



Dartmoor National Park Authority, Parke, Bovey Tracey, Newton Abbot, Devon TQ13 9JQ. T: 01626 832093 E: hq@dartmoor.gov.uk

Planning (Listed Buildings & Conservation Areas) Act 1990

NOTICE UNDER SECTION 38(5)

Issued by
Dartmoor National Park Authority

TO: Mark Rigamonti, 1 Cambridge Road, Kew, London TW9 3JB

WHEREAS:

On 19th August 2015, Dartmoor National Park Authority issued a Listed Building Enforcement Notice ("the Notice") in respect of unauthorised alterations to premises at 16 West Street Ashburton, in the County of Devon ("the Building").

A true copy of the Notice is attached hereto.

Paragraph six of the Notice allowed a period for compliance of 12 (twelve) months, starting on 1st October 2015 and ending on 30th September 2016.

TAKE NOTICE THAT:

In accordance with Section 38(5) of the Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended) the Authority hereby extends the time for compliance to a period of **18 (eighteen) months**, starting on 1st October 2015 and ending on 31st March 2017.

DATED: this 24th day of September 2015

Head of Legal & Democratic Services

LISTED BUILDING ENFORCEMENT NOTICE

Planning (Listed Buildings & Conservation Areas) Act 1990

Issued by Dartmoor National Park Authority

To: Mark Rigamonti, 1 Cambridge Road, Kew, London TW9 3JB

1. This Listed Building Enforcement Notice is issued by Dartmoor National Park Authority as Local Planning Authority pursuant to Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') because it appears to the Authority that works have been carried out for the alteration of the listed building described in paragraph 2 of this Notice in contravention of Section 7 of the Act. The Authority considers that it is expedient to issue this Notice, having regard to the effect of the works on the character of the building as being of special architectural or historic interest.

2. The Building To Which The Notice Relates

The building known as 16 West Street, Ashburton in the County of Devon ('the Building') as shown edged red on the attached plan, which is a Grade II listed building as defined in Section 1 of the Act.

3. The Breach of Listed Building Control

Without listed building consent, the execution of alterations and works to the Building, namely:

- (a) the removal of internal walls
- (b) the removal of floor joists and floor boards
- (c) the removal of the internal partition between the former shop and the residential accommodation
- (d) the removal of haired lime plaster & lath ceilings
- (e) the removal of haired lime plaster & lath on the walls
- (f) the removal of internal panelled doors, architraves and skirtings;
- (g) the removal of the fitted kitchen, leaving only a sink
- (h) the removal of the bathroom suite
- (i) the installation of new timber studwork partitions on the first floor
- (j) the construction of a plywood floor on the first floor, above the former kitchen area
- (k) the creation of a first floor shower room and WC
- (l) the installation of electrical wiring, RCD and power sockets
- (m) the removal of fireplaces

so as to adversely affect the special architectural or historic interest of the Building.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

4. Reasons For Issuing This Notice

The unauthorised works relate to a building included on the Statutory List of Buildings of Special Architectural or Historic Interest (Grade II) and located within the Ashburton Conservation Area. The works constitute unsympathetic and inappropriate alterations which individually and collectively damage the significance of the Building, the historic floor plan of the Building, the proportions of rooms within the Building and the internal character and appearance of the Building.

The works are contrary to policies COR1, COR4, COR5, DMD1b, DMD7 & DMD8 in the Development Plan and Government advice contained in paragraphs 126 to 141 of the National Planning Policy Framework, in particular paragraph 132 and the English National Parks and the Broads Circular 2010 (Defra).

The Authority does not consider that listed building consent should be granted for the unauthorised works, because they adversely affect the significance of the Building and conditions could not overcome these objections.

5. What You Are Required To Do

- (i) Reinstate hardwood joists and deal floor boards to match the same size as those removed without consent
- (ii) Reinstate the partition between the former shop and the residential accommodation in its former location as indicated by the scarring on the walls and the ceiling.
- (iii) Construct ceilings as necessary within the building to eliminate voids between floors, using traditional lath and plaster construction to match
- (iv) Reinstate all internal walls in their former positions within the building
- (v) Re-plaster all internal walls using haired lime plaster & lath
- (vi) Remove the plywood floor on the first floor, above the former kitchen area and reinstate a wood floor on the joists using deal floor boards to match those removed without consent
- (vii) Remove the first floor shower room and WC, including fixtures and fittings, tiling and partition walls
- (viii) Reinstate all internal panelled doors to match those removed from the building
- (ix) Reinstate all architraves and skirting to match those removed from the building
- (x) Reinstate all fireplaces removed from the building

ENSURING AT ALL TIMES that the Building is properly supported so as not to present a danger or risk to any person, or cause unnecessary or unacceptable risk to the structural integrity of the Building.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

6. Time for Compliance

You must comply within twelve months of the date on which this Notice takes effect.

7. When this Notice Takes Effect

This Listed Building Enforcement Notice takes effect on 1 October 2015, unless an appeal is made against it before that date.

Dated this 19th August 2015



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Head of Planning

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

Informative Note

NB. This note is for information and is not part of the formal Notice

The Authority would strongly advise you to obtain professional advice prior to undertaking or commissioning any works for compliance with this Notice

The Authority would further recommend that you secure detailed professional drawings to appropriate scale, showing clearly details of design, construction and materials AND submit these details to the Authority for consideration and approval prior to undertaking or commissioning any works.