



# The Planning Inspectorate

3/05 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728097  
Switchboard 0117-3728000  
Fax No 0117-3728782  
GTN 1371-8097

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Mrs C A Garrett (Planning Services)  
North Wilts District Council  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

Your Ref: 02/00314/EMIN  
Our Ref: APP/J3910/C/03/1132059  
Date: 7 January 2004

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Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY M O BELL  
SITE AT PEN HILL FARM, OXFORD ROAD, CLANE, WILTSHIRE**

I refer to the above appeal which has now been turned away as no fee paid to the council or the Inspectorate. I enclose a copy of a letter sent to the appellants agent now that the enforcement notice has now taken effect.

Yours faithfully

Mrs Kate Vicker



3 02/314



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Land Development & Planning Consultants Ltd  
Mr D R Pearce Bsc Frics  
Nettleton  
Chippenham  
Wiltshire  
SN14 7NS

Your Ref: LDC.897  
Our Ref: APP/J3910/C/03/1132059  
Date: 7 January 2004

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Dear Sir/Madam

**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEAL BY M O BELL**  
**SITE AT PEN HILL FARM, OXFORD ROAD, CLANE, WILTSHIRE**

We asked for the fee that is payable on your appeal.

The fee was not received by us and the local planning authority (LPA) within the specified period. Therefore the deemed planning application and any appeal on ground (a) have lapsed.

As ground (a) was the only ground pleaded, no further action will be taken on the appeal(s) and any arrangements made for a site visit, hearing or local inquiry have been cancelled. The enforcement notice dated 6 October 2003 became **effective from 2 January 2004**.

I am sending a copy of this letter to the LPA.

Yours faithfully

Mrs Kate Vicker

F3(A)(BPR)

**Our Ref:**

**Your Ref:**

**Enquiries to:** Robin Williams

**Date:** 6 October, 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](mailto:rwilliams@northwilts.gov.uk)

[www.northwilts.gov.uk](http://www.northwilts.gov.uk)

Dear Sir/Madam

**ENFORCEMENT NOTICE AT PENN HILL FARM, OXFORD ROAD, CALNE WILTSHIRE**

The Council has issued an Enforcement Notice relating to the above Land and I now serve on you copies of this Notice, 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 Michael Richard Bell  
Penn Hill Farm  
Calne  
Wilts SN11 9PD

Marjorie Olive Bell  
Penn Hill Farm  
Calne  
Wilts SN11 9PD

Robert Leonard Bell  
Penn Hill Farm  
Calne  
Wilts SN11 9PD

Stewart Michael Bell  
Common Farm  
Wroughton  
Swindon  
Wilts SN4 9QJ

Colin Richard Bell  
7 Fitzmaurice Close  
Derry Hill  
Calne  
Wilts SN11 9PD

Patsy-Ann Louise Cole  
13 Beauford Close  
Bowerhill  
Melksham  
Wilts SN12 6TX



INVESTOR IN PEOPLE

Our Ref: 02/00341/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 6 October, 2003

**Chief Executive: Bob Marshall**

Director: Bob Gwilliam

Director: Jeff Penfold

**Business Manager: Laurie Bell**

Mr I Somerville  
Penn Hill Farm  
Oxford Road  
Calne  
Wilts  
SN11 9PD

**Planning Services**

Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

Tel: 01249 706640

Fax: 01249 460810

email: [rwilliams@northwilts.gov.uk](mailto:rwilliams@northwilts.gov.uk)

[www.northwilts.gov.uk](http://www.northwilts.gov.uk)

Dear Sir

**ENFORCEMENT NOTICE AT PENN HILL FARM, OXFORD ROAD, CALNE WILTSHIRE**

The Council has issued an Enforcement Notice relating to the above Land and I now serve on you copies of this Notice, 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**



**02/00314/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 Penn Hill Farm, Oxford Road, Calne, Wiltshire shown cross-hatched on the attached plan.
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**  
  
Without planning permission, the use of a portable building shown in red on the attached plan for residential purposes.
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 building was brought onto the land for the purpose of use in connection with industrial activities carried on in adjacent buildings and the current residential use constitutes a material change of use from that previous use of the building.
  - c) The site lies outside any recognised settlement in an area of countryside where new dwellings are strictly controlled in the interests of rural amenity

and sustainability. The development is therefore contrary to Policy RH11 of the North Wiltshire Local Plan North Wiltshire Local Plan 2001 and Policy DP15 of the Wiltshire Structure Plan .

- d) The establishment of this residential use on the site, once immune from enforcement action, is likely to lead, in due course, to the replacement of the portable building with a more substantial structure which the Planning Authority would have difficulty to resist. The retention of the building and the establishment of a residential use on the site conflicts with Policy RC9 of the North Wiltshire Local Plan North Wiltshire Local Plan 2001, which seeks to protect the countryside from inappropriate development.

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

Cease using the portable building for residential purposes.

**6. TIME FOR COMPLIANCE**

Three months from the date this Notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 17 November 2003 unless an appeal is made against it beforehand.

Dated : 6 October 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.

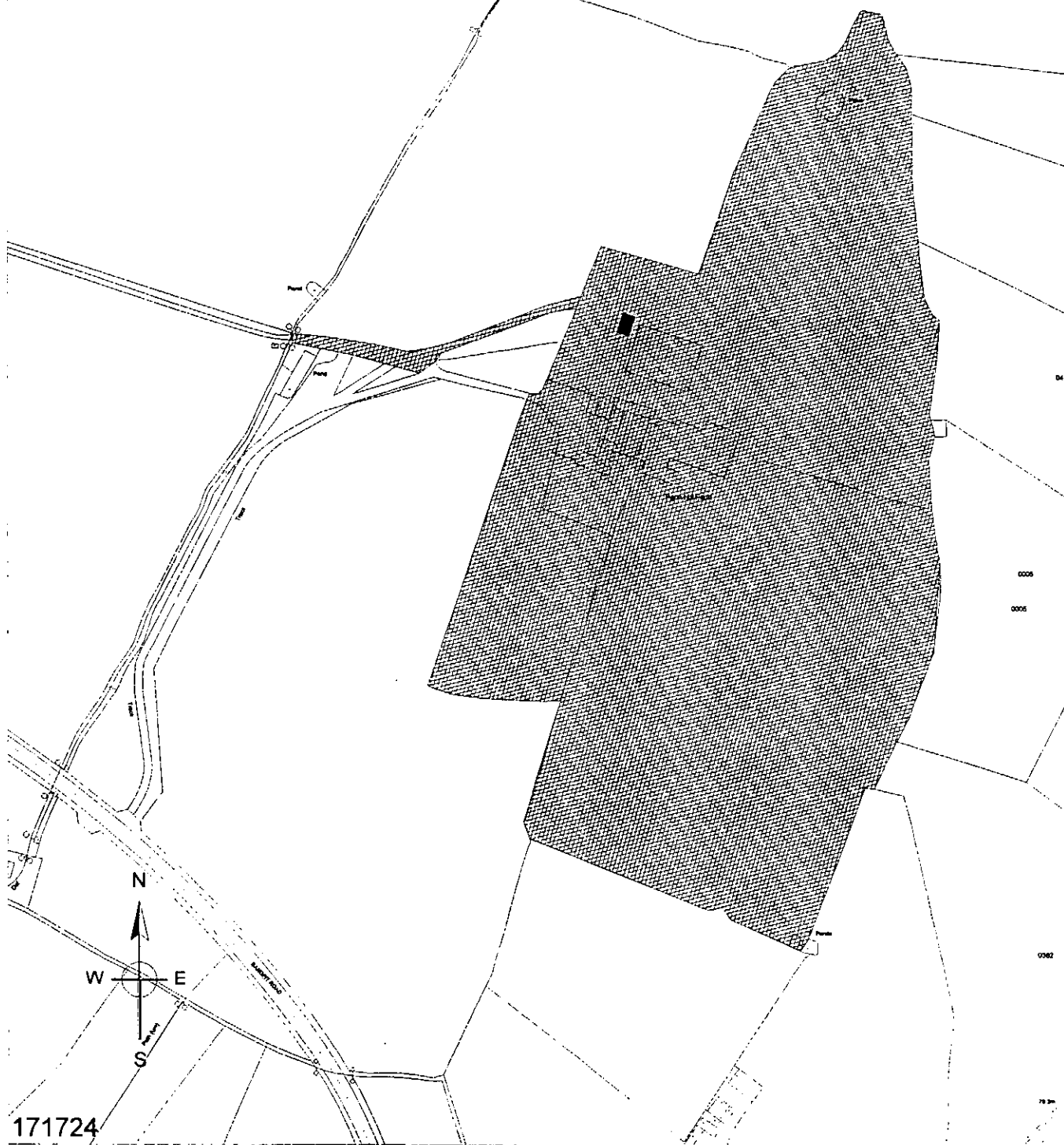
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

### **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.

400514

# Enforcement Notice



*North  
Wiltshire  
District  
Council*

Penn Hill Farm, Oxford Road, Calne, Wilts SN11 8RR

SCALE: 1:3000

Grid Ref: SU0085 7207 02/00314/ENF

Planning Services

6 October 2003

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NORTH WILTSHIRE DISTRICT COUNCIL - LA078840 2003