

IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY



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

BREACH OF CONDITION NOTICE

Reference Number : 02.00005.EBOC

SERVED BY : North Wiltshire District Council ("the Council")

**To Company Secretary, Whitehall Garden Centre Ltd, Lacock, Chippenham,
Wiltshire**

1. THIS NOTICE is served by the Council, under section 187A of the above Act, because it considers that a condition imposed on a grant of planning permission, relating to the land described 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 : **Whitehall Garden Centre, Lacock, Chippenham** shown hatched on the O.S Extract Plan, attached to this Notice

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission [copy attached] to which this Notice relates is the permission N.88.1975.F granted by North Wiltshire District Council on 1.9.88 for the extension to garden centre and provision of car parking.

4. THE BREACH OF CONDITION.

The following condition has not been complied with:

- 2 *The building hereby permitted shall be used for the storage, display or sale of garden, horticultural or closely allied goods or for services and activities related to the public's enjoyment of the site as a retail garden centre.*

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.

- (1) Cease the sale of items not specified in the above condition including the sale of meat and frozen food

6. PERIOD FOR COMPLIANCE

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

Dated : 6 December, 2002

Signed : 
the 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 you to do, you should get in touch immediately with Nigel Daniels, Planning Services, North Wiltshire District Council, Council Offices, Monkton Park, Chippenham, Wiltshire. SN15 1ER. Tel : 01249-706632

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]

390917

Breach of Condition Notice



*North
Wiltshire
District
Council*

Whitehall Garden Centre, Lacock, Chippenham, Wilts
SCALE: 1:2500

Grid Ref: ST9111 6903 02.00005.EBOC

Planning Services 6/12/2002

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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 2002

THE SCHEDULE

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

NAME & ADDRESS OF AGENT:

Alder King Tilley & Noad
14 Market Place
Chippenham
Wiltshire SN15 3HG

NAME & ADDRESS OF APPLICANT:

P M & R C Self
Whitehall Farm
Lacock
Chippenham Wiltshire

BRIEF DETAILS OF APPLICATION:

Proposal: EXTENSION TO GARDEN CENTRE AND PROVISION OF CAR PARKING

Location: Whitehall Garden Centre A350
Lacock
Parish: LACOCK

Application Dated: 01/07/88
Permission Granted: 01/09/88

Application Registered 14/07/88

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 41 of the Town & Country Planning Act, 1971.

2. The building hereby permitted shall be used for the storage, display or sale of garden, horticultural or closely allied goods or for services and activities related to the public's enjoyment of the site as a retail garden centre.

Reason: To ensure that uses and activities on the site remain compatible with its rural location.

3. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented in the first

APPLICATION REFERENCE NO: N.88.1975.F

planting season following occupation or use of the development, whether in whole or part, and shall be maintained thereafter for a period of not less than five years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which dies by a species to be approved in writing by the local planning authority.

Reason: In the interests of amenity.

4. Prior to the building hereby permitted being first occupied or used the access drive along the northern part of the site leading to the new grassed car parking area, as shown on Plan PL148-12, shall be surfaced and finished in tarmacadam.

Reason: In the interests of amenity.

Signed.  Chief Planning Officer

Date: 1st September, 1988



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Breach of
Contract