

ENFORCEMENT NOTICE (4)

TOWN AND COUNTRY PLANNING ACT 1990

(as amended by the Planning and Compensation Act 1991)

Issued by Dartmoor National Park Authority

**To: Mr Stephen Hopwood of 2 Beacon Cottages, Buckland-in-the-Moor,
Newton Abbot, Devon, TQ13 7HL**

1. This Notice is issued by the Authority because it appears to it that there has been a breach of planning control, within paragraph (a) of Section 171A(1) of the above Act, at the land described below. The Authority considers that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the Notice and the enclosures to which it refers contain important additional information.

2. The Land to which the Notice Relates

Land at 2 Beacon Cottages, Buckland-in-the-Moor, Newton Abbot in the County of Devon ("the Land"), as shown edged red on the attached plan ("the Plan").

3. The Matters which Appear to Constitute the Breach of Planning Control

Without planning permission, operational development consisting of the creation of a shower room and extension of the decking/verandah attached to the Building ("South Cabin") in the approximate position shown edged in blue on the attached Plan ("the Development").

4. Reasons for Issuing this Notice

It appears to the Authority that the above breach of planning control has occurred within the last four years. The Development is contrary to policies DMD1a, DMD1b, DMD4, DMD7, DMD24, COR1, COR2 and COR3 in the development plan and government advice contained in the National Planning Policy Framework, in particular at para 172, and the National Parks Circular 2010.

The Authority considers the Development has an unjustified detrimental impact on the amenity of nearby residents that adversely affects the character and appearance of this part of the National Park.

5. What You are Required to do

- 5.1 Permanently remove the shower room and the decking/verandah extension from the South Cabin; and
- 5.2 Restore the Building to that approved under planning permission reference 0006/02 (copy attached), as amended by planning permission reference 0235/04 (copy attached).

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

6. Time for Compliance

You must comply with the requirements of this Notice within 3 months of this Notice taking effect.

7. When this Notice takes effect

This Notice takes effect on 26 September 2019, unless an appeal is made against it before that date.

Dated this 15th day of August 2019



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HEAD OF DEVELOPMENT MANAGEMENT

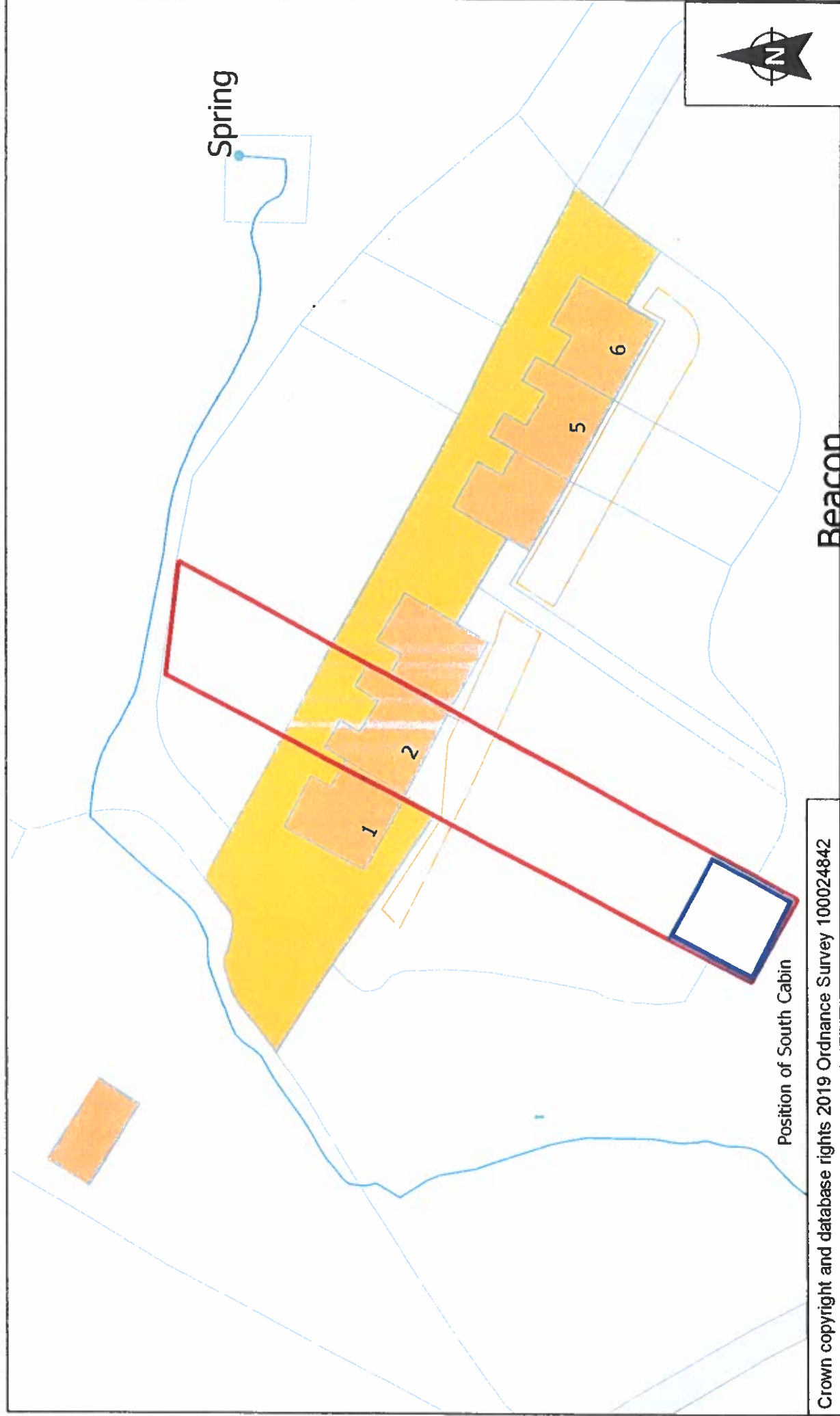
Dartmoor National Park Authority
Parke, Bovey Tracey,
Newton Abbot, Devon. TQ13 9JQ

Dartmoor National Park Authority

2 Beacon Cottages - South Cabin

Scale 1:500

Map created by hmaynard on 4/7/2019



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Grant of Conditional Planning Permission

Town and Country Planning Act 1990

The Town and Country Planning (General Development Procedure) Order 1995

In correspondence please quote Application No 0006/02

To Dr S Hopwood
of 2 Beacon Cottages, Buckland-in-the-Moor, Newton Abbot TQ13 7HL

The Dartmoor National Park Authority hereby grants permission to carry out the development described in the application dated 26 December 2001, together with drawings numbered 1, 2 and 3 attached thereto, brief particulars of which are as follows:

Timber workshop located in south-west corner of property, 2 Beacon Cottages, Buckland-in-the-Moor.

Subject to the following condition(s):

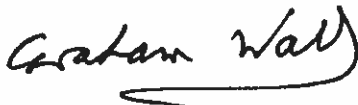
1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
2. The building hereby permitted shall be for private or domestic use only and no business or trade shall be carried out therefrom.
3. No tree on the site (other than one which is dead, dying or dangerous or is required to be felled as stated on the plans hereby approved) shall be lopped, felled or otherwise interfered with, nor any hedge within the site cut down or grubbed out, without the prior approval of the Local Planning Authority.
4. Prior to the commencement of the development hereby approved, samples of all external facing and roofing materials shall be submitted to, and approved by, the Local Planning Authority.

Reason(s):

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. The building by reason of its location is not suitable for commercial use in accordance with Dartmoor National Park Local Plan policies.
3. To assimilate the development into the landscape and to safeguard the character and appearance of this part of the Dartmoor National Park in accordance with policies GP1 and GP3 of the Dartmoor National Park Local Plan.
4. To enable the Local Planning Authority to consider the details of the materials to be used in order to protect the character and appearance of this part of the Dartmoor National Park in accordance with policy GP3 of the Dartmoor National Park Local Plan.

This decision is not a decision under the Building Regulations or any legislation other than that referred to above.

Dated this 25th day of March 2002



Graham Wall

Assistant National Park Officer (Chief Planner)

NOTE: Failure to adhere to the details of the approved plans or to comply with any conditions constitutes a contravention of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.

Appeals to the Secretary of State for Transport, Local Government and the Regions

- (1) If you are aggrieved by the decision of the Authority to grant permission subject to conditions, then you can appeal to the Secretary of State for Transport, Local Government and the Regions under Section 78 of the Town and Country Planning Act 1990.
- (2) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can obtain from The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, The Square, Temple Quay, Bristol BS1 6PN
- (3) The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which justify the delay.
- (4) The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development without the conditions it imposed, having regard to statutory requirements, to the provisions of a Development Order and to any directions given under that Order.
- (5) In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District or Borough Council in whose area the land is situated. That notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

The Party Wall etc Act, 1996

Although there is no direct relationship between the Party Wall Act and planning permission, the Act means that, even though you have planning permission, you may not have the right to commence work until you have satisfied the requirements of the Party Wall Act. For more detailed guidance you can obtain a booklet (Code 97 PBD 008) from the Department of the Environment, Transport and the Regions, Publications Despatch Centre, Black Horse Road, London SE99 6TT (Tel:0181 619 9191 or Fax:0181 694 0099).

This information can also be viewed at <http://www.planning-inspectorate.gov.uk>, the Planning Inspectorate's website.



Grant of Conditional Planning Permission

Town and Country Planning Act 1990

The Town and Country Planning (General Development Procedure) Order 1995

In correspondence please quote Application No: 0235/04

To Dr S Hopwood
of 2 Beacon Cottages, Buckland in the Moor, Newton Abbot TQ13 7HR

The Dartmoor National Park Authority hereby grants permission to carry out the development described in the application dated 4 March 2004, together with three un-numbered drawings received 4 May 2004 attached thereto, brief particulars of which are as follows:

Installation of multi-fuel burner flue and retention of six velux rooflights, 2 Beacon Cottages, Buckland in the Moor.

Subject to the following condition(s):

1. The flue pipe shall be painted or otherwise receive a matt black finish within one month of its installation.

Reason(s):

1. To protect the character and appearance of the building and its setting in accordance with policies GP1 and GP3 of the Dartmoor National Park Local Plan.

Reasons for decision

It is considered that the proposal is in accordance with policy(s) C3 of the Devon Structure Plan, policy(s) GP1, GP3 of the Dartmoor National Park Local Plan, and with advice contained in Circular(s) 12/96, and Planning Policy Guidance Note no(s) 1, 7. The proposal is therefore considered to be acceptable.

This decision is not a decision under the Building Regulations or any legislation other than that referred to above.

Dated this 8th day of June 2004



Graham Wall

Director of Planning and Community

NOTE: Failure to adhere to the details of the approved plans or to comply with any conditions constitutes a contravention of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.

Appeals to the First Secretary of State

- (1) If you are aggrieved by the decision of the Authority to grant permission subject to conditions, then you can appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- (2) If you want to appeal, then you must do so within three months of the date of this notice, using a form which you can obtain from The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, The Square, Temple Quay, Bristol BS1 6PN
- (3) The First Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which justify the delay.
- (4) The First Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development without the conditions it imposed, having regard to statutory requirements, to the provisions of a Development Order and to any directions given under that Order.
- (5) In practice, the First Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District or Borough Council in whose area the land is situated. That notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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