

E.97.0373 EN.01

Plotting office

Plotted.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: North Wiltshire District Council



1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A(1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at The Stores, Bowds Lane, Brinkworth, Chippenham, Wiltshire ("the Land") shown shaded grey on the attached plan

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

1. The unauthorised use of the site and premises as a depot and centre of operations for a taxi business, and also as a commercial vehicle parking area, both in addition to the lawful use of the existing building on the site as a store within Use Class B8.
2. The erection of a two-way radio mast on the north-west end elevation of the main building used in connection with the taxi business.

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the above breaches of planning control have occurred within the last ten and four years respectively.
2. The developments are contrary to the provision of the local development plan (The North East Wiltshire Structure Plan, policies E11, E13 and C6; The North Wiltshire Local Plan, policies E15, E16 and C7; and the North Wiltshire Local

Plan Review (as modified up to the conclusion of its Public Inquiry in February 1997,) policies RE19 and RC9) and as such would frustrate its land use, rural amenity and transport objectives, contrary to the public interest.

3. The developments appear incongruous within, and are detrimental to, the rural character and appearance of the local environment.
4. The unclassified and Class III roads serving the site and local area are narrow and winding with sections of poor horizontal and vertical alignment, and are unsuitable to safely and conveniently cater for the additional traffic movements which are generated by the use of the site as a taxi-hire depot and office.
5. The junction of Bowds Lane with the A3012 has substandard width, radii and visibility; and the development results in increased use of this junction to the detriment of highway safety on the Class I road.

5. WHAT YOU ARE REQUIRED TO DO

1. Remove the aerial from the land.
2. Cease the taxi business and commercial vehicle parking uses and activities on the land.

6. TIME FOR COMPLIANCE

Three months from the date this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **27 May 1998** unless an appeal is made against it beforehand.

Dated : 15 April 1998

Signed : *P.L. Jeremiah*

on behalf of North Wiltshire District Council

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The

enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the enclosed appeal forms.

- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form and the notice should be sent to the Council.
- (c) The third copy is for your own records.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

NORTH WILTSHIRE DISTRICT COUNCIL - 14.00788.10 1897

E.97.0373.EN.02

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR
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**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

Noted.

ENFORCEMENT NOTICE

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2. **THE LAND TO WHICH THE NOTICE RELATES**

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3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

1. The unauthorised construction of a flat roofed, timber-framed and clad extension attached to the north-west elevation of the existing building on the site, and the provision of associated foul drainage works contained within an area adjacent to the building's north-east elevation.
2. The provision of a new gravel surfaced hardstanding on land adjoining the building's north-east elevation.

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the above breaches of planning control have occurred within the last four years.
2. The developments are contrary to the provision of the local development plan (The North East Wiltshire Structure Plan, policies E13 and C6; The North Wiltshire Local Plan, policies E15, E16 and C7; and the North Wiltshire Local

Plan Review (as modified up to the conclusion of its Public Inquiry in February 1997,) policies RE19 and RC9) and as such would frustrate its land use, rural amenity and transport objectives, contrary to the public interest.

3. The developments appear incongruous within, and are detrimental to, the rural character and appearance of the local environment.

5. WHAT YOU ARE REQUIRED TO DO

1. Demolish the timber extension; remove its foundation base and connections to the foul drainage works; restore the affected land to the levels of adjoining land with top soil; and seed the restored land with grass.
2. Remove the foul drainage works; restore the affected land to the levels of adjoining land with top soil; and seed the restored land with grass. Alternatively, to infill the drainage works with inert material.
3. Removal the hardstanding; restore the affected land to the levels of adjoining land with top soil; and seed the restored land with grass.
4. Remove from the land and premises all spoil resulting from the demolition and site restoration works.

6. TIME FOR COMPLIANCE

Three months after this Notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

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Dated : 15 April 1998

Signed : *P.L. Jermine*

on behalf of North Wiltshire District Council

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North Wiltshire District Council

PLANNING ENFORCEMENT NOTICE

SITE PLAN

PROPERTY ADDRESS:

Storage Depot
Bowds Lane
BRINKWORTH
Chippenham
Wiltshire
SU0188-8140

REFERENCE:

E.97.0373

DESCRIPTION:

*Extension, Drainage and
Surface Works, Aerial, Taxi
Business and Parking of
Vehicles.*

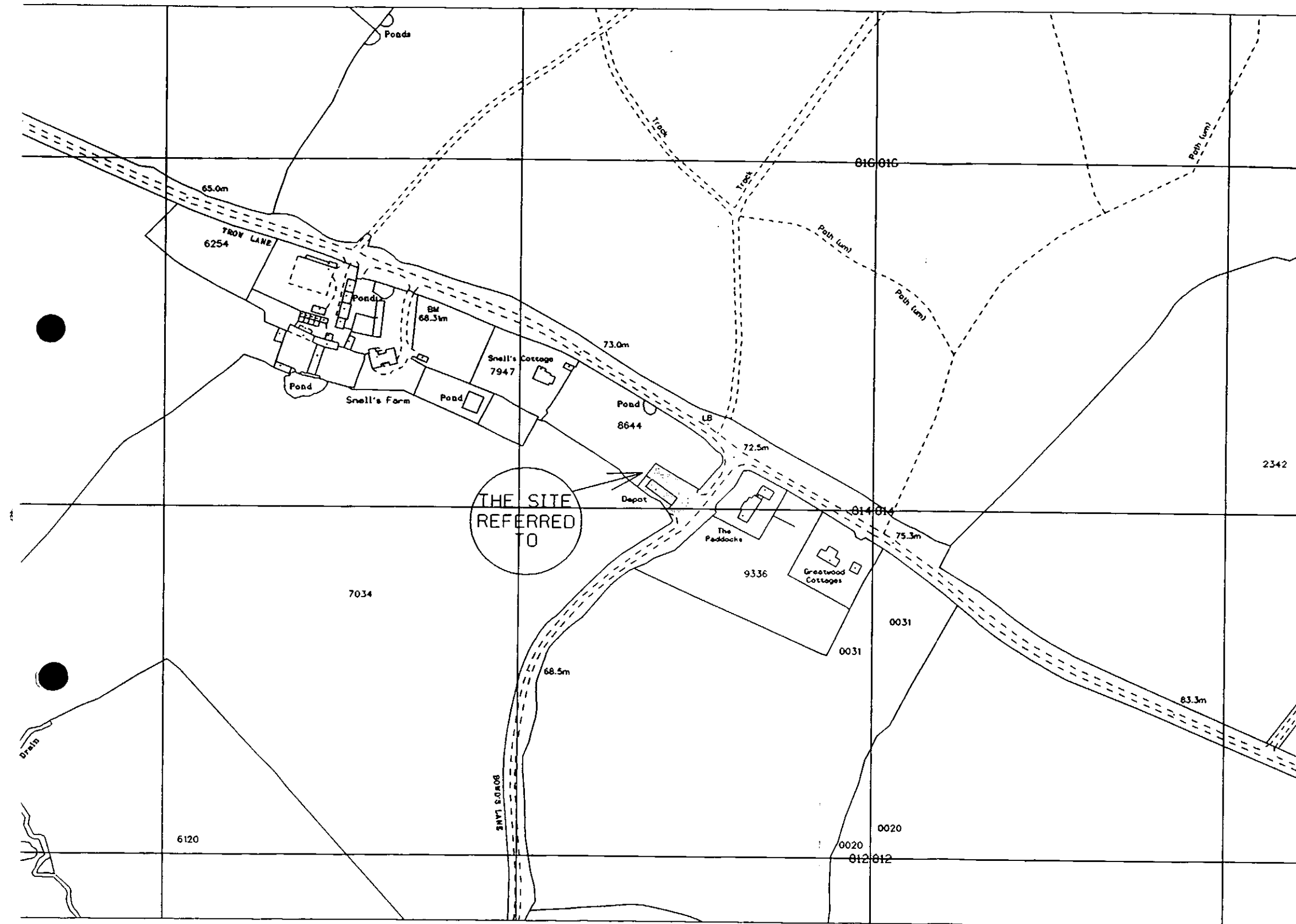
KEY

Site Referred To
Shaded Grey

SCALE: 1:2500

DATE: 10/02/98

Drawn By CG/GIS



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NORTH WILTSHIRE DISTRICT COUNCIL - 11 0078840 1997

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5. WHAT YOU ARE REQUIRED TO DO

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2. Cease the taxi business and commercial vehicle parking uses and activities on the land.

6. TIME FOR COMPLIANCE

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Dated : 15 April 1998

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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 1997