

Our Ref: 03/00366/EMIN

Your Ref:

Enquiries to: Robin Williams

Date: 22 April, 2004

Business Manager: W 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

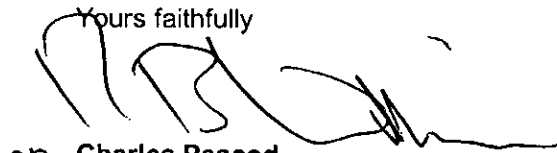
Dear Sir/Madam

ENFORCEMENT NOTICE AT PART OS 3015, HILMARTON, CALNE, WILTSHIRE

Should you wish to appeal against the enforcement notice the following fees will be required:- £770 for both the Planning Inspectorate and the Local Planning Authority.

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. The cheques should be made payable to North Wiltshire District Council and the First Secretary of State (for the Planning Inspectorate).

Yours faithfully


P.P. Charles Pescod
Implementation Team Leader
Development Control and Listed Buildings

To:

Des Hudd
Legge Farm
Church Road
Highampton
Beaworthy
Devon
EX21 5LF



INVESTOR IN PEOPLE

Our Ref: 03/00366/EMIN

Your Ref:

Chief Executive: Bob Marshall

Enquiries to: Robin Williams

Date: 22 April, 2004

Business Manager: W Alun Davies

Planning Services

Monkton Park

Chippenham

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SN15 1ER

Tel: 01249 706640

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Dear Sir/Madam

ENFORCEMENT NOTICE AT PART OS 3015, HILMARTON, CALNE, WILTSHIRE

The Council has issued an Enforcement Notice relating to the above Land and I now serve on you copies of this Notice, in view of your interest in the Land.

Unless an appeal is made, as set out in the Annex, 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:

Des Hudd
Legge Farm
Church Road
Highampton
Beaworthy
Devon
EX21 5LF



INVESTOR IN PEOPLE

03/00366/E

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**

Part Ordnance Survey parcel no. 3015, Hilmarton, Calne, Wiltshire shown hatched on the attached plan.

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

Not in accordance with conditions applied to the grant of planning permission reference 02.00471.FUL dated 19th June 2002 and therefore without planning permission, the carrying out of engineering operations on the land involving tipping which has changed the contours of the land and involved depositing materials other than soil on the site.

4. REASONS FOR ISSUING THIS NOTICE

- a) It appears to the Council that the above breach of planning control has occurred within the last 4 years.
- b) The development is situated in the countryside where development is strictly controlled in the interests of protecting the rural character and appearance of the area. The operations have involved the raising of land higher than appears natural and involved depositing waste, hardcore and other items in addition to soil resulting in an unsatisfactory appearance of the site contrary to Policy RC9 of the North Wiltshire Local Plan.
- c) By reason of the deposit of waste, hardcore, wood, plastic and other items and materials in addition to soil the site has little or no likelihood of being restored to a beneficial agricultural use to the detriment of the rural character of the countryside in this area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Cease depositing any waste, hardcore, wood, plastic or other items or materials other than soil on the land.
- b) Screen to a depth of at least 1 metre the tipped material to extract all waste, hardcore, wood, plastic and other items and materials from the soil.
- c) Remove all waste, hardcore, wood, plastic and other items and materials resulting from requirement b) above from the site.
- d) Finish the levels of the site in accordance with the attached plan.
- e) Finish the surface of the land with topsoil to a depth of at least 75mm over the whole site except for the area of the vehicular access and turning space shown on the attached plan.
- f) Sow grass seed over the whole of the site except for the area of the vehicular access and turning space shown on the attached plan sufficient to restore the site suitable for the grazing of animals or the production of hay.

6. TIME FOR COMPLIANCE

- a) For requirement a) of this notice 1 week from the date this notice takes effect.
- b) For requirements b) and c) of this notice 4 months from the date this notice takes effect.

- c) For requirements d), e) and f) 5 months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 3rd June 2004 unless an appeal is made against it beforehand.

Dated : 22nd April 2004

Signed :

A handwritten signature in black ink, appearing to be 'R.B. Williams', written over the 'Signed :' text.

on behalf of North Wiltshire District Council

ANNEX

YOUR RIGHT OF APPEAL

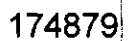
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the First Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Making your enforcement appeal" sets out your rights. The enclosed appeal forms are for your use.

- (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.

Enforcement Notice



*North
Wiltshire
District
Council*

SCALE: 1:2500

Grid Ref: SU0334 7521 03/00366/EMIN

Planning Services

7.4.04

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2004

Plan attached to Enforcement Notice
Reference: 03/00366/E

Plan referred to in paragraph 5. d)
of the Notice

Required Finished Levels of the Site

