

Chief Executive: Bob Marshall

Director: David Button
Director: Bob Gwilliam
Director: Jeff Penfold

Replies to:
P.L. Jeremiah LL.B.
Solicitor to the Council
Monkton Park
CHIPPENHAM
Wiltshire SN15 1ER

Tel: Chippenham (01249) 706111
Fax: Chippenham (01249) 443152
DX No. 34208

Enquiries to: R. J. Packer
Our Ref: E98.0031
Your Ref:



*North
Wiltshire
District
Council*

19 May, 1999

*plotted 1/6/99
E.98.0031.*

Dear Sir

**ENFORCEMENT NOTICE ON LAND AT PINK LANE FARM, PINK LANE,
CHARLTON, WILTSHIRE**

The Council have issued an Enforcement Notice relating to the above Land and I now serve on you a copy of this Notice, in view of your interest in the Land.

Unless an appeal is made, as set out in the Annex, the Notice will take effect on the date shown in Paragraph 7 of the Notice and you must ensure that the required steps for which you may be held responsible are taken within the period or periods specified.

Yours faithfully

SOLICITOR TO THE COUNCIL

To Mr. J. C. Spencer
Pink Lane Farm
Pink Lane
Charlton
Malmesbury SN16 9DS

Hydrex Equipment (U.K.) Ltd
Harbour Road
Portishead
Bristol



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 Pink Lane Farm, Pink Lane, Charlton, Wiltshire, shown stippled on the attached plan

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

Without planning permission, change of use of the land from agricultural use to use as a depot/base for the storage and servicing of heavy plant and machinery.

4. **REASONS FOR ISSUING THIS NOTICE**

- 1 It appears to the Council that the above breach of planning control has occurred within the last ten years.
- 2 The highway network in the vicinity of the land is unsuitable and inadequate to accommodate the additional heavy traffic generated by its use as a plant hire depot, thereby conflicting with Policy E16 of the adopted North Wiltshire Local Plan and Policy RE20 of the emerging North Wiltshire Local Plan Review
- 3 Demonstrable harm is being caused to the visual and residential amenity of the land and its surroundings by the storage and transport of plant and equipment, thereby conflicting with the said Policies

- 4 The use of the former agricultural worker's dwelling as office accommodation, without any agricultural justification, is contrary to the strict control of new development in the countryside
- 5 It is not considered that planning permission for the unauthorised development should be granted, since planning conditions could not overcome the above problems..

5. WHAT YOU ARE REQUIRED TO DO

- a Stop using any part of the land for the storage and servicing of plant, equipment and machinery and as a plant hire depot
- b Remove from the land all plant, equipment, machinery, scrap and other articles associated with the unauthorised use.

6. TIME FOR COMPLIANCE

Six months after this notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 30th June 1999 unless an appeal is made against it beforehand.

Dated : 19th May 1999

Signed : *P. L. Tereuniah*

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 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

ENFORCEMENT NOTICE Under S172 of Town & Country Planning Act 1990

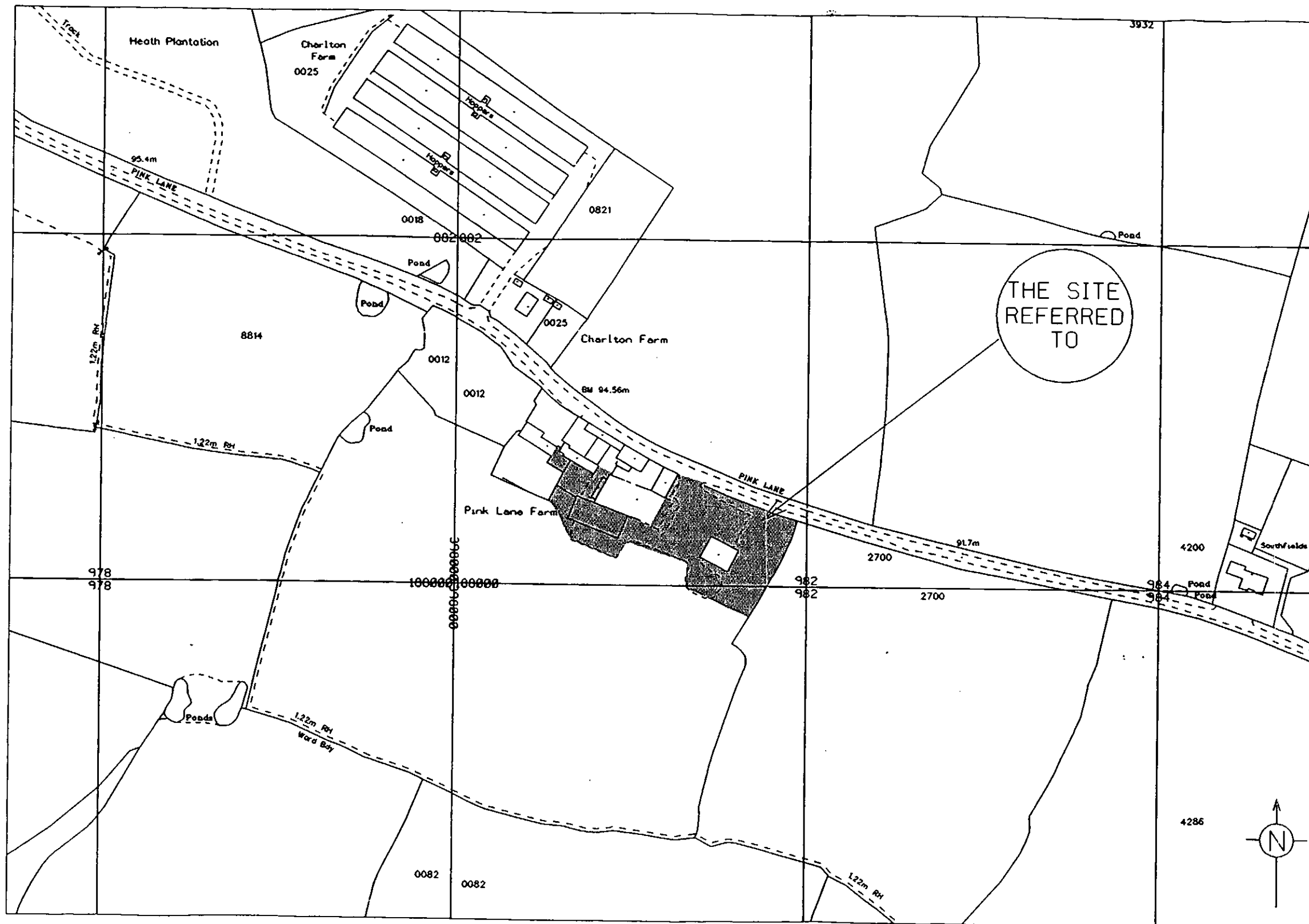
PROPERTY ADDRESS:
Pink Lane Farm
Charlton
Malmesbury
Wiltshire

REFERENCE:
E.98.0031

DESCRIPTION:
Unauthorised Change of
Use to Depot/Base for
storage, hire & servicing of
plant, machinery &
equipment

KEY:
Site referred to
stippled Grey

OFFICER DEALING - DRE
SCALE: 1:2500
GRID REF: ST9788
DATE: 19/04/99



Chief Executive: Bob Marshall

Director: David Button
Director: Bob Gwilliam
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Enquiries to: R. J. Packer
Our Ref: E98.00031
Your Ref:

D. Gould

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INVESTOR IN PEOPLE

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