

**Our Ref:** 02/00346/ENF

**Your Ref:**

**Enquiries to:** Robin Williams

**Date:** 24 September, 2004

**Strategic Manager:** Alun Davies

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



*Register*

**Tel:** 01249 706640

**Fax:** 01249 460810

**email:** rwilliams@northwilts.gov.uk

**www:** northwilts.gov.uk

Dear Sir/Madam

**ENFORCEMENT NOTICE AT NEW HOUSE, MAIDEN LANE, CHERHILL, CALNE,  
WILTSHIRE**

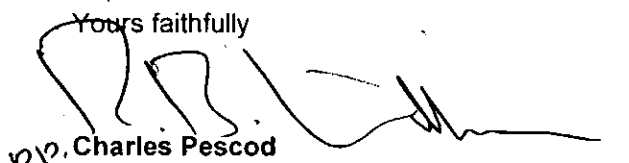
Should you wish to appeal against the enforcement notice on ground (a) as provided by Section 174 (2)(a) of the Town and Country Planning Act 1990 (as amended) the following fees will be required:-

£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

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

To

Neil Jakubowski-Birch  
New House  
Maiden Lane  
Cherhill  
Calne  
Wilts SN11 8UZ

Irena Jakubowski-Birch  
New House  
Maiden Lane  
Cherhill  
Calne  
SN11 8UZ



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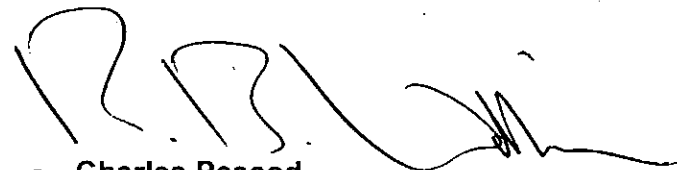
Dear Sir/Madam

**ENFORCEMENT NOTICE AT NEW HOUSE, MAIDEN LANE, CHERHILL, CALNE,  
WILTSHIRE**

The Council has issued an Enforcement Notice relating to the above Land and copies of this Notice are enclosed by way of service 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

Neil Jakubowski-Birch  
New House  
Maiden Lane  
Cherhill  
Calne  
Wilts SN11 8UZ

Irena Jakubowski-Birch  
New House  
Maiden Lane  
Cherhill  
Calne  
SN11 8UZ



INVESTOR IN PEOPLE

**02/00346/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 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 New House, Maiden Lane, Cherhill, Calne, Wilts SN11 8UZ shown hatched on the attached plan.
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**  
  
Without planning permission, the erection of a garage with an external staircase to the first floor.
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 erection of an external staircase and the provision of a first floor doorway in the southern elevation of the garage building causes an unacceptable level of overlooking to adjacent properties, which is significantly detrimental to the privacy that these properties previously enjoyed.

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

- a) Remove the external staircase.
- b) Remove the first floor door and frame.
- c) Externally finish the southern elevation of the building with continuous weatherboarding above eaves level from eastern roof verge to western roof verge to completely cover the door opening resulting from complying with paragraph 5.b) of this notice.

**6. TIME FOR COMPLIANCE**

Two months from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 5 November 2004 unless an appeal is made against it beforehand.

Dated : 24 September 2004

Signed :

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

on behalf of North Wiltshire District Council

## **ANNEX**

### **YOUR RIGHT OF APPEAL**

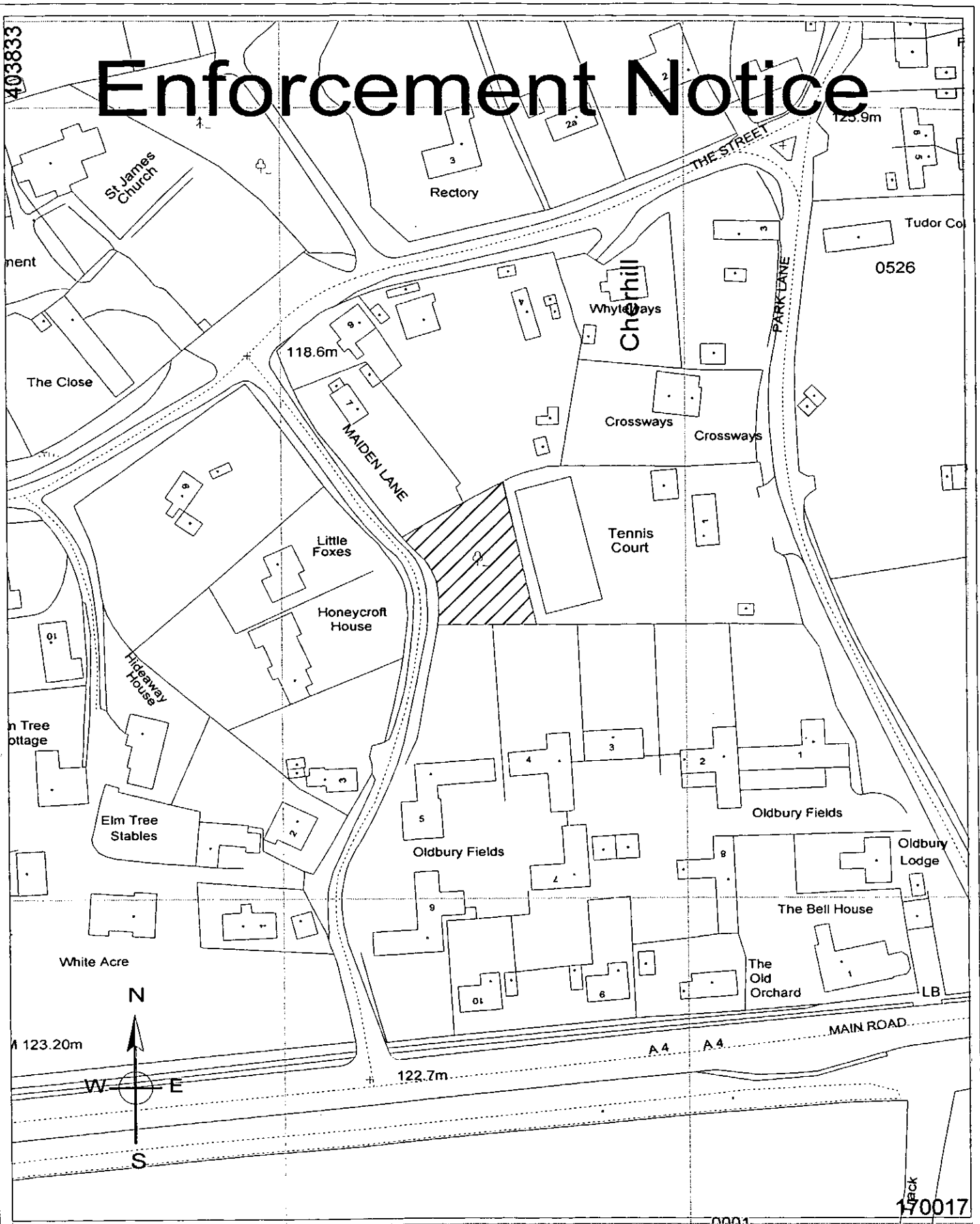
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the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



*North  
Wiltshire  
District  
Council*

New House, Maiden Lane, Cherhill, Calne, Wilts SN11 8UZ  
SCALE: 1:1250

Grid Ref SU0394 7018 02/00346/EMIN

Planning Services 24/9/2004

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2004