

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

BREACH OF CONDITION NOTICE

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)

ISSUED BY DARTMOOR NATIONAL PARK AUTHORITY

To: Mrs P K Hughes,
Holwell Farm, Manaton Road,
Widcombe-in-the-Moor, Newton Abbot, Devon TQ13 7TT

- 1 **THIS NOTICE** is served by Dartmoor National Park Authority ("the Authority"), under Section 187A of the Town & Country Planning Act 1990 (as amended), because it considers 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 Authority considers that you should be required to comply with the condition specified in this Notice. The Annex at the end of this Notice contains important additional information.
- 2 **THE LAND TO WHICH THIS NOTICE RELATES**
Land at Holwell, Widcombe-in-the-Moor in the County of Devon, as shown edged in red on the attached plan ("the Land").
- 3 **THE RELEVANT PLANNING PERMISSION**
The relevant planning permission to which this Notice relates is the permission which was granted by the Secretary of State on appeal on 13 June 2005, under reference APP/J9497/A/05/1174968 ("the Planning Permission"). A copy of the Planning Permission is attached. The Planning Permission was granted for a replacement agricultural worker's dwelling ("the Dwelling") on the Land, subject to conditions.
- 4 **BREACH OF CONDITION**
The following condition has not been complied with:
 - "5) The dwelling hereby permitted shall only be occupied by persons solely or mainly working, or last working, in the locality, in agricultural or forestry work, as defined by Section 336 of the Town and Country Planning Act 1990, and the dependents of such persons."

It appears to the Authority that the above condition has not been complied with in that the Dwelling is used for holiday accommodation let on a commercial basis.

The Planning Permission contains the said condition for the purpose of ensuring that the dwelling is occupied at all times by a person connected with agriculture and to prevent the creation of an unjustified separate dwelling in the countryside of the Dartmoor National Park, in accordance with policy COR15 of the Dartmoor National Park Core Strategy DPD and government guidance in Planning Policy Statements 1 and 7.

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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 now required to comply with that condition. You must ensure that the Dwelling is only occupied by a person meets the criteria set out in that condition.

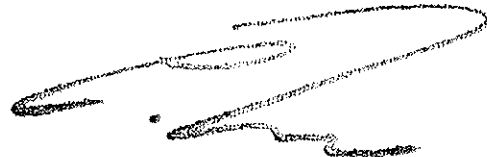
6 PERIOD FOR COMPLIANCE

You must comply with requirement paragraph five of this Notice within 30 days of this Notice taking effect.

7 WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect immediately it is served on you or the date you receive it by postal delivery.

Dated this 3rd day of August 2009



**DIRECTOR OF PLANNING & SUSTAINABLE
DEVELOPMENT**

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

**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 AGAINST THIS NOTICE

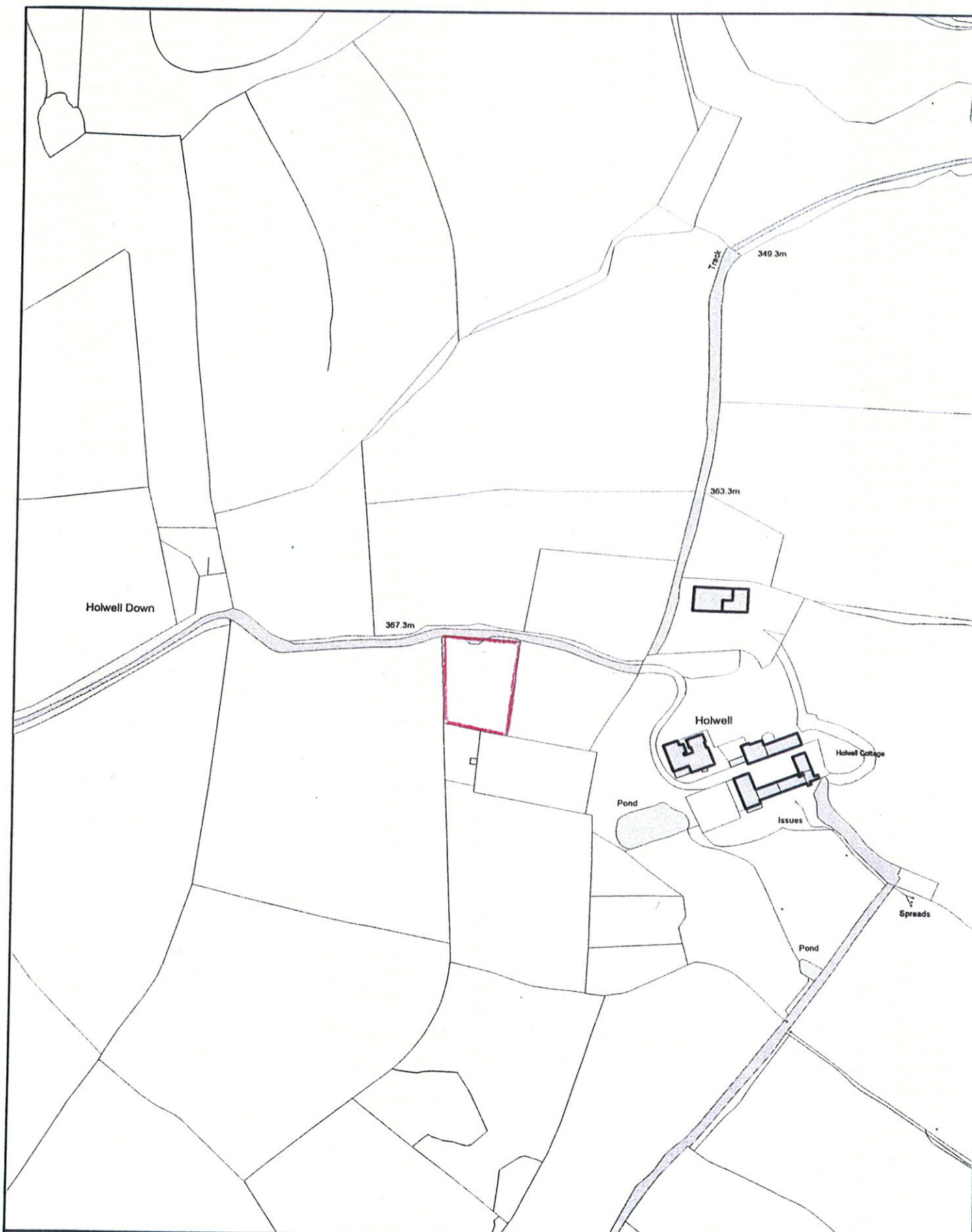
It is a criminal offence to contravene paragraph 5 of this Notice after the end of the compliance period stated in paragraph 6.

If you contravene the requirements stated in this Notice, you will be at risk of **immediate** prosecution in the Magistrates' Court. The maximum penalty upon conviction for failure to comply with this Notice is a fine not exceeding £1,000.

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.

If you are in any doubt about what this Notice requires you to do, or if you require independent advice about this Notice, you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters without delay.

You may also make arrangements to speak with an Enforcement Officer at Parke, Bovey Tracey, Newton Abbot, Devon, TQ13 9JQ, Tel: (01626) 832093.



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

Scale: 1:2602

Date: 31 Jul 2009

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Author:

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