



15.67.102.02.

**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")**

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

Signed 

**SOLICITOR/  
NORTH DEVON DISTRICT COUNCIL**

DATED 29.6.93

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 planning considerations.

2. **THE LAND AFFECTED** (shown edged red on the plan attached)

Plot 6, 'New Barn', Sticklepath Court, Barnstaple, North Devon

("the land")

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

On the 10th January 1991 planning permission was granted for proposed erection of a dwelling on the land, (Ref. 13025/61) subject to several conditions.

One of these conditions was that:

5. The materials shall be as specified on the amended plans including the use of natural stone for the south elevation and grey scat render elsewhere, with a natural slate roof, and stained timber windows and doors.

It appears to the Council that the condition has not been complied with fully, because the northern and western elevations of the erected dwelling have been painted cream as opposed to being left as grey scat render.

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 since the end of 1963.

The land occupies a prominent position, immediately adjacent to a Grade II listed building. The condition was imposed to protect the character and appearance of the building group and the area generally. The painting of the above mentioned elevations detract from the setting of the Grade II listed building and the locality.

4 Continued

5. WHEN YOU ARE REQUIRED TO ACT

The Council require that the steps specified in paragraph 6 be undertaken within [the period of TWENTY EIGHT (28) days/~~weeks/months~~ from the date when this notice takes effect] ~~in paragraph 6.~~

6. WHAT YOU ARE REQUIRED TO DO

Comply with condition number 5 specified in Paragraph 3 above by grey scat rendering all elevations other than the south elevation.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 9<sup>th</sup> JULY 1992 ("the effective date")\* unless an appeal is made against it beforehand.

Dated: [date of issue] 4<sup>th</sup> June 1992

Signed: ....

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



LOCATION PLAN 1 : 2500



