

Our Ref: 02/00171/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 11 November, 2003

**Chief Executive: Bob Marshall**  
Director: Bob Gwilliam  
Director: Jeff Penfold

**Business Manager: Laurie Bell**  
**Planning Services**  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

Tel: 01249 706640  
Fax: 01249 460810  
email: rwilliams@northwilts.gov.uk  
www.northwilts.gov.uk



*Planning  
Register*

Dear Sirs

**ENFORCEMENT NOTICE AT 65 NEW ROAD, CHIPPENHAM, WILTSHIRE**

The Council have issued an Enforcement Notice relating to the above Land and copies of this Notice 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

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

To Alberto V A L Belli  
10 Bath Road  
Melksham  
Wilts

Giovanni Belli  
10 Bath Road  
Melksham  
Wilts

Paul Tugwete  
The Flat  
65 New Road  
Chippenham  
Wilts



INVESTOR IN PEOPLE

Our Ref: 02/00171/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 7 November 2003

**Chief Executive: Bob Marshall**  
Director: Bob Gwilliam  
Director: Jeff Penfold

**Business Manager: Laurie Bell**  
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email: [rwilliams@northwilts.gov.uk](mailto:rwilliams@northwilts.gov.uk)  
[www.northwilts.gov.uk](http://www.northwilts.gov.uk)

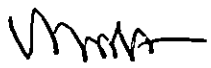
Dear Sirs

**ENFORCEMENT NOTICE AT 65 NEW ROAD, CHIPPENHAM, WILTSHIRE**

Should you wish to appeal against the enforcement notice the following fees will be required:- £220 for both the Local Planning Authority and the Planning Inspectorate.

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

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**02/00171/EMIN**

## **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 65 New Road, Chippenham, Wiltshire shown hatched on the attached plan.

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

Without planning permission, the replacement of four first floor windows in the elevation of the building facing New Road.

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 replacement of the traditionally constructed and detailed sash timber windows with UPVC windows, having a different design and different opening details, detracts from the character and appearance of the property.
- c) The property together with the adjacent properties that it is contemporary with, make a positive contribution to the distinctiveness and quality of the Chippenham Conservation Area. The replacement windows introduce a discordant element into the main elevation of this group of properties

causing harm to the character of the Conservation Area contrary to policy HE7 of the Wiltshire Structure Plan 2011 and policies RB2 and RB3 of the North Wiltshire Local Plan 2001

**5. WHAT YOU ARE REQUIRED TO DO**

- a) Remove the UPVC windows.
- b) Install, in place of the UPVC windows, replacement windows constructed in timber with vertical sliding sashes to conform with the first floor windows at nos. 63, 64 and 66 New Road, matching in design and opening details those at no. 63 which are within the same sized window opening.

**6. TIME FOR COMPLIANCE**

Three months from the time this Notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 19 December 2003 unless an appeal is made against it beforehand.

Dated : 7 November 2003

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

391780

173333

*North  
Wiltshire  
District  
Council*

Atwell Martin Estate Agents, 65 New Road, Chippenham, Wilts  
SCALE: 1:1250

ST9188 7347 02/00171/EMIN

Planning Services

1/11/2001

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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 2003

# NORTH WILTSHIRE DISTRICT COUNCIL ENFORCEMENT FILE CLOSURE SHEET

Do not detail any confidential information on this sheet

Case Number:

02

171

## Alleged Breach:

The unauthorised replacement of four first floor windows in the front elevation of a building sited within Chippenham Conservation Area

## Address / location:

65 New Road, Chippenham

## Special Area Status (and information):

Road Class:

Listed Building / Grade:

AONB:

Green Belt:

Right of Way:

Conservation Area:

Article IV:

SSSI:

X

## Brief overview of case

- Wooden sash windows replaced by UPVC windows. Owners advised that planning permission required but unlikely to be granted and advised to replace windows with traditional timber sliding sash ones. Despite repeated requests windows not replaced.
- Enforcement Notice issued 07.11.03, effective 19.12.03.
- Appeal lodged. Appeal dismissed 07.05.04. Enforcement Notice effective from this date with compliance by 07.08.05.
- After negotiation, replacement windows fitted.

## Notice Type Issued

Date Issued

Date Returned

Requisition for Information

24.09.03

13.10.03

Enforcement Notice

07.11.03

Complied 03.03.05

## Reason For Closure (including details of why not expedient to pursue if applicable)

Compliance with Enforcement Notice

## Complete this section if closure due to compliance with an Enforcement Notice:

Date of visit:

03.03.05

Time of visit

09.35am

No. of photos:

3

## Notifications to be carried out (indicate):

Complainant/s

Land Charges

Environmental Health

X

WCC - Highways

Environment Agency

Other

Sign

Print Name

Date

I (case officer) hereby confirm that this record is correct

I (named officer) hereby countersign the case officers decision

*A. Murphy*

A MURPHY

04.03.05