

Our Ref: 02/00350/ENF

Your Ref:

Enquiries to: Robin Williams

Date: 3rd August 2005

Strategic Manager: Alun Davies

Planning Services

Monkton Park
Chippenham
Wiltshire
SN15 1ER

Tel: 01249 706640

Fax: 01249 460810

email: rwilliams@northwilts.gov.uk

www.northwilts.gov.uk

Dear Sir

**ENFORCEMENT NOTICE AT LAND AT NAISH HOUSE FARM, SPIRTHILL,
CALNE, WILTSHIRE**

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

Unless appeals are made, as set out in the Annexe, 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

Mr T E W Satchell
Homefields
Wick Hill
Bremhill
Calne
Wilts SN11 9LQ

Mr Jonathon Satchell
Naish House Farm
Spirthill
Calne
Wilts SN11 9HW

HSBC
2 High Street
Calne
Wilts SN11 0BH

Mr M C Cook
The Old Dairy
Naish House Farm
Spirthill
Calne
Wilts SN11 9HW



INVESTOR IN PEOPLE

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Dear Sir

**ENFORCEMENT NOTICE AT LAND AT NAISH HOUSE FARM, SPIRTHILL,
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:-

£265 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

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INVESTOR IN PEOPLE

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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 Naish House Farm, Spirthill, near Calne, Wiltshire, SN11 9HW shown hatched on the attached plan (the land).

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

Without planning permission, the material change of use of the land from agriculture to a mixed use for that purpose and, in addition, use for storage purposes, for engineering purposes, vehicle repairs and the stationing of metal containers for storage purposes.

4. **REASONS FOR ISSUING THIS NOTICE**

- a) It appears to the Council that the above breach of planning control has occurred within the ten years.
- b) The development introduces commercial uses unconnected directly with agriculture into an isolated countryside location detrimentally affecting the amenity of occupiers of nearby residential properties, contrary to policy RE20 of the North Wiltshire Local Plan 2001 and policies C3, NE15 and BD7 of the North Wiltshire Local Plan 2011 revised deposit draft.
- c) The development introduces commercial uses unconnected with agriculture into an isolated countryside location served by narrow roads

where vehicle movements associated with the uses would have a detrimental effect upon highway safety and constitute an unsustainable form of development away from sources of public transport contrary to policy DP1 of the Wiltshire Structure Plan, policy RE20 of the North Wiltshire Local Plan 2001 and policies C3, BD5, BD6 and BD7 of the North Wiltshire Local Plan 2011 revised deposit draft.

- d) The continued use of this land, without planning permission, for storage purposes, for light engineering and vehicle repairs would, in due course, lead to the unauthorised development becoming lawful. The loss of planning control over these uses of the land would be likely to lead to further significant detriment to the rural character of the area, highway safety and sustainability.

5. WHAT YOU ARE REQUIRED TO DO

- a) Cease the use of the land for storage purposes
- b) Cease the use of the land for engineering purposes.
- c) Cease the use of the land for vehicle repairs.
- d) Cease the use of the land for the stationing of metal containers by removing all the containers from the land.
- e) Remove from the land all vehicles, trailers, machinery, plant and equipment not required for the use of the adjoining land for agriculture.
- f) Restore the land to a condition suitable for agricultural use.

6. TIME FOR COMPLIANCE

Six months from the date this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 14th September 2005 unless an appeal is made against it beforehand.

Dated : 3rd August 2005

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 First Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Making your enforcement appeal" sets out your rights. The enclosed appeal forms are for your use.

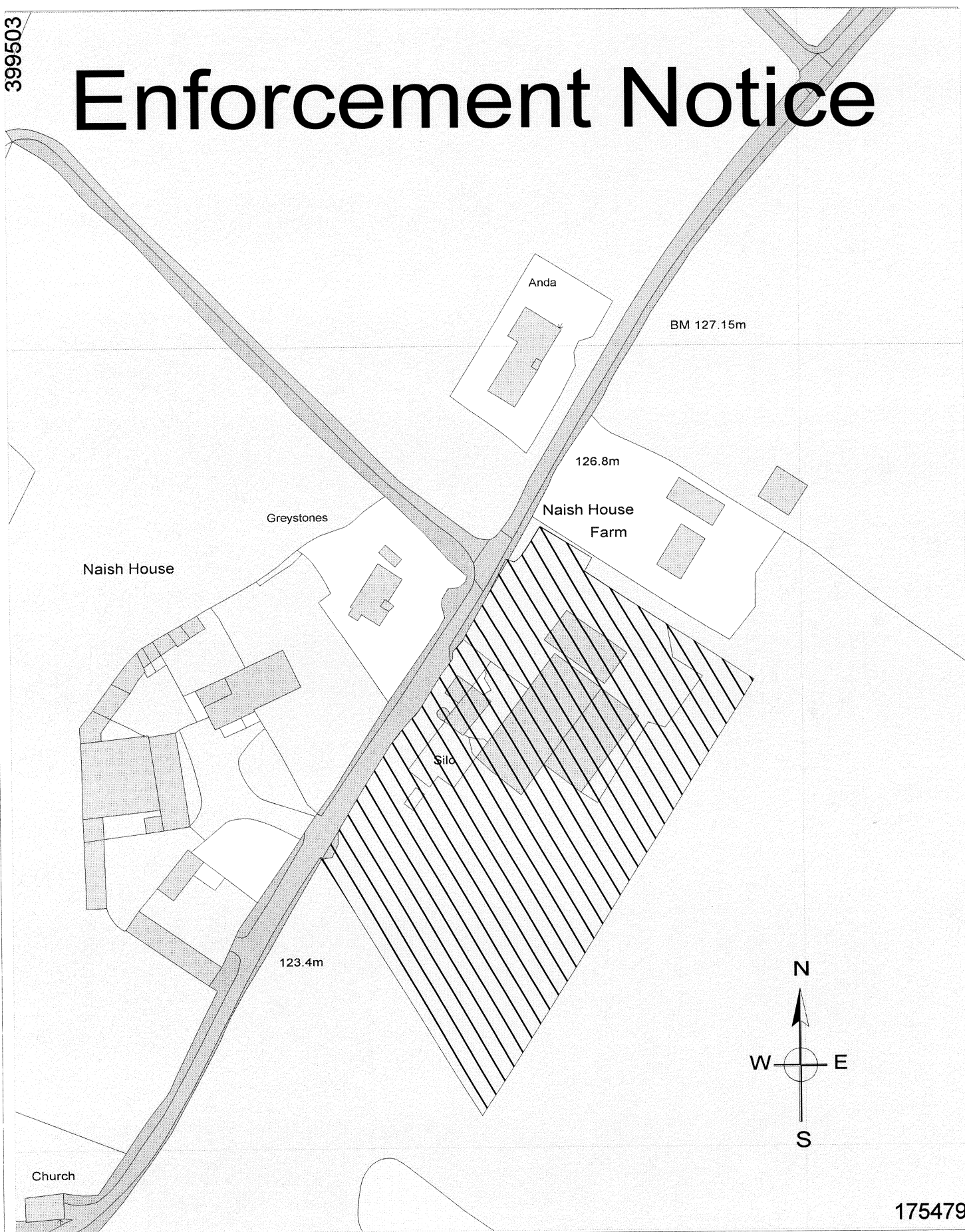
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

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.

399503

Enforcement Notice



*North
Wiltshire
District
Council*

Naish House Farm, Spirthill, Calne, Wilts SN11 9HW

SCALE: 1:1250

Grid Ref: ST9955 7561 02/00350/ENF

Planning Services 25.7.05

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