

Our Ref: 03/00116/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 6 July 2004

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

Register



Dear Sirs

**ENFORCEMENT NOTICES ON LAND ADJACENT TO 37 STONE LANE,
LYDIARD MILLICENT, SWINDON, WILTS SN5 3LD**

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

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

C. Pescod

Charles Pescod
Implementation Team Leader
Development Control and Listed Buildings

Andrew Stephen Hobbs
37 Stone Lane
Lydiard Millicent
Swindon
Wilts SN5 3LD

Halifax plc
PO Box 548
Leeds
LS1 1WW



INVESTOR IN PEOPLE

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Dear Sir

**ENFORCEMENT NOTICES ON LAND ADJACENT TO 37 STONE LANE,
LYDIARD MILLICENT, SWINDON, WILTS SN5 3LD**

Should you wish to appeal against Ground A of the enforcement notices the following fees will be required:-

Notice (A) £220 for both The Planning Inspectorate and the Local Planning Authority

Notice (B) £1870 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**

Andrew Stephen Hobbs
37 Stone Lane
Lydiard Millicent
Swindon
Wilts SN5 3LD

Halifax plc
PO Box 548
Leeds
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INVESTOR IN PEOPLE

03/00116/EMIN (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 (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 adjacent to 37 Stone Lane, Lydiard Millicent, Swindon, Wilts SN5 3LD shown hatched on the attached plan.

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

Without planning permission, the change of use of land from agriculture to use for motorcycle activities not associated with agricultural use.

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) By reason of its proximity to a number of residential properties, the use of the land by motorcycles results in an unreasonable disturbance to the amenities of local residents. The development is therefore contrary to the provisions of policy RC9 of the adopted North Wiltshire Local Plan 2001
- c) The continued use of this land by motorcycles without planning permission would, in due course, lead to the unauthorised development becoming lawful. The loss of planning control over the use of this land by

motorcycles could lead to further intensification of the use to the detriment of the rural character and amenity of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Cease the use of the land by motorcycles that are not used incidental to the use of the land for agricultural purposes.
- b) Remove from the land all motorcycles and associated equipment that are not incidental to the use of the land for agricultural purposes.
- c) Resume the use of the land to a grass paddock.

6. TIME FOR COMPLIANCE

Two months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17 August 2004 unless an appeal is made against it beforehand.

Dated : 6 July 2004

Signed : C. P. P. P.

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.

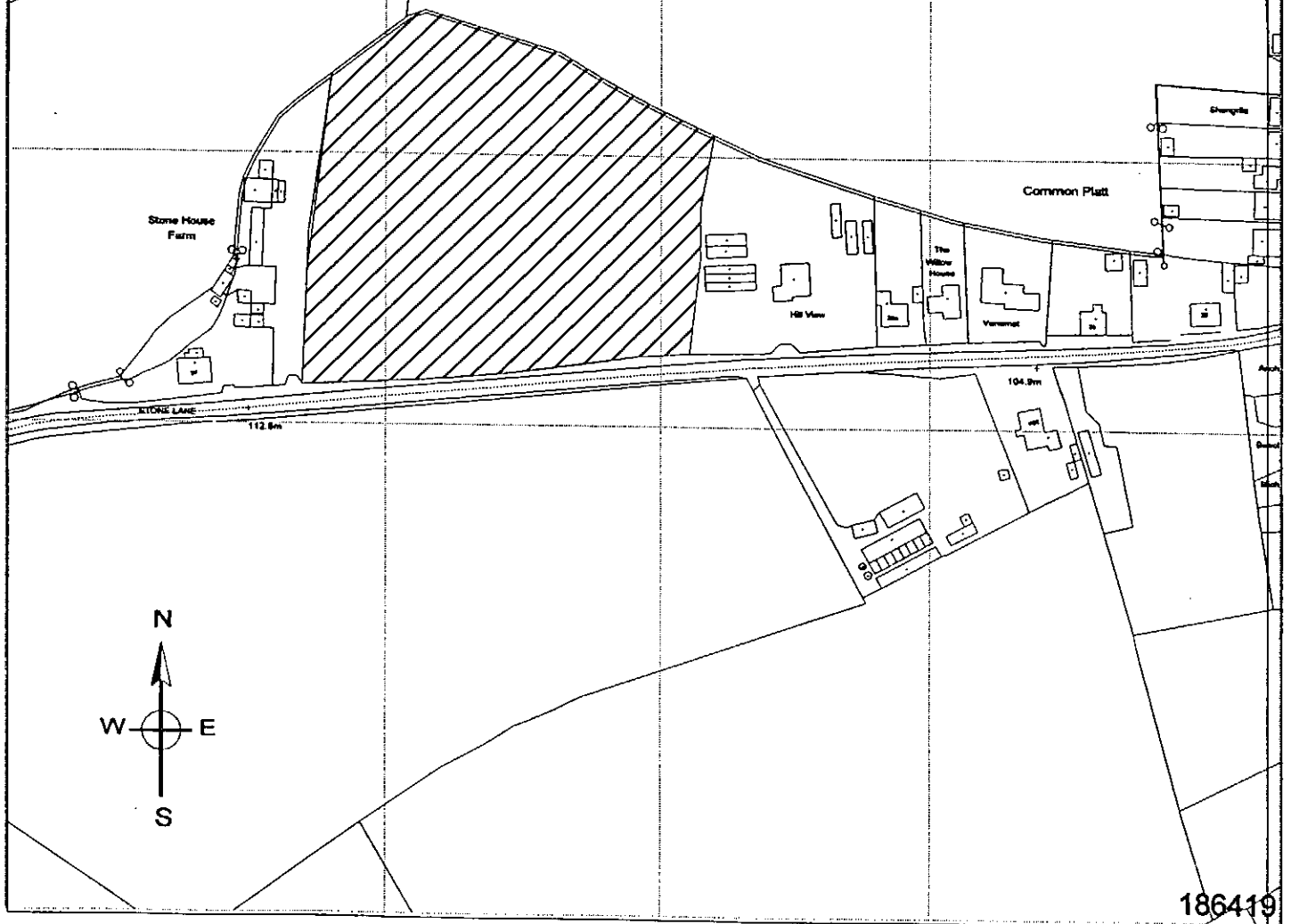
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

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.

410462

Enforcement Notice



*North
Wiltshire
District
Council*

37 Stone Lane, Lydiard Millicent, Swindon SN5 3LD
SCALE: 1:2500

Grid Ref: SU1061 8669 03/0116/EMIN

Planning Services 6/7/2004

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2004

03/00116/EMIN (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 (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 adjacent to 37 Stone Lane, Lydiard Millicent, Swindon, Wilts SN5 3LD shown hatched on the attached plan.

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

Without planning permission, the carrying out of engineering operations by the laying out of a motorcycle track and re-contouring of the land to create mounds and depressions for use in connection with motorcycle activities.

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) By reason of its proximity to a number of residential properties, the laying out of a track for motorcycle activities results in unreasonable disturbance to the amenities of local residents and visual intrusion within this rural area. The development is therefore contrary to the provisions of policy RC9 of the adopted North Wiltshire Local Plan 2001 and detrimental to the rural character and amenity of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Remove all hardsurfacing materials to a depth of one metre or to the total depth of the hardsurfacing material if less than one metre.
- b) Restore the site level with the natural contours of the land over the whole of the land by the removal of all mounds, bunds and other areas where material rises above natural ground level and filling of all depressions below natural ground level with soil.
- c) Remove all hardsurfacing material and debris resulting from compliance with the requirements in paragraph 5a) from the site and also any surplus soil resulting from compliance with paragraph 5b) of the notice from the site.
- d) Finish the surface of the land with topsoil to a depth of at least 100mm over the area disturbed by the need to comply with the requirements in paragraphs 5a), 5b) and 5c) of this notice.
- e) Sow grass seed over the whole of the restored areas.

6. TIME FOR COMPLIANCE

Four months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17 August 2004 unless an appeal is made against it beforehand.

Dated : 6 July 2004

Signed : C. P. Reed

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.

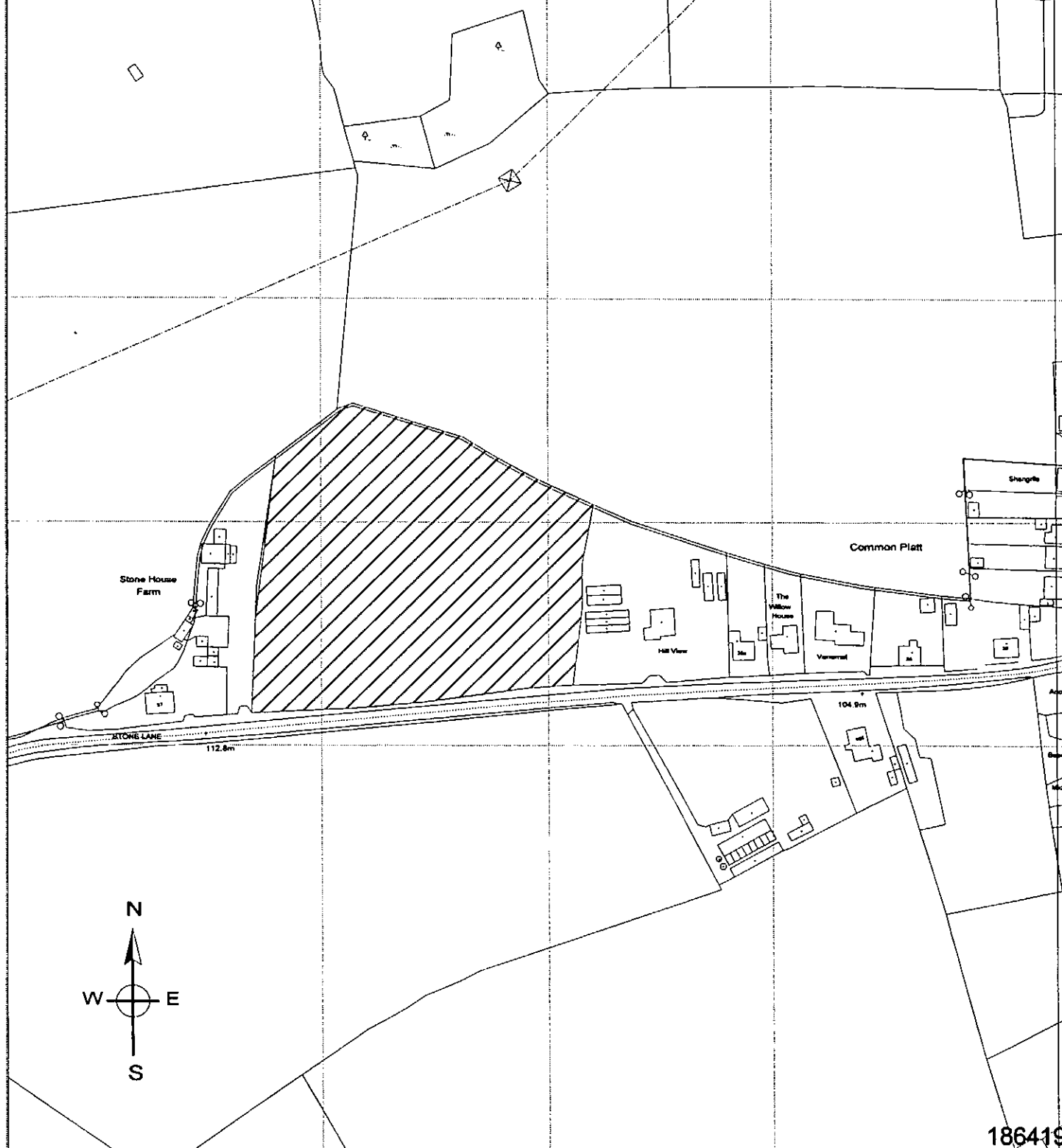
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410462

Enforcement Notice



186419

*North
Wiltshire
District
Council*

37 Stone Lane, Lydiard Millicent, Swindon SN5 3LD
SCALE: 1:2500

Grid Ref: SU1061 8669 03/0116/EMIN

Planning Services 6/7/2004

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