

# **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: Russell Kevin Spry and Caroline Lyndsey Spry of Rideout Farm, Lake Lane, Dousland, Yelverton, Devon, PL20 6LZ**

- 1 This Notice** is served by Dartmoor National Park 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 building 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 Rideout Farm, Lake Lane, Dousland, Yelverton, PL20 6LZ in the County of Devon, as shown edged in red on the attached plan ('Land').
- 3 The Relevant Planning Permission**  
The relevant planning permission to which this Notice relates is the retrospective permission, a copy of which is attached, reference 0625/14, granted subject to conditions on 17 December 2014 by the Dartmoor National Park Authority for the erection of a stable store ('Building') on the Land.
- 4 Breach of Condition**  
The following condition has not been complied with:

*'1. The building hereby approved shall only be used for storage and parking purposes in connection with the equine use of the stable to the south of the building. Upon its becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building'*

It appears to the Authority that the above condition has not been complied with in that part of the Building is in residential use.

The relevant planning permission (reference 0625/14) contains the said condition for the purpose of ensuring the protection of the character of this part of the Dartmoor National Park, in accordance with policies COR1, COR3, COR4, DMD1b, DMD7 and DMD33. It is considered that the Building is being used as an unjustified residential unit in the open countryside of the National Park and that the unauthorised use has an adverse effect on the character and appearance of this part of the National Park.

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**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 the stated condition. You must:

- (a) Permanently cease using the Building for residential purposes; and
- (b) Permanently remove from the Building all partitions, furniture, facilities, chattels, materials, equipment and other items whatsoever associated with or facilitating the residential use of the Building, including but not limited to:
  - i. Satellite dish affixed to the exterior of the Building (including all materials and equipment comprised in its fixing and installation)
  - ii. Kitchen facilities, including any hand basin, sink, oven and white goods
  - iii. Bathroom facilities, including any hand basin, sink, toilet, shower and bath

**6 Period 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 immediately it is served on you, or the date you receive it by postal delivery.

Dated this 11<sup>th</sup> day of February 2015



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**DIRECTOR OF PLANNING**  
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

## Rideout Farm, Dousland



Scale 1:1250

Compiled by cfairhall on 22 January 2015



**Dartmoor National Park Authority**



***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: 0625/14

To Mr P Farnham,  
of 1 Yelverton Terrace, Meavy Lane, Yelverton PL20 6AF  
Agent for Mr R Spry  
of Rideout Farm, Lake Lane, Dousland, Yelverton PL20 6LZ

The Dartmoor National Park Authority hereby grants permission to carry out the development described in the application dated 12 September 2014, together with the drawings numbered AEH01, AEH02C received 25 September 2014 and drawing number AEH04G received 15 December 2014 attached thereto, brief particulars of which are as follows:

**Erection of stable store (retrospective), Rideout Farm, Lake Lane, Dousland.**

Subject to the following condition(s):

1. The building hereby approved shall only be used for storage and parking purposes in connection with the equine use of the stable to the south of the building. Upon its becoming redundant for such purposes, the building shall be removed and the land reinstated to its former condition within a period of six months, unless the Local Planning Authority shall grant planning permission for an alternative use of the building.
2. The vehicular and pedestrian access doors in the building hereby approved shall, unless otherwise previously agreed by the Local Planning Authority in writing, be of vertical timber boarded construction.

**Reason(s):**

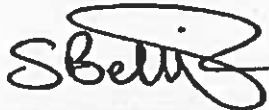
1. To protect the character and appearance of this part of the Dartmoor National Park in accordance with policies COR1, COR3, COR4, DMD1b, DMD7 & DMD33 of the Development Plan.
2. To protect the character and appearance of the building and of this part of the Dartmoor National Park in accordance policies COR1, COR4, DMD3 and DMD7 of the Development Plan.

**Working proactively with the applicant**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal in terms of door design, so as to deliver sustainable development.

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

Dated this 17th day of December 2014



**STEPHEN BELL**

**Director of Planning**

**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.**