

Our Ref: 03/00178/EMIN

Your Ref:

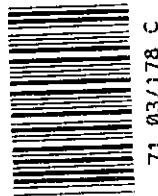
Enquiries to: Robin Williams

Date: 17th December 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

Dear Sirs and Madam

**ENFORCEMENT NOTICE AT LAND AT SMITHS FARM, BUSHTON,
SWINDON, WILTSHIRE**

The Council have issued a fresh Enforcement Notice relating to the above Land and copies of this Notice have been served on you, in view of your interest in the Land.

Please note that the previous Enforcement Notice with reference 03/00178/EMIN (A) contained an error relating to the date the Notice was to take effect. The Notice stated the date as 20th May 2005 when it should have stated 20th May 2004. The Notice now served on you is to correct this error and please note the new Notice, reference 03/00178/EMIN (C), contains fresh dates. The Notice is dated 17th December 2004 and takes effect on 28th January 2005 unless an appeal is made against it beforehand.

I confirm that the enforcement notice referenced 03/00178/EMIN(A) is withdrawn pursuant to Section 173A of the Town and Country Planning Act 1990 (as amended).

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


Charles Pescod
Implementation Team Leader
Development Control and Listed Buildings

To

Andrew D Freeston
Smiths Farm
Bushton
Swindon
Wilts
SN7 4PX

The County Solicitor
Wiltshire County Council
County Hall
Bythesea Road
Trowbridge
Wilts
BA14 8JD

Stephen D Cook
Smiths Farm
Bushton
Swindon
Wilts
SN7 4PX

Mrs L Cook
Smiths Farm
Bushton
Swindon
Wilts
SN7 4PX



INVESTOR IN PEOPLE

Our Ref: 03/00178/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 17th December 2004

Strategic Manager: Alun Davies

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Monkton Park
Chippenham
Wiltshire
SN15 1ER

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Dear Sirs and Madam

**ENFORCEMENT NOTICE AT LAND AT SMITHS FARM, BUSHTON,
SWINDON, 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:-

£220 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

Andrew D Freeston
Smiths Farm
Bushton
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Wilts
SN7 4PX



INVESTOR IN PEOPLE

03/00178/EMIN (C)

**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 Smiths Farm, Bushton, Swindon, SN4 7PX shown hatched on the attached plan ("the site").
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of the site by the stationing on it of a caravan for residential purposes in the position marked "X" on the attached plan.
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 use of the caravan for residential purposes constitutes the provision of dwelling accommodation in the countryside where residential development is strictly controlled. The continued siting and use of the caravan for residential purposes is contrary to Policy RH16 of the North

Wiltshire Local Plan 2001 and Policy DP15 of the Wiltshire Structure Plan 2011.

- c) The siting of the caravan in this countryside location is detrimental to the rural character and amenity of the area contrary to Policy RC9 of the North Wiltshire Local Plan 2001.
- d) The continued use of this land for the siting of the caravan and its residential use would, in due course, lead to the unauthorised development being lawful. The loss of planning control over the use of this site for the siting of a residential caravan would be likely to lead to further adverse visual detriment to the rural character of the area and the possible redevelopment of the site by the erection of a permanent building for residential purposes.

5. WHAT YOU ARE REQUIRED TO DO

- a) Remove the unauthorised caravan from the site.
- b) Cease the use of the site for the stationing of any residential caravan.
- c) Remove all debris resulting from the removal of the caravan, and all associated domestic accoutrements, equipment, chattels and other such paraphernalia from the land.
- d) Restore the land on which the caravan is located level with the natural contours of the adjoining land.

6. TIME FOR COMPLIANCE

Six months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 28th January 2005 unless an appeal is made against it beforehand.

Dated : 17th December 2004

Signed :



on behalf of North Wiltshire District Council

ANNEX

YOUR RIGHT OF APPEAL

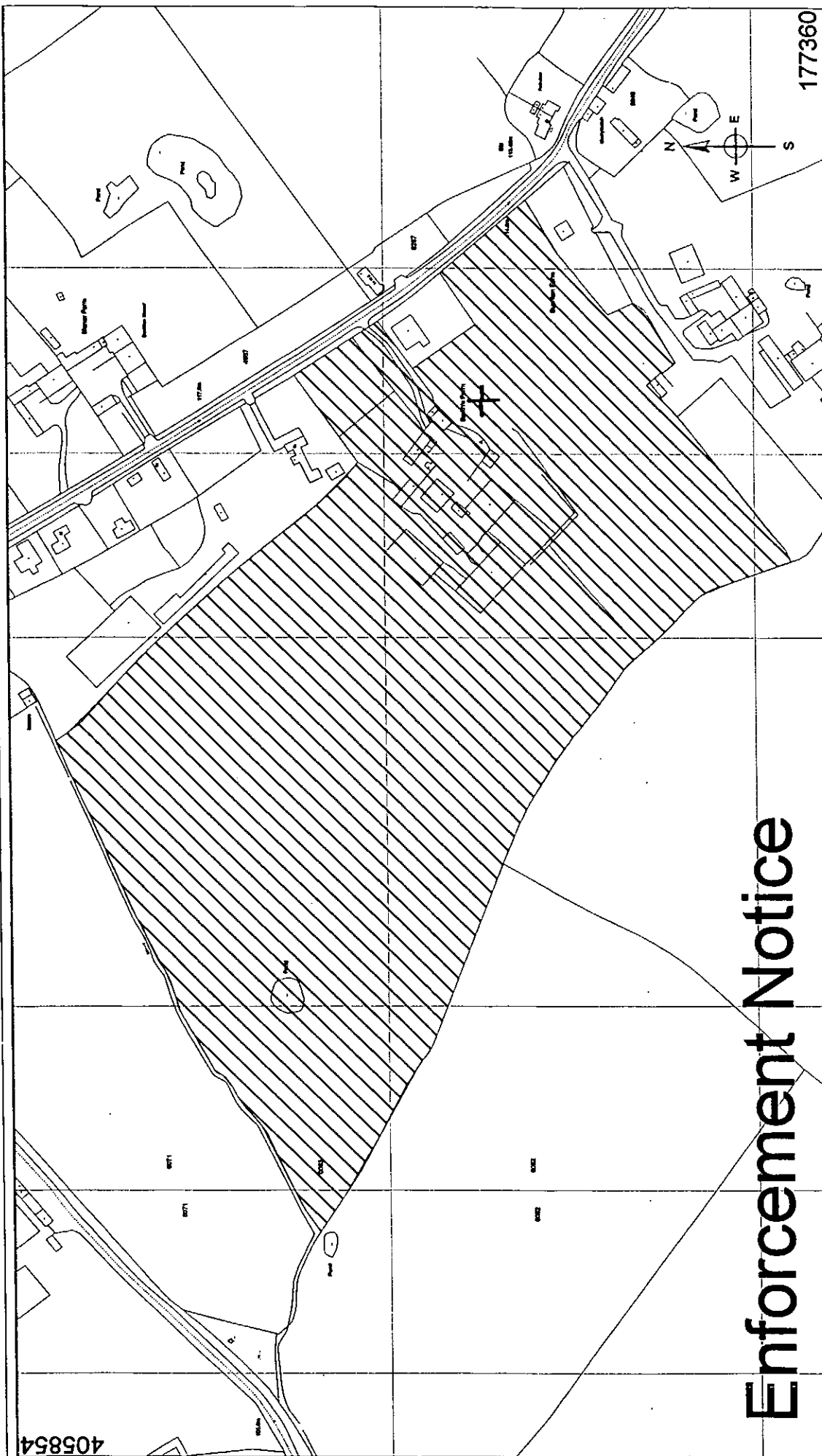
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the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

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.

405854



Enforcement Notice

Land at Smiths Farm, Bushton, Swindon, Wilts

SCALE: 1:3000

Grid Ref: SU0640 7754 03/00178/EMIN Notice "A"

8.4.04

Planning Services

*North
Wiltshire
District
Council*

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