

Reg.

NORTH WILTSHIRE DISTRICT COUNCIL

Reference 02/00011/ENF

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**Town and Country Planning Act 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

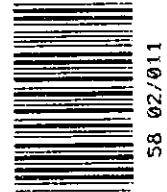
Issued by: North Wiltshire District Council

- (1) THIS IS A FORMAL NOTICE which is issued by North Wiltshire District Council ("the Council") because it appears to them that there has been a breach of planning control under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue a notice, having regard to the provisions of the development plan and to other material planning considerations.

SCHEDULE 1

THE LAND AFFECTED

Land at Hangar 45 Yatesbury Airfield shown hatched on the attached plan
("the land").



SCHEDULE 2

THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the Material Change of Use of the land from storage and distribution to a mixed use for storage and distribution, a haulage/maintenance depot and for the processing of aggregates and other materials and the erection of storage bays, loading ramps and hoppers.

("the unauthorised development ")

SCHEDULE 3

REASONS FOR ISSUING THIS NOTICE

1. It appears to the Council that the unauthorised development took place within the last 10 years and four years respectively.

2. The unauthorised development is inappropriate to the open countryside in general and the Yatesbury Aerodrome Conservation Area and the North Wessex Area of Outstanding Natural Beauty in particular by reason of unsightliness, noise, dust and disturbance, as such it is contrary to policies RB3, RC7 and RC9 of the North Wiltshire Local Plan – Adopted 2001.

SCHEDULE 4

WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land for a haulage/maintenance depot or for the processing of aggregates and other materials
2. Remove all vehicles, parts, tools and other materials and works associated with the unauthorised development.
3. Remove the storage bays, loading ramps and hoppers.

SCHEDULE 5

TIME FOR COMPLIANCE

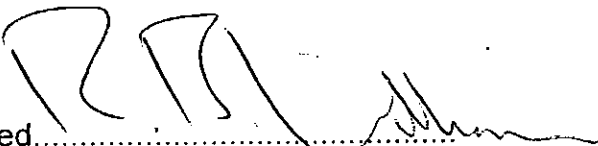
Three months from the date this notice takes effect

SCHEDULE 6

WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 7 November 2004 unless an appeal is made against it before that date.

Issued: 1 October 2004

Signed.....

(Council's authorised officer)

North Wiltshire District Council

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 Planning Inspectorate before 7 November 2004. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights. Read it carefully.

You may use the enclosed appeal forms. One is for you to send to the Planning Inspectorate with the spare copy of this enforcement notice, which is enclosed. The others are for you to send to the Council and for your records.

If You Appeal

If you lodge an appeal then you must submit to the Planning Inspectorate, a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts that you propose to rely on, in support of each of those grounds. Either:

When giving notice of appeal; or

Within 14 days from the date that the Planning Inspectorate sends you notice that requires you to send a statement.

If you wish to have your appeal also considered as a deemed application for planning permission or you intend to make an appeal under Ground (a), you may be required to pay a fee. A fee may be payable under Regulation 10 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 for the deemed application for planning permission for the development alleged to be in breach of planning control in the enforcement notice. The Fee for this case is £1,210. This amount is payable both to the Council and to the Planning Inspectorate.

What happens if you do not appeal

If you do not appeal against this enforcement notice, it will take effect on 7 November 2004 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in the notice. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.

Who this Enforcement Notice is Served On

Owner Land at Hangar 45 Yatesbury Airfield
Occupier Land at Hangar 45 Yatesbury Airfield
Any Other Person with an Interest in Land at Hangar 45 Yatesbury Airfield
Co-Ag UK Ltd, PO Box 219, Hangar 45 Yatesbury Airfield
Dalgety Ltd, Hangar 45 Yatesbury Airfield
Masstock Arable (UK) Ltd, Andoversford, Cheltenham, Gloucestershire GL54 4LZ

If you believe that there is someone else who should be served or any of those listed above has not received a copy of the notice or any other document please let that person and the Council know of this omission as soon as possible.

Enclosures:
Site Plan

Appeal Forms (3 Copies)
Appeal Guide Booklet
Enforcement Notice (3 Copies)

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TITLE NUMBER
WT226440



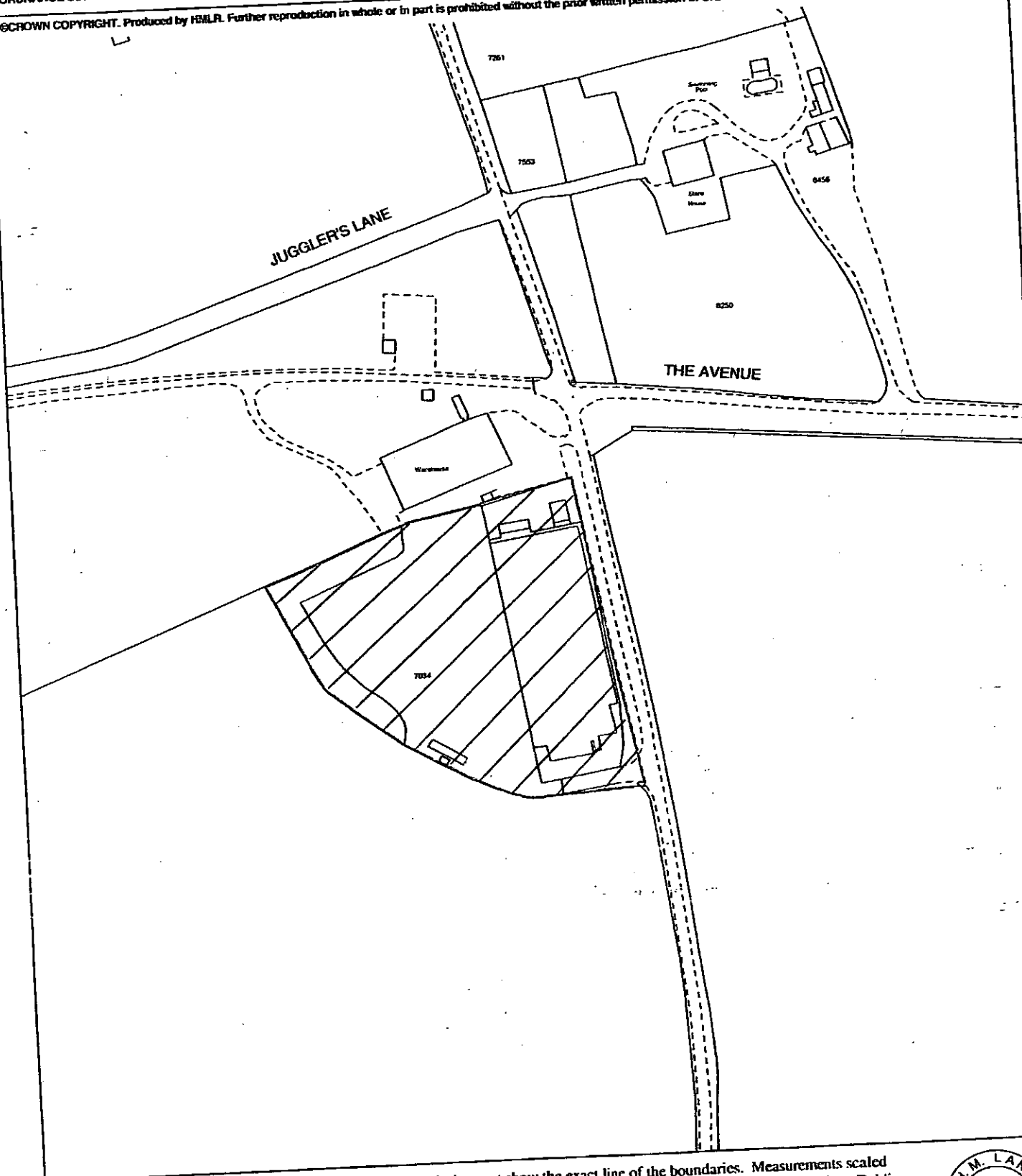
WILTSHIRE : NORTH WILTSHIRE

ORDNANCE SURVEY MAP REFERENCE:

SU0571SE

SCALE 1:2500 Reduced from 1/1250

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This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.

In accordance with r.134(7) of the Land Registration Rules 2003, this official copy is issued without reference to any application or matter which may affect the caution's subsistence.

This copy may be subject to distortions in scale.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

