

Town and Country Planning Act 1990 (as amended) Section 195
Certificate of Lawful Use Appeal

Public Inquiry on 8 September 2026 at 10:00am

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Hartnoll Hotel, Tiverton, EX16 7RA.

Proof of Evidence - SUMMARY

Mr Dean AGGETT

Appeal by; Mr Dean AGGETT

‘Meadow Forge’, Cadeleigh, Tiverton, EX16 8RZ

APP/Y1138/X/26/3378579

Appeal to the Secretary of State for Communities and Local Government against the Refusal of Certificate of Lawful Use application issued by Mid Devon District Council (MDDC) (The Local Planning Authority). Certificate of Lawful Use Application reference 25/01406/CLU Dated 29th January 2026.

1. **Introduction**

1.1. My name is Mr Dean AGGETT.

1.2. I submitted the certificate of lawfulness application which is the subject of this appeal.

1.3. The application sought to establish the lawful mixed or composite use of Meadow Forge as both a blacksmith's forge and my home, together with the use of the surrounding land for the storage of materials, goods, scrap, vehicles and other items.

1.4. The Council refused that application, but I believe the evidence shows, on the balance of probabilities, that those uses had continued for more than ten years before the breach of condition notices served on 28 March 2025.

2. **Residential and storage use of Meadow Forge**

2.1. I purchased Meadow Forge, then known as Hillside Barn, in 2006 and I have personal knowledge of the use of the site ever since.

2.2. My evidence concerns two matters. First, the use of the building as both a blacksmith's forge and my home. Secondly, the use of the adjoining land for the storage of vehicles, materials, scrap metal and other items.

2.3. Over time I created facilities within the building that are normally associated with residential occupation, including a kitchen, bathroom, office and bedroom enabling me to live at Meadow Forge whilst also running my blacksmithing business from the property.

2.4. Evidence of my residential and storage use is set out in my sworn statutory declaration.

2.5. In my declaration I explain that I registered on the electoral roll at Hillside Barn in November 2011 and that my driving licences showed me resident there from

October 2011. I also refer to council tax records, correspondence with the Council and other documents which, in my view, demonstrate my visible and long-term occupation of Meadow Forge.

2.6. My evidence is that the land around Meadow Forge has been continuously used since the grant of the 2009 permission for the storage of vehicles, materials, goods, scrap metal.

2.7. My evidence shows that both the mixed use of the building in breach of condition 2 and the storage use in breach of condition 5 have continued for more than ten years before the service of the 2025 breach of condition notices.

2.8. Although I considered the evidence submitted with the application to be sufficient, I have provided additional evidence with this appeal. I have exhibited photographs from my social media accounts which show the residential facilities within Meadow Forge. These include photographs of my bathroom, kitchen, landing and living room dating from 2010, 2012, 2013 and 2017. I have also exhibited a photograph of my vegetable garden. Those photographs show that Meadow Forge was being used as a home many years ago.

2.9. I have also exhibited videos from my YouTube channel, Devon Blacksmith. These videos show my kitchen, living room and other parts of Meadow Forge and also show the storage use taking place outside the building. Some of those videos were uploaded more than fourteen years ago.

2.10. I have also seen the third-party representations submitted in this appeal. In my view they overwhelmingly support the proposition that I have lived at Meadow Forge for more than ten years and that materials have been stored outside the building for more than ten years.

2.11. I also explain that some answers I gave in my response to the Planning Contravention Notices need to be read in context. Meadow Forge was not recognised by the authority as a residential address and I often used alternative correspondence addresses. I considered my occupation to be part of a mixed or composite use of the building rather than a separate residential use. My understanding of planning terminology was limited and my answers reflected my understanding at the time.

2.12. The Council relies heavily upon its planning file, but I have repeatedly sought access to that file and have not obtained it. Where I have seen documents from the file, some appear to support my case. I refer in particular to an email of 26 October 2021 indicating that the Council thought I had probably been living in the premises since around 2010 and that there appeared to have been a material change of use of the building. I also refer to an email of 13 July 2023 stating that there was corroboratory evidence confirming use and occupation since 2008. In my view, the Council's own records show that it had been aware of my occupation and use of Meadow Forge for many years before the breach of condition notices were served.

2.13. I am proud to have operated a blacksmithing business at Meadow Forge since before the grant of planning permission in 2009. I have employed staff, trained apprentices and continued to work as a blacksmith from the site. Whilst the business is not as busy as it once was, it remains active. I continue to use Meadow Forge as a forge and the site contains the machinery, tools and equipment required for that purpose. I have exhibited current invoices and photographs of ongoing work together with photographs showing the forge in operation. I have not abandoned blacksmithing at Meadow Forge.

2.14. I do not consider that my residential use of Meadow Forge was undertaken in a clandestine fashion. I have exhibited evidence of my continuous interaction with the Council regarding my residence at Meadow Forge. Local people knew I lived at Meadow Forge and they have kindly confirmed this. My social medial channels confirmed my residential use as well as showing the ongoing use of the land for storage.

2.15. I erected a yurt on the land behind Meadow Forge for six months during 2025. I did not live in the yurt.

2.16. Since the grant of the 2009 permission I have continuously used the land outside Meadow Forge for storage and have presented evidence of this storage use in breach of condition 5. I have never stopped doing so.

3. **Conclusion**

3.1. In conclusion, I believe that the evidence originally submitted with the certificate of lawfulness application was sufficient to demonstrate that conditions 2 and 5 of the 2009 permission had been breached continuously since 2011 or before.

3.2. When that evidence is considered alongside the further photographs, videos, third-party evidence and other documents now before the Inquiry, I believe there can be no real doubt as to the existence, continuity and duration of those breaches and accordingly the certificate of lawfulness should be granted at this appeal.