

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

Signed



^{SOLICITOR}
NORTH DEVON DISTRICT COUNCIL

DATED 5.7.95

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)

Shorlands Farm, Bratton Flemming, North Devon.

("the land")

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

On 6th June 1991 planning permission ref 12570 ("the permission") was granted for the demolition of existing agricultural buildings and erection of livestock building, equipment store and barn on the land subject to conditions. One of those conditions is:

"2. Within six months of the date of this consent the roof of the building ("the building") hereby approved shall be painted grey to British standard 18-B-25 in accordance with the agent's letter received by the local planning authority on 20th May 1991"

It appears to the Council that the condition has not been complied with because the roof to the building has not been painted in accordance with the condition.

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 above breach of planning control has occurred within the last 10 years.

The land is in a rural location and within a designated Area of Great Landscape Value and, having regard to the policy and provisions of the Devon County Structure Plan, Third Alteration, the Council imposed the condition to assimilate the building with the surrounding area in the interests of the visual amenity thereof.

In addition the building adjoins Shorlands Old Farmhouse, a Grade II Listed building and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on the Council as Local Planning Authority to have special regard to the desirability of preserving the listed building or its setting. The condition is considered to be consistent with that duty.

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

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within the period of **two (2) months** from the date when this notices takes effect.


6. WHAT YOU ARE REQUIRED TO DO

Paint the roof of the building grey, to British standard 18-B-25. in accordance with the condition.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on **7th AUGUST 1995** unless an appeal is made against it beforehand.

Dated : [date of issue] **29th June 1995**.....

Signed :


Secretary, 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

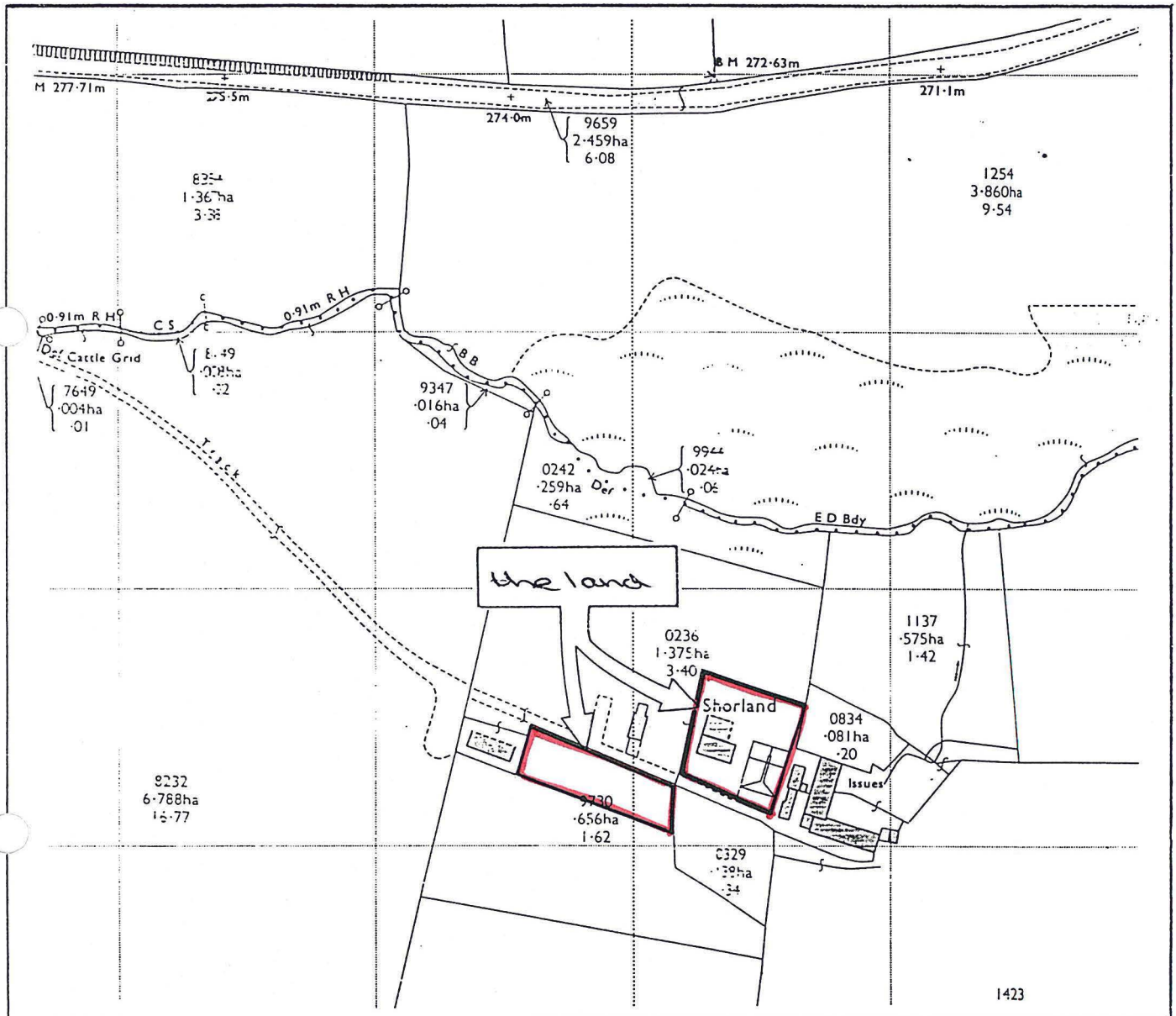
If you do not appeal against this Enforcement Notice, it will take effect on the effective date and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period[s] specified in the notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.



North Devon District Council
Civic Centre, Barnstaple, Devon EX31 1EA

J. H. Martin Dip.T.P. M.R.T.P.I., Director of Planning.

REQUISITION NOTICE (PLANNING).



Shorlands Farm, Bratton Fleming.

Reproduced from the Ordnance Survey Maps Crown Copyright Reserved.

O.S. Plan No: SS. 6641 & 6741

Drawn: S.M.T.

Scale: 1/2500

Date: January 1992