



98/176

Planning  
Office

E98.0176

Dotted

## 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 Stables, Ashes Lane, Kington Langley, Wiltshire shown edged red 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 equestrian purposes to a mixed use as a wildlife rescue centre/menagerie and for the siting and storage of residential caravans and associated vehicles and trailers.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. It is considered that the erection of substantial cages/enclosures adversely affects the established character and amenity of the Kington Langley Conservation Area and would not accord with the provision of Policy C2 of the North Wiltshire Local Plan as amended and revised by Policy RC3 of the emerging North Wiltshire Local Plan Review. It is considered that the erection of substantial cages/enclosures, beyond the Village Limit for Kington Langley, as defined in the

North Wiltshire Local Plan, is to the detriment of the rural character and amenity of an attractive area of open countryside and would be contrary to the provision of Policy C7, as amended by Policy RC3, which seeks to preserve and enhance the character and appearance of rural areas.

It is considered that siting or storage of residential caravans and associated vehicles and trailers in immediate proximity to dwellings adversely affects the residential amenity of the area.

It is considered that planning permission has already been granted for living accommodation to supervise the authorised use of the land and that siting of additional residential caravans is tantamount to the creation of two additional units of residential accommodation. These cannot be justified as being essential at this location and are to the detriment of the established character and amenity of the Kington Langley Conservation Area and the surrounding countryside. The development would not therefore accord with Policies H13, C7 and B2 of the North Wiltshire Local Plan as endorsed and amended by Policies RH15, RC9 and RB3 of the emerging North Wiltshire Local Plan Review which seek to discourage non-essential development and to protect, preserve and enhance the quality of Conservation Areas and the Countryside.

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

1. Cease use of the Land for the siting and/or storage of residential caravans and remove all such caravans and associated vehicles and trailers from the Land.
2. Stop allowing general public access onto the Land, whether or not by payment of an admission fee for viewing of animals or for any associated leisure purpose.
3. Cease use of the Land for any purpose connected with the care, keeping and/or display of any species of animal for which a Licence would be required under the provisions of the Dangerous Wild Animals Act 1976 (as amended) and any amendment thereof.
4. Remove all cages and any other structure over 1 metre in height (other than boundary fences) designed to contain or prevent the escape of animals.
5. Re-seed the area of the Land shown stippled on the attached plan using an agricultural grass seed mixture and restore the said area to pasture suitable for the grazing of livestock.

## 6. TIME FOR COMPLIANCE

- Step 1 - 7 days
- Step 2 - 7 days
- Step 3 - 6 months
- Step 4 - 7 months
- Step 5 - 8 months

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 16th November 1998 unless an appeal is made against it beforehand.

Dated : October 16th 1998

Signed : C. Reed

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

## ENFORCEMENT NOTICE

## SITE PLAN

### PROPERTY ADDRESS:

The Stables  
Ashes House  
Kington Langley  
Wiltshire

### REFERENCE:

E.98.0176

### KEY:

LAND REFERRED TO  
OUTLINED IN RED

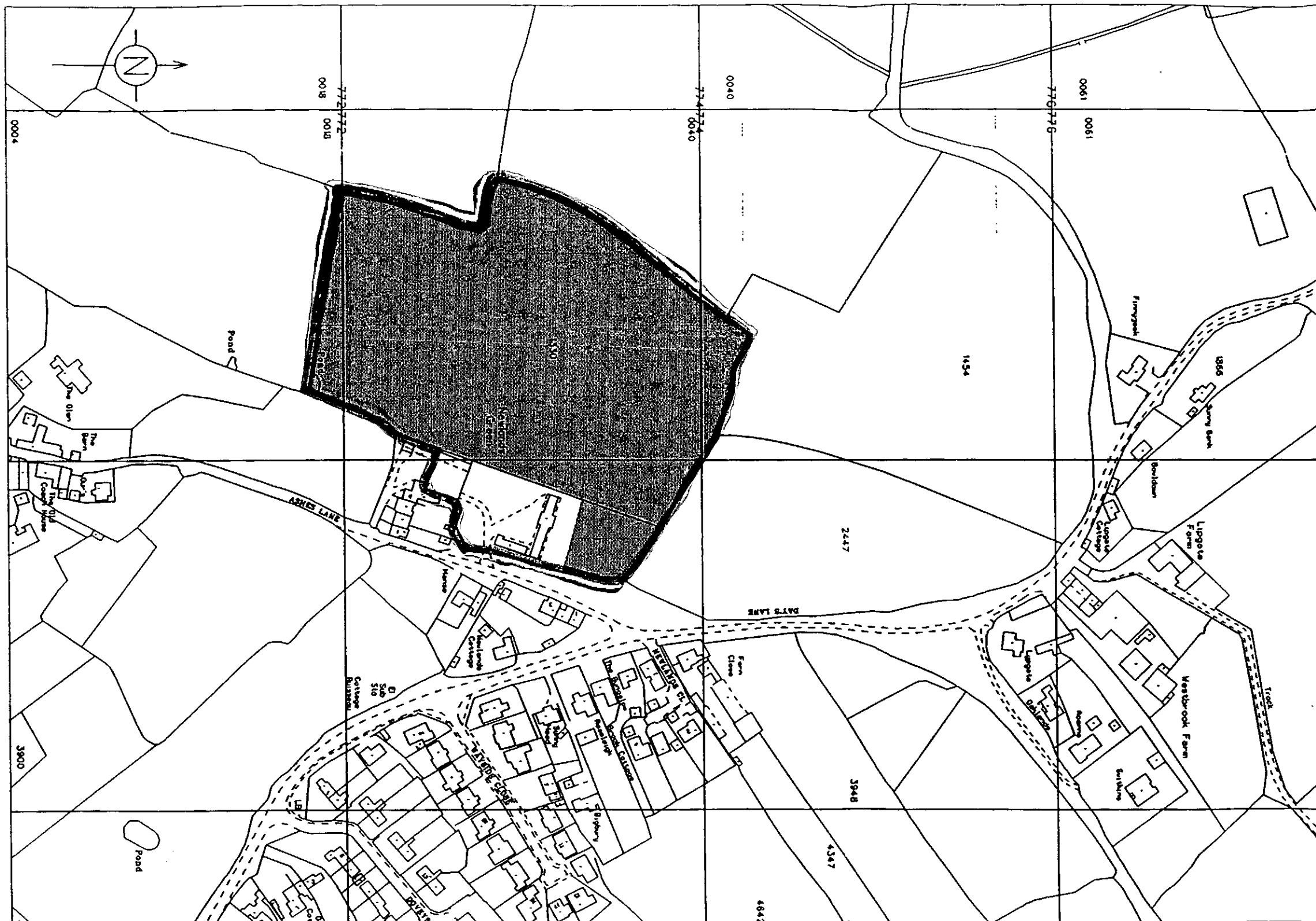
AREA REFERRED TO  
IN STEP 5  
SHADED GREY

### OFFICER DEALING - CR

SCALE: 1:2500

GRID REF: ST9277

DATE: 14/10/98



# **IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

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

## **STOP NOTICE**

**SERVED BY: NORTH WILTSHIRE DISTRICT COUNCIL**

To : Mr. M. Chandler, The Stables, Ashes Lane, Kington Langley

1. On 16th October 1998 the Council issued an enforcement notice (of which a copy is attached to this notice) alleging that there has been a breach of planning control on land at The Stables, Ashes Lane, Kington Langley, Wiltshire
2. THIS NOTICE is issued by the Council, in exercise of their power in section 183 of the 1990 Act, because they consider that it is expedient that the activity specified in this notice should cease before the expiry of the period allowed for compliance with the requirements of the enforcement notice on the land described in paragraph 3 below. The Council now prohibit the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.
3. **THE LAND TO WHICH THIS NOTICE RELATES**  
  
Land at The Stables, Ashes Lane, Kington Langley, Wiltshire shown edged red on the attached plan.
4. **ACTIVITY TO WHICH THIS NOTICE RELATES**  
  
Use of the Land for the siting and/or storage of residential caravans and associated vehicles and trailers.
5. **WHAT YOU ARE REQUIRED TO DO**  
  
Cease all the activity specified in this notice.
6. **WHEN THIS NOTICE TAKES EFFECT**  
  
This notices takes effect on 25th October.1998 when all the activity specified in this notice shall cease.

Dated : 16<sup>th</sup> October 1998

Signed :

C. Parnall

Council's authorised Officer

On behalf of North Wiltshire District Council, Monkton Park, Chippenham, Wiltshire  
SN15 1ER

#### ANNEX

#### WARNING

**THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN  
PARAGRAPH 6.**

**THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR  
THE ENVIRONMENT AGAINST THIS NOTICE.**

It is an offence to contravene a stop notice after a site notice has been displayed or the stop notice has been served on you (Section 187(1) of the 1990 Act). If you then fail to comply with the stop notice you will be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is £20,000 on summary conviction for a first offence and for any subsequent offence. The fine on conviction on indictment is unlimited. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Head of Development Control, North Wiltshire District Council, Monkton Park, Chippenham, Wiltshire telephone no. 01249 706111. If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review.

# North Wiltshire District Council

## STOP NOTICE

## SITE PLAN

### PROPERTY ADDRESS:

The Stables  
Ashes House  
Kington Langley  
Wiltshire

### REFERENCE:

E.98.0176

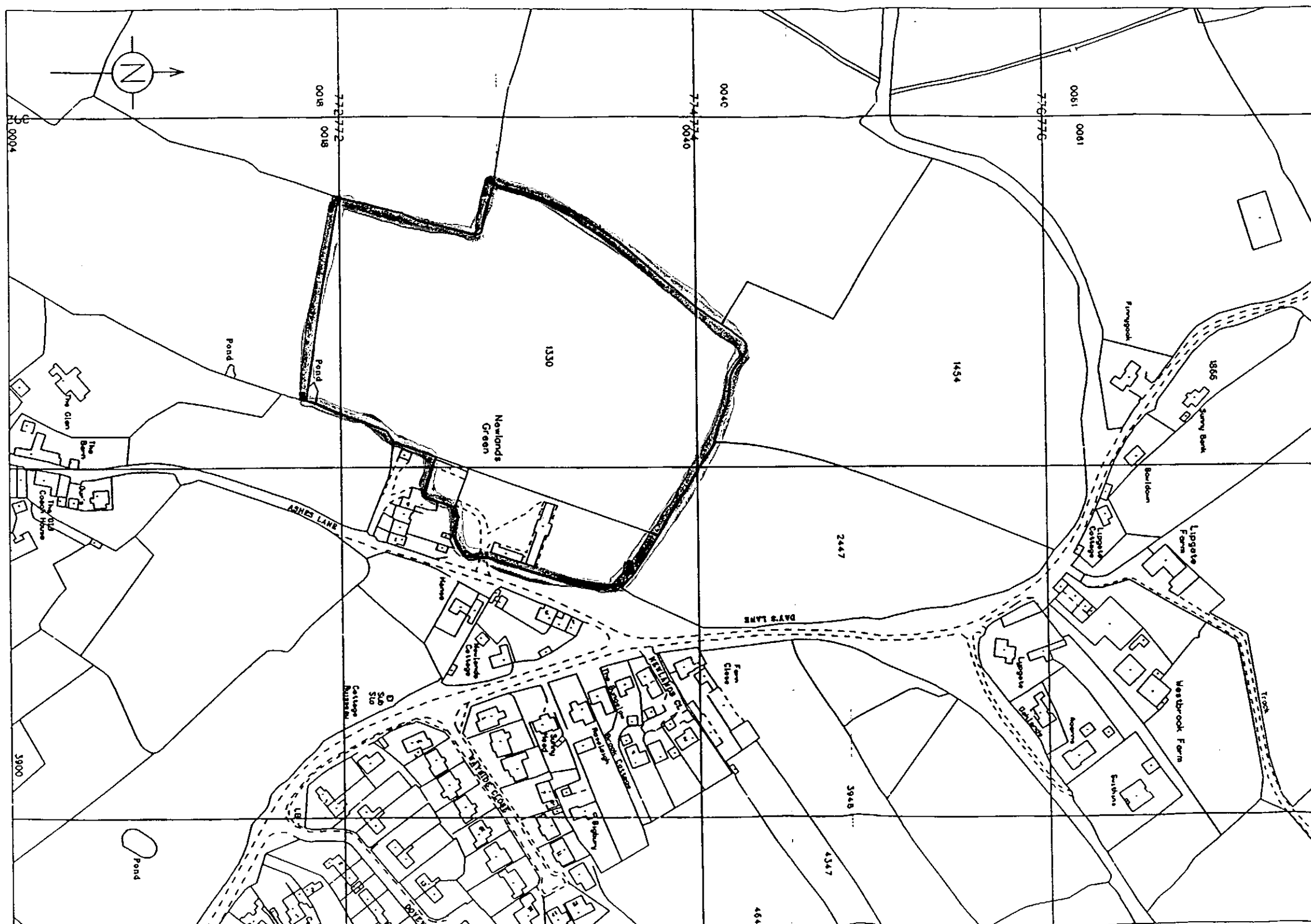
### KEY:

LAND REFERRED TO  
OUTLINED IN RED

OFFICER DEALING - CR

SCALE: 1:2500

DATE: 29/09/98



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

## **STOP NOTICE**

**SERVED BY: NORTH WILTSHIRE DISTRICT COUNCIL**

To : Mrs. D. Stinchcombe, The Stables, Ashes Lane, Kington Langley

1. On 16th October 1998 the Council issued an enforcement notice (of which a copy is attached to this notice) alleging that there has been a breach of planning control on land at The Stables, Ashes Lane, Kington Langley, Wiltshire
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Dated : 16<sup>th</sup> October 1998

Signed :

C. Pennington

Council's authorised Officer

On behalf of North Wiltshire District Council, Monkton Park, Chippenham, Wiltshire  
SN15 1ER

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**STOP  
NOTICE**

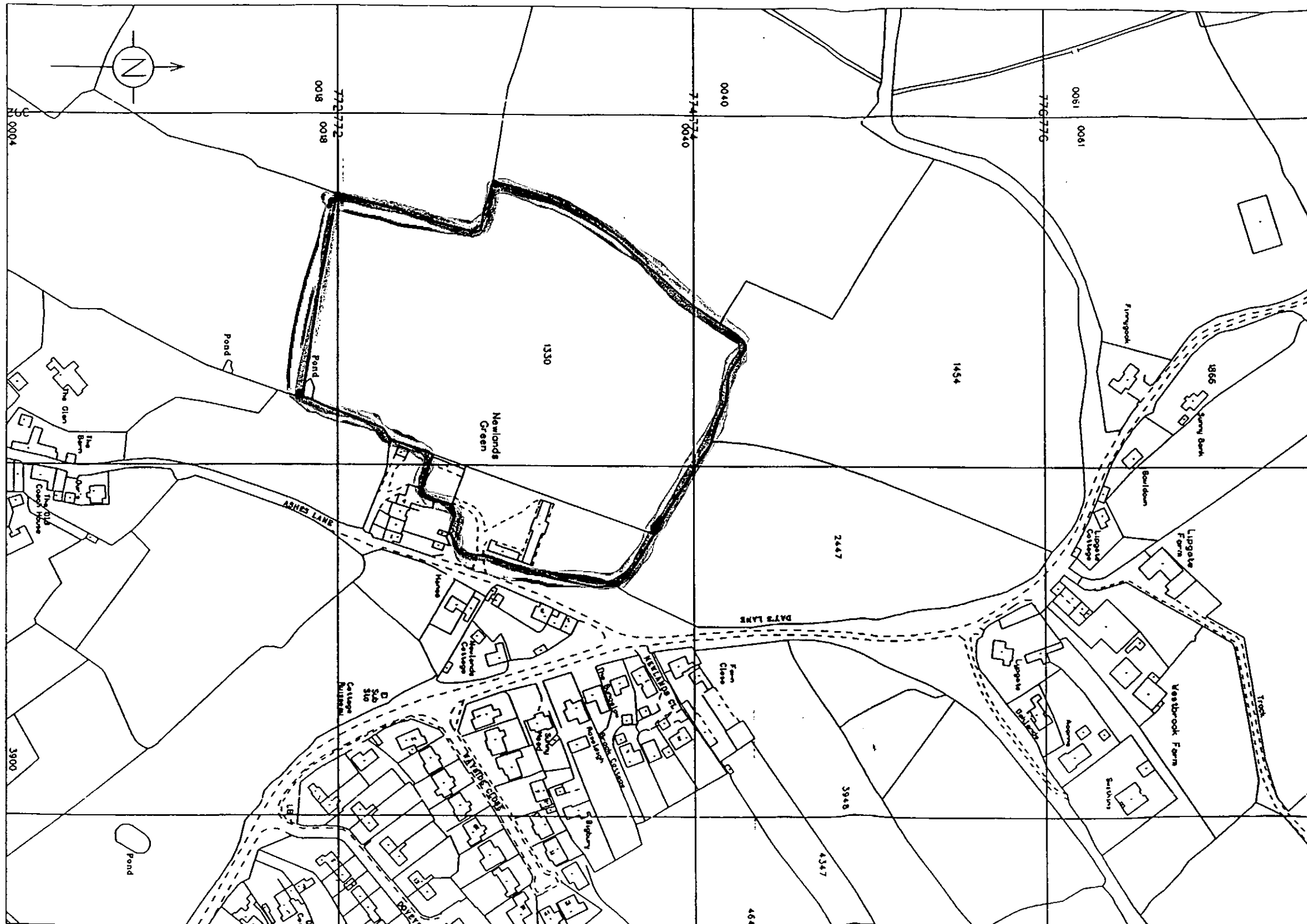
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**PROPERTY ADDRESS:**  
The Stables  
Ashes House  
Kington Langley  
Wiltshire

**REFERENCE:**  
E.98.0176

**KEY:**  
**LAND REFERRED TO  
OUTLINED IN RED**

**OFFICER DEALING - CR**  
**SCALE: 1:2500**  
**DATE: 29/09/98**



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NORTH WILTSHIRE DISTRICT COUNCIL 1 5078810 1992

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C. Parnell

Council's authorised Officer

On behalf of North Wiltshire District Council, Monkton Park, Chippenham, Wiltshire  
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NORTH WEST LONDON DISTRICT COUNCIL 14028830 1991