

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
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DX No. 34208

Enquiries to: Paul Taylor
Our Ref: PTCG E99.0090
Your Ref:



09/090

*North
Wiltshire
District
Council*

21 September, 1999

Dear Sir & Madam

**ENFORCEMENT NOTICES LOWER SWINLEY FARM, KINGTON ST
MICHAEL, CHIPPENHAM, 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.

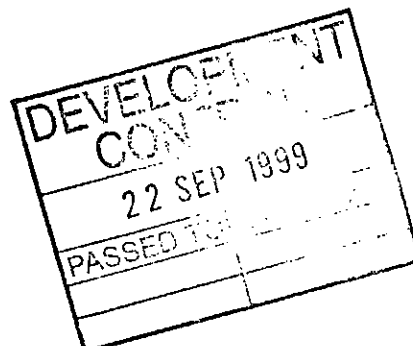
Yours faithfully

Paul M. Taylor
SOLICITOR TO THE COUNCIL

To Mr John A Herbert Sen
Lower Swinley Farm
Kington St Michael
Chippenham
Wiltshire SN14 6BJ

Mrs Jean M Herbert
Lower Swinley Farm
Kington St Michael
Chippenham
Wiltshire SN14 6BJ

Mr John Herbert
Lower Swinley Farm
Kington St Michael
Chippenham
Wiltshire SN14 6BJ



INVESTOR IN PEOPLE

2/17/07

MARK

11/09/07

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**

Lower Swinley Farm, Kington St Michael, Chippenham, Wiltshire SN14 6BJ ("the Land") 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 the storage, repair and sale of pallets and as a haulage yard.
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 unauthorised development generates additional movements of turning traffic along a dual carriageway, which forms part of the national primary road network and where the speed limit is unrestricted, and does not accord with Policy T8 of the emerging Wiltshire County Structure Plan. This Policy seeks to discourage direct access from such roads and the unauthorised development constitutes a hazard to highway users, which is not in the interests of road safety. .

It is also considered that the unauthorised development is not required in connection with agricultural operations within the farm unit and is not essential at this location. The unauthorised development does not accord with Policy C7 of the adopted North Wiltshire Local Plan as endorsed and amended by Policy RC9 of the North Wiltshire Local Plan Review which discourages non-essential development in the countryside, particularly where access arrangements are unsatisfactory.

5. WHAT YOU ARE REQUIRED TO DO

1. Cease receiving deliveries of pallets onto the Land.
2. Cease the use of the Land for the storage, repair and sale of pallets.
3. Remove all pallets from the Land, other than those already in use in connection with the agricultural business operated on the Land.
4. Cease the use of the Land as a haulage yard and remove all vehicles associated with such use from the Land.

6. TIME FOR COMPLIANCE

Step 1 - 3 days

Steps 2, 3 and 4 – 28 days

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2nd November 1999 unless an appeal is made against it beforehand.

Dated : 21st September 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.
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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:

**Lower Swinley Farm
Malmesbury Road
Chippenham
Wiltshire
SN4 6BJ**

REFERENCE:

E.99.0090

KEY:

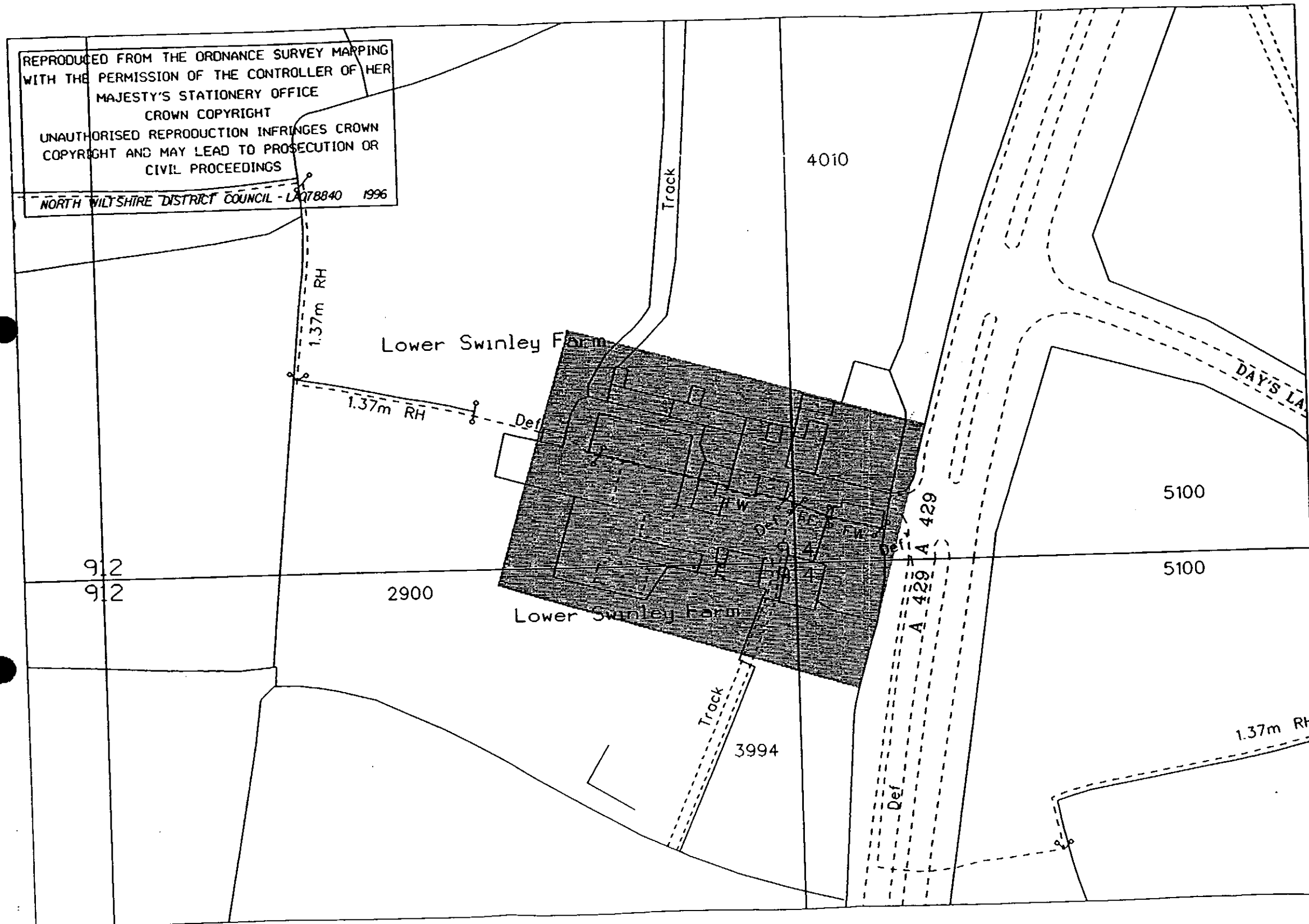
**Site referred to
shaded grey**

OFFICER DEALING - CR

SCALE: 1:1250

GRID REF: ST 9137 7901

DATE: 08/09/99



Chief Executive: Bob Marshall

Director: Bob Gwilliam
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North Wiltshire District Council

21 September, 1999

Plotting
Office

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Steps 2, 3 and 4 – 28 days

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Dated : 21st September 1999

Signed : *P.L. Jeremiah*

on behalf of North Wiltshire District Council

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**ENFORCEMENT
NOTICE**

SITE PLAN

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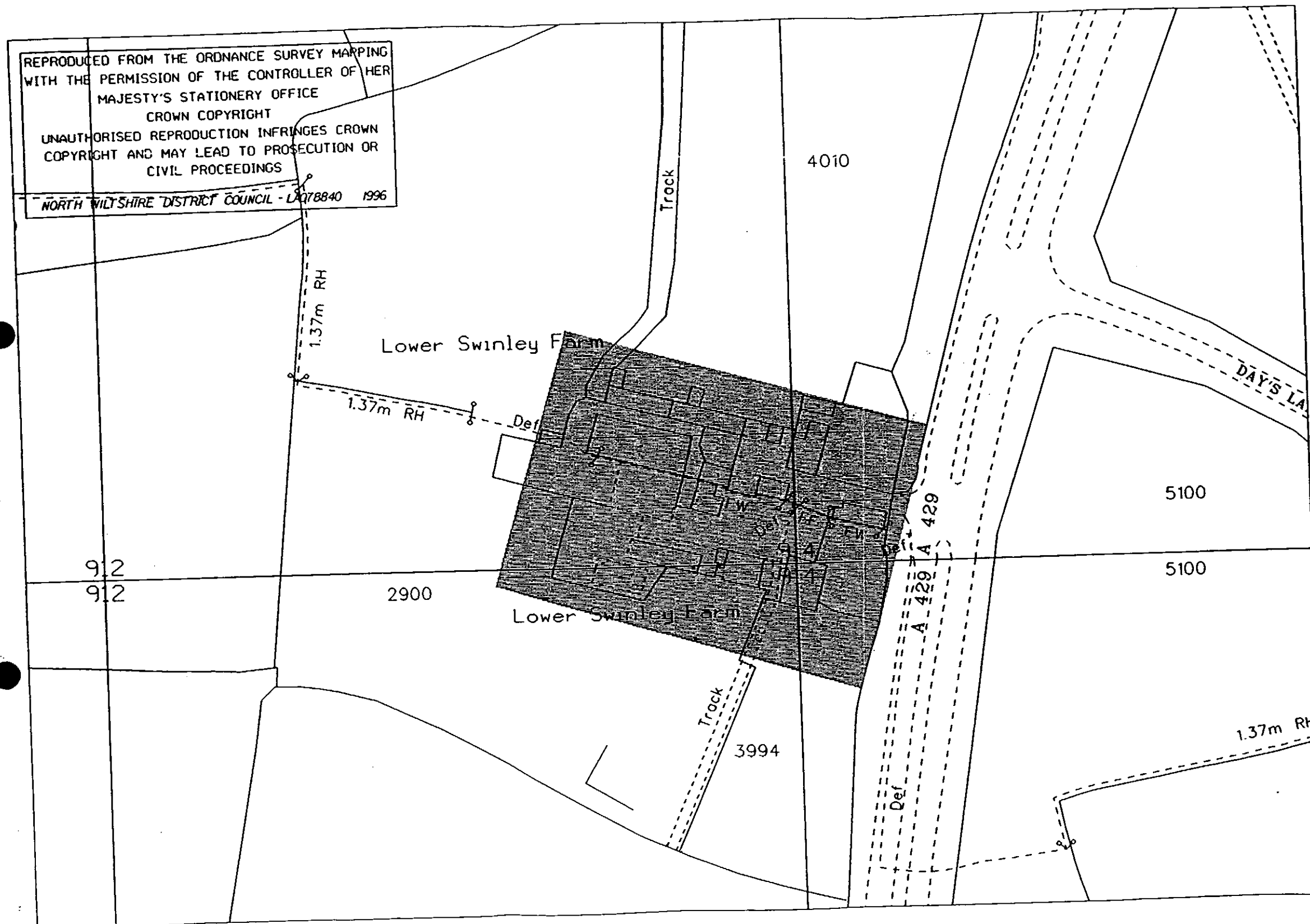
**Site referred to
shaded grey**

OFFICER DEALING - CR

SCALE: 1:1250

GRID REF: ST 9137 7901

DATE: 08/09/99





Appeal Decision

Following an inquiry held on 14 March 2000

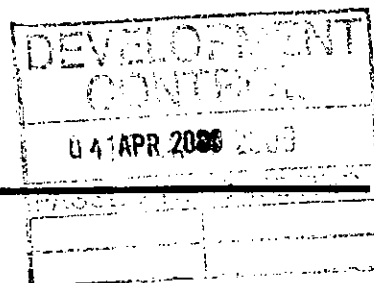
by Robert Gardener BSc(TownPlan) MRTPI

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

dc(s)

cl.



Appeal 1: T/APP/J3910/C/99/1030773/P6

- The appeal is made under Section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against an enforcement notice.
- The appeal is brought by Mr J A Herbert (Senior) against North Wiltshire District Council Council.
- The site is located at Lower Swinley Farm, Kington St Michael, Chippenham.
- The Council's reference is AD 2225.
- The notice was issued on 21 September 1999.
- The breach of planning control as alleged in the notice is, without planning permission, change of use from use as agriculture to a mixed use for agriculture and for the storage, repair and sale of pallets and as a haulage yard.
- The requirements of the notice are
 - 1) Cease receiving deliveries of pallets onto the Land.
 - 2) Cease the use of the Land for storage, repair and sales of pallets.
 - 3) Remove all pallets from the Land, other than those already in use in connection with the agricultural business operated on the Land.
 - 4) Cease the use of the Land as a haulage yard and remove all vehicles associated with such use from the Land.
- The periods for compliance are 3 days for requirement 1. and 28 days for requirements 2, 3 and 4.
- The appeal was made on the grounds (a), (b), (f) and (g) set out in section 174(2) of the 1990 Act

Decision: I direct that the enforcement notice be corrected by:

- (i) The substitution of the plan annexed to this letter for the plan attached to the enforcement notice;
- (ii) the deletion of the words "shown shaded on the attached plan" and the substitution therefor of the words "shown edged black and variously shaded and hatched on the attached plan", and
- (iii) the deletion of the words "and as a haulage yard" from paragraph 3 of the notice.

Subject thereto the appeal is allowed and I quash the enforcement notice. I hereby grant planning permission, on the application deemed to have been made under S177(5) of the amended Act for the development already carried out, namely the use for a mixed use of agriculture and for the storage, repair and sale of pallets on the land shown edged and hatched black on the plan annexed to this letter subject to the conditions set out in Schedule 1 to this decision.

Appeal 2: T/APP/J3910/A/99/1027765/P6

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr John Herbert against North Wiltshire District Council Council.
- The site is located at Lower Swinley Farm, Malmesbury Road, Kington St Michael, Chippenham.
- The application (ref: 99/01388/COU), dated 9 June 1999, was refused on 2 August 1999.
- The development proposed is the change of use of the land to storage, repair and sale of pallets.

Decision: The appeal is allowed and planning permission granted for the change of use of the land to storage, repair and sale of pallets in accordance with the terms of the application [No: 99/01388/COU] dated 9 June 1999, and the plans submitted therewith, subject to the conditions set out in Schedule 2 to this decision.

Procedural matters

1. Both appeals are made by the same appellant and the appeal property is the same. However, the Appeal 2 site is smaller and is only part of the land affected by the enforcement notice.

The appeal on ground (b)

2. This has 2 components. The first is that a haulage yard use has not as a matter of fact occurred. The second is that the area affected by the notice is too extensive and has taken in land which has not been used for the pallet business.

3. On the haulage yard, the appellant purchased and runs a single HGV for the pallet business. Although it is occasionally also used for farm purposes he confirmed that it could not be justified for that alone. An Operators Licence for up to 3 vehicles has been granted citing Lower Swinley Farm as the operating centre but there is no evidence that this number of vehicles has ever been run from the site. Modest vehicle servicing is carried out here but testing and repairs are undertaken elsewhere. The farm workshop is one of the affected buildings and is used mainly for pallet repair and is not equipped, from what I saw, to undertake vehicle maintenance of substance. There is no suggestion that the lorry is used for other purposes, such as contract hire or for carrying goods other than those connected with activities at the farm.

4. In my assessment, the role of the lorry to date has been predominantly in support of the pallet business, not an additional use in its own right or a significant element of a mixed use as alleged. The nature of the activity falls considerably short of what can reasonably be taken to be a haulage yard use and as such, it is both inaccurate and unnecessary to refer to it separately in the alleged breach of planning control. I shall correct the notice in that regard.

5. On the second matter, the notice land includes 2 dwellings (the **farmhouse** and the **cottage**) and their residential curtilages. Both dwellings have been erected by the appellant since he purchased the farm in 1995 as replacements for earlier houses. Occupation of neither is tied by condition to persons employed on the farm nor in agriculture generally. For that reason the appellant suggest they should be treated independently and removed from the effect of the notice. I am not persuaded by that argument since both dwellings are part of the appellant's farm landholding and are occupied by those working it. In my opinion, it would be correct to include them within the notice now however they may be used in the future.

6. The Council however has not taken the whole of the farm as the appropriate unit of occupation for the purpose of the notice. It has attempted to identify that part of the farm which is directly affected by the pallet business, which is based on the farm buildings and yard. That being so, it is proper to consider the accuracy of the area chosen. No evidence was presented and no claim made that the farmhouse and cottage have been used for the pallet use. It was possible to identify those areas of the notice land which are in residential use within the farm and a revised plan was agreed with the Council. That being so, it is appropriate to distinguish the remaining area as that used for the alleged breach and I shall correct the notice accordingly.

7. Both corrections are within my powers to undertake and I have concluded that the purpose of the notice would not be adversely affected nor would the notice be invalidated in so doing. In my opinion injustice would not be caused to those with an interest in this matter.

8. It was also suggested that the sale of pallets from the site does not occur but rather the pallets are stored and repaired for sale elsewhere. However, the Appeal 2 proposal continues to include the sale of pallets in the description of the use sought and a notice at the farm entrance states that pallets are brought and sold. A change in the nature of the business may have occurred but it seems to me that the notice should continue to encompass the sale of pallets.

The appeal on ground (a), the deemed application under S177(5) and the S78 appeal

Background

9. Lower Swinley Farm is located on the west side of and close to the A350 a little way south of junction 17 of the M4. The A350 is a dual carriageway at this point linking the motorway with Chippenham to the south and other Wiltshire towns and the coast beyond. The farmland can usefully be considered separately from the farm buildings grouped at the entrance from the road. As well as the farmhouse and cottage to which I have referred there is a range of traditional and modern buildings designed primarily for livestock production. The more recent buildings have been added since 1995 by the appellant with planning permission.

10. For ease of reference I refer to the various pallet storage and repair activities as the 'pallet business'. This takes place mainly in the older buildings, particularly a former cubicle building (Building E on the Council's plan, Production 6) and the farm workshop (Building F). However, as the Council found, the activity also extended to Buildings G and I, as well as areas of the surrounding yards for outside storage. Some of the yard storage was refuted by the appellant since pallets and timber are also kept for use on the farm.

11. The deemed application is to retain the mixed use, described as corrected and within the amended site. However, the appellant asked that the proposal be treated as being in respect of the continued use of Buildings E, F and G only, to which the Council did not object. The power to grant planning permission in respect of only part of the notice land is provided by s.177(1)(a) and I shall consider the application on the basis requested. The site of the S78 appeal proposal is limited to Buildings E and F together with the access land and a small yard behind the workshop. Even so, the planning considerations and the issues which arise are not materially different and I shall consider them together.

The Development Plan

12. The approved Western Wiltshire Structure Plan 1993 and the adopted 1993 North Wiltshire Local Plan together make up the development plan for purposes of S54A of the amended Act. Of relevance to these cases are those policies which protect the countryside from inappropriate

development but allow for the re-use of rural buildings and concern the need to safeguard highway safety.

13. Both documents have been reviewed and are to be replaced. The Deposit Draft of the Wiltshire County Structure Plan 2011 (WCSP) has undergone an Examination in Public while the North Wiltshire Local Plan Review (NWLP) has been the subject of a Local Plan Inquiry. Proposed Modifications have been published in respect of each. The emerging plans are at an advanced stage and have been produced in the light of more recent government guidance than the development plan. In my opinion they provide give the most up to date policy framework for considering these cases.

14. WCSP Policy DP15 repeats the need to strictly control development in the open countryside while NWLP C7 states that development appropriate in the countryside will be permitted. Policy DP15 makes provision for the change of use of suitable existing buildings, with particular emphasis on new uses which would diversify the local economy and provide new jobs. That concept is followed by NWLP Policy RE20 which supports the change of use of certain rural buildings for business, industrial and storage development. However, following the guidance given in PPG7 'The Countryside: Environmental Quality and Economic and Social Development', such proposals need to satisfy a number of specified criteria. Policy RC9 imposes similar criteria when assessing development in the countryside generally. These include the impact on the rural character of the countryside and the effect on highway safety, particularly the need to avoid situations which would give rise to a traffic hazard.

15. In that regard, the A350 is part of the network of National Primary Routes in the county identified for purposes of WCSP Policy T8, which is unchallenged and unchanged. This states that proposals for new developments outside built-up areas should not be accessed directly from such a route unless an overriding need can be shown. Where development is acceptable, appropriate mitigating measures should be provided to offset any adverse effects on the transport network.

The main issues

16. From what I have seen and heard of these cases, I consider that there are a number of issues to be determined. The first is whether the proposal constitutes an appropriate form of rural development. The second is the impact of the use on the character, appearance and amenity afforded by the countryside while a third is the implications of the use for highway safety and for the free flow of traffic on the A350, a National Primary Route.

Inspector's reasons

17. On the first issue, the NWLP identifies a number of developments which are to be treated as inappropriate in the countryside for purposes of Policy RC9. The proposal is none of those. The plan no longer attempts to qualify what is considered to be appropriate in such locations. I share the appellant's view, accepted by the Council, that the re-use of rural buildings, countenanced by the emerging policies and PPG7, is by definition to be treated as appropriate in the countryside, although individual uses are to be assessed against the terms of the policies. In this instance, the Council accepts that the farm buildings in terms of their form bulk and general design are suitable candidates for employment re-use. There was, additionally, recognition that the buildings need not be redundant for agricultural purposes or no longer required for the operation of the farm.

18. Nevertheless, the Council contested that Building E, the cubicle building, should not be treated as a building available for re-use. This is because it was to be demolished as part of the scheme permitted for replacement farm buildings erected elsewhere. That is apparent from the scheme drawing for application N96/0951F while application N97/1188F specifically referred to the demolition of the building in the description of proposed development. It is not clear how influential that intention was in the Council's decisions but neither planning permission was subject to a condition requiring the building to be removed. Even so, the Council believes that its demolition can be required, a view not shared by the appellant.

19. This is not directly the matter of these appeals nor do I need to conclude on it. I was not informed of any authority given for enforcement action to be taken to secure the removal of Building E, even were that possible, or indeed any firm intention to seek it. The fact is that the building is an existing rural building which otherwise meets the initial policy criteria for re-use and should be assessed on that basis.

20. It is no longer the Council's case that the pallet business is an unacceptable activity as such. In any event, Policy RE20 allows simply for the re-use of rural buildings for business, industrial and storage development, within which range the pallet activity comfortably sits. That being so, it seems to me that what is proposed is a form of diversification of the rural economy in line with both national and local policies. It was explained that beef rearing on the farm is operating at a low level because of the problems facing the industry and I accept that the activity also supports the continued operation of the farm generally. Consideration of the proposal therefore turns on the more detailed criteria referred to and reflected in the second and third issues.

21. Turning to the visual impact of the use on the countryside, the complex of farm buildings is conspicuously sited alongside the busy A350 and can be seen in longer distance views from the north-west. From the main road, the buildings and yard are largely screened by the farmhouse and cottage while from a distance it is difficult to distinguish between farm and other paraphernalia. Moreover, the storage and repair of pallets is proposed to take place inside the various buildings which, the Council acknowledged, would not be of concern. The appellants accepted that the open storage of pallets which had previously featured should not take place. On that basis, I do not consider that the impact of the use on the local scene would be harmful.

22. On the matter of highway safety and traffic flows, the third issue, there is no question that the A350 imposes a considerable restraint on new development proposals requiring access to it. Both traffic flows and speeds are high so that not only should the function of the route as part of the national network be safeguarded but movements to and from the road, as well as across the principal direction of flow, could present a considerable hazard. In this case vehicles emerging from the site would need to enter into the flow of traffic to head north or cut across it to a gap in the central reservation to join southbound traffic. A similar set of movements applies to drivers wishing to enter the site from the north, although there is a short slip lane for those approaching from the direction of Chippenham to the south. I do not doubt that such manoeuvres pose considerable problems and potential danger.

23. The proposal, being new development and requiring access onto the A350, falls within the context of WCSP Policy T8 the meaning of which was explored at the hearing. It is not part of the appellant's case that the pallet business constitutes an overriding need so that the policy implies that there is a presumption against the development. However, I do not consider that the policy applies a total embargo on proposals requiring access onto such routes. Both the farmhouse and cottage are recent developments which use the entrance onto the road contrary to the same presumption were it to be strictly applied. The Council explained that the dwellings

were direct replacements so that the traffic situation was made no worse. That, in my opinion, is the appropriate test so that development which would not materially increase the degree of risk would not compromise the joint policy objectives of ensuring the free flow of traffic on primary routes and safeguarding highway safety.

24. In this case the access onto the A350 already exists and serves the farm operation as well as the 2 dwellings. The Council did not dispute the appellant's estimate that the use generates about 8.5 vehicle movements per week on average. It was said that the original practice of generating trade from passing traffic has been abandoned and the business now relies on regular industrial and commercial customers for whom pallets are collected and delivered. This would be additional to the trips created by the farm itself. The beef operation is currently at 40% capacity so that farm traffic is also at a low level, varying between about 8 and 14 trips per week. At capacity these figures would increase to between 18 and 22 movements per week and all refer to lorry movements. On that basis, the pallet business does not currently increase the use of the access above that which the farm alone would potentially generate. That of course may not continue to be the case. The continued invitation at the farm entrance to buy pallets from the site adds a further unknown element to the use.

25. It is to be hoped that the problems facing the livestock industry will soon be resolved. In that case it is reasonable to assess the traffic implications of the farm and the pallet business both operating to capacity, that is, generating up to 30 or 31 lorry movements per week. Moreover, the business has established itself in a relatively short time and already provides employment for 3 people, partly shared with the farm. It may continue to grow. The appellant sees the pallet business as tiding the farm over until things improve. It was stated that it is unlikely that both uses could take place once the beef rearing is fully resumed. However, that also cannot be assumed particularly if the pallet business continues to be successful. It seems to me that the situation is uncertain.

26. It is also apparent that previously proposed improvements to the farm access have not been completed. Although again part of earlier approved schemes there was no requirement that the improvements should be carried out. Even so, the entrance has been widened considerably allowing opposing vehicles to pass and a short slip lane from the A350 has been constructed for vehicles approaching from the south. These facilities have no doubt improved the situation. However, the slip lane is not at its full extent and a dividing island at the entrance to dissuade emerging drivers against attempting to cross to the southbound carriageways has yet to be installed. Both items would in my opinion mitigate the risks involved with the current situation.

27. This is a balance of potentially conflicting considerations. Planning policy supports the proposal and the resulting diversification of the rural economy. Even so, development is not acceptable where a traffic hazard would be caused and, in my opinion, highway safety is paramount in this situation. With such considerations in mind, the appellant asked that a temporary period of 2 years be allowed if it was felt that an unrestricted permission was not suitable. In view of the uncertain future mutual growth of the agricultural and pallet uses I have decided that it would be appropriate in the first instance to limit the permissions to that period.

Conditions

28. Since the use is already in place it will not be necessary to set out the usual period for implementation. The temporary duration of the permissions will be stated and the access improvements secured. The highway authority suggested that it is reasonable to anticipate that the latter could be in place within 6 months. The permissions will be restricted to those

buildings specified in addition to which outside storage of pallets and associated materials will be precluded for the reasons I have already given.

29. Although discussed I see no practical means of controlling the manner in which the use operates. However, I agree with the appellant that the scale of the business will be limited by the available floorspace. I do not consider that the sale of pallets from the site is acceptable.

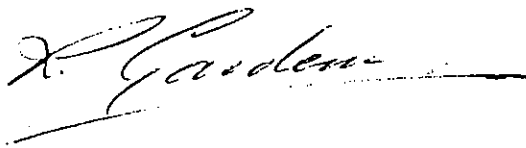
30. The Council also asked that its ability to enforce the demolition of Building E should not be fettered by any grant of planning permission. If the ability to secure the demolition exists I do not consider that the terms I have set out would remove it.

Conclusions

31. For the reasons given above I consider that, on balance, the Appeal 1 should succeed on ground (a) and planning permission will be granted for the development sought by both Appeal 1 and Appeal 2 subject to conditions. I shall exercise the powers transferred to me accordingly.

The appeals on grounds (f) and (g)

32. The appeals on these grounds do not therefore need to be considered.



Inspector

Informatives:

1. An application for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of its decision within the prescribed period.
2. This decision does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.
3. This decision is issued as the determination of the appeals before me. Particulars of the rights of appeal against my decisions to the High Court are enclosed for those concerned.

APPEARANCES

FOR THE APPELLANT:

Mr David R Pearce BSc (EstMan) FRICS	Of Land, Development & Planning Consultants
Mr Anthony Smith MSc Ceng FICE MIHT	Of Townsend Consultants, civil, traffic engineering and transport planning consultants
Mr John A Herbert	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr Charles Robson BSc(Hons) DipTP MRTPI	Enforcement Planner with the Council
Miss Joy Jefferys DMS ABIM IEng FIHE	Development Control Assistant, Wiltshire County Council

DOCUMENTS AND PLANS PRODUCED AT THE HEARING

Document	1	List of persons present at the inquiry
Document	2	Letter of notification and list of persons notified
Document	3	Application N.97/1188F and decision notice at Lower Swinley Farm (Council)
Document	4	Extract, Wiltshire County Council response to EIP recommendations, Wiltshire County Structure Plan 2011, Recommendation R28 (Council)
Plan	A	The plan to the enforcement notice
Plan	B	The application plans, Drg Nos Lawful Development Certificate. 576.001 (Site Plan) and .002 (Block Plan)
Plan	C	Proposed Block Plan, Application N98/0377F showing typical proposed access improvements, Lower Swinley Farm (Council)
Plan	D	Plan showing suggested alternative enforcement notice land (Appellant/Council)

Appeal references: T/APP/J3910/C/99/1030773 & T/APP/J3910/A/99/10227765

Schedule of Conditions 1

1. The permission hereby granted shall be for the use solely of Buildings E, F and G shown on Plan A attached to this decision for the storage and repair of pallets only. There shall be no storage or repair of pallets in the open areas of the site nor shall pallets be sold from the land.
2. The use hereby permitted shall be discontinued and all equipment and materials brought onto the land for the purposes of such use shall be removed on or before the expiry of a period of 2 years commencing with the date of this decision.
3. The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days unless within 6 months of the date of this decision all of the works comprised in the scheme of access improvements shown on Plan B attached to this decision shall have been implemented.

Schedule of Conditions 2 (Council Ref: 99/01388/COU)

1. The permission hereby granted shall be for the use solely of Buildings E and F shown on Plan A attached to this decision for the storage and repair of pallets only. There shall be no storage or repair of pallets in the open areas of the site nor shall pallets be sold from the land.
2. The use hereby permitted shall be discontinued and all equipment and materials brought onto the land for the purposes of such use shall be removed on or before the expiry of a period of 2 years commencing with the date of this decision.
3. The use hereby permitted shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days unless within 6 months of the date of this decision all of the works comprised in the scheme of access improvements shown on Plan B attached to this decision shall have been implemented.

APPEAL DECISION

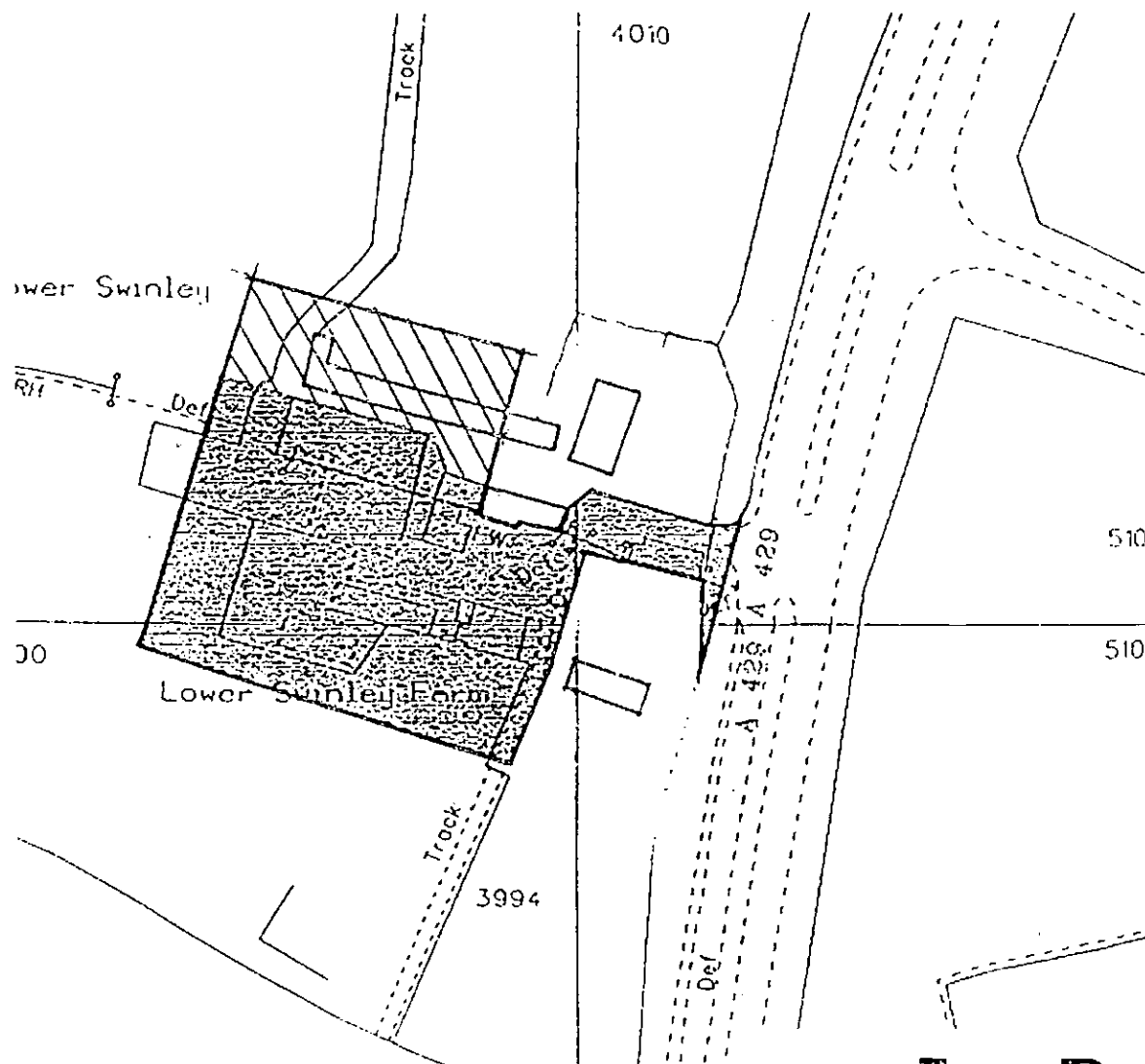
Appeal reference: T/APP/J3910/C/99/1030773

This is the corrected plan to accompany the enforcement notice referred to in the above decision.

Signed:



Inspector



Lower Swinley Farm, Kington St Michael, Chippenham, Wiltshire

APPEAL DECISION

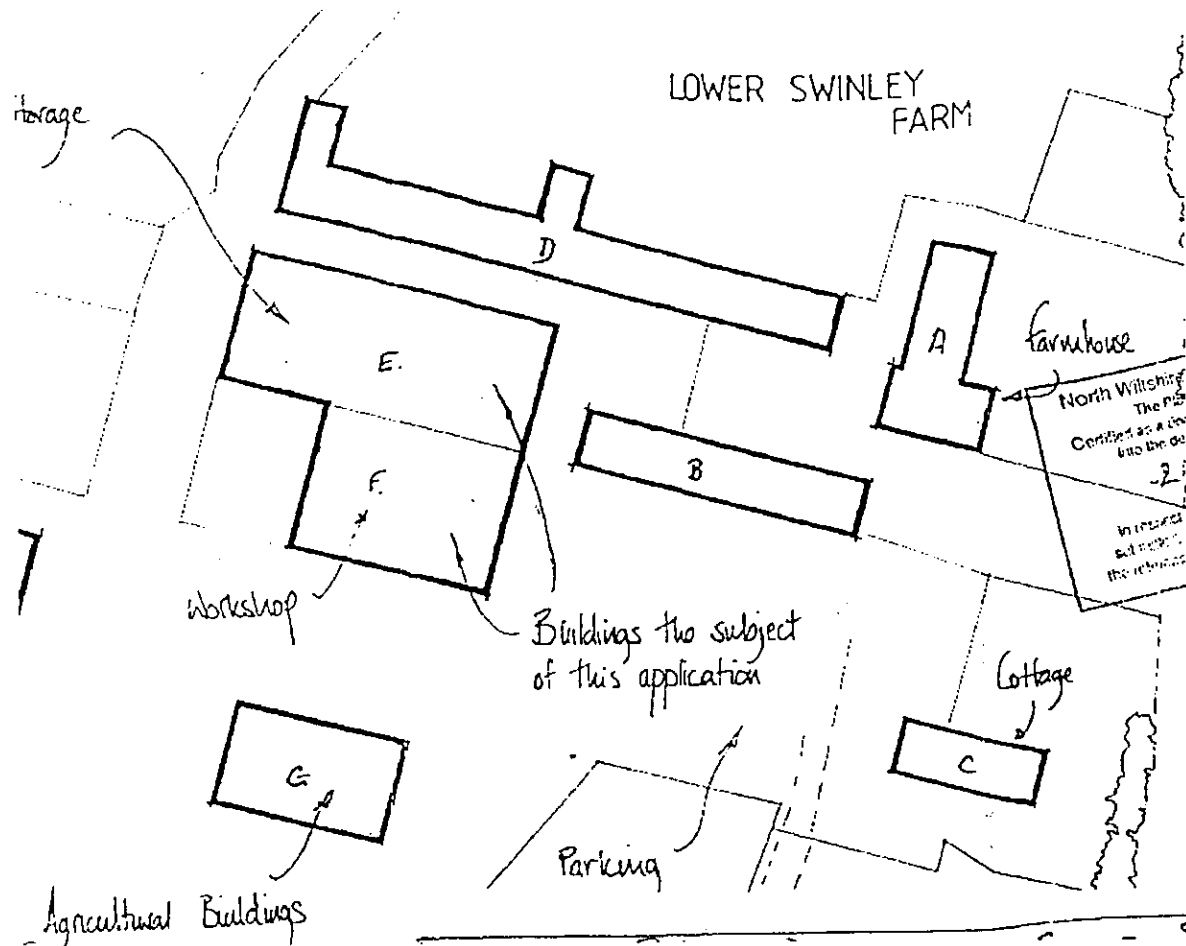
Appeal references: T/APP/J3910/C/99/1030773 & T/APP/J3910/A/99/10227765

This is the Plan A referred to in Condition 1 in Schedules of Conditions 1 and 2 attached to this decision.

Signed:

A. Gordon

Inspector



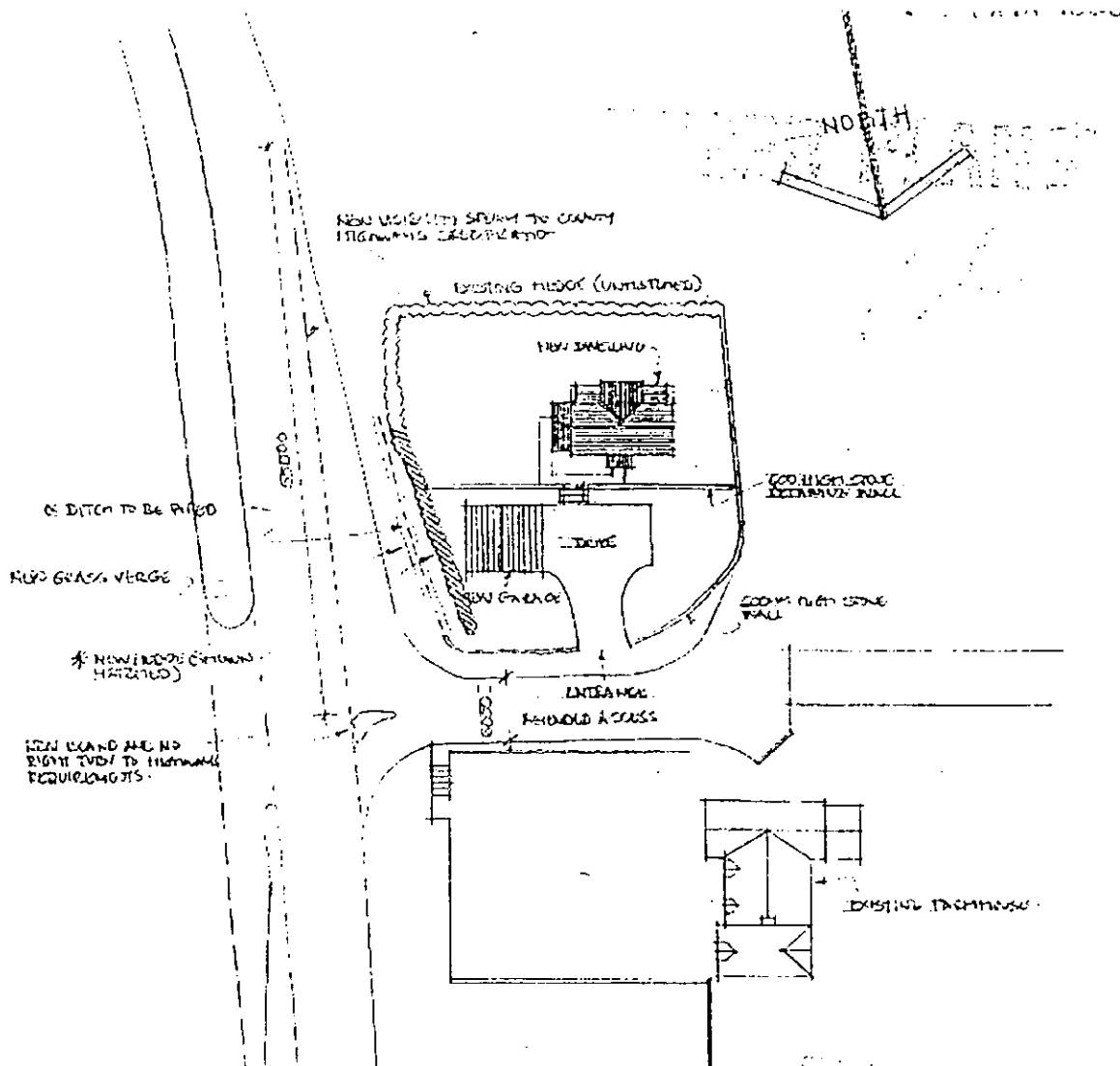
Lower Swinley Farm, Kingston St Michael, Chippenham, Wiltshire

Appeals reference: T/APP/J3910/C/99/1030773 & T/APP/J3910/A/99/10227765

This is the Plan B referred to in Condition 3 of Schedules of Conditions 1 and 2 attached to this decision.

Signed:

Inspector



Lower Swinley Farm, Kington St Michael, Chippenham, Wiltshire