

Plotting Office

IMPORTANT

**THIS COMMUNICATION AFFECTS
YOUR PROPERTY**

Solicitor to the Council
P L Jeremiah LL.B

Our Ref: PT/CG E97.0257



*North
Wiltshire
District
Council*

Monkton Park, Chippenham
Wiltshire SN15 1 ER
Telephone (01249) 443322

20 August 1997

Dear Sir/Madam

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

LISTED BUILDING ENFORCEMENT NOTICE

42 High Street, Malmesbury, Wiltshire

The Council have issued an Listed Building 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 or your agent should write to the Planning Inspectorate, Room 11/11(7), Tollgate House, Houlton Street, Bristol BS2 9DJ setting out the grounds of your appeal and, in brief, the facts on which you rely for support. The statutory grounds of appeal available are set out in Section 39 of the Act, which I copy to you. Any appeal should have with it the extra copy of the Notice that I have provided. **AN APPEAL SHOULD BE RECEIVED BY THE PLANNING INSPECTORATE 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

P. L. Jeremiah

SOLICITOR TO THE COUNCIL

DATE ON WHICH THE NOTICE TAKES EFFECT AND BEFORE WHICH ANY APPEAL MUST BE RECEIVED 1 October 1997

To W H Smith Ltd
Audrey House
Ely Place
London EC1N 6SN

E97.0257

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

LISTED BUILDING ENFORCEMENT NOTICE

42 High Street, Malmesbury, Wiltshire

WHEREAS

1. It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act") in this matter, that works have been or are being executed to the listed building, described in Schedule 1 overleaf, such as to involve a contravention of Section 9 of the Act.
2. The contravention which appears to have taken place is described in Schedule 2 overleaf.
3. The Council consider it expedient, having regard to the effect of the said works on the character of the listed building as one of special architectural or historic interest and to all other material considerations, to issue this listed building enforcement notice, in exercise of their powers in the said Section 38 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 for the purposes set out in that Schedule within the period or periods there specified from the date on which this notice takes effect.

Subject to the provisions of Section 39 of the Act

THIS NOTICE SHALL TAKE EFFECT on 1 October 1997.

Signed P. L. Jeremiah **SOLICITOR TO THE COUNCIL**

Date 20 August 1997

Monkton Park, Chippenham
Wiltshire SN15 1ER

E97.0257

Schedule 1 - Listed Building to which this notice relates

42 High Street, Malmesbury, Wiltshire shown shaded grey on the attached plan (List No. 11/14 Grade II) ("the building")

Schedule 2 - The Contravention

Unauthorised works to the building consisting of the erection, on the front elevation of the building, of:-

1. A fascia sign made of shiny-coated aluminium material, coloured blue with the words "W H Smith" in large white colours.
2. A hanging sign in a similar style with the words "W H Smith".
3. A projecting sign with the words "Lottery Instant's" and logo, attached close to the fascia which is poorly detailed and not traditionally fixed.

Schedule 3 - Steps Required To Be Taken

Restore the building to its former state by the removal of the unauthorised hanging and projecting signs in paragraphs 2 and 3 of Schedule 2 above and by replacing the fascia sign with that which was in place prior to the unauthorised works.

WITHIN THE PERIOD OF TWO MONTHS FROM THE DATE ON WHICH THIS NOTICE TAKES EFFECT.

REASON FOR ISSUE

In the interests of the character of the Listed Building and the appearance and character of the Conservation Area.

The map shows a residential area with several streets: High Street, King's Walk, Oliver's Lane, Cross Hayes Lane, St Dennis LA, Ingram Street, St John's Street, and St Aldhelm's RC Church. Key buildings include The Kings Arms Hotel, Oliver's House, Hodder Court, Veterinary Surgery, Education Centre, Municipal Offices, Library, Church, Wendy Cott, Rose Cott, The Barn, and Club House. A specific site is highlighted with a black rectangle and labeled 'THE SITE REFERRED TO' in a circle. The map also shows a river, a weir, and a playground.

DATE 25/07/97

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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 1997