

Planning Admin.

IMPORTANT

**THIS COMMUNICATION AFFECTS
YOUR PROPERTY**

Solicitor to the Council
P L Jeremiah LL.B

Our Ref: PT/CG E96.0061

8 January 1997

Dear Sir/Madam

TOWN AND COUNTY PLANNING ACT 1990

ENFORCEMENT NOTICE

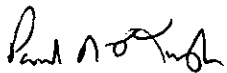
Land at 16 Bolingbroke Close, Hook, Swindon, Wiltshire

The Council have issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Notice, in view of your interest in the land. Unless an appeal is made to the Secretary of State as described below, the Notice will take effect on the date shown below and you must then ensure that the required steps for which you may be held responsible are taken within the period or periods specified in the Notice.

If you wish to appeal against the Notice, you should first read carefully the enclosed booklet entitled "Enforcement Notice Appeals - A Guide to Procedure". Then you or your agent should complete the enclosed appeal form and send it, together with the extra copy of the Enforcement Notice enclosed herewith, to the address on the appeal form. Your appeal must be received by the Department of the Environment before the notice takes effect.

There is a requirement on the Council to specify the reasons why the local planning authority consider it expedient to issue the Notice and these reasons are set out in the Notice.

Yours faithfully



SOLICITOR TO THE COUNCIL

DATE ON WHICH THE NOTICE TAKES EFFECT AND BEFORE WHICH ANY APPEAL MUST BE RECEIVED 19 February 1997

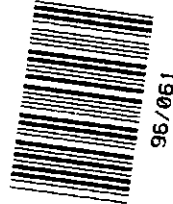
To Mr M R Schwarz
16 Bolingbroke Close
Hook
Swindon
Wiltshire
SN4 8ED

Mrs M Schwarz
16 Bolingbroke Close
Hook
Swindon
Wiltshire
SN4 8ED

Halifax Building Society
Regents Circus
Swindon
Wiltshire

*North
Wiltshire
District
Council*

Monkton Park, Chippenham
Wiltshire SN15 1 ER
Telephone (0249) 443322



*Plotted
P.L.*

E96.0061

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

Land at 16 Bolingbroke Close, Hook, Swindon, Wiltshire

WHEREAS

1. It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 172 of the Town and Country Planning Act 1990 ("the Act") in this matter, that there has been a breach of planning control within the last four years on the land or premises ("the land") described in Schedule 1 below.
2. The breach of planning control which appears to have taken place consists in the carrying out of the building, engineering, mining or other operations described in Schedule 2 overleaf without the grant of planning permission required for that development.
3. The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers in the said Section 172 for the reasons set out in this notice.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 overleaf be taken in order to remedy the breach within the period of six months from the date on which this Notice takes effect.

Subject to the provisions of Section 175(A) the Act

THIS NOTICE SHALL TAKE EFFECT on 19 February 1997

P. L. Jenkinson

SOLICITOR TO THE COUNCIL

DATED 8 January 1997

Ops1

Schedule 1

Land at 16 Bolingbroke Close, Hook, Swindon, Wiltshire shown stippled on the attached plan ("the land")

Schedule 2

Unauthorised development on the land, namely the construction of an asymmetrical roof structure over the existing flat roof double garage and storage building.

Schedule 3

1. Remove the said asymmetrical roof structure.
2. Restore the flat roof to the garage and storage building so as to accord with the details of the planning permission dated 13 July 1982, reference N.82.0767.F (copy planning permission and plan attached).

Reason

Having regard to its excessive size, height and disparate external appearance, the asymmetrical roof structure is intrinsically unattractive and seriously detrimental to the visual amenities of the locality

TIME FOR COMPLIANCE - 6 MONTHS.

E (96.0061)

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No further copies may be made.

NORTH WILTSHIRE DISTRICT COUNCIL
LA078840 1996

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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 1996

SCALE 1:2500 - GRID MAP NUMBER : SU0784 DATE PRODUCED 19/12

SCALE 1:2500 - GRID MAP NUMBER : SU0784 DATE PRODUCED 19/12/96

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THE SCHEDULE TO THE PERMISSION

Name of Local Planning Authority:		NORTH WILTSHIRE DISTRICT COUNCIL Monkton Park, Chippenham, SN15 1ER.	
Name and address of applicant: Mr. M. Titcombe. 16 Bolingbroke Close, Hook, Wootton Bassett, Swindon, Wilts.			
Brief Details of the Application:		Application Date: 27th May 1982	
Location: 16 Bolingbroke Close, Hook, Wootton Bassett. Parish: LYDIARD TREGOZE			
Proposed Development: Erection of Domestic Garage and Shed			
Conditions: 1. The development hereby authorised shall be carried out in accordance with the application and plan as amended on 9th July, 1982.			
Reasons: 1. To define the permission.			

Dated this 13th

day of 12 July 1982
Signed *[Signature]*

Authorised Officer

PERMISSION FOR DEVELOPMENT

1. The Local Planning Authority HEREBY GRANT PLANNING PERMISSION subject to the scheduled conditions (if any) for the development proposed by the applicant in the application, which is hereby expressly incorporated herewith and of which brief details are, by way of identification only, set out in the Schedule (see overleaf).
2. The scheduled conditions (if any) have been imposed for the reasons set out in the Schedule.
3. "The Local Planning Authority", "the scheduled conditions", "the applicant" and "the application" referred to above are those described in the Schedule overleaf.

NOTES

(1) **Time Limits on Planning Permissions.** By virtue of Section 41 – 44 of the Town and Country Planning Act, 1971, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of this permission, then that condition must be observed. Otherwise, one or other of the following time limits (as appropriate) will apply:—

- (i) Where planning permission is given in outline subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun either within 5 years from the date of the grant of the outline permission or within 2 years from the final approval of all the matters reserved.
- (ii) Where the planning permission is complete and is not in outline then the development must be begun not later than the expiration of 5 years from the date on which permission was granted.

If the development has not been begun or application been made for approval of matters reserved within the time limits mentioned there is freedom to apply for a new planning permission.

(2) **Other necessary consents.** This document only conveys permission for the proposed development under the Town and Country Planning Act 1971 and the applicant must also comply with all byelaws, regulations and statutory provisions in force in the district and secure such other approvals and permissions as may be necessary.

In particular the applicant is reminded of the following matters:—

- (a) the need in appropriate cases to obtain approval under Building Regulations;
- (b) the need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath;
- (c) the need to obtain consent to the demolition, alteration or extension of any listed building of architectural or historic interest (unless this permission is so framed as to authorise expressly any proposed works of alteration or extension);
- (d) the need to make any appropriate arrangements under the Highways Act, 1971, in respect of any works within the limits of a public highway.

(It is the responsibility of the applicant to ascertain whether his development affects any public right of way or listed building).

(3) **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Section 6 of the Control of Office and Industrial Development Act 1965 and Section 23 of the Industrial Development Act 1966).

(4) **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(5) **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act, 1971.

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Special Document ID Barcode:



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PLACEHOLDER

Prepared by Resolution Ltd.

PLACEHOLDER

MAY, 1982

D Auld.

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Solicitor to the Council
P L Jeremiah LL.B

Our Ref: PT/CG E96.0061

*North
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Wiltshire SN15 1 ER
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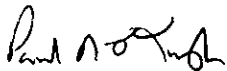
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To Mr M R Schwarz
16 Bolingbroke Close
Hook
Swindon
Wiltshire
SN4 8ED

Mrs M Schwarz
16 Bolingbroke Close
Hook
Swindon
Wiltshire
SN4 8ED

Halifax Building Society
Regents Circus
Swindon
Wiltshire

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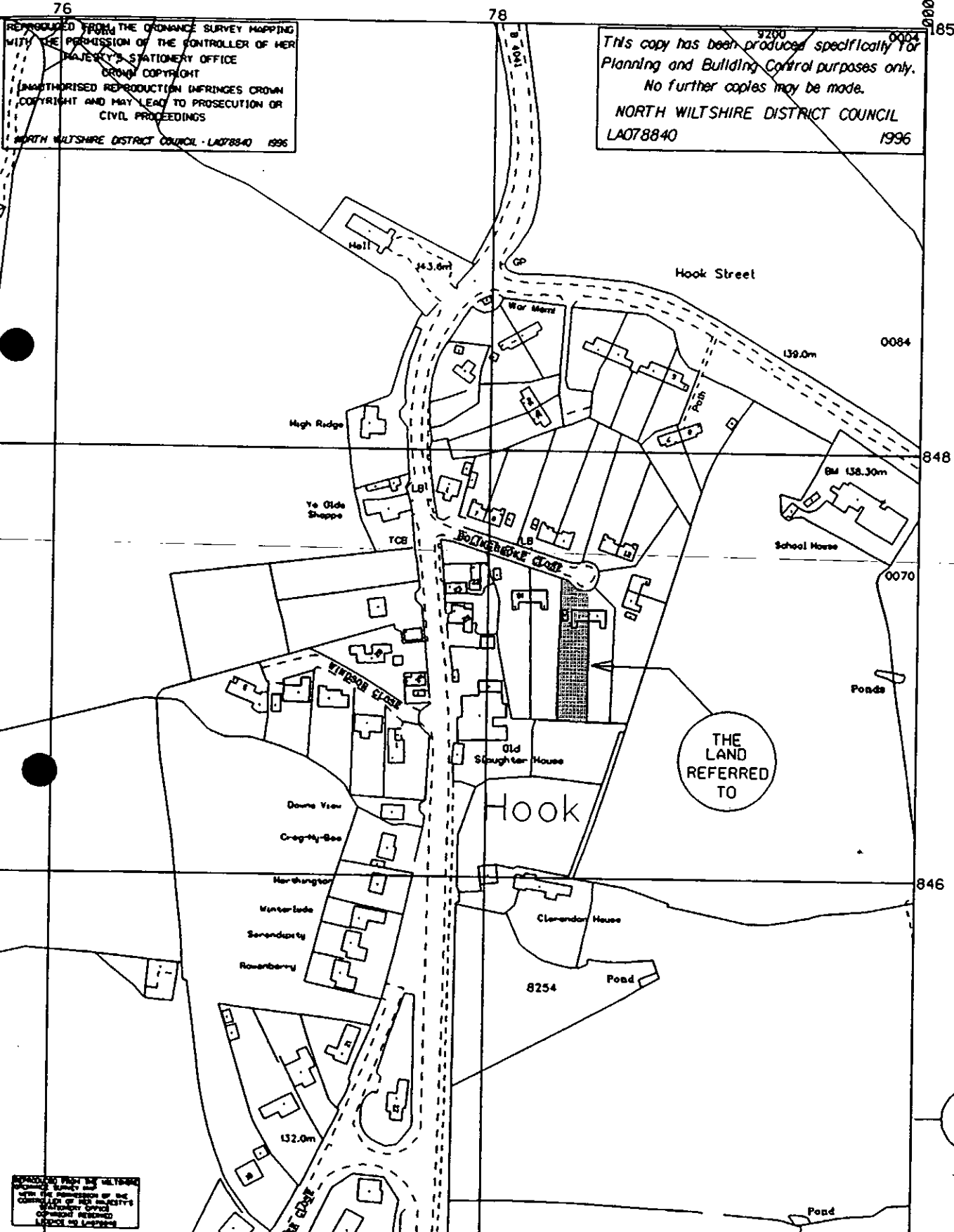
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NORTH WILTSHIRE DISTRICT COUNCIL
Monkton Park, Chippenham, SN15 1ER.

Name and address of applicant:

Mr. M. Titcombe.
16 Bolingbroke Close,
Hook,
Wootton Bassett,
Swindon, Wilts.

Brief Details of the Application:

Application Date: 27th May 1982

Location: 16 Bolingbroke Close, Hook, Wootton Bassett. Parish: LYDIARD TREGOZE

Proposed Development: Erection of Domestic Garage and Shed

Conditions:

1. The development hereby authorised shall be carried out in accordance with the application and plan as amended on 9th July, 1982.

Reasons:

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Dated this

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July

19

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