



IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (TCPA 1990)
(as amended by the Planning and Compensation Act 1991)**

BREACH OF CONDITION NOTICE

Issued by: MID DEVON DISTRICT COUNCIL ("the Council")

**To:
Mr Dean Aggett
Meadow Forge
Hillside Barn
Cadeleigh
Tiverton
Devon
EX16 8RZ**

1. THIS NOTICE is served by the Council, under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition (s) specified in the notice. The Annex at the end of this notice contains important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Meadow Forge, Hillside Barn, Cadeleigh, Tiverton, Devon, EX16 8RZ ("the Land") which is shown outlined in **red** on the attached plan ("the Plan").

3. THE RELEVANT PLANNING PERMISSION

Retention of change of use from agricultural to blacksmith's forge under application reference 09/01587/FULL ("the Permission")

4. THE BREACH OF CONDITION

The following condition in respect of the Permission has not been complied with:

Condition 2

The blacksmith's forge hereby permitted shall be used only as a blacksmith's forge, and for no other purpose (including any purpose in Classes B1 and B8 of the schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended)), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:

1. Cease the unauthorised use of the first floor of the blacksmith's forge for residential purposes and;
 - a. Permanently remove the kitchen on the ground floor including the domestic kitchen cupboards, sink, cooker, and all white electrical goods and all domestic appliances connected to the kitchen used for residential purposes any other residential items associated with the use or that with residential use in general and any gas piping, electrical installations to facilitate a kitchen area or residential use, and;
 - b. Permanently remove the laundry area including but not limited to washing machine, tumble dryer, sink, worktops and;
 - c. Permanently remove the residential items from the bedroom including but not limited to the bed, chests of drawers, wardrobes, clothing, and;
 - d. Permanently remove the bathroom from the first floor including but not limited to the bath, shower attachments, toilet, sink pipe works and any other residential items associated with such use and;
 - e. Permanently remove from the lounge area the sofa, dining table and chairs, cabinets lounge area, all domestic furniture and paraphernalia including domestic facilities used for residential purposes, this includes the removal of the fireplace and fire and;
 - f. Permanently remove the office area including the desks, chairs, motorbike and any other residential items and;
 - g. Permanently remove all residential items from the first floor including but not limited to bikes, kettles, cat litter boxes, residential doors and any other items associated with residential use and;
 - h. Permanently remove all central heating and all piping connected to it and;
 - i. Dig up and remove from the land any such services gas, water sewage connections and soakaway systems together with associated cabling, piping and ducting connected to the residential use and;

- j. Revert the use of the building to its lawful use as blacksmith's forge and return the internal layout to accord with the approved drawings under the Permission and approved drawings and;
- k. Permanently remove all resultant material from the works above from site.

Period for compliance: **3 months** beginning with the day on which this notice is served on you.

Dated: 28 March 2025

Signed:

A black rectangular box redacting the signature of Deborah Sharpley.

Deborah Sharpley

On behalf of: Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton, EX16 6PP

Nominated Officer: Heather Nesbitt, Senior Enforcement Officer

Telephone number: 01884 255255

ANNEX

WARNING

THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence.

If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Heather Nesbitt, Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton, EX16 6PP, telephone number 01884 255255 or email: hnesbitt@middevon.gov.uk

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of this notice, you may only do so by an application to the High Court for judicial review.

PERSONS SERVED WITH A COPY OF THIS BREACH OF CONDITION NOTICE ARE AS FOLLOWS;

NONE