

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 IS A FORMAL NOTICE which is issued by North Wiltshire District Council ("the Council") because it appears to them that there has been a breach of planning control under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue a notice, having regard to the provisions of the Development Plan and to other material planning considerations.

SCHEDULE 1

THE LAND AFFECTED

Land adjacent Barnes Green Farm, Brinkworth, Chippenham, shown hatched and cross-hatched on the attached plan ("the land").

SCHEDULE 2

THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of the land from a mixed use for agriculture and two dwellings to a mixed use for agriculture, two dwellings, builders yard, the deposit, processing and transfer of waste and landraising, hardsurfacing and other engineering operations ("the unauthorised development").

SCHEDULE 3

REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the unauthorised development took place within the last ten and four years respectively.

The unauthorised development encroaches into the open countryside and is detrimental to the amenities and character of the area. As such it is contrary to policies RE18, RC9 and RC10 of the North Wiltshire Local Plan – Adopted 2001 and policy C3 and NE15 of the North Wiltshire Local Plan 2011 revised deposit draft.

SCHEDULE 4

WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the land as a builders yard
2. Cease the use of the land for the deposit, processing and transfer of waste
3. Cease the use of the hatched land as part of a dwelling.
4. Remove all materials associated with the use of the land as a builder's yard

5. Remove all materials associated with the use of the land for the deposit, processing and transfer of waste.
6. Remove the material used to raise the hatched land, together with the tank and manhole that has been inserted within it and restore that land to levels commensurate with adjoining land.
7. Remove the hardsurface from the hatched land.
8. Rip the land from which materials have been removed in accordance with steps 4, 5, 6 and 7 to a depth of at least 300mm at 300mm centres, remove from the land all arisings that are not soil or stone and remove stones measuring more than 150mm in any direction. Ensure that the surface of the land comprises only topsoil to a depth of at least 300mm and seed the land with grass.

SCHEDULE 5

TIME FOR COMPLIANCE

Step 1 & 2: 1 month after this notice takes effect
Steps 3 - 8: 6 months after this notice takes effect

SCHEDULE 6

WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 25 May 2005 unless an appeal is made against it beforehand.

Issued: 13 April 2005

Signed 
(Council's authorised officer)

North Wiltshire District Council

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 31 May 2005. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights. Read it carefully.

You may use the enclosed appeal forms. One is for you to send to the Secretary of State with the spare copy of this enforcement notice, which is enclosed, one is for your records and the final appeal form should be sent to the Council.

If You Appeal

If you lodge an appeal, you must submit to the Secretary of State a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts that you propose to rely on, in support of each of those grounds. Either:

when giving notice of appeal; or

within 14 days from the date that the Secretary of State sends you notice that requires you to send a statement.

If you wish to have your appeal also considered as a deemed application for planning permission or you intend to make an appeal under Ground (a), you may be required to pay a fee. A fee may be payable under Regulation 10 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 for the deemed application for planning permission for the development alleged to be in breach of planning control in the enforcement notice. The Fee for this case is £1,215. This amount is payable both to the Council and to the Secretary of State.

What happens if you do not appeal

If you do not appeal against this enforcement notice, it will take effect on 31 May 2005 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in the notice. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.

Who this Enforcement Notice is served on

Owner, Occupier and any other person with an interest in Land adjacent Barnes Green Farm, Brinkworth, Chippenham, Wiltshire
Mr John Michel Saunders & Mrs Linda Saunders, Oakenhall, Barnes Green, Brinkworth, Chippenham Wilts SN15 5AQ
Keith David Jones and Bridget Elizabeth Ruth Jones, Barnes Green Farm, Brinkworth, Chippenham Wilts SN15 5AQ
Roger George Brown and Sharon Elaine Brown, 2 West Street, Henley-on-Thames, Oxfordshire RG9 2DU
House Construction Services Ltd, 50 High Street, Wootton Bassett, Swindon Wilts SN4 7AQ

If you believe that there is someone else who should be served or any of those listed above has not received a copy of the notice or any other document please let that person and the Council know of this omission as soon as possible.

Enclosures:
Site Plan
Appeal Forms (3 Copies)
Appeal Guide Booklet
Enforcement Notice (2 Copies)

Enforcement Notice



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NORTH WILTSHIRE DISTRICT COUNCIL- 100017933 2005