

Chief Executive: Bob Marshall  
Director: Bob Gwilliam  
Director: Jeff Penfold

Our Ref: E00.0013

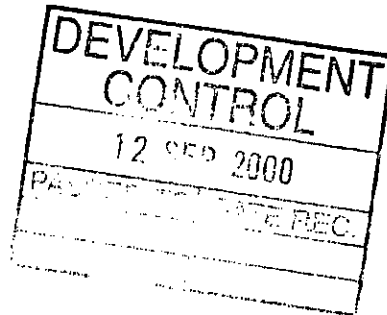
Your Ref:

Enquiries to: R J F

11 September 2000



00/013



*Seen - file.*  
*SA 14/9*  
*D. Auld.*

# North Wiltshire District Council

Legal Services  
Monkton Park  
Chippenham  
Wiltshire SN15 1ER

Tel: 01249 706594  
Fax: 01249 443152  
DX 34208 Chippenham  
email: cgarrett@northwilts.gov.uk  
www.northwilts.gov.uk

Dear Sir/Madam:

## ENFORCEMENT NOTICES AT 1 THE MALTINGS, 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 Notices will take effect on the date shown in Paragraph 7 of the Notices 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 S Haggarty  
1 The Maltings  
Malmesbury  
Wiltshire

Mrs M Hufstra-Haggarty  
1 The Maltings  
Malmesbury  
Wiltshire

Halifax plc  
Trinity Road  
Halifax  
HX1 2RG



INVESTOR IN PEOPLE

**E00.0013**

# **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 (b) 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 1 The Maltings, Malmesbury, Wiltshire shown shaded on the attached plan.

3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

On 14 July 1992 planning permission was granted by the Secretary of State under reference N.91.1736.F for residential development, subject to conditions. One of those conditions (Condition No.3) provided as follows:

"Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that order), there shall be no gates, fences, walls, new buildings, structures or external alterations to any part of the development ...".

It appears to the Council that the condition has not been complied with, in that a fence has been erected in the position shown by a heavy black line and marked "Line of the fence" on the attached plan.

**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. The erection of the fence, surrounding the front garden of 1 The Maltings, is detrimental to the character and appearance of the Malmesbury Conservation Area and, if retained, would set an undesirable precedent for similar development in the vicinity, contrary to Policy B2 of the North Wiltshire Local Plan and Policy RB3 of the North Wiltshire Local Plan Review.

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

- a) Take down the fence.
- b) Remove all fencing and other resultant materials from the land.

**6. TIME FOR COMPLIANCE**

Step 5a above - three months after this notice takes effect  
Step 5b above - four months after this notice takes effect

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 23 October 2000 unless an appeal is made against it beforehand.

Dated : 11 September 2000

Signed : *P.L. Terminal*

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.

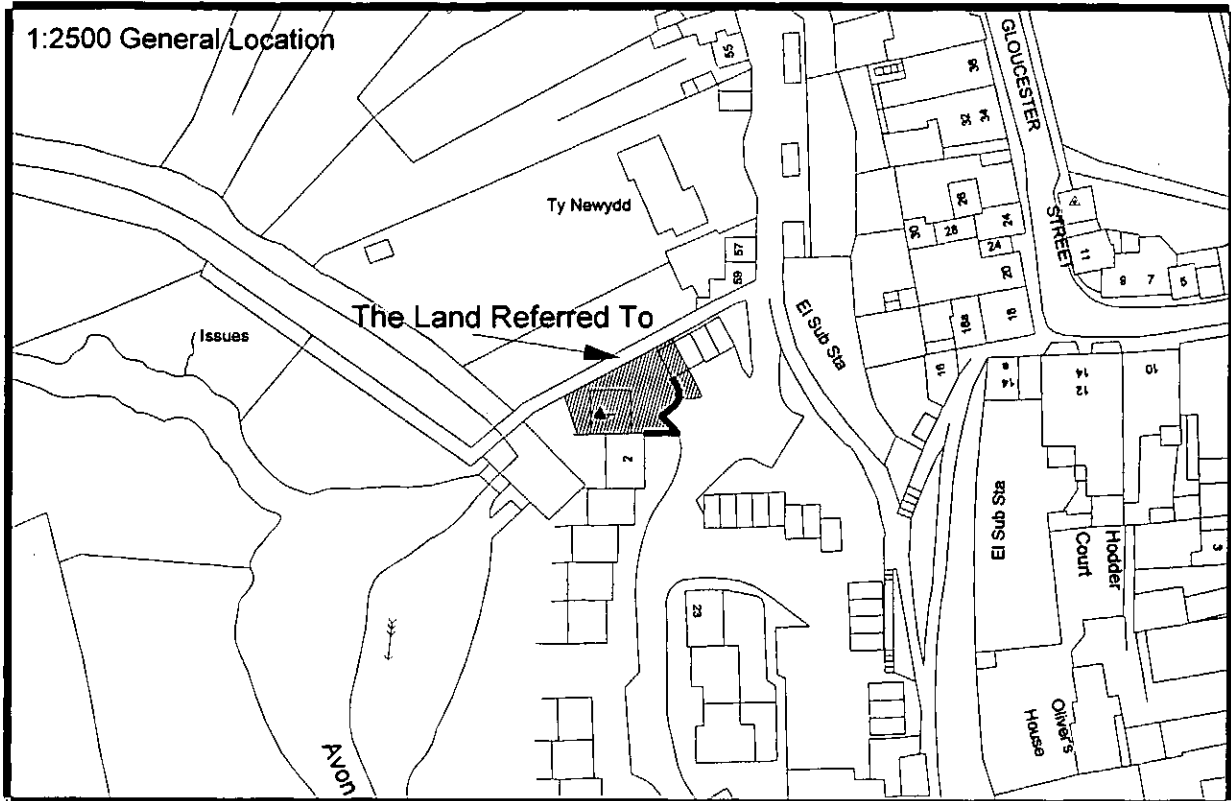
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

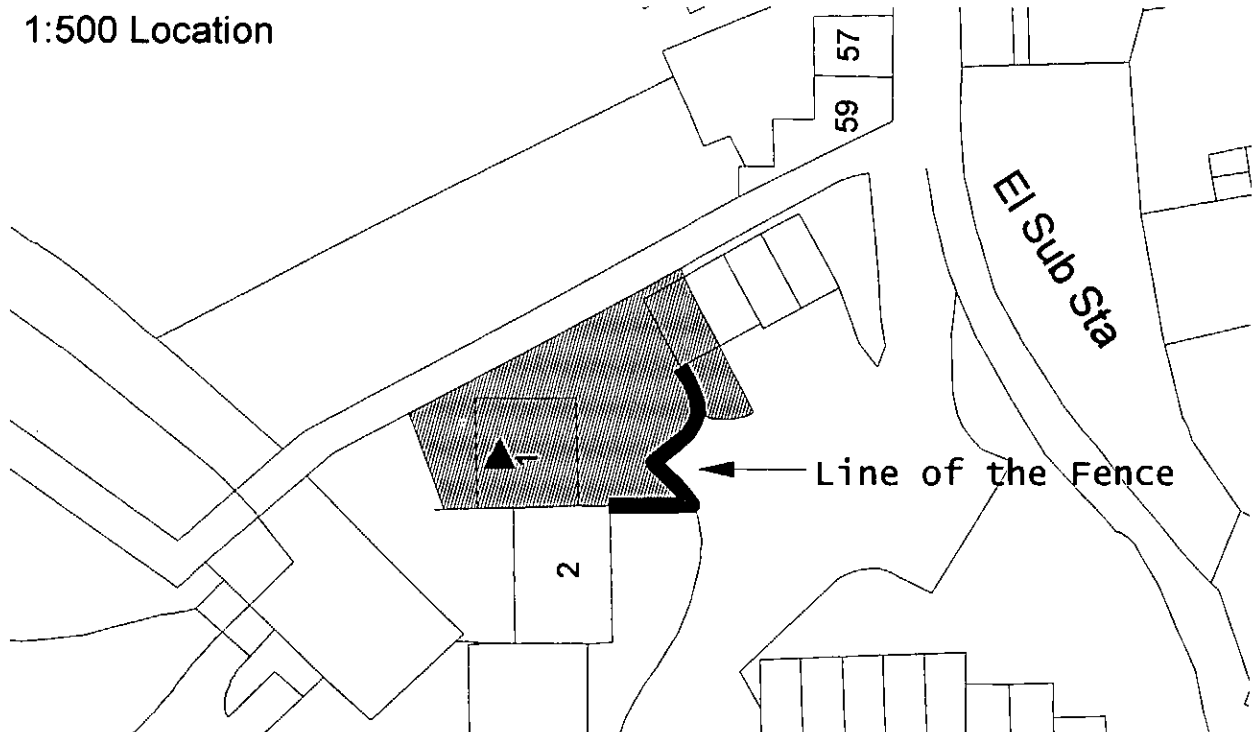
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

# ENFORCEMENT NOTICE

1:2500 General Location



1:500 Location



*North  
Wiltshire  
District  
Council*

1 The Maltings MALMESBURY  
SCALE:1:1250/1:500

E.2000.0013 ST9317 8720

Legal

11/9/2000

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NORTH WILTSHIRE DISTRICT COUNCIL - LA076840 2000

Chief Executive: Bob Marshall  
Director: Bob Gwilliam  
Director: Jeff Penfold

Our Ref: E00.0013

Your Ref:

Enquiries to: R J Packer

11 September 2000

DEVELOPMENT CONTROL	
12 SEP 2000	
PASSED TO	DATE REC.

E.00.0013

*North  
Wiltshire  
District  
Council*

*plotting  
office*

*plotted 10/10/00*

**Legal Services**

Monkton Park  
Chippenham  
Wiltshire SN15 1ER

Tel: 01249 706594

Fax: 01249 443152

DX 34208 Chippenham

email: cgarrett@northwils.gov.uk

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*Paul M. T. Q.*

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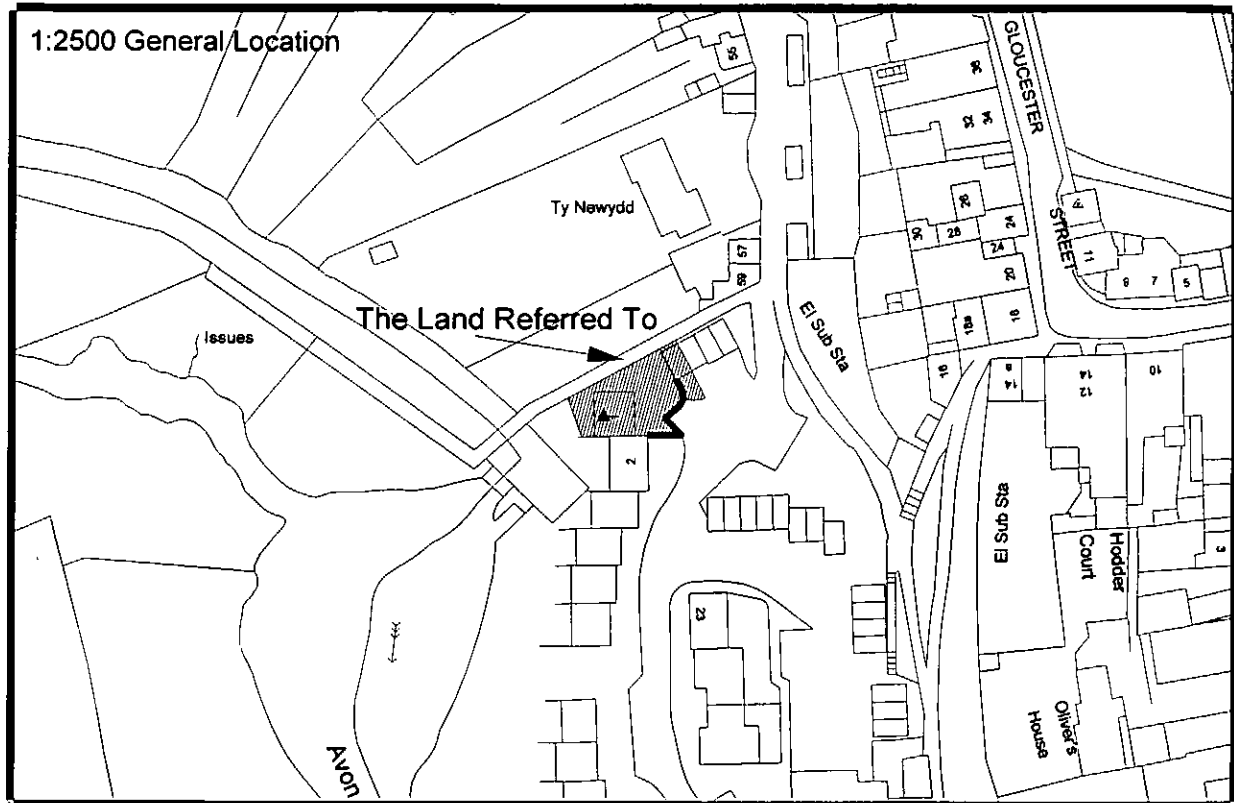
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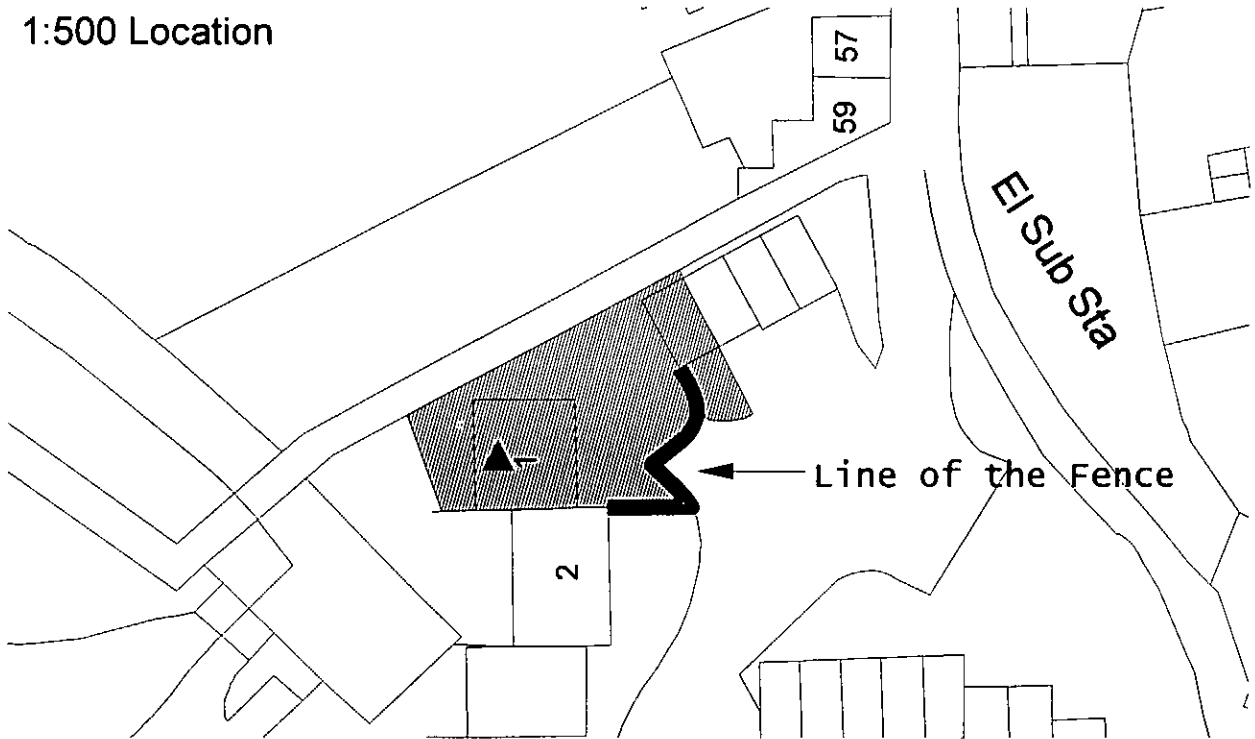
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