

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

*D. Penfold*

# North Wiltshire District Council

Tel: Chippenham (01249) 706111 Ext 593  
Fax: Chippenham (01249) 443152  
DX No. 34208

Enquiries to: R J Packer  
Our Ref: RJP/CG E98.143A & B  
Your Ref:



98/143

4 February, 1999

Dear Sir

## **ENFORCEMENT NOTICES AT LAND AT OS FIELDS 8624 & 6209, WEST OF ASHLEIGH, BOX, WILTSHIRE**

The Council have issued two Enforcement Notices relating to the above Land and I now serve on you copies of these Notices, in view of your interest in the Land.

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

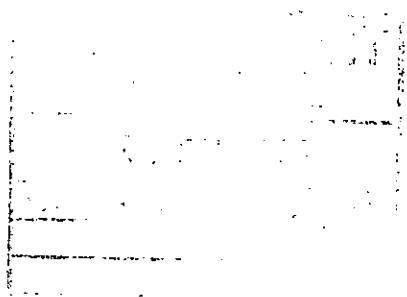
Yours faithfully

*RJP*

**SOLICITOR TO THE COUNCIL**

To

John Forrester  
7 Lambridge Place  
Larkhall  
Bath



INVESTOR IN PEOPLE

**E98.0143A**

**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 OS Fields 8624 and 6209, West of Ashleigh, Box shown shaded on the attached plan.

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

Without planning permission, the carrying out of engineering operations to form a private track and hardstandings, the upfilling of land, the erection of pigsties, and the excavation of an area for a new building.

4. **REASONS FOR ISSUING THIS NOTICE**

- a) It appears to the Council that the breach of planning control has occurred within the last four years. The landholding does not comprise a viable agricultural unit, and the unauthorised development cannot be demonstrated to be necessary at this location, and is therefore contrary to Policy C1 of the North Wiltshire Local Plan, as endorsed by Policy RC1 of the North Wiltshire Local Plan Review, which Policies seek to protect the integrity of the West Wiltshire Green Belt.

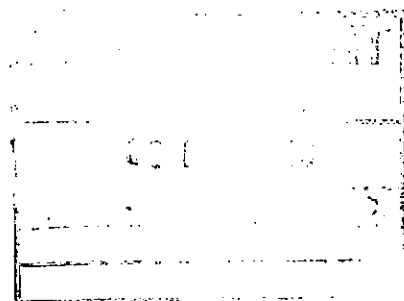
- b) The unauthorised development is visually intrusive at a prominent location in the South Cotswolds Area of Outstanding Natural Beauty, cannot be demonstrated to be necessary at this location, and is therefore contrary to Policy C3 of the North Wiltshire Local Plan, as endorsed and amended by Policy RC7 of the North Wiltshire Local Plan Review, which Policies seek to protect, preserve and enhance the character and scenic quality of the Area of Outstanding Natural Beauty.

## **5. WHAT YOU ARE REQUIRED TO DO**

- a) Stop all engineering operations, upfiling, construction and excavation on the land.
- b) Submit to the Council for its approval plans showing existing ground levels and proposals, including timescale, for reinstatement of the land to its condition preceding the breach of planning control, including the spreading of subsoil and topsoil to a depth of 500mm and 300mm respectively, details of the grass seed mixture to be planted and a five-year programme of after-care for restoration as agricultural pasture.
- c) Remove all buildings, including the unauthorised pigsties, and their foundations and enclosure fences, from the land.
- d) Remove all hardcore materials brought on to the land in connection with the unauthorised formation of a track and hardstandings from the land.
- e) Carry out reinstatement, re-seeding and after-care in accordance with the proposals as approved by the Council.

## **6. TIME FOR COMPLIANCE**

Step 5a	Seven days
Step 5b	Two months
Step 5c	Four months
Step 5d	Four months
Step 5e	In accordance with the proposals approved by the Council.



7.

This notice takes effect on 18 March 1999 unless an appeal is made against it beforehand.

Dated : 4 February, 1999

Signed : P. C. Teremialh

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 that has taken effect can result in prosecution and/or remedial action by the Council.

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**E98.0143B**

**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 OS Fields 8624 and 6209, West of Ashleigh, Box shown shaded 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 use for agriculture to a mixed use for agriculture and for storage purposes.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the breach of planning control has occurred within the last ten years. The unauthorised development is visually intrusive at a prominent location in the Cotswolds Area of Outstanding Natural Beauty, cannot be demonstrated to be necessary at this location, and is therefore contrary to Policy C3 of the North Wiltshire Local Plan, as endorsed and amended by Policy RC7 of the North Wiltshire Local Plan Review, which Policies seek to protect, preserve and enhance the character and scenic quality of the Area of Outstanding Natural Beauty.

**5. WHAT YOU ARE REQUIRED TO DO**

- 1) Stop using any part of the land for storage purposes.
- 2) Remove all vehicles, equipment, scrap and waste materials and any other items of a similar nature, from the land.

**6. TIME FOR COMPLIANCE**

Step 1	Seven days
Step 2	Twenty eight days

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 18 March 1999 unless an appeal is made against it beforehand.

Dated : 4 February, 1999

Signed : *P.L. Tereniah*

on behalf of North Wiltshire District Council

**ANNEX**

**YOUR RIGHT OF APPEAL**

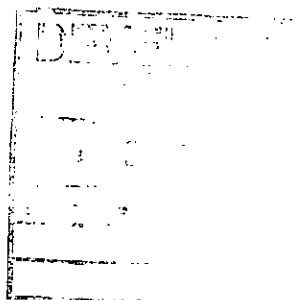
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the enclosed appeal forms.

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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

## SITE PLAN

**PROPERTY ADDRESS:**  
Land west of Ashley  
Box  
Wiltshire

**REFERENCE:**  
E.98.0143

**DESCRIPTION:**  
Unauthorised  
Use of Land  
for Storage Purposes

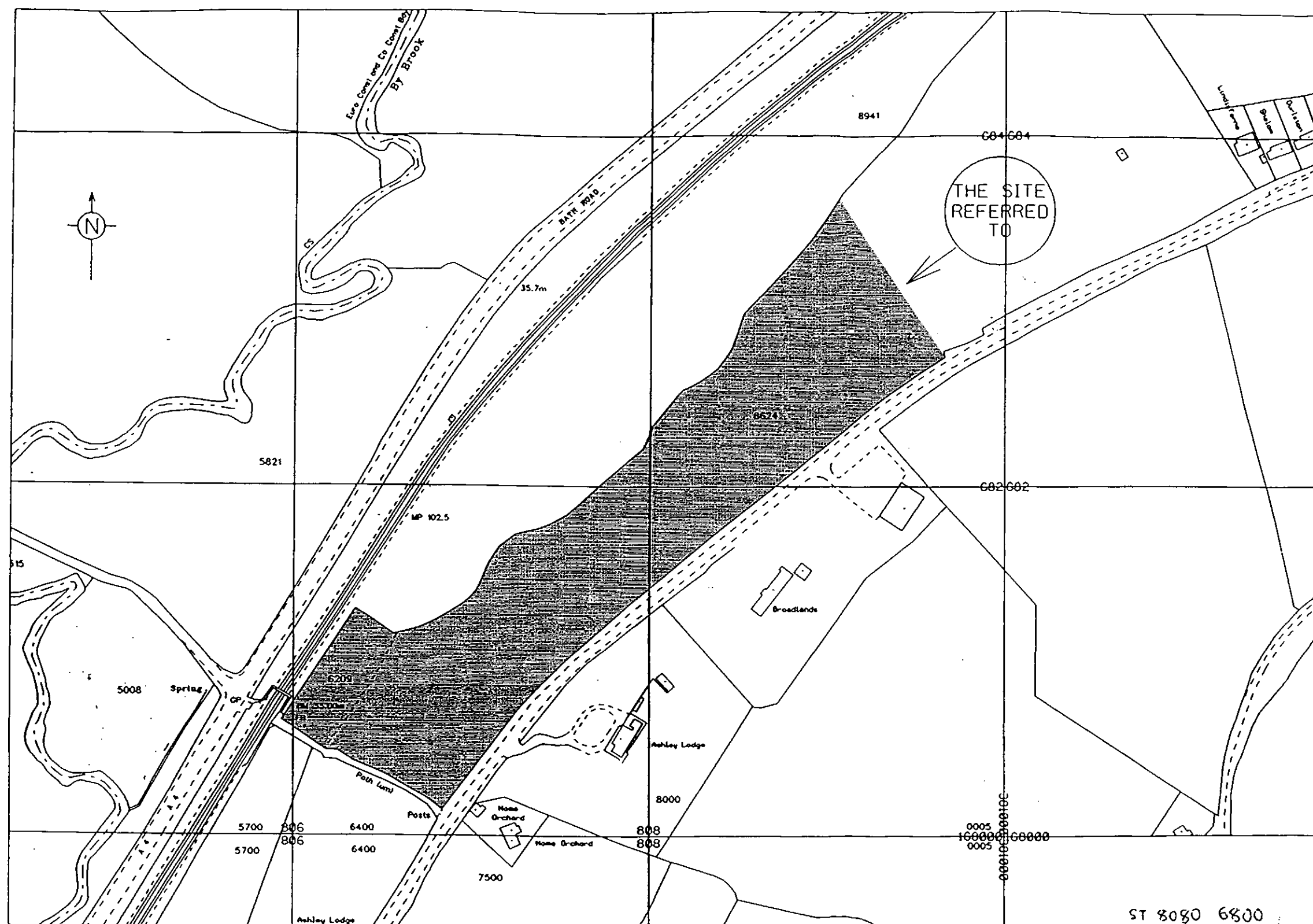
**KEY:**  
Area referred to  
shaded grey

**OFFICER DEALING - CR**

**SCALE:** 1:2500

**GRID REF:** ST8168

**DATE:** 22/01/99



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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 1997