

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

MID DEVON DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the
PLANNING AND COMPENSATION ACT 1991)

PLANNING CONTRAVENTION NOTICE

To: The Owner Occupier, Meadow Forge, Hillside Barn, Cadeleigh, Tiverton.

Re:

Alleged 'Change of Use' of: Agricultural building / Workshop' and Conversion of Agricultural building into 'alleged' Unauthorised mixed use to 'Residential / Workshop'. And, the stationing of a 'Shepherds Hut' for human habitation', including the 'Unauthorised use of Land' for the 'Stationing of Vehicles' and, 'Unauthorised' 'Change of Use' of adjoining 'Agricultural Land', to part Domestic / Agricultural, without the benefit of planning permission.

Land at: Meadow Forge, Hillside Barn, Cadeleigh, Tiverton, Devon.

1. It appears to the **Mid Devon District Council** ("the Council"), being the local planning authority for the purposes of Section 171C of the Town and Country Planning Act 1990 ("the Act"), that there may have been a breach of planning control in respect of the land described in Schedule 1 below ("the Land").

The breach of planning control which may have occurred is specified in Schedule 2 below.

This notice is served on you as a person who:-

is the owner or occupier of the land or has any other interest in it; or`

is carrying out operations in, on, over or under the land or is using it for any purpose.

2. In exercise of their powers under section 171C(2) and (3) of the Act the Council require you, so far as you are able, to give them in writing the information specified on the attached form within **twenty-one days**, beginning with the day on which this notice is served on you.

Signed:
Carole Rogerson

Dated: 19th January 2022.

Planning Enforcement Officer

SCHEDULE 1

LAND TO WHICH THIS NOTICE RELATES:

Meadow Forge, Hillside Barn, Cadeleigh, Tiverton shown edged red on the attached plan annexed hereto ("the Land")

SCHEDULE 2

ALLEGED BREACH OF PLANNING CONTROL

Alleged 'Change of Use' of: Agricultural building / Workshop' and Conversion of Agricultural building into 'alleged' Unauthorised mixed use to 'Residential / Workshop'. And, the stationing of a 'Shepherds Hut' for human habitation', including the 'Unauthorised use of Land' for the 'Stationing of Vehicles' and, 'Unauthorised' 'Change of Use' of adjoining 'Agricultural Land', to part Domestic / Agricultural, without the benefit of planning permission.

WARNING

3. It is an offence to fail, without reasonable excuse, to comply with any requirement of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following a conviction will constitute a further offence.
4. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

ADDITIONAL INFORMATION

5. If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 171A (1) of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.
6. If the Council serve a stop notice, under section 183 of the 1990 Act, section 186(5)(b) of the Act provides that should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such

compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

To **MID DEVON DISTRICT COUNCIL**

RESPONSE to Planning Contravention Notice

From: The Owner/Occupier, Meadow Forge, Hillside Barn, Cadeleigh, Tiverton

Re: **Alleged 'Change of Use' of: Agricultural building / Workshop' and Conversion of Agricultural building into 'alleged' Unauthorised mixed use to 'Residential / Workshop'. And, the stationing of a 'Shepherds Hut' for human habitation', including the 'Unauthorised use of Land' for the 'Stationing of Vehicles' and, 'Unauthorised' 'Change of Use' of adjoining 'Agricultural Land', to part Domestic / Agricultural, without the benefit of planning permission.**

Land at Meadow Forge, Hillside Barn, Cadeleigh, Tiverton, Devon.

QUESTIONS

ANSWERS

1.0	Yourself:	
1.1	Please state your full name	
1.2	Please state your home address	
1.3	Please provide a contact telephone number	
1.4	Please provide an email address (if applicable)	
1.5	Please state your date of birth	

1.6	Please state your interest in the land (ie. freehold, leasehold, occupier, tenant)	
2.0	Other persons having an interest in the land. Please state the full name and address of:	
2.1	Freehold owner(s)	
2.2	All tenants/lessees of the land	
2.3	Directors/Business partners	
2.4	The name and address of any person having a charge on the land (ie. bank, building society, private lender)	
3.0	With reference to the matters set out in "Schedule 2" of the Notice:	
3.1	With reference to above.	

3.2	Please provide the details of your permanent residential address?	
3.3	How long have you lived at this address?	
3.4	PLEASE ANSWER THE FOLLOWING QUESTIONS AS ACURATELY AS YOU CAN.	
3.5	Please provide the precise date you started using the agricultural barn, at Hillside Cadeleigh for Blacksmith purposes/use?	
3.6	Is the agricultural barn solely used for Blacksmiths use only? In other words, do you use the barn for any other purpose / uses other than Blacksmiths use?	
3.7	If the answer to the above question is 'YES' you do use the barn for other uses, then please explain what other uses /purposes this barn is used for:	

3.8	If the barn has and is currently used for 'residential use', then please provide the precise date you first used this barn for residential purposes.	
3.9	Please explain how you started to convert the barn into 'residential use'.	
4.0	Please list all the facilities which have been installed and are now in place within the barn, which is solely connected and used for the residential use.	Kitchen: Bathroom: Bedroom[s] (how many): Toilet: Cooker: Furniture (describe what type): Windows: Carpet[s]: Curtains / Blinds: Heating System:
4.1	Is there electricity or gas or both, connected to the residential use inside this barn? IF 'YES' then please confirm which or both, and for what purposes are they use for.i.e heating system, cooking, lightening, etc	

4.2	Has a separate access been formed to the barn, in addition to the main access which front the lane?	
4.3	Have you installed a front timber door into the barn?	
4.4	Have you installed window[s] within the barn? If the answer is 'YES' then Please state how many and on what elevations and levels.	
4.5	Have you extended the barn, to provide additional accommodation?	
4.6	If the answer to the above question is 'YES' then please provide the date when this addition was created and what the use / connection is of this addition is to the residential use. i.e Please describe what this addition is used for.	
4.7	Please explain what other parts of the barn, (internally and externally) you have and, are currently converting into residential use.	

4.8	Please provide the date[s] when you first started these works.	
4.9	Please give the precise date on how long this barn has been used for residential purposes.	
5.0	The land directly to the rear of this barn, is this used in association with the residential use? If the answer to this question is 'YES' then please describe how and what has been placed on this land. i.e washing line, flowers pots, leisure / garden furniture, etc..	
5.1	In regards to the adjoining field shown on the attached plan as 'ADJOINING FIELD' have you erected any outbuildings, poly tunnels, vehicles, or any other items on this land? Is the answer is 'YES' then please describe what they are.	

5.2	If the answer to the above question is 'YES' then please provide the dates with the dates they were erected and completed.	
5.3	If the answer to the above questions is 'YES' then please describe what these structure are used for.	
5.4	Have you installed curtains or blinds on any of the windows installed?	
5.5	How many levels / floors are there within the residential use of the barn?	
5.6	Is the conversion of the barn into 'residential use' completed? If the answer to this question is 'YES' then please give the date when the inside of the barn was completed into residential use.	
5.7	If the answer to the above question is 'NO' then please provide details of what works are still ongoing and what other	

	internal works you are intending to do, in respect to the residential use of this barn.	
5.8	What is your future intention of the use of this barn for residential purposes?	
5.9	Is part of the barn still used for Blacksmiths purposes?	
6.0	If the answer to the above question if 'YES' then, please explain what part of the barn is still used, and whether members of the public visit the site for Blacksmiths purposes.	
6.1	IF you are using the barn for residential purposes, please explain why planning permission was not sought, to regularise this 'unauthorised use' in planning terms?	
6.2	Please explain why you are currently in the process of installing additional windows in the elevations of this barn.	
6.3	How many windows are you intending to install?	

6.4	Please explain what is the purpose of these additional windows you are currently installing? i.e Are the windows currently being installed in association with the residential use? i.e additional rooms?	
6.5	Do you pay Council tax or Council rates?	
6.6	If the above answer to the question above is 'YES' then please provide the exact date when you started paying Council Tax and Council rates.	Council Tax: Rates: Business Rates:
6.7	Do you use the barn for any other purposed or uses other than, Blacksmiths and residential use?	
6.8	If the answer to the above question is 'YES', then please explain what the other uses are, and for how long (time period), and date when these other uses first started.	

6.9	In respect to the shepherds hut, please explain where exactly this shepherds hut is currently stationed.	
7.0	What is the shepherds hut currently used for?	
7.1	Please provide a list of what facilities has been installed within the shepherds hut.	Kitchen: Bathroom: Heating: Sitting Area:
7.2	Do you use the shepherds hut for overnight accommodation?	
7.3	If the shepherds hut rented out or used for letting purposes?	
7.4	If the answer to the above questions is 'YES', then please provide the dates and how long the shepherds hut has been used for letting purposes and time periods etc.	

7.5	In regards to the vehicles stationed at the front of the barn. Please can you explain why these vehicles have stationed for such a long period of time?	
7.6	What is your intention in regards to these vehicles? i.e use.	
7.7	Please provide the date[s] when you last moved the following vehicles[s]: 1. The Lorry (blue cab at the front with orange writing): 2. Tractor: 3. Horse box / trailer: 4. Yellow lorry container: 5. Silver and blue topped vehicle: From the front of the property?	1.Lorry: 2.Tractor: 3. Horse box / trailer: 4. Yellow lorry container: 5.Silver and blue topped vehicle.
7.8	The Council are aware that a steel flue chimney has been installed at the side of the barn.	

	Please provide the precise date this flue was installed and for what purposes it is being used for. i.e is it in association with the residential use?	
7.9	Do you use the barn for any agricultural use?	
8.0	If the answer to the above question is 'YES', then please explain and describe what agricultural uses are still being used within the barn.	
8.1	Is the adjoining land being used for agricultural uses?	
8.2	If the answer to the above question is 'YES' then please explain and describe what agricultural uses are still being used on the adjoining land.	

I hereby declare that the information provided on this Notice is correct to the best of my knowledge.

Signature:

Date:.....