

Our Ref: 02/00116/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 19 March, 2004

Strategic Manager: Alun Davies

Planning Services

Monkton Park
Chippenham
Wiltshire
SN15 1ER

Thomas Green
Greenacre Farm
Broomfield Lane,
Yatton Keynell
Chippenham
Wilts SN14 7JY

Register

(1)

Excel Sheets

Tel: 01249 706640

Fax: 01249 460810

email: rwilliams@northwilts.gov.uk

www.northwilts.gov.uk

Dear Sirs

**ENFORCEMENT NOTICE AT GREEACRE FARM, YATTON KEYNELL,
CHIPPENHAM, WILTS**

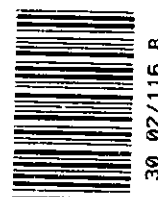
The Council has issued an Enforcement Notice relating to the above Land and copies have been served on you, in view of your interest in the Land.

Unless an appeal is made, as set out in the Annex, the Notice will take effect on the date shown in Paragraph 7 of the Notice 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

[Signature]

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



INVESTOR IN PEOPLE

Our Ref: 02/00116/EMIN

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Date: 19 March, 2004

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Dear Sir

**ENFORCEMENT NOTICE AT GREEACRE FARM, YATTON KEYNELL,
CHIPPENHAM, WILTS**

Should you wish to appeal against the enforcement notices the following fees will be required:-

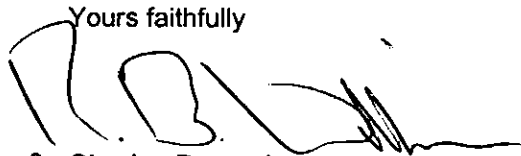
Notice A - £220 for both the Planning Inspectorate and the Local Planning Authority.

Notice B - £660 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 the cheque for the Council made out to North Wiltshire District Council.

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.

Yours faithfully



Charles Pescod
Implementation Team Leader
Development Control and Listed Buildings



INVESTOR IN PEOPLE

02/00116/EMIN (A)

**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 Greenacre Farm, Yatton Keynell, Chippenham, Wiltshire shown hatched on the attached plan.

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

Without planning permission, the material change of use of the land and buildings from agriculture to a mixed use comprising storing, processing and recycling materials including building materials, aggregates and timber.

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 by reason of its scale and disturbance to local amenity, thus contrary to the provisions of policies RE19 and RE 20 of the North Wiltshire Local Plan.
- c) The development results in additional traffic movements and in particular, lorry movements associated with the delivery of materials and distribution

of the final produce where the junction of the lane with the C86 is inadequate, where the lane leading to the site is inadequate with regard to its width, general condition and forward visibility and where the access to the site would require improvements for highway safety reasons to the detriment of the rural character of the area.

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

5. WHAT YOU ARE REQUIRED TO DO

- a) Permanently cease using the site for the unauthorised activities, storage and ancillary uses referred to in part 3 of this Notice.
- b) Remove from the site all vehicles, trailers, machinery, plant and equipment, scrap, skips, chattels and other items associated with the unauthorised uses referred to in part 3 of this Notice.
- c) Restore the site 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.

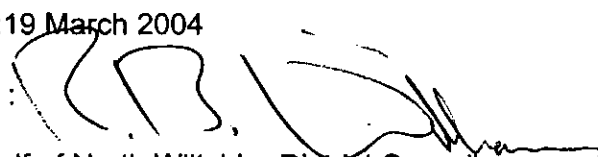
7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 30 April 2004 unless an appeal is made against it beforehand.

Dated : 19 March 2004

Signed :

on behalf of North Wiltshire District Council



ANNEX

YOUR RIGHT OF APPEAL

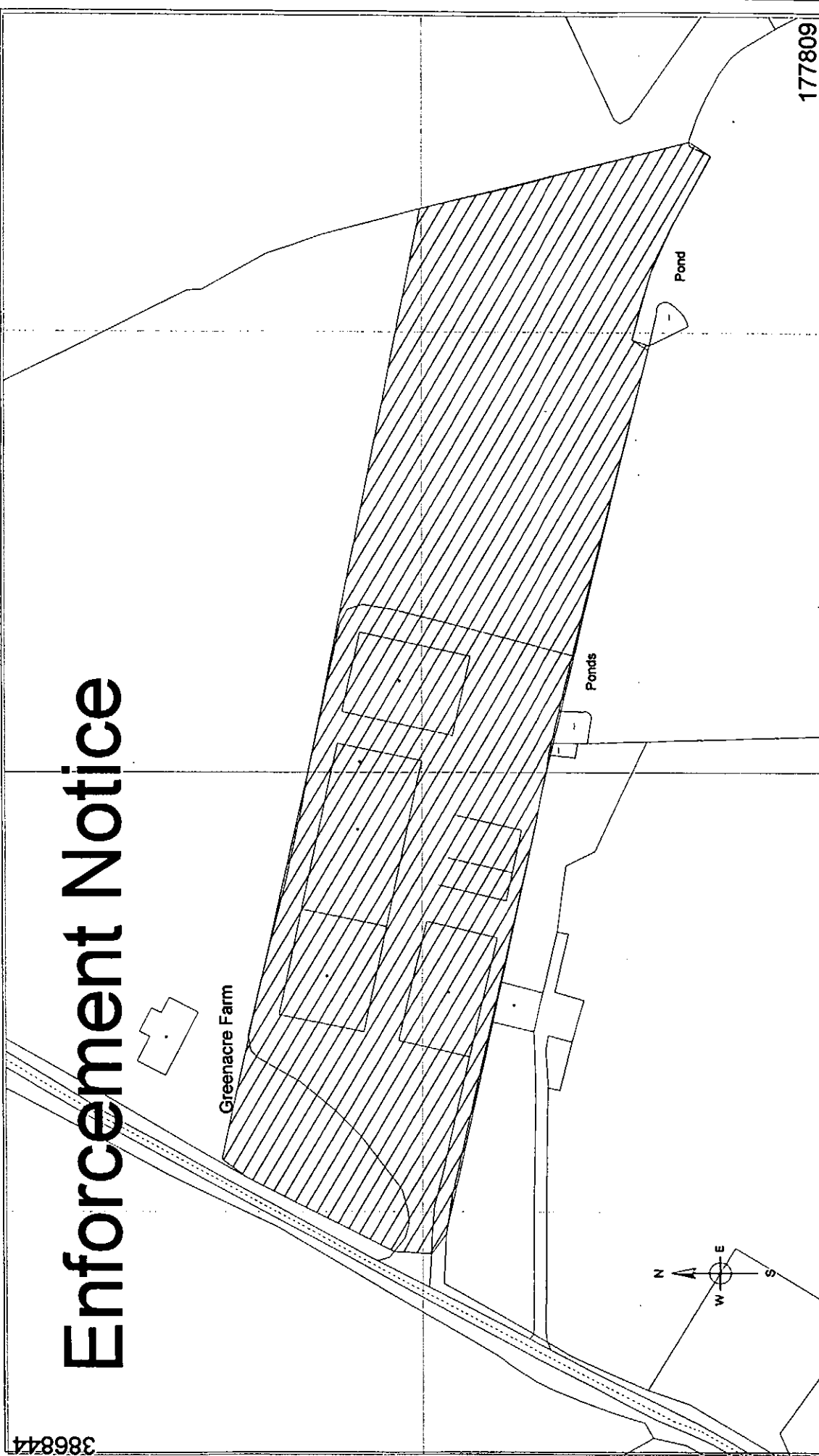
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the 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.

Enforcement Notice



Greenacre Farm, Yatton Keynell, Chippenham, Wilts

SCALE: 1:1250

Grid Ref: ST8695 7790 02/00116/EMIN Notice A

Planning Services 6/1/2004

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Wiltshire
District
Council*

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017633 2004

02/00116/EMIN (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 Greenacre Farm, Yatton Keynell, Chippenham, Wiltshire shown cross-hatched on the attached plan (the site).
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the carrying out of building and engineering operations comprising the provision of a hardstanding area used in connection with the mixed use of the land for storing, processing and recycling materials including building materials, aggregates and timber.
4. **REASONS FOR ISSUING THIS NOTICE**
 - a) It appears to the Council that the above breach of planning control has occurred within the last four years.
 - b) The development is detrimental to the rural character of the area by reason of its scale and the likely disturbance its use would cause to local amenity; contrary to the provisions of policies RC9 of the North Wiltshire Local Plan.

- c) The development results in additional traffic movements and in particular, lorry movements associated with the delivery of materials and distribution of the final produce where the junction of the lane with the C86 is inadequate; where the lane leading to the site is inadequate with regard to its width, general condition and forward visibility and where the access to the site would require improvements for highway safety reasons to the detriment of the rural character of the area.
- d) Should the Council take no enforcement action seeking the removal of this hardstanding area, it would become immune from such action and lawful. The continued existence of the large area of hardsurfacing would be detrimental to the rural visual character of the area and would also be likely to lead to its use in a way which would further erode the character of the countryside and generate traffic to the site, contrary to highway safety.

5. WHAT YOU ARE REQUIRED TO DO

- a) Remove all hardsurfacing, gravel, hardcore and other such materials from the site to a depth of at least one metre over the whole of the site.
- b) Remove all debris resulting from the requirements of 5a) of this notice from the site.
- c) Restore the land level with the natural contours of the adjoining land by the importation, as may be necessary, of soil to replace the hardsurfacing materials that have been removed as a requirement to comply with 5a) of this notice.
- d) Finish the whole of the site with topsoil to a depth of at least 150mm to achieve the natural contoured finish of 5c) of this notice such as to allow for agricultural use of the site.

6. TIME FOR COMPLIANCE

Six months from the time this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 30 April 2004 unless an appeal is made against it beforehand.

Dated : 19 March 2004

Signed :

on behalf of North Wiltshire District Council

ANNEX

YOUR RIGHT OF APPEAL

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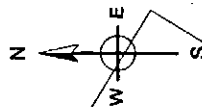
Enforcement Notice

Greenacre Farm

Ponds

Pond

177806



Greenacre Farm, Yatton Keynell, Chippenham, Wilts

SCALE: 1:1250

Grid Ref: ST8695 7790 02/00116/EMIN Notice B

6/1/2004

Planning Services

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District
Council*

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