



**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**ENFORCEMENT NOTICE**

**OPERATIONAL DEVELOPMENT**

**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**

Land at Shippen Rill, Millers Brook, Croyde, Braunton, North Devon, EX33 1PQ as shown edged in red on the enclosed Location Plan.

("The Land")

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

Unauthorised Operational Development under Section 171B(1) of the Act consisting of the erection of a timber fence in the approximate position shown marked in blue on the enclosed Location Plan without planning permission within the last 4 years.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The timber fence is prominent in the public domain being at the rear of Shippen Rill garden where it abuts the road running from Croyde to Georgeham. It is sited within the Croyde Conservation Area.

The structure because of its position, height (varying between 1.59 metres and 1.76 metres) and the nature of the materials (vertical close-boarded fencing) is considered to represent a very dominant and solid means of enclosure, uncharacteristic of this part of the village. The development thus neither preserves nor enhances the character and appearance of the Conservation Area.

It is considered the resultant visual detriment is contrary to the provisions of Policy C07 of the Devon Structure Plan 2001-2016 and Policy DSV1 and ENV16 of the North Devon Local Plan.

The Local Planning Authority considers that the Operational 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 three months from the date when this notices takes effect.

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

1. Reduce the height of the timber fence to 152cm along the entire length of the fence as measured from the natural ground level on the garden side of the fence to the top of the fence in accordance with the attached Drawing dated 24 February 2005.

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 17 March 2011 ("the effective date") unless an appeal is made against it beforehand.

Dated: 15 February 2011

Signed: .....  
Legal Services Manager

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

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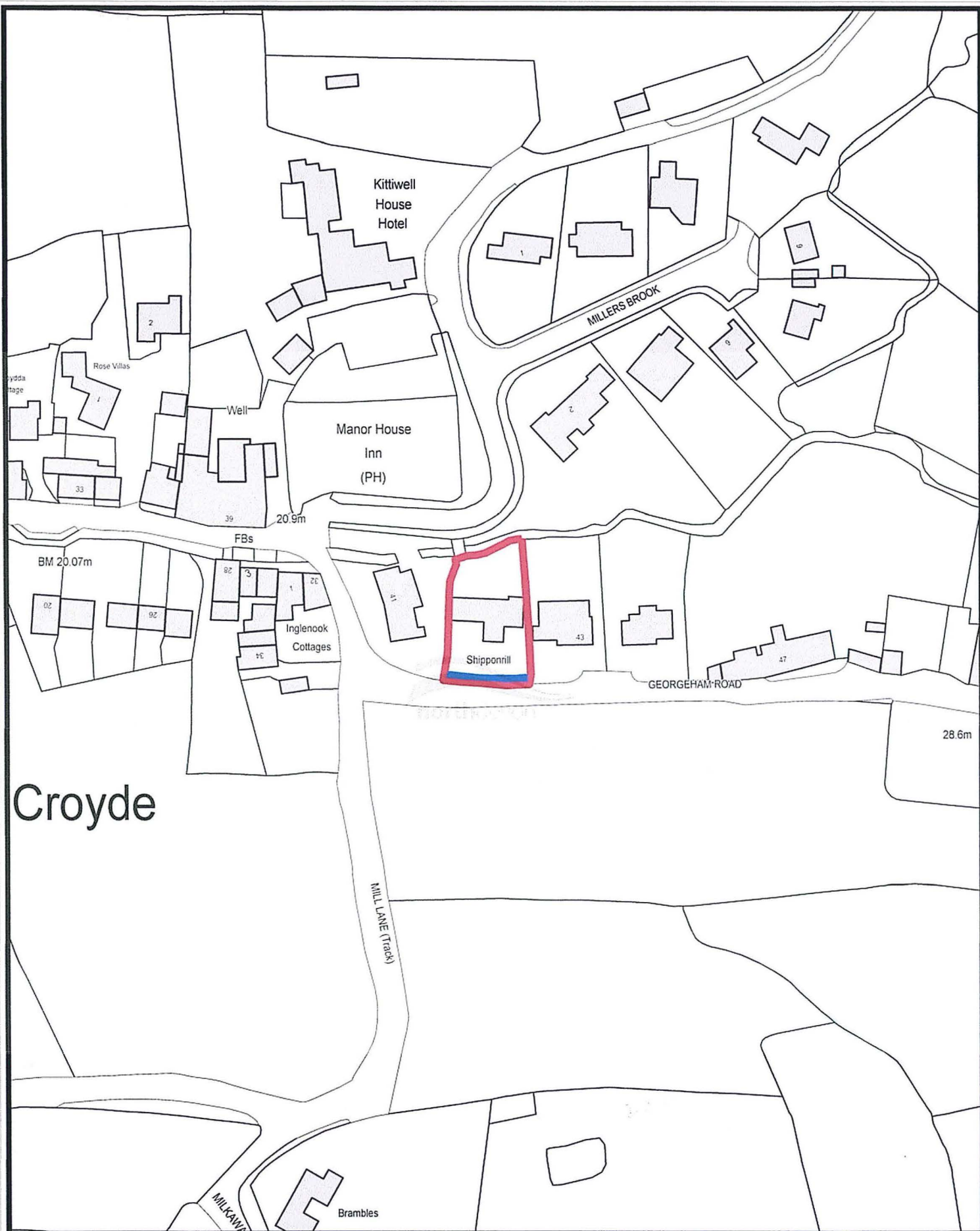
## **GUIDANCE NOTES FOR YOUR INFORMATION**

### **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 obtain further information on the appeal process. Read it carefully.**

### **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 7062**

## Shippen Rill, Millers Brook, Croyde



Civic Centre, Barnstaple.  
EX31 1EA

SCALE: 1:1250

COPY SUPPLIED TO:

Planning & Development Services DATE 22nd December 2010

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