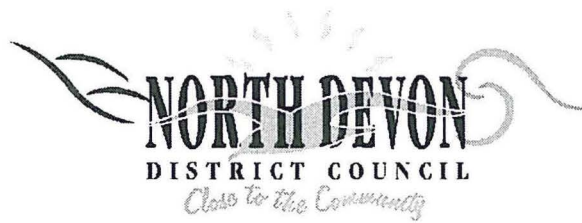


CF/10599

2.11.2006



FIRST FLOOR FLAT,
WALKERS FISH RESTAURANT
4 SOUTH ST
SOUTH MOLTON.

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 to it 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)

First Floor Flat, Walkers Fish Restaurant, 4 South Street, South Molton, North Devon, EX36 4AA

(“the land”)

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

Replacement UPVC windows to first floor flat within a Conservation Area

4. **REASONS FOR ISSUING THIS NOTICE**

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

The replacement of windows with uPVC windows in a Conservation Area is contrary to Policy CO6 relating to the quality of new development and CO7 of the Devon County Structure plan, historic settlements and buildings. Also Policy ENV16 (development in Conservation Areas) and DVS1 relating to design, of the adopted North Devon Local Plan.

The uPVC windows are also considered to be contrary to Planning Policy Guidance note number 15 in that due to their material, design and method of opening, they have an adverse appearance on the character of the designated Conservation Area of South Molton.

5. WHEN YOU ARE REQUIRED TO ACT

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

6. WHAT YOU ARE REQUIRED TO DO

Remove the uPVC windows and replace them with either timber sliding sash windows or a style of window which can be demonstrated to the Local Planning Authority as being appropriate to the Conservation Area, details of which to be approved by the Planning Authority prior to installation.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 6th December 2006 ("the effective date")* unless an appeal is made against it beforehand.

Dated : 2nd November 2006

Signed :

Solicitor, Leg

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

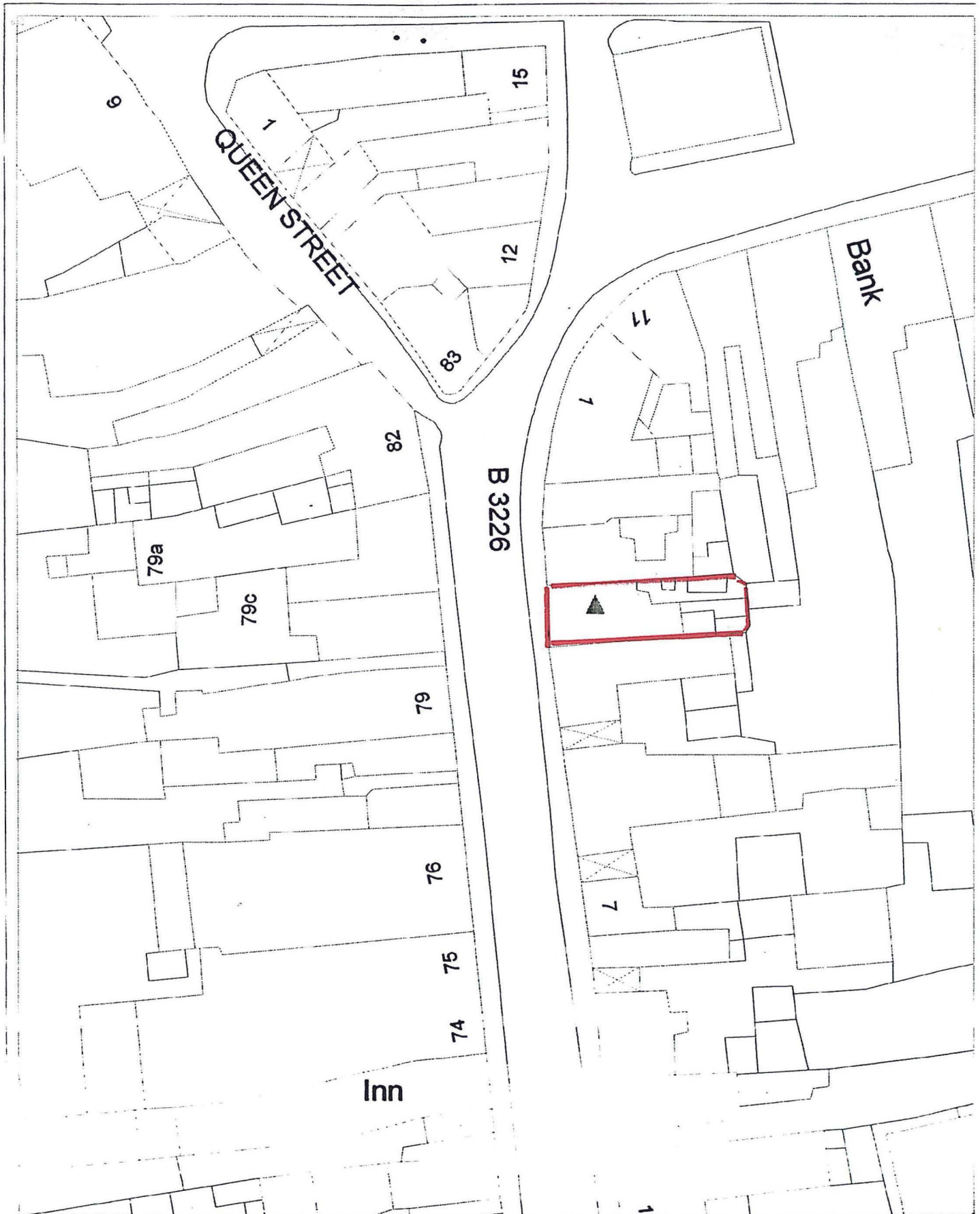
GUIDANCE NOTES FOR YOUR INFORMATION

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.



Civic Centre, Barnstaple.
EX31 1EA

SCALE:

COPY SUPPLIED TO:

DATE 20th July 2006

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