

Our Ref 02/00341/ENF

Your Ref:

Enquiries to: Robin Williams

Date: 1 December 2004

Strategic Manager: Alun Davies

**Planning Services**  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

*Register*



Tel: 01249 706640  
Fax: 01249 460810  
email: [rwilliams@northwiltshire.gov.uk](mailto:rwilliams@northwiltshire.gov.uk)  
[www.northwiltshire.gov.uk](http://www.northwiltshire.gov.uk)

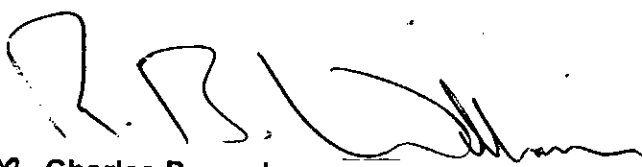
Dear Sir/Madam

**ENFORCEMENT NOTICE AT LAND AND BUILDING AT THE GATE HOUSE,  
LOWDEN HILL, CHIPPENHAM, 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

The Company Secretary  
Rothwell Homes Ltd  
127 High Street  
Wootton Bassett  
Wilts

Gary Rowe  
The Gate House  
Lowden Hill  
Chippenham  
Wilts

The Company Secretary  
Cheltenham & Gloucester plc  
Barnett Way  
Gloucester  
GL4 3RL



INVESTOR IN PEOPLE

**Our Ref** 02/00341/ENF

**Your Ref:**

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Tel: 01249 706640  
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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 LAND AND BUILDING AT THE GATE HOUSE,  
LOWDEN HILL, CHIPPENHAM, WILTSHIRE**

Should you wish to appeal against the enforcement notice on ground (a) as provided by Section 174 (2)(a) of the Town and Country Planning Act 1990 (as amended) the following fees will be required:-

£110 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 for the Local Planning Authority the cheque should be made payable to North Wiltshire District Council. Only one person needs to pay a fee.

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**

To

The Company Secretary  
Rothwell Homes Ltd  
127 High Street  
Wootton Bassett  
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INVESTOR IN PEOPLE

**02/00341/ENF (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 (b) 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 and Building at The Gate House, Lowden Hill, Chippenham, Wiltshire SN15 2BX shown hatched on the attached plan.
- 3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

On 27 February 2002 planning permission was granted for the erection of a dwelling (adjustment to siting of dwelling (01.00958) and extension to form utility room) subject to conditions (Council reference 01.02863.FUL). One of those conditions was that within 28 days of the granting of the permission, details of all new external joinery shall be submitted to and approved in writing by the Local Planning Authority and the development be completed in accordance with those approved details. It appears to the Council that the condition has not been complied with because details were not submitted and approved and the development has been completed.
- 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 windows which have been installed have resulted in unsatisfactory fenestration of this dwelling to the detriment of the character of both the

dwelling, and the adjacent listed building and the surrounding area contrary to policy RH8 of the North Wiltshire Local Plan 2001

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

- a) Submit details of replacement windows to the Council for approval in writing.
- b) Replace the existing windows in accordance with the details as approved in writing by the Council.

**6. TIME FOR COMPLIANCE**

- a) 1 month from the date this notice takes effect.
- b) 6 months from the date this notice takes effect.

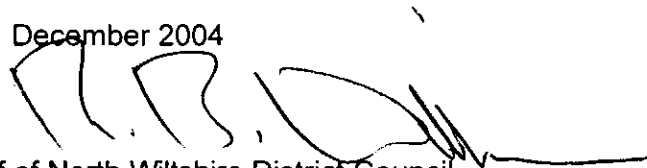
**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 12 January 2005 unless an appeal is made against it beforehand.

Dated : 1 December 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.

It is now possible to make your appeal on-line through the Planning Portal at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). If you go to that site the instructions on how to complete your appeal form will be available. A copy of your appeal form can be sent to the Local Planning Authority at [planning@northwiltshire.gov.uk](mailto:planning@northwiltshire.gov.uk) should you wish to submit it in that way. Any fee that you decide to pay must still be sent in via a cheque to the Planning Inspectorate and the Local Planning Authority for the time being.

### **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.

**02/00341/ENF (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 (b) 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 and Building at The Gate House, Lowden Hill, Chippenham, Wiltshire SN15 2BX shown hatched on the attached plan.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

On 27 February 2002 planning permission was granted for the erection of a dwelling (adjustment to siting of dwelling (01.00958) and extension to form utility room) subject to conditions (Council reference 01.02863.FUL). One of those conditions required that, prior to the use or occupation of the development, the proposed bathroom window in the southern elevation be glazed with obscure glass. It appears to the Council that the condition has not been complied with.

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 provision of clear glass rather than the obscure glass required by the condition 9 of the planning permission has resulted in overlooking of the occupiers of the neighbouring property and therefore a loss of privacy, contrary to policy RH8 of the North Wiltshire Local Plan 2001

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

Replace the glass in the window referred to in paragraph 3 above with obscure glass in accordance with the requirements of condition 9 of the planning permission for the new dwelling (Council's reference 01/02863/FUL).

**6. TIME FOR COMPLIANCE**

1 month from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 12 January 2005 unless an appeal is made against it beforehand.

Dated : 1 December 2004

Signed :

on behalf of North Wiltshire District Council

## **ANNEX**

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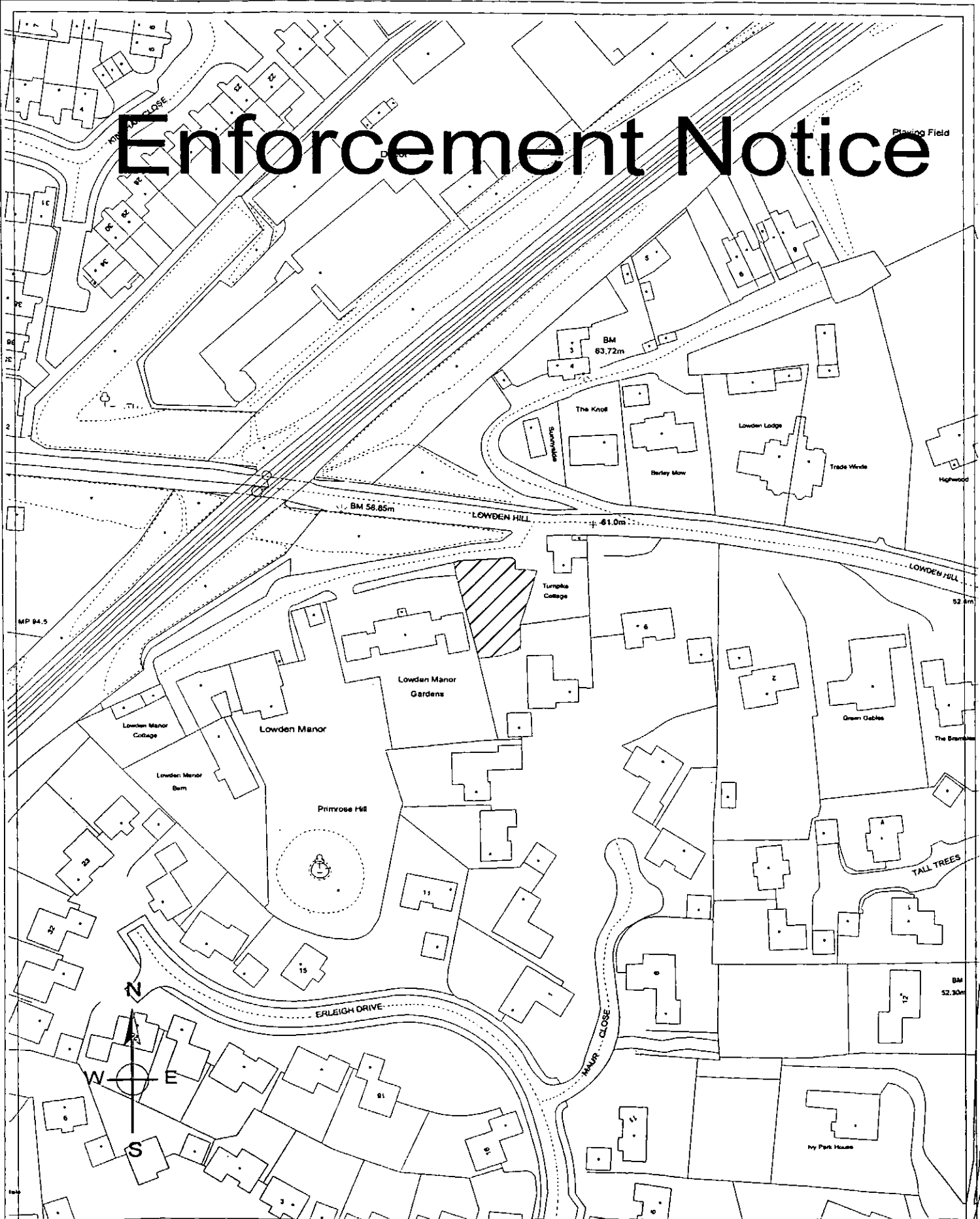
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# Enforcement Notice



*North  
Wiltshire  
District  
Council*

Land adj Turnpike Cottage, Lowden Hill, Chippenham, Wilts  
SCALE: 1:1250

Grid Ref ST9145 7325 02/00341/ENF

Planning Services 19.11.04

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2004