

I hereby certify that this is a true  
copy of the original.

Signed

K. B. MORGAN  
COUNCILLOR

NORTH DEVON DISTRICT COUNCIL

DATED 18.2.77

**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**ENFORCEMENT NOTICE**

**BREACH OF CONDITION**

**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)(b) 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 and hatched red on the approved plans hereinafter referred to)

14, Higher Church Street, Barnstaple, North Devon.

("the land")

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

On the 17th March 1981 planning permission ref: 2/81/236/4/3 was granted for the construction of two houses with garages subject to conditions. One of those conditions, No.2 required that "The development shall be carried out strictly in accordance with the submitted plans and in particular that no doors shall be provided to the garage/parking provision". The approved plans, a copy of which is attached hereto show a carport area to the land.

It appears to the council that the condition has not been complied with because an 'up and over' garage door has been fitted to the entrance to the carport area.

**4. REASONS FOR ISSUING THIS NOTICE**

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

It appears to the Council that the breach of planning control has occurred within the last ten years.

The land is in an area where there is a high demand for on street parking and the condition was imposed to ensure that the vehicles of the residents of the approved dwelling could be parked off-street and that the off-street facility was capable of continued use. The Council consider that to allow retention of the garage doors would dissuade continued use of the off-street parking provision and encourage further on-street parking to the detriment and danger of nearby residents and all road users and pedestrians.

The Council do not consider that there should be any relaxation of the condition in question.

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

The Council require that the steps specified in paragraph 6 be undertaken within **ONE (1) MONTH** from the date when this notices takes effect.


**6. WHAT YOU ARE REQUIRED TO DO**

Remove the 'up and over' garage door from the land.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on **24th March 1997** ("the effective date")\* unless an appeal is made against it beforehand.

Dated : [date of issue] .....13th February 1997.....

Signed : ..........

Solicitor, Legal Services Manager

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

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\* 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.**

# ENFORCEMENT NOTICE



## PLANNING

### The Breach of Planning Control Which has Occurred:-

Non Compliance With Condition No. 2 of Planning Consent 2/81/236/4/3,

**Site:- 14, Higher Church Street,  
Barnstaple.**

**O.S. Plan No.** SS 5632

**Scale** 1:1250

**Drawn** S.Thomas

**Date** June 1996

### NOTATION



The Site



M.J.Easton Dip.T.P. M.R.T.P.I.,  
Principal Planning Officer

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Civic Centre, Barnstaple, Devon, EX31 1EA



2500w

51  
21N

Check rooms and  
onward hallway

car port

car port

rwp

rwp

ag

ag

ag

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REMOVED CAR  
AND BICYCLE 8.8.17

Check rooms and  
onward hallway

21  
02

gcspet hall

