

15.68.23

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

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Signed

ENFORCEMENT NOTICE

BREACH OF CONDITION

SOLICITOR

NORTH DEVON DISTRICT COUNCIL

DATED 22.6.93

**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 them that there has been a breach of planning control, under Section 171A(1)(b) of the Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan attached), Barn at Willesleigh, Goodleigh, Devon ("the Land").

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

See Appendix 'A' attached.

4. **REASONS FOR ISSUING THIS NOTICE**

See Appendix 'B' attached.

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

The Council require that the steps specified in paragraph 6 below be undertaken within the period(s) specified in respect of each step in paragraph 6].

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

- (i) Cease carrying out any further works to the building with the exception of those works specified in steps (iv) to (ix) below until approval has been obtained from the Council in respect of those details as specified in step (ii).
- (ii) Within 28 days of the date of the Enforcement Notice ("the Notice") taking effect submit to the Council for approval details of the roof slates, all other facing materials, windows, doors and rainwater goods ("the details").
- (iii) Carry out those works as specified in steps (iv) to (ix) below within 2 months of the Notice taking effect.
- (iv) Remove the four roof lights situate in the north elevation of the building.
- (v) Remove the mismatched slates from the roof of the building.
- (vi) Remove the nine pane window from the first floor of the east elevation to the building and narrow the opening to accord with the plans.

- (vii) Narrow the ground floor opening on the east elevation to accord with the plans.
- (viii) Remove the sixteen pane window from the first floor of the south elevation to the building.
- (ix) Remove the sixteen pane window from the ground floor of the south elevation to the building.
- (x) Within two months of the approval of the details carry out steps (xi) to (xvii) of the Notice.
- (xi) Replace the four roof lights removed in compliance with step (iv) with 2 roof lights in accordance with the plans and the details and close up any remaining openings resulting from the removal and replacement of the roof lights.
- (xii) Replace the slates removed in compliance with step (v) with slates in accordance with the plans and the details.
- (xiii) Replace the window removed in compliance with step (vi) with a window in accordance with the plans and the details.
- (xiv) Insert into the opening narrowed in compliance with step (vi) a window in accordance with the plans and the details.
- (xv) Replace the window removed in compliance with step (viii) with a window in accordance with the plans and the details.
- (xvi) Close the opening resulting from the removal of the window in compliance with step (ix) with diagonal boarding in accordance with the plans and the details.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 11th May 1992 ("the effective date") unless an appeal is made against it beforehand.

Dated: 31st March 1992

Signed:

Solicitor

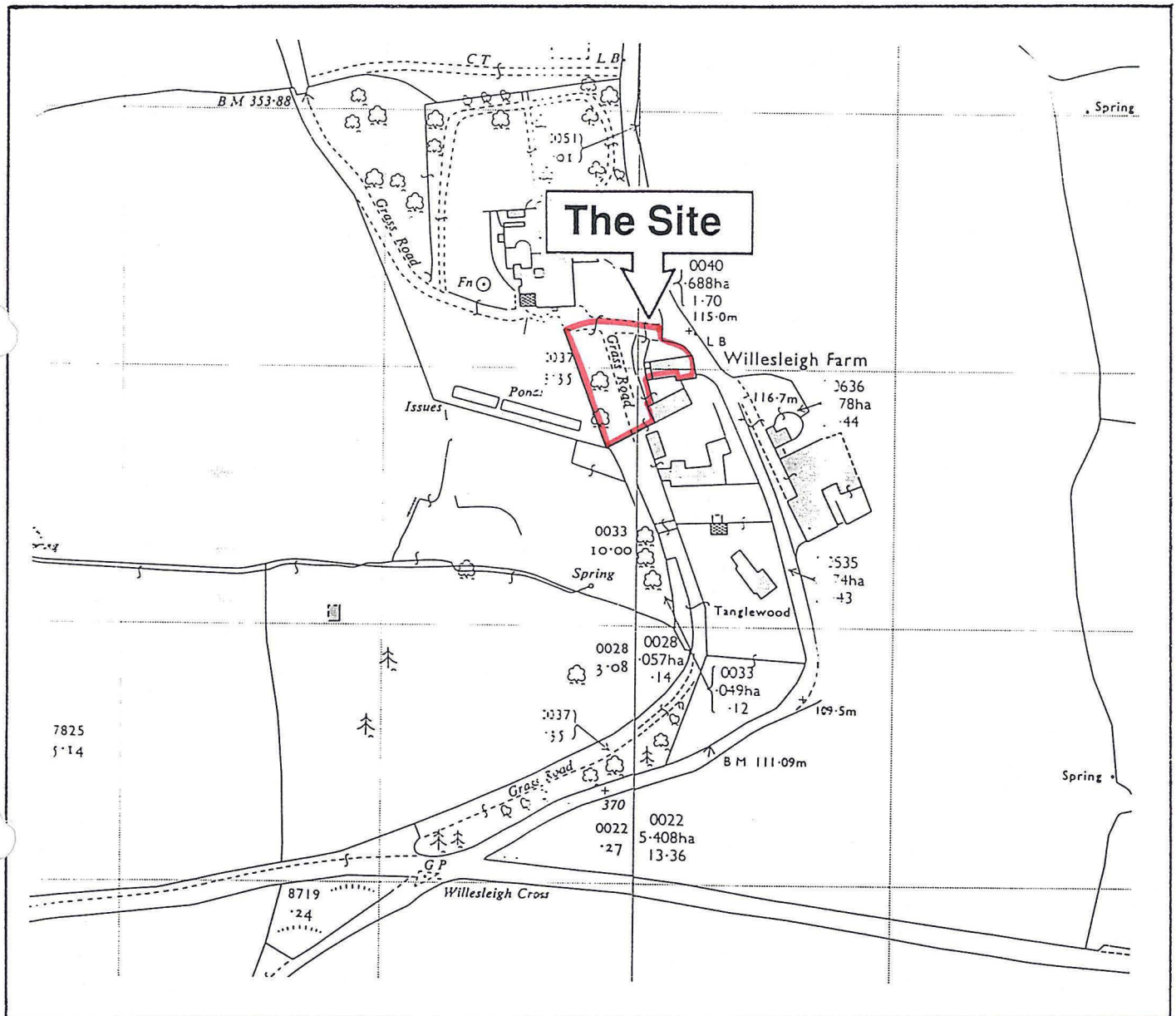
On behalf of:-
North Devon District Council,
Civic Centre,
Barnstaple,
EX31 1EA.



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

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

ENFORCEMENT NOTICE (PLANNING).



Non-Compliance with Plans and Conditions,

Barn at Willesleigh, Goodleigh.

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O.S. Plan No: SS. 5933 & 6033

Drawn: S.M.T.

Scale: 1/2500

Date: March 1992

APPENDIX A

ANNEXE TO AN ENFORCEMENT NOTICE DATED

31st March

1992

On the 21st day of June 1988 planning permission (No. 4941) was granted for proposed conversion of barn to form dwelling ("the primary permission").

On the 30th July 1991 a further planning permission was granted for conversion of outbuilding to form dwelling but this time including an amended site area and parking provision ("the amended permission"). However the amended permission has yet to be implemented. The primary permission was subject to, amongst others, the following terms and conditions, namely:

- (i) The works to be carried out in accordance with the accompanying plans;
- (ii) Before work commences, details of the roof slates to be used together with details of all other facing materials, windows, doors and rainwater goods shall be submitted to and approved by the Local Planning Authority;

("the conditions"). It now appears to the Council that the works which are being carried out to the building do not comply with the conditions in that:-

(1) on the North elevation:-

- (a) 4 roof lights inserted instead of the 2 shown on the accompanying plans to the Consent ("the plans"), none being in the positions shown on the plans;
- (b) mismatch of the slates where roof has been retiled;

(2) on the East elevation:-

- (a) First floor window opening is wider than shown on the plans and 9 pane top vent window inserted rather than 6 pane casement window shown on the plans;
- (b) ground floor window opening is wider than shown on the plans;

(3) on the South elevation:-

- (a) First floor window is a 16 pane, quarterlight window, rather than 9 pane outer casement with fixed middle panel as shown on the plans;
- (b) ground floor opening has a 16 pane casement window inserted whereas the plans show the opening should be closed with diagonal boarding;

(4) details of roof slates, all other facing materials, windows, doors and rainwater goods have not been submitted to the Council for approval.

APPENDIX B

ANNEX TO AN ENFORCEMENT NOTICE DATED 31st March 1992

It appears to the Council that the above breach of planning control has occurred within the last four years. The Old Coach House is prominently situated at the entrance to, and within the curtilage of, Willesleigh House, a Grade 2 listed building. The Council consider that the building is worthy of retention and in order to secure its conservation, have agreed an appropriate scheme for its conversion to a dwelling. In approving a suitable scheme, the Council has been concerned to protect the character and appearance of the site and building in line with its policy, by controlling the detailed aspects of the conversion works, as well as protecting the setting of the listed building and the area generally. At the same time, it is necessary to ensure that the proposed dwelling is provided with a proper range of facilities in a logical sequence, whilst also ensuring that the development does not adversely affect the amenities of neighbouring properties. The Council do not consider that there should be any relaxation of the conditions in question, which seek to achieve a balance between the objectives set out above, whilst encouraging the retention of an important building, which may otherwise fall into disrepair.

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.