



03/00237/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 (b) 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 Burton Farm, Nettleton Road, Burton, Chippenham, Wiltshire shown hatched on the attached plan and in particular the dwelling in the position shown diagrammatically cross hatched on the attached plan.

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

Without planning permission, the occupation of the dwelling at Burton Farm in contravention of condition 7 of planning permission reference 01/00689/FUL requiring occupation to be limited to persons as defined as follows:

"The occupation of the dwelling; hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336(1) of the Town and Country Planning Act 1990 or in any provision equivalent to that Act in any statutory instrument revoking and re-enacting that Act with or without modification), or in forestry, or a widow or widower of such a person, and to any resident dependants"

in that the current occupant is not such a person

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 dwelling was expressly granted planning permission as an exception to normal planning policies to meet the needs of agriculture in the locality. The Council considers that the agricultural worker's dwelling is required for the occupation by a farm worker employed on the agricultural holding which is considered to be a viable unit. The unauthorised occupation of this dwelling is contrary to Policy RH11 of the North Wiltshire Local Plan 2001, policy H4 of the North Wiltshire Local Plan 2011 Revised Deposit Draft and advice given in PPS7 "Sustainable Development in Rural Areas."

5. WHAT YOU ARE REQUIRED TO DO

To cease the occupation of the dwelling by persons who do not comply with the terms of the requirements of condition 7 of planning permission reference 01/00689/FUL.

6. TIME FOR COMPLIANCE

Six months from the date that this Notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2 May 2005 unless an appeal is made against it beforehand.

Dated : 21 March 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 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.

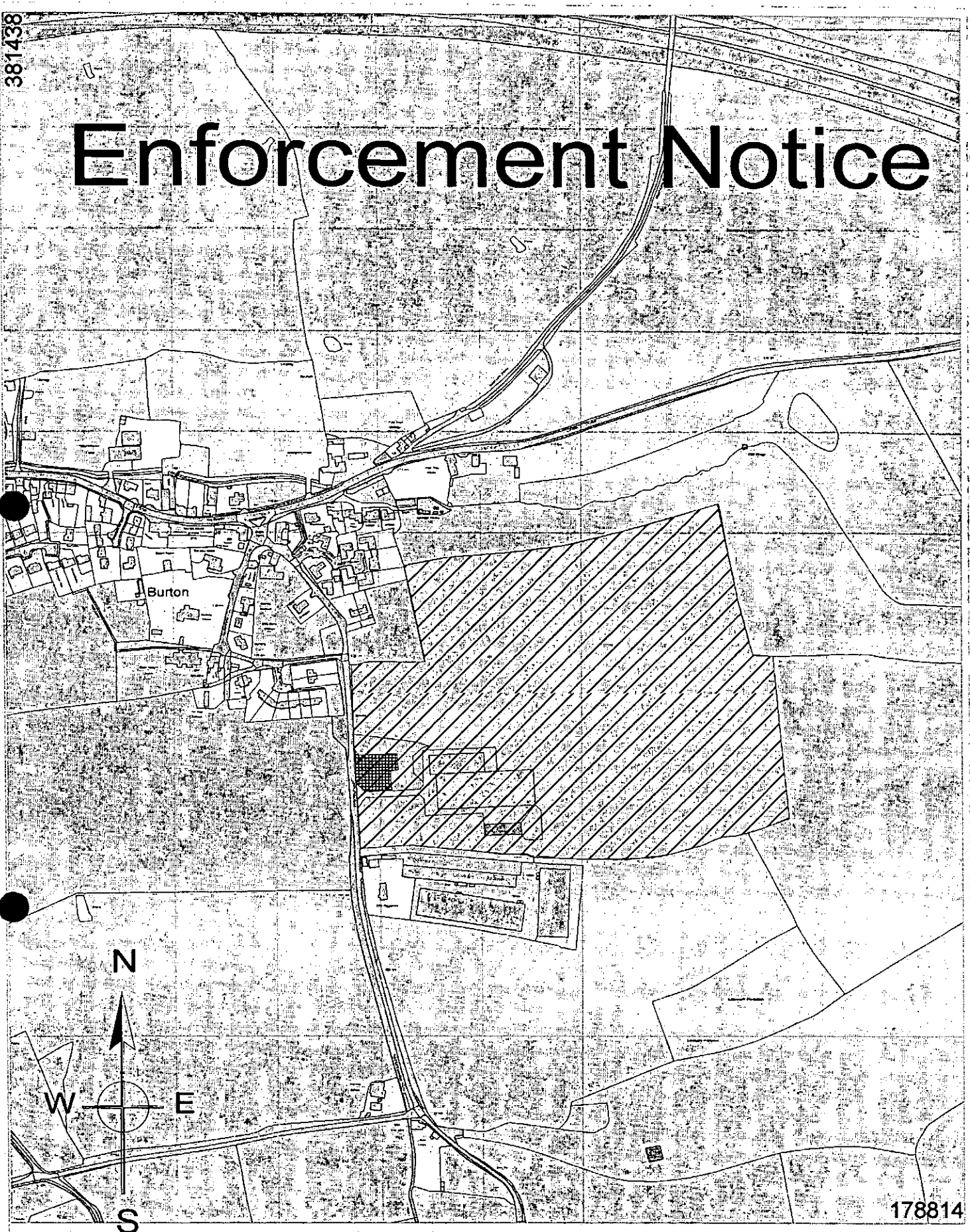
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

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.

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Enforcement Notice



178814

*North
Wiltshire
District
Council*

Burton Farm, Nettleton Road, Burton, Chippenham, Wilts
SCALE: 1:5000

Grid Ref; S8181 7927 03/00237/ENF

Planning Services 21/3/2005

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