



**IMPORTANT**

**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**ENFORCEMENT NOTICE**

**Unauthorised Development**

**12 Lane End Park Barnstaple Devon EX32 8PP  
HM Land Registry title number DN236607**

**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")**

Enforcement reference number: 10838

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 171(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**

12 Lane End Park, Barnstaple, Devon EX32 8PP as shown edged red on the enclosed location plan.

("The Land")

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

Within the last 4 years unauthorised operational development consisting of the erection of a fence.

4. **REASONS FOR ISSUING THIS NOTICE**

This Enforcement Notice has been issued to remedy the alleged breach of planning control. The Council considers it expedient to issue this notice for the following reasons:

Planning permission was refused under application 65530 on 11 December 2018 for the erection of a boundary fence on top of a retaining wall.

The fence is prominent in the street scene due to its height. It is positioned on top of a low wall adjacent to the highway, to the front elevations of dwellings. Due to its height, the fence is alien to and does not respect the prevailing character of the area, harming its open landscaped appearance.

The fence does not improve the character and quality of the area and so conflicts with the North Devon and Torridge Adopted Local Plan Policy DM04 and policies of the National Planning Policy Framework when considered as a whole.

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

The Council requires that the steps specified in paragraph 6 below be undertaken within 3 months from the date when this notices takes effect.


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

1. Reduce the height of the fence shown blue on the attached location plan to no more than 1.2 metres.
2. Remove all rubbish resulting from complying with step 1 above from the land outlined in red on the attached location plan

**7. WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 29 September 2019 ("the effective date") unless an appeal is made against it beforehand.

Dated: 29 August 2019

Signed:  .....  
Head of Place

On behalf of: North Devon District Council  
Lynton House  
Commercial Road  
Barnstaple  
Devon  
EX31 1DG

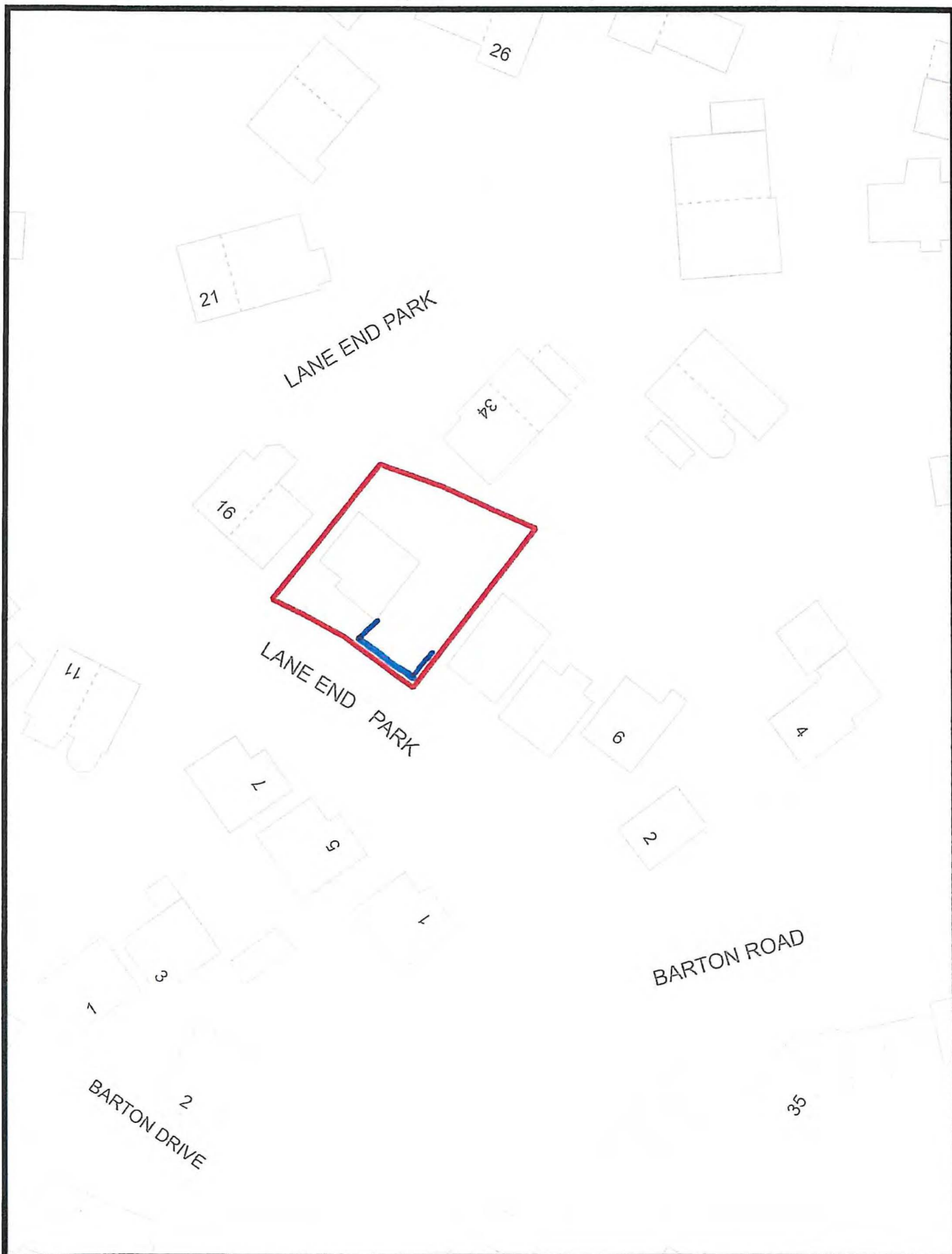
## **GUIDANCE NOTES FOR YOUR INFORMATION**

### **THE 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 can obtain further information on the appeal process. Read it carefully. Please note that the fee payable for a Ground A appeal is £412.00 (2 x £206.00).

### **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.



Lynton House, Commercial Road,  
Barnstaple, EX31 1EA

## 10838 - 12 Lane End Park, Barnstaple

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Enforcement

Scale: 1:500 at A4  
Date: June 2019

Customer Support Team  
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2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line 0303-444 5000  
Email [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

## THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

**You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.**

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.