

Our Ref: 03/00254/EMIN

Strategic Manager: Alun Davies

Your Ref:

Enquiries to:

Date: 29 April 2004

Planning Services
Monkton Park
Chippenham
Wiltshire
SN15 1ER

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email: cgarrett@northwiltshire.gov.uk

www.northwiltshire.gov.uk



Register

Dear Sirs & Madam

**ENFORCEMENT NOTICES AT LAND AT CHELWORTH PARK, BRAYDON LANE,
CRICKLADE, SWINDON**

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 is made, as set out in the Annexe, the Notices will take effect on the date shown in Paragraph 7 of the Notices 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

Brian H Austen
The Park
Oaksey
Malmesbury
SN16 9SD

Evelyn F Austen
The Park
Oaksey
Malmesbury
SN16 9SD

Michael S Austen
The Park
Oaksey
Malmesbury
SN16 9SD

Peter A Featherstone
The Park
Oaksey
Malmesbury
SN16 9SD



INVESTOR IN PEOPLE

03/00254/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 to front of Plants Farm, Braydon Lane, Cricklade, Swindon, Wiltshire shown hatched on the attached plan.
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the material change of use of the land from grassland to a vehicle parking area.
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 land lies outside the framework or physical limits of any established settlement and outside the Chelworth Industrial Estate as indicated within the North Wiltshire Local Plan and the development therefore conflicts with adopted policy RE19 contained in that Plan.
 - c) The land lies in an area where it is the policy of the Local Planning Authority, in the interests of rural amenity, only to allow development which

is essential to the needs of agriculture or appropriate to a rural area. The development is not of this nature and is visually intrusive and detrimental to the rural amenity of the area contrary to Policy RC9 of the North Wiltshire Local Plan.

- d) The continued use of this site would, in due course, lead to the unauthorised use becoming immune from enforcement action and lawful. The lawful unrestricted use of this land for commercial activities could result in a significant intensification of the use, which would further harm the rural character of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Permanently cease the use of the land for vehicle parking.
- b) Remove all vehicles from the land.

6. TIME FOR COMPLIANCE

Four months from the date the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 10 June 2004 unless an appeal is made against it beforehand.

Dated : 29 April 2004

Signed :

A handwritten signature in black ink, appearing to be a stylized name, possibly 'J. B. Smith' or similar, written over a horizontal line.

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.

03/00254/EMIN (B)

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**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: North Wiltshire District Council

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

Without planning permission, the carrying out of engineering operations comprising the provision of a hardstanding area.
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) The land lies in an area where it is the policy of the Local Planning Authority, in the interests of rural amenity, only to allow development which is essential to the needs of agriculture. The development is not of this nature and is visually intrusive and detrimental to the rural amenity of the area contrary to Policy RC9 of the North Wiltshire Local Plan.

- c) Should the Local Planning Authority take no action seeking the removal of this hardstanding area it would become immune from such action and lawful. The continued existence of the hardstanding would be detrimental to the rural character of the area and could result in a significant intensification of the use in a way that would further erode the character and amenity of this rural area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Remove all hardsurfacing, gravel, hardcore and other such materials from the land to a depth of at least one metre or to the total depth of the hardsurfacing materials if less than one metre.
- b) Remove all debris resulting from the requirements of 5a) of this notice from the site.
- c) Restore the land level over the whole site to natural contours consistent with the levels of the adjoining land.
- d) Finish the surface of the land with topsoil to a depth of at least 75mm over the whole of the site.
- e) Sow grass seed over the whole of the site sufficient to restore the site to grassland.

6. TIME FOR COMPLIANCE

Four months from the date the notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 10 June 2004 unless an appeal is made against it beforehand.

Dated : 29 April 2004

Signed :

on behalf of North Wiltshire District Council

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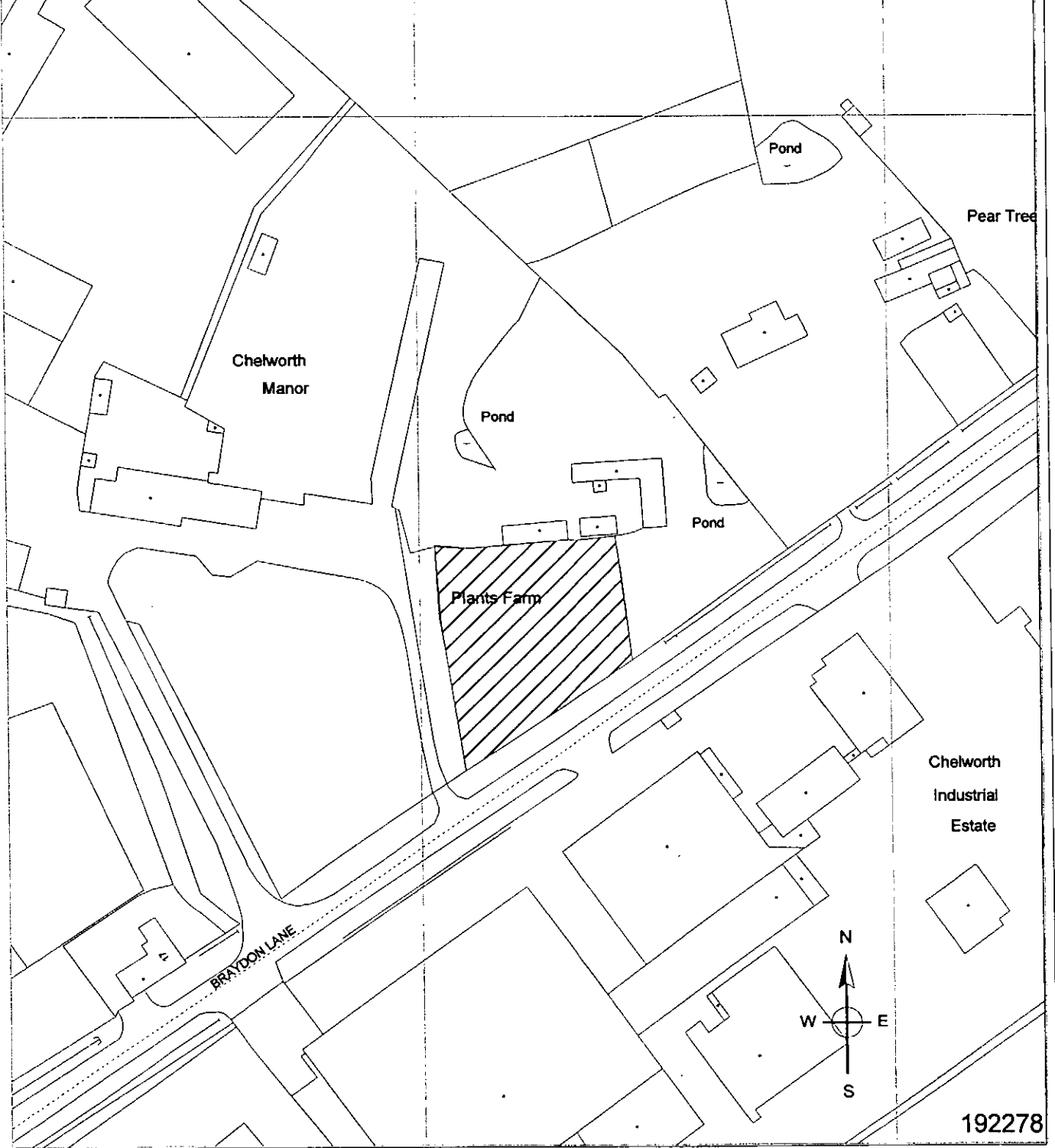
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408213

Enforcement Notice



*North
Wiltshire
District
Council*

Land to the front of Plants Farm, Braydon Lane, Cricklade, Wilts
SCALE: 1:1250

Grid Ref SU0834 9242 03/00254/EMIN

Planning Services

29.4.04

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