



IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

ENFORCEMENT NOTICE

**UNAUTHORISED OPERATIONAL
DEVELOPMENT**

**9A Ebberley Terrace, Bear Street, Barnstaple,
North Devon, EX32 7DL
(HM Land Registry Title Number DN529663)**

**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 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**

9A Ebberley Terrace, Bear Street, Barnstaple, North Devon, EX32 7DL (HM Land Registry Title Number DN529663) 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 under Section 171B(1) of the Act consisting of the erection of UPVC fascias on the eastern, southern and western elevations of the Property on the Land.

4. **REASONS FOR ISSUING THIS NOTICE**

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

This Enforcement Notice has been issued to remedy the alleged breach of planning control.

The Property adjoins a designated Conservation Area so is in a sensitive position in terms of the appearance of the building. The railings that are now hidden by UPVC cladding were an attractive feature that enhanced an otherwise untraditional flat roof, which borders a Conservation Area. The UPVC cladding has a negative impact on the character and appearance of the building, street scene and abutting designated conservation area.

The obscuring of these railings is considered to be contrary to Policies DVS1 and ENV16 of the adopted North Devon Local and the National Planning Policy Framework.

If the UPVC cladding remains it will become immune from planning control and have a negative impact on the character and appearance of the building, street scene and abutting designated conservation area.

The Local Planning Authority considers that the unauthorised 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. Remove the UPVC cladding from the east, south and west elevations from the Land shown edged red on the enclosed Location Plan.
2. Make good any damage caused during the removal of the UPVC cladding from the Land shown edged red on the enclosed Location Plan.
3. Remove all debris and other rubbish resulting from complying with Steps 2 and 3 above from the Land shown edged red on the enclosed Location Plan.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 5 April 2014 ("the effective date") unless an appeal is made against it [REDACTED]

Barnstaple, Devon,
EX31 1EA.

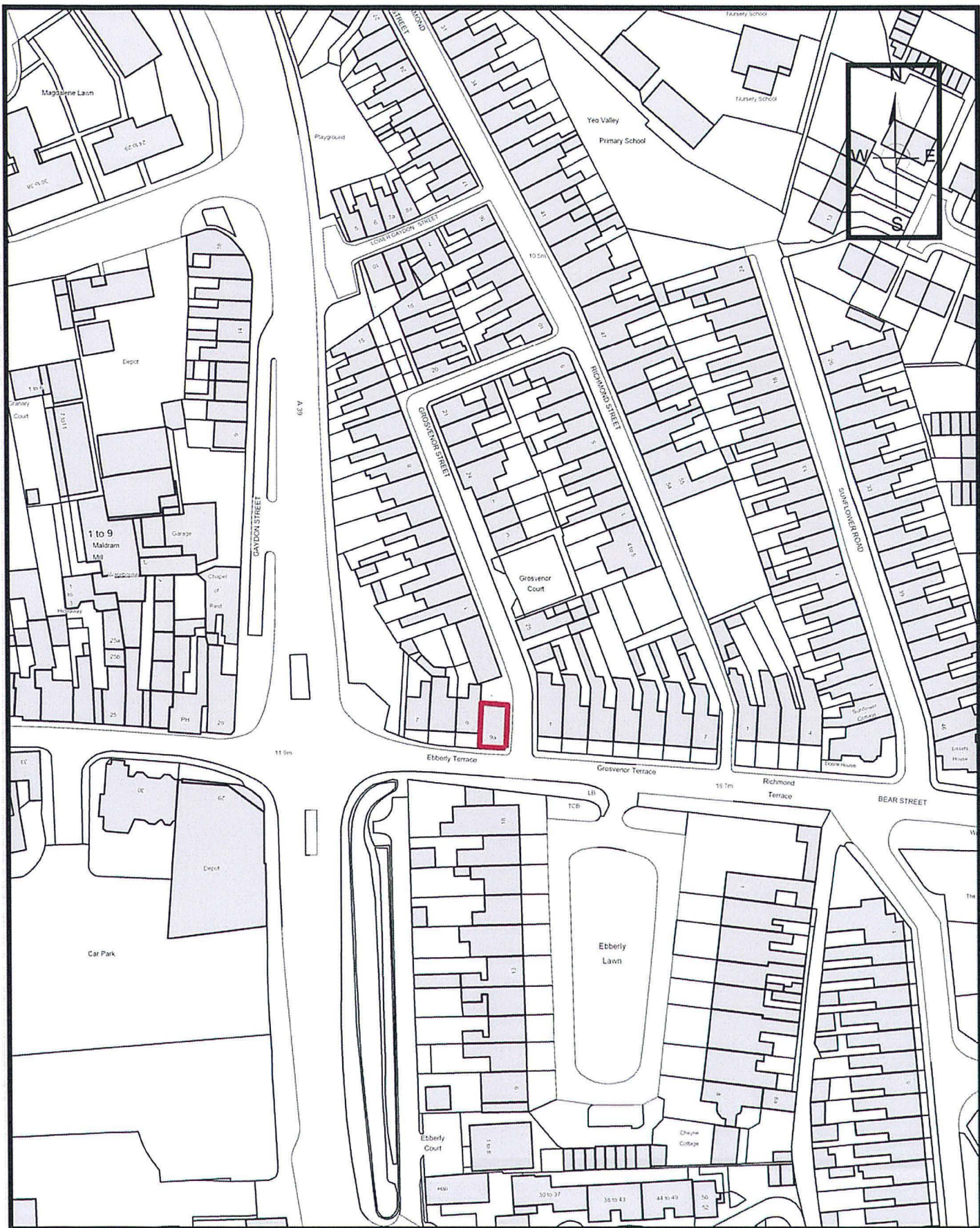
GUIDANCE NOTES FOR YOUR INFORMATION

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 £390.00 (2x £195.00).

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.



Plan to Accompany Enforcement Notice

9a Ebberley Terrace, Bear St, Barnstaple EX32 7DL



Civic Centre, Barnstaple.
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO: Planning Unit

DATE 20th November 2013

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