

Chief Executive: Bob Marshall

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) 706593  
Fax: Chippenham (01249) 443152  
DX No. 34208

Enquiries to: R J Packer  
Our Ref: RJP/CG E98.0305  
Your Ref:

**E.98.0305**  
*North  
Wiltshire  
District  
Council*

4 November 1999

<b>DEVELOPMENT CONTROL</b>	
- 5 NOV 1999	
PASSED TO	DATE REC.

*Plotting  
office*

*plotted 10/10/00*

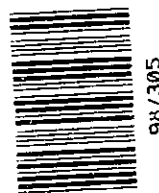
Dear Sir/Madam

**ENFORCEMENT NOTICE AT "CLEAR VIEW", FLISTERIDGE ROAD, UPPER MINETY,  
MALMESBURY, WILTSHIRE**

The Council have issued an Enforcement Notice relating to the above Land and I now serve on you copies 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 L C Telling	Mrs M K Telling	Stroud and Swindon Building Society
	"Clear View"	"Clear View"	Stroud
	Flisteridge Road	Flisteridge Road	Glos
	Upper Minety	Upper Minety	
	Malmesbury	Malmesbury	
	Wiltshire	Wiltshire	



INVESTOR IN PEOPLE

# **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 "Clear View", Flisteridge Road, Upper Minety, Malmesbury, Wiltshire 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 residential use to a mixed use for residential and for storage and distribution purposes.
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 unauthorised use is considered detrimental to the character of the countryside, contrary to Policies E15 and E16 of the North Wiltshire Local Plan and Policy RE20 of the North Wiltshire Local Plan Review.
  3. The unauthorised use is likely to encourage the parking of vehicles on the public highway, which would interrupt the free flow of traffic and prejudice the

safety of road users, thereby conflicting with Policy E16 of the North Wiltshire Local Plan and Policy RE20 of the North Wiltshire Local Plan Review.

4. The unauthorised use is likely to give rise to noise and other disturbance, having a seriously detrimental effect on residential properties in the vicinity, contrary to Policy RE20 of the North Wiltshire Local Plan Review.

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

1. Stop using any part of the land as a storage and distribution depot, including all parcel delivery, sorting and despatch connected with the storage and distribution use.
2. Remove from the land all vehicles, equipment, machinery, parcels, packing materials, pallets, waste materials and all other items associated with the storage and distribution use.

**6. TIME FOR COMPLIANCE**

Six months after this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 16<sup>th</sup> December 1999 unless an appeal is made against it beforehand.

Dated : 4<sup>th</sup> November 1999

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 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.

# ENFORCEMENT NOTICE

## SITE PLAN

### PROPERTY ADDRESS:

Land At  
Clearview  
Flisteridge Road  
Upper Minety  
Malmesbury  
Wiltshire

### REFERENCE:

E.98.0305

### KEY:

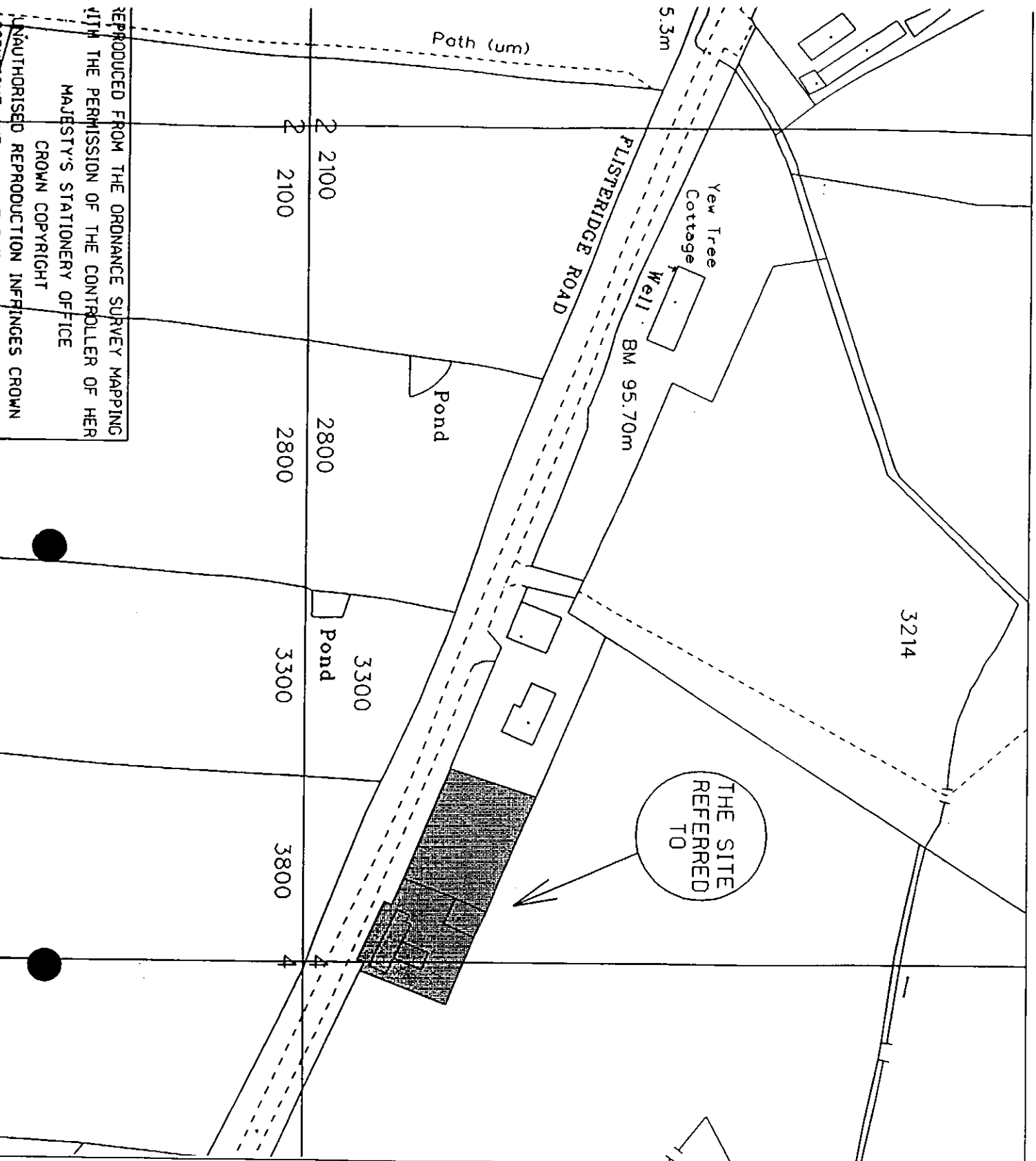
Site referred to  
shaded grey

### OFFICER DEALING – DED

SCALE: 1:1250

GRID REF:

DATE: 3/11/99



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*Enforcement - Fri.*  
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*D. Auld.*  
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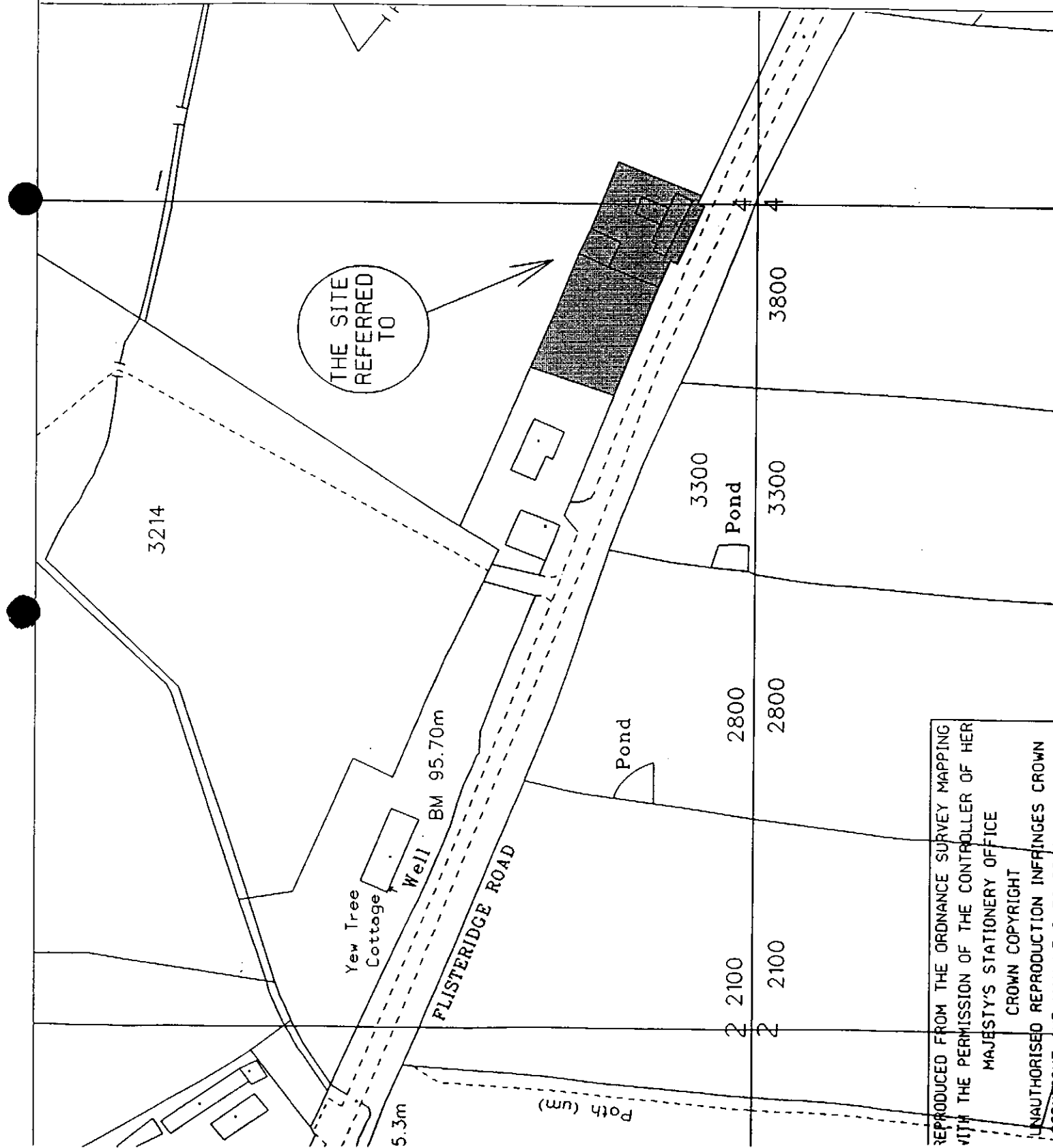
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