

02/00051/ENF (B)

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 Seagry Road, Sutton Benger, Chippenham, Wiltshire shown hatched on the attached plan ("the land").

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

Without planning permission, the material change of use of the land from agriculture to a mixed use comprising residential occupation with associated domestic use of the land and the carrying out of agricultural and landscaping contracting businesses and storage of demolition items. These uses involving the storing of materials, equipment, plant, machinery, vehicles and trailers and the use of buildings, and containers and portable buildings.

4. **REASONS FOR ISSUING THIS NOTICE**

- a) It appears to the Council that the above breach of planning control has occurred within the last ten years.
- b) The development is detrimental to the rural character of the area and located where it would lead to a growth in travel by car contrary to the provisions of Policies RH11, RE19 and RE 20 of the North Wiltshire Local Plan 2001, Policies DP1, DP4 and DP15 of the Wiltshire Structure Plan

2011 and Policies C3, C4, NE15, and H4 of the North Wiltshire Local Plan 2011.

- d) The continued use of the land would, in due course, lead to the unauthorised use becoming immune from enforcement action and lawful. The lawful unrestricted use of the land for the unauthorised uses could result in a significant intensification of the use, which would further harm the rural character of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Permanently cease using the land for residential purposes.
- b) Permanently cease using the land for purposes associated with an agricultural contracting business.
- c) Permanently cease using the land for purposes associated with a landscape contracting business.
- d) Permanently cease using the land for storage purposes.
- e) Remove from the land all materials, equipment, plant, machinery, vehicles, trailers, waste, scrap, skips, containers, portable buildings, caravans and all accoutrements, chattels and other such paraphernalia associated with the uses referred to in paragraphs 5 a), b) c) and d) of this notice from the land.
- f) Restore the land back to a state suitable for the re-instatement of its authorised use for agriculture.

6. TIME FOR COMPLIANCE

Six months from the time this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17th March 2006 unless an appeal is made against it beforehand.

Dated : 10th February 2006

Signed :



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.

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ENFORCEMENT NOTICE



*North
Wiltshire
District
Council*

Land at Seagry Road, Sutton Benger, Chippenham
SCALE: 1:2500

Grid Ref: 9461 7949

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