

Our Ref: 02/00051/ENF (B) & 02/00051/ENF(C)

Enquires to: Robin Williams

Date: 16th February 2006

Strategic Manager: Alun Davies

Addressed to:
See end of letter on attached sheet

Planning Services

Monkton Park

Chippenham

Wiltshire

SN15 1ER

Tel: 01249 706640

Fax: 01249 460810

email: rwilliams@northwilts.gov.uk

www.northwilts.gov.uk

Dear Sir/Madam,

ENFORCEMENT NOTICES, LAND AT SEAGRY ROAD, SUTTON BENDER, CHIPPENHAM, WILTSHIRE

I refer to my telephone call this morning with Mr Stephen Hopley in which I was informed that the covering letters with the recently issued enforcement notices were confusing regarding fees relating to an appeal. I note that Mr Hopley was not prepared to be advised over the telephone regarding this matter.

If appeals against the enforcement notices on ground (a) as provided by Section 174 (2)(a) of the Town and Country Planning Act 1990 (as amended) are lodged then a fee must be paid to both the Planning Inspectorate and the Local Planning Authority. No fees are payable if the appeal or appeals are on any other grounds and do not include ground (a).

In the case of enforcement notice 02/00051/ENF (B) which relates to a change of use then the fee payable is £265 for both the Planning Inspectorate and the Local Planning Authority.

In the case of enforcement notice 02/00051/ENF (C) which relates to building and engineering operations then the fee payable is £530 for both the Planning Inspectorate and the Local Planning Authority.

The cheque for the Planning Inspectorate should be made payable to the First Secretary of State and for the Local Planning Authority should be made payable to the North Wiltshire District Council. Only one person needs to pay a fee.

These fees must be included with your appeal forms, which you have to send to the Council at the above address and the Planning Inspectorate at the address on the appeal form.

Although the content of this letter explains the situation fully I enclose corrected letters for your information.



INVESTOR IN PEOPLE

During my telephone conversation with Mr Hopley he mentioned other matters he considered made the enforcement notices invalid and I requested he put these points in writing to me for detailed consideration. I confirm that, in my opinion, the points raised by Mr Hopley did not invalidate the recently issued enforcement notices. I advised him that it would be wise for appeals to be lodged to safeguard his position if he disagreed with my opinion whilst he concurrently wrote to the Council for his points to be given detailed consideration. You should note that it is through the appeal process that the validity of an enforcement notice should normally be challenged and not subsequently through the court process if or when a prosecution for failure to comply with the requirements of an enforcement notice proceeds.

I also confirm that Mr Hopley requested a meeting but I considered such a meeting was not appropriate until such a time as I have received details in writing of the points he wishes to discuss and I have given them due consideration.

Yours faithfully



Robin Williams
Principal Planning Officer

To: Stephen Patrick Hopley
Land at Seagry Road
Sutton Benger
Chippenham
Wiltshire
SN15 4RY

Judith Mary Hopley
Land at Seagry Road
Sutton Benger
Chippenham
Wiltshire
SN15 4RY

Benjamin Hopley
Land at Seagry Road
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Adam Hopley
Land at Seagry Road
Sutton Benger
Chippenham
Wiltshire
SN15 4RY

The owner/occupier
Land at Seagry Road
Sutton Benger
Chippenham
Wiltshire
SN15 4RY

Our Ref: 02/00051/ENF (B)

Date: 10 February 2006

**Strategic Manager: Alun Davies
Planning Services**

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Dear Sir/Madam,

**ENFORCEMENT NOTICES, LAND AT SEAGRY ROAD, SUTTON BENDER, CHIPPENHAM,
WILTSHIRE**

Should you wish to appeal against the enforcement notice that is suffixed (B) on ground (a) as provided by Section 174 (2)(a) of the Town and Country Planning Act 1990 (as amended) the following fees will be required:-

£265 for both the Planning Inspectorate and the Local Planning Authority.

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Yours faithfully


**Charles Pescod
Implementation Team Leader
Development Control and Listed Buildings**

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Dear Sir/Madam,

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Strategic Manager: Alun Davies

Your Ref:

Enquiries to: Robin Williams

Date: 10th February 2006

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Dear Sir/Madam,

**ENFORCEMENT NOTICES, LAND AT SEAGRY ROAD, SUTTON BINGER, CHIPPENHAM,
WILTSHIRE**

The Council has issued two Enforcement Notices relating to the above Land and I now serve on you copies of these Notices, in view of your interest in the Land.

Unless appeals are made, as set out in the Annex to each notice, 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.

Having regard to the information gathered from the site inspection by officers of the Council on 10th January 2006 it has been resolved to issue two enforcement notices to comprehensively cover the breaches of planning control on the land. These additional enforcement notices are issued without prejudice to the Council resolving, if considered appropriate, to proceed with a prosecution or prosecutions under the two current enforcement notices relating to this site. You will be aware of the existing enforcement notices reference E 357 issued on 7th October 1983 and enforcement notice reference 02/00051/ENF issued on 14th June 2002. Please note that the new notices issued today are referenced 02/00051/ENF (B) and 02/00051/ENF (C); that is they have suffixes (B) and (C). Copies of the earlier enforcement notices may be obtained from the Council if required.

Yours faithfully


P.P. Charles Pescod

Implementation Team Leader

Development Control and Listed Buildings



INVESTOR IN PEOPLE

**ENFORCEMENT NOTICES, LAND AT SEAGRY ROAD, SUTTON BENDER, CHIPPENHAM,
WILTSHIRE**

Letter dated 10th February 2006 from North Wiltshire District Council

To:	Stephen Patrick Hopley Land at Seagry Road Sutton Benger Chippenham Wiltshire SN15 4RY	Judith Mary Hopley Land at Seagry Road Sutton Benger Chippenham Wiltshire SN15 4RY	Benjamin Hopley Land at Seagry Road Sutton Benger Chippenham Wiltshire SN15 4RY
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Sutton Benger
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*incorrect fees
letter originally sent.
RJB
16/2/06*



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