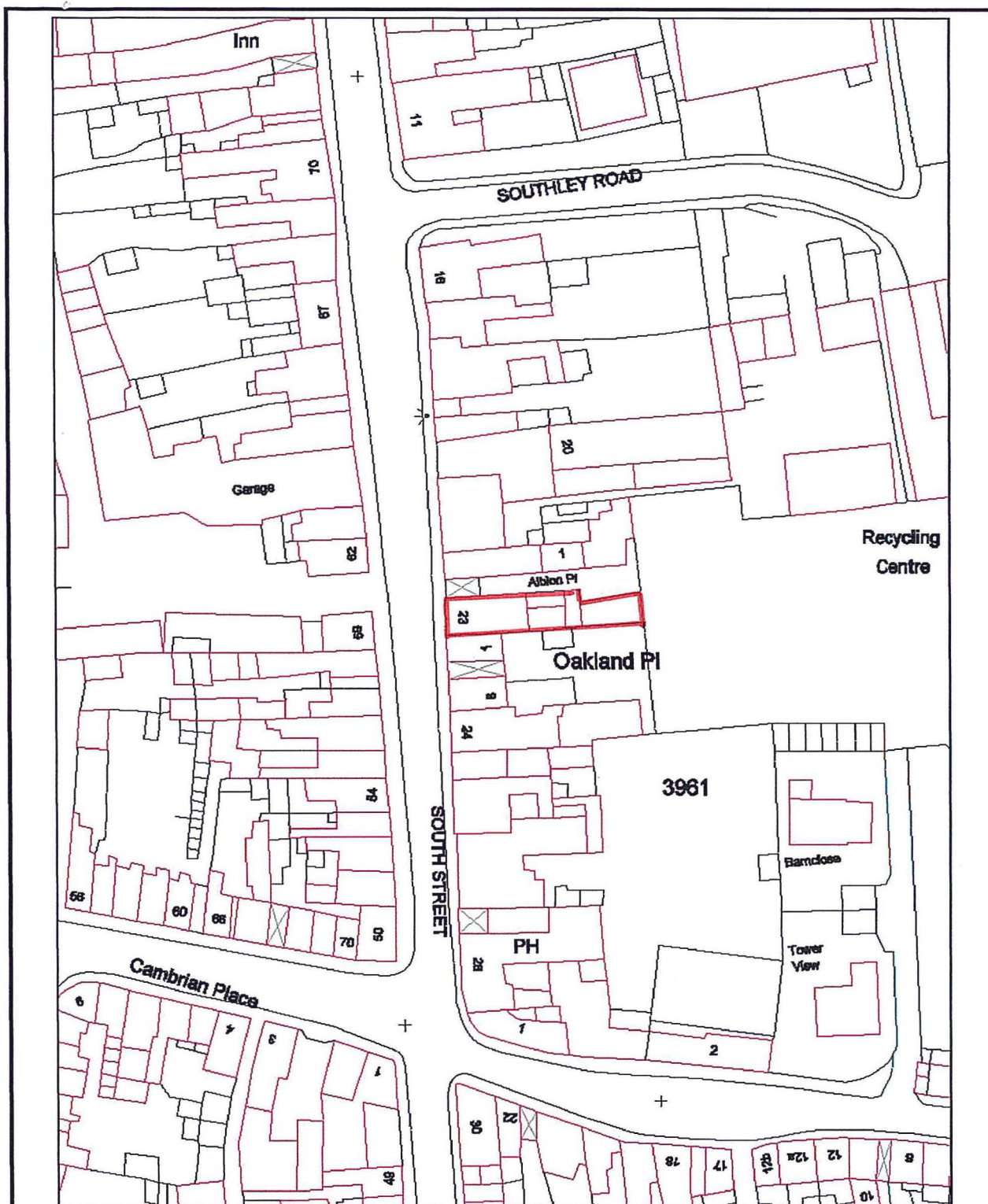
GUIDANCE NOTES FOR YOUR INFORMATION

YOUR 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. The enclosed booklet “Enforcement Appeals - A Guide to Procedure” sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.

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.



23a South Street South Molton - Scale:



**Print template -
TEMPLATE1**

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