



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

OPERATIONAL DEVELOPMENT

**Harleigh House Hotel, Wilder Road, Ilfracombe, North
Devon, EX34 9AE
(HM Land Registry Title Number DN247289)**

**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")**

LEGAL FILE NO: LS/DH/13747
PLANNING FILE NO: PD/ENF/8511

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 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**

Harleigh House Hotel, Wilder Road, Ilfracombe, North Devon, EX34 9AE (HM Land Registry Title Number DN247289) as shown edged red on the enclosed Location Plan.

(“The Land”)

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

Without planning permission and within the last 4 years, unauthorised Operational Development consisting of the installation of uPVC windows

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:-

In the opinion of the Local Planning Authority, the unauthorised uPVC framed windows do not preserve the traditional appearance of the building. The development will therefore neither preserve or enhance the character or appearance of the Conservation Area by virtue of the window's inappropriate design, non-traditional materials and prominent location and would therefore be contrary to Policies DVS1 and ENV16 of the adopted North Devon Local Plan.

The Local Planning Authority considers that the unauthorised Operational development has occurred within the last 4 years and that the above reasons for issuing this Notice cannot be overcome by the use of Planning Conditions.

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

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

6. WHAT YOU ARE REQUIRED TO DO

1. Replace the unauthorised uPVC windows with traditional timber framed vertical sliding sash windows.
2. Make good any damage caused to the Building from complying with Step 1 above.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 10 October 2016 ("the effective date") unless an appeal is made against it beforehand.

Dated: 8 September 2016

Signed:

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Solicitor, Head of Corporate & Community

On behalf of: North Devon District Council, Lynton House, Commercial Road, Barnstaple, North Devon, EX31 1DG

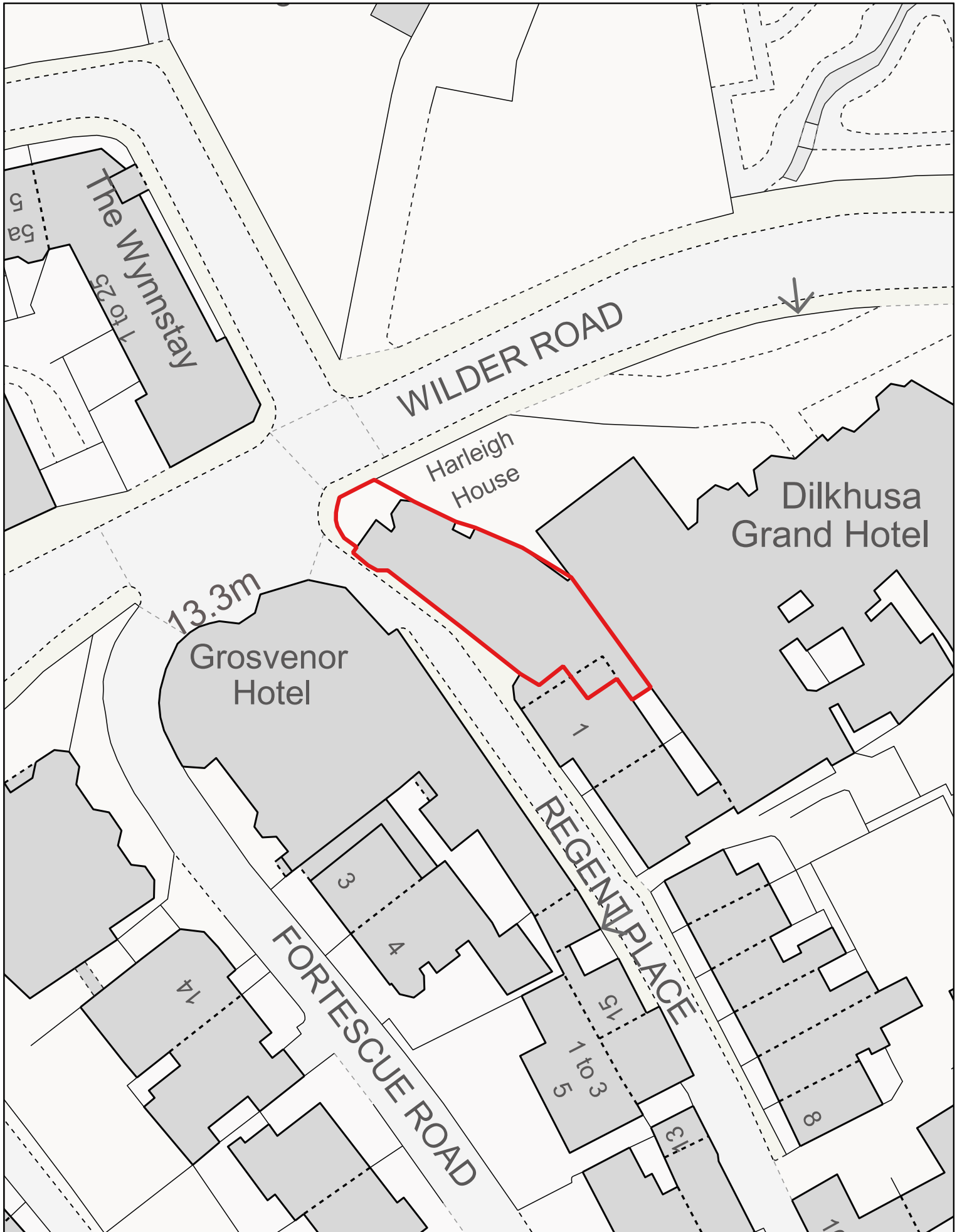
GUIDANCE NOTES FOR YOUR INFORMATION

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 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 £344.00 (2 x £172.00)

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

Location Plan 8511: Harleigh House Hotel, Wilder Road, Ilfracombe

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Strategic Development &
Planning

Scale: 1:500
Date: 26 May 2016