



**E.98.0195**

# **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 former Hay Lane Chapel, Hay Lane, Lydiard Tregoz, Wiltshire ("the Land") shown outlined in red on the attached plan.
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**
  1. Erection of a timber-framed building on the Land with a rear concrete block lean-to, without planning permission.
  2. Erection of a tubular metal fence along the rear (west) boundary and along the side (south) boundary of the Land, without planning permission, following the removal of hedges.
  3. Laying out of a concrete splayed vehicular access and hardstanding and associated drainage works involved in piping of roadside ditch, without planning permission, following removal of sections of hedgerow.

#### **4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breaches of planning control have occurred within the last four years. The Land is located in the open countryside in an area designated as part of the Rural Buffer. The building, fence and access/hardstanding works, following the removal of existing hedgerows, represent inappropriate and incongruous new development in the countryside and Rural Buffer which consolidates and intensifies the commercial use of the site and urbanises the area, all to the detriment of the openness of the Rural Buffer and the appearance of the countryside. The development is contrary to policies RB2 and C3A of the North East Wiltshire Structure Plan, policies E15, C2 and C7 of the adopted North Wiltshire Local Plan, policies RE19, RC2 and RC9 of the emerging North Wiltshire Local Plan and contrary to Central Government advice, most notably in Planning Policy Guidance Note 7.

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

1. Demolish the timber-framed building and rear, concrete block lean-to and remove all resulting debris from the Land.
2. Dismantle and remove from the Land the tubular metal fence, demolish and remove all foundation debris from that part of the land along the line of the fence, cultivate the ground and plant in its place a field hedgerow comprising a double staggered row of *Crataegus monogyna* (Common Hawthorn) plants with 400mm between rows and 400mm between plants.
3. Maintain the hedge, planted pursuant to 2 above, for a period of not less than 5 years. Maintenance to include the replacement of any plant which dies by another Common Hawthorn plant or with such other plant as may be agreed in writing with the Local Planning Authority.
4. Reduce the access width to 7 metres by cultivating the ground along the eastern road frontage for a distance of 4 metres from the south east corner and for a distance of 4 metres from the north east corner and then by erecting a 1 metres high timber post and three rail fence and planting and maintaining a field hedgerow along the cultivated section; the hedgerow to be formed and maintained as detailed in 2 and 3 above.

#### **6. TIME FOR COMPLIANCE**

1. In respect of the demolition and clearance, the removal of the metal fence and the erection of the frontage post and rail fence - three months.
2. In respect of the hedge planting; within the first available part of the planting season following this notice taking effect, whether modified at appeal or not.

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 19 January 1999 unless an appeal is made against it beforehand.

Dated : 8th December 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.

1:500

Can  
Court  
Cottage

1.37m

RHD

1.37m

RHD

Hay Lane  
Chapel

HAY LANE  
Co Const, CP & ED

101.8m

4110000411000

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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) 706594  
Fax: Chippenham (01249) 443152  
DX No. 34208

Enquiries to: Mrs C A Garrett  
Our Ref: PTTCG E.98.195  
Your Ref:

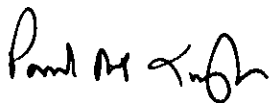
Dear Sir/Madam,

**ENFORCEMENT NOTICE THE FORMER HAY LANE CHAPEL, HAY LANE, LYDIARD  
TREGOZ, 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 Enforcement Notice will take effect on the date shown in Paragraph 7 of that 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 Mark Gee  
Technical Access Construction  
Kennet House  
19 Kennet Avenue  
Greenmeadows  
Swindon  
Wiltshire SN2 3LQ

Mr Alexander Gee  
6 Westbank  
Wookey Hole  
Somerset

Mr P Tinker  
Haymead Cottage  
Hay Lane  
Nr Wroughton  
Swindon  
Wiltshire SN4 9QU

Nat West Bank  
Sevenside Securities Centre  
Ground Floor  
740 Waterside Drive  
Aztec West  
Almondsbury  
Bristol BS12 4UG

Mr W Nutland  
Lower Salthrop Farm  
Bassett Down  
Swindon  
Wiltshire

| DEVELOPMENT CONTROL |           |
|---------------------|-----------|
| 09 DEC 1998         |           |
| PASSED TO           | DATE REC. |
|                     |           |
|                     |           |

Swindon Borough Council  
Civic Offices  
Euclid Street  
Swindon  
Wiltshire  
SN1 2JH



INVESTOR IN PEOPLE

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