

*D. Hall*

*File*

**IMPORTANT**  
**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN & COUNTRY PLANNING ACT 1990**  
[As amended by the Planning & Compensation Act 1991]

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**BREACH OF CONDITION  
NOTICE**

Reference Number : E.99.0028/BCN02

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**SERVED BY : North Wiltshire District Council.**

**To : Mrs Bridget Saunders, Wynyard Mill House, Baskerville, Malmesbury, Wiltshire, SN16 9BS**

1. **THIS NOTICE** is served by the Council, under section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. **The Annex at the end of this Notice contains important additional information.**

**2. THE LAND TO WHICH THIS NOTICE RELATES**

Land at : **Ground Floor, Barn rear of Wynyard Mill House, Baskerville, Malmesbury, Wiltshire** shown shaded grey on the plan, attached to this Notice

**3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permission [copy attached] to which this Notice relates is the permission **Ref N.95.2082.F** granted by North Wiltshire District Council on **13 December 1995** for rebuilding and alterations to fire damaged outbuilding.



99/028

CONTINUED ON PAGE 2  
PAGE 1 OF [ 3 ]

DEVELOPMENT ACC.	
- 9 FEB 2000	
PASSED TO	DATE REC.

#### 4. THE BREACH OF CONDITION.

The following condition has not been complied with.

5. The first floor of the outbuilding to which this permission relates shall be used wholly in conjunction with, and ancillary to the use of Wynyard Mill as a single dwellinghouse and shall not be used as a separate dwelling. The ground floor shall be used wholly in conjunction with and ancillary to Wynyard Mill House as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: There is insufficient space and facilities for the creation of additional dwellings on this site.

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

As the person responsible for the breach of condition detailed in paragraph 4 of this Notice, you are required to comply with the stated condition by taking the following step[s].

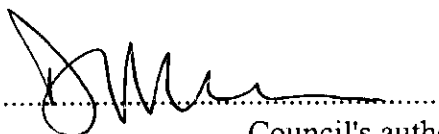
- (1) Stop using any part of the land as a separate dwelling

#### 6. PERIOD FOR COMPLIANCE

30 days beginning with the day on which this Notice is served on you

Dated : 4 . 2 . 00

Signed : .....



Council's authorised officer.

#### On behalf of :

North Wiltshire District Council  
Council Offices,  
Monkton Park,  
Chippenham,  
Wiltshire. SN15 1ER

# ANNEX

## WARNING

**THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON  
OR ON THE DATE YOU RECEIVED IT BY POST.**

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

**It is an offence** to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance time period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is **£1,000** for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires to do, you should get in touch immediately with **Dale Evans** Development Control , North Wiltshire District Council, Council Offices, Monkton Park, Chippenham, Wiltshire. SN15 1ER. Tel : 01249-706617

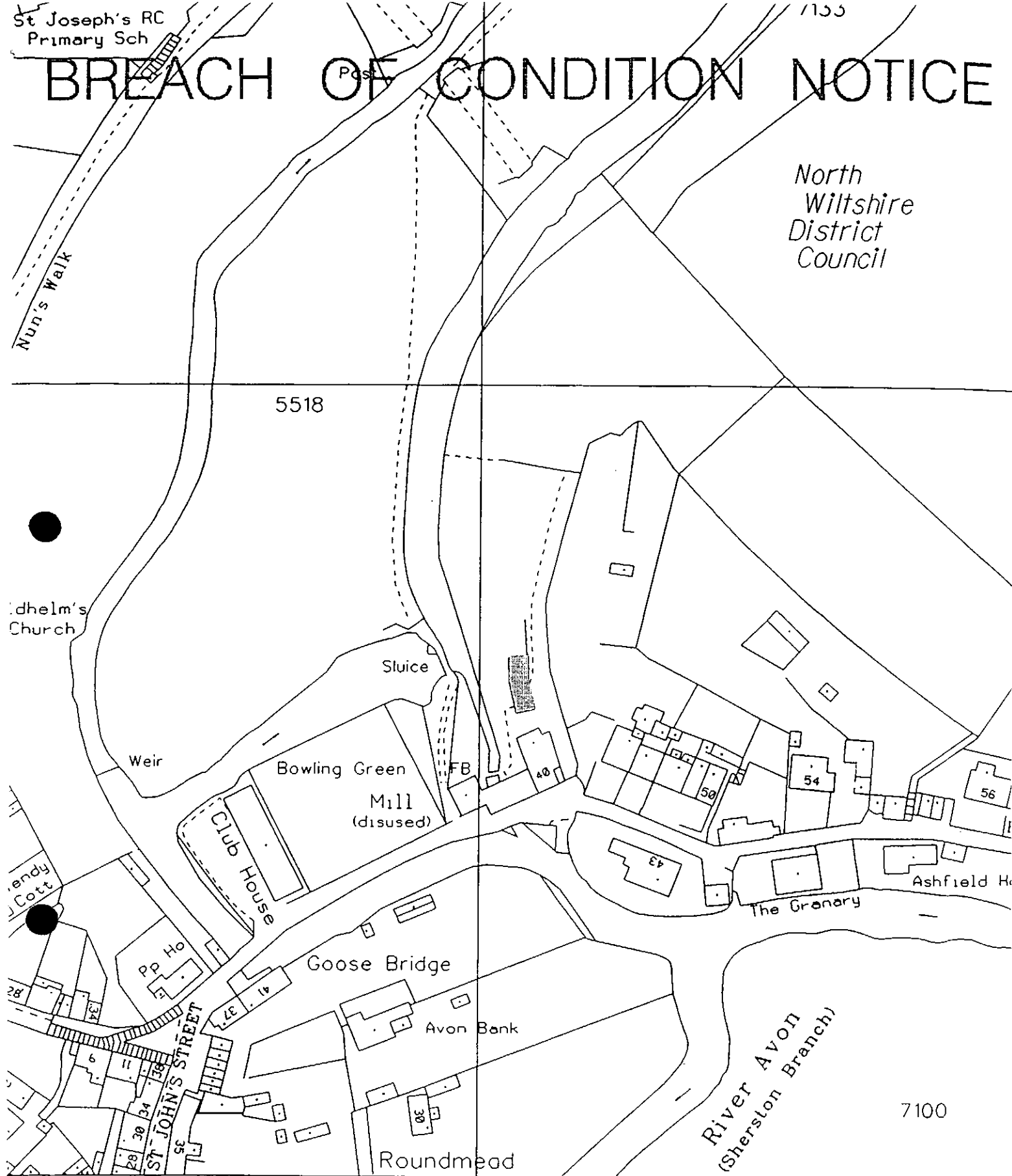
If you need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review.

[END]

St Joseph's RC  
Primary Sch

# BREACH OF CONDITION NOTICE

North  
Wiltshire  
District  
Council



Land at Ground Floor  
Barn rear of Wynyard Mill House  
Baskerville  
MALMESBURY  
E.99.0028/BCN02

SCALE 1:1250 - GRID ST9361 8712

REPRODUCED FROM THE ORDNANCE SURVEY MAPPING  
WITH THE PERMISSION OF THE CONTROLLER OF HER  
MAJESTY'S STATIONERY OFFICE  
CROWN COPYRIGHT  
UNAUTHORISED REPRODUCTION INFRINGES CROWN  
COPYRIGHT AND MAY LEAD TO PROSECUTION OR  
CIVIL PROCEEDINGS  
NORTH WILTSHIRE DISTRICT COUNCIL - LA078840

PL100

NORTH WILTSHIRE DISTRICT COUNCIL  
Town and Country Planning Act 1990

PERMISSION FOR DEVELOPMENT

1. The Local Planning Authority HEREBY GRANT PLANNING PERMISSION subject to the scheduled conditions (if any) for the development proposed by the applicant in the application, which is expressly incorporated herewith and is briefly described in the Schedule forming part of this permission.
2. The scheduled conditions (if any) have been imposed for the reasons set out in the Schedule.
3. "The Local Planning Authority", "the scheduled conditions", and "the application" referred to above are those described in the Schedule.

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NOTES

- (1) **Time Limits on Planning Permissions.** By virtue of Section 91 - 96 of the Town and Country Planning Act 1990, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits (as appropriate) will apply-
  - (i) Where planning permission is given in outline subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun either within 5 years from the date of the grant of the outline permission or within 2 years from the final approval of all the matters reserved.
  - (ii) Where the planning permission is complete and is not in outline then the development must be begun not later than the expiration of 5 years from the date on which permission was granted.
- (2) **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the district and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular the applicant is reminded of the following matters-

- (a) the need in appropriate cases to obtain approval under Building regulations. (The Building Regulations may be applicable to this proposal. You are advised to contact the Building Control Section of the Planning Department before considering work on site.)
- (b) the need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath;

APPLICATION REFERENCE NO: N.95.2082.F

- (c) the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
- (d) the need to make any appropriate arrangements under the Highways Act 1971, in respect of any works within the limits of a public highway. The address of the Highway Authority is Wiltshire County Council, County Hall, Trowbridge.

(It is the responsibility of the applicant to ascertain whether his development affects any public right of way or listed building.)

- (3) **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ.) The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

- (4) **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (5) **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

THE SCHEDULE

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Name of Local Planning Authority: NORTH WILTSHIRE DISTRICT COUNCIL  
Monkton Park, Chippenham, SN15 1ER

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NAME & ADDRESS OF AGENT:

Mr P D Little  
Wynyard Mill  
Baskerville  
Malmesbury Wiltshire SN16 9BS

NAME & ADDRESS OF APPLICANT:

P & B Little & J & B Saunders  
Wynyard Mill  
Baskerville  
Malmesbury Wiltshire SN16 9BS

BRIEF DETAILS OF APPLICATION:

Proposal: REBUILDING AND ALTERATIONS TO FIRE DAMAGED OUTBUILDING

Location: Wynyard Mill (Rear) Baskerville  
Malmesbury  
Parish: MALMESBURY

Application Dated: 14/10/95                      Application Registered 30/10/95  
Permission Granted: 13/12/95

APPLICATION AS AMENDED

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SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development to which this permission relates shall be begun within a period of five years, commencing on the date of this notice.  
  
Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act, 1990.
2. Prior to the commencement of the development hereby permitted, details of roofing materials to be used shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the roofing materials approved.  
  
Reason: In the interests of visual amenity.
3. The bricks to be used externally in the development hereby permitted shall match those of the existing dwelling in colour and texture unless otherwise approved in writing.  
  
Reason: In the interests of visual amenity.
4. The stonework to be used externally in the development hereby permitted shall match that of the existing dwelling in colour, texture,

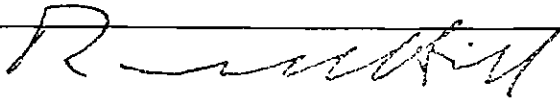
APPLICATION REFERENCE NO: N.95.2082.F

size and coursing.

Reason: In the interests of visual amenity.

5. The first floor of the outbuilding to which this permission relates shall be used wholly in conjunction with, and ancillary to the use of Wynyard Mill as a single dwellinghouse and shall not be used as a separate dwelling. The ground floor shall be used wholly in conjunction with and ancillary to Wynyard Mill House as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: There is insufficient space and facilities for the creation of additional separate dwellings on this site.



Signed.....Chief Planning Officer

Date: 13th December, 1995



COMMENCEMENT OF WORK

In order to assist in the monitoring of your Planning Permission, it would be appreciated if you would please return the slip below in the attached pre-paid envelope, in order to notify the Planning Department of the date of commencement of the work to be carried out in accordance with the planning permission or the date of the implementation of the planning permission, (i.e. Where a change of use of premises is involved and no specific works are necessary).

I must also inform you that this is not a "commencement notice" in respect of Building Regulation matters. You are required by statute to notify Building Control separately of your commencement. Notification can be in writing or by telephone to North Wiltshire District Council, Monkton Park Offices, Chippenham, Wiltshire, SN15 1ER. Tel: 01249 443322 x 644.

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COMMENCEMENT OF WORK

APPLICATION NO: N.95.2082.F

DATE:

To: Chief Planning Officer  
North Wiltshire District Council

I hereby give you notice that I intend to commence the work for the REBUILDING AND ALTERATIONS TO FIRE DAMAGED OUTBUILDING at Wynyard Mill (Rear) Baskerville Malmesbury in the Parish of MALMESBURY on ..... (Date)

Signed.....

~~D. A. 11~~

File

**IMPORTANT**  
**THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN & COUNTRY PLANNING ACT 1990**  
[As amended by the Planning & Compensation Act 1991]

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**BREACH OF CONDITION  
NOTICE**

Reference Number : E.99.0028/BCN01

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**SERVED BY : North Wiltshire District Council.**

**To : Mr John Saunders, Wynyard Mill House, Baskerville, Malmesbury, Wiltshire, SN16 9BS**

1. **THIS NOTICE** is served by the Council, under section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition specified in this notice. **The Annex at the end of this Notice contains important additional information.**

**2. THE LAND TO WHICH THIS NOTICE RELATES**

Land at : **Ground Floor, Barn rear of Wynyard Mill House, Baskerville, Malmesbury, Wiltshire** shown shaded grey on the plan, attached to this Notice

**3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permission [copy attached] to which this Notice relates is the permission **Ref N.95.2082.F** granted by North Wiltshire District Council on **13 December 1995** for rebuilding and alterations to fire damaged outbuilding.

CONTINUED ON PAGE 2  
PAGE 1 OF 3

DEVELOPMENT CONTROL	
- 9 FEB 2000	
USED TO	DATE REC.

#### 4. THE BREACH OF CONDITION.

The following condition has not been complied with.

5. The first floor of the outbuilding to which this permission relates shall be used wholly in conjunction with, and ancillary to the use of Wynyard Mill as a single dwellinghouse and shall not be used as a separate dwelling. The ground floor shall be used wholly in conjunction with and ancillary to Wynyard Mill House as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: There is insufficient space and facilities for the creation of additional dwellings on this site.

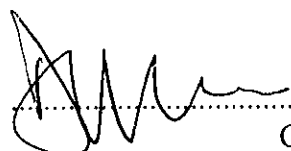
#### 5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition detailed in paragraph 4 of this Notice, you are required to comply with the stated condition by taking the following step[s].

- (1) Stop using any part of the land as a separate dwelling

#### 6. PERIOD FOR COMPLIANCE

30 days beginning with the day on which this Notice is served on you

Dated : 4-2-00 Signed :  Council's authorised officer.

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

# **ANNEX**

## **WARNING**

**THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON  
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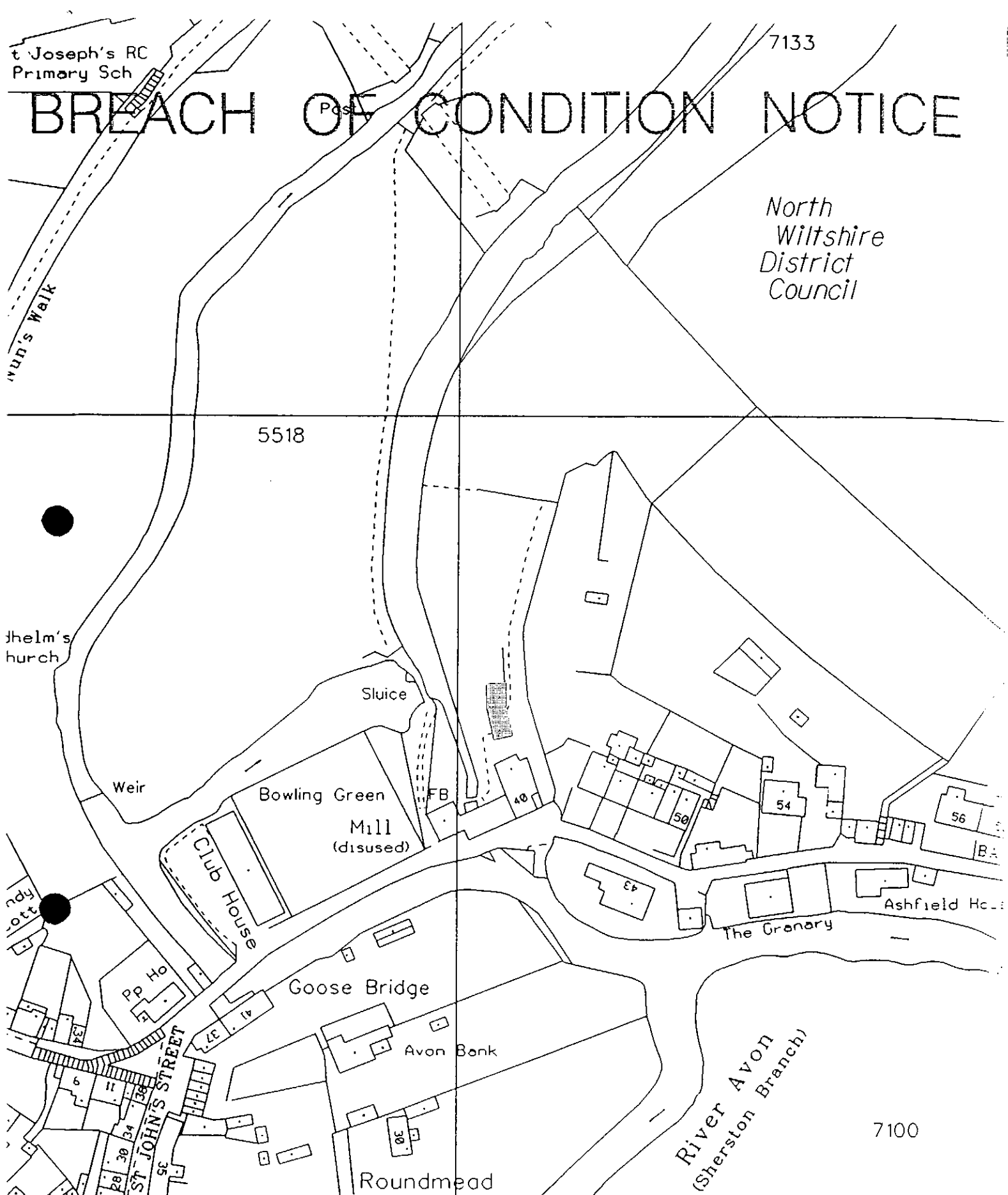
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St Joseph's RC  
Primary Sch

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# BREACH OF CONDITION NOTICE

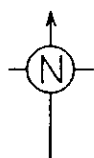
North  
Wiltshire  
District  
Council



and at Ground Floor  
Barn rear of Wynyard Mill House  
Baskerville  
MALMESBURY

09.0028/BCN01

SCALE 1:1250 - GRID ST9361 8712



REPRODUCED FROM THE ORDNANCE SURVEY MAPPING  
WITH THE PERMISSION OF THE CONTROLLER OF HER  
MAJESTY'S STATIONERY OFFICE  
CROWN COPYRIGHT  
UNAUTHORISED REPRODUCTION INFRINGES CROWN  
COPYRIGHT AND MAY LEAD TO PROSECUTION OR  
CIVIL PROCEEDINGS

NORTH WILTSHIRE DISTRICT COUNCIL - LA078840

2003  
12

PL100

NORTH WILTSHIRE DISTRICT COUNCIL  
Town and Country Planning Act 1990

PERMISSION FOR DEVELOPMENT

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NOTES

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In particular the applicant is reminded of the following matters-

- (a) the need in appropriate cases to obtain approval under Building regulations. (The Building Regulations may be applicable to this proposal. You are advised to contact the Building Control Section of the Planning Department before considering work on site.)
- (b) the need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath;

- (c) the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
- (d) the need to make any appropriate arrangements under the Highways Act 1971, in respect of any works within the limits of a public highway. The address of the Highway Authority is Wiltshire County Council, County Hall, Trowbridge.

(It is the responsibility of the applicant to ascertain whether his development affects any public right of way or listed building.)

- (3) **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ.) The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

- (4) **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (5) **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

THE SCHEDULE

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Name of Local Planning Authority: NORTH WILTSHIRE DISTRICT COUNCIL  
Monkton Park, Chippenham, SN15 1ER

---

NAME & ADDRESS OF AGENT:

Mr P D Little  
Wynyard Mill  
Baskerville  
Malmesbury Wiltshire SN16 9BS

NAME & ADDRESS OF APPLICANT:

P & B Little & J & B Saunders  
Wynyard Mill  
Baskerville  
Malmesbury Wiltshire SN16 9BS

BRIEF DETAILS OF APPLICATION:

Proposal: REBUILDING AND ALTERATIONS TO FIRE DAMAGED OUTBUILDING

Location: Wynyard Mill (Rear) Baskerville  
Malmesbury  
Parish: MALMESBURY

Application Dated: 14/10/95                      Application Registered 30/10/95  
Permission Granted: 13/12/95

APPLICATION AS AMENDED

---

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development to which this permission relates shall be begun within a period of five years, commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town & Country Planning Act, 1990.

2. Prior to the commencement of the development hereby permitted, details of roofing materials to be used shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the roofing materials approved.

Reason: In the interests of visual amenity.

3. The bricks to be used externally in the development hereby permitted shall match those of the existing dwelling in colour and texture unless otherwise approved in writing.

Reason: In the interests of visual amenity.

4. The stonework to be used externally in the development hereby permitted shall match that of the existing dwelling in colour, texture,

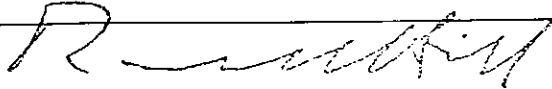


size and coursing.

Reason: In the interests of visual amenity.

5. The first floor of the outbuilding to which this permission relates shall be used wholly in conjunction with, and ancillary to the use of Wynyard Mill as a single dwellinghouse and shall not be used as a separate dwelling. The ground floor shall be used wholly in conjunction with and ancillary to Wynyard Mill House as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: There is insufficient space and facilities for the creation of additional separate dwellings on this site.



Signed.....Chief Planning Officer

Date: 13th December, 1995

COMMENCEMENT OF WORK

In order to assist in the monitoring of your Planning Permission, it would be appreciated if you would please return the slip below in the attached pre-paid envelope, in order to notify the Planning Department of the date of commencement of the work to be carried out in accordance with the planning permission or the date of the implementation of the planning permission, (i.e. Where a change of use of premises is involved and no specific works are necessary).

I must also inform you that this is not a "commencement notice" in respect of Building Regulation matters. You are required by statute to notify Building Control separately of your commencement. Notification can be in writing or by telephone to North Wiltshire District Council, Monkton Park Offices, Chippenham, Wiltshire, SN15 1ER. Tel: 01249 443322 x 644.

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COMMENCEMENT OF WORK

APPLICATION NO: N.95.2082.F

DATE:

To: Chief Planning Officer  
North Wiltshire District Council

I hereby give you notice that I intend to commence the work for the REBUILDING AND ALTERATIONS TO FIRE DAMAGED OUTBUILDING at Wynyard Mill (Rear) Baskerville Malmesbury in the Parish of MALMESBURY on ..... (Date)

Signed.....