

**Our Ref:** 03/00424/EMIN

**Your Ref:**

**Enquiries to:** Robin Williams

**Date:** 14 May 2004

**Strategic Manager:** Alun Davies

**Planning Services**  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER



*Register*

Tel: 01249 706594  
Fax: 01249 460810  
email: [rwilliams@northwilts.gov.uk](mailto:rwilliams@northwilts.gov.uk)  
[www.northwilts.gov.uk](http://www.northwilts.gov.uk)

Dear Sirs and Madam

**ENFORCEMENT NOTICE AT THE WHOLE HOG, 8 MARKET CROSS,  
MALMESBURY, WILTSHIRE**

Should you wish to appeal against Ground A of the enforcement notice the following fees will be required:-

£110 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

  
**Charles Pescod**  
**Implementation Team Leader**  
**Development Control and Listed Buildings**

To:

Sarah Lever  
8 Market Cross  
Malmesbury  
Wilts SN16 9AS

Michael Kemp  
8 Market Cross  
Malmesbury  
Wilts SN16 9AS

R V Stacey  
15 New Road  
Chippenham  
Wilts



INVESTOR IN PEOPLE

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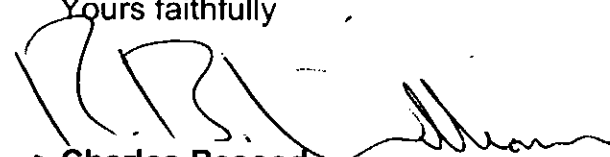
Dear Sirs and Madam

**ENFORCEMENT NOTICE AT THE WHOLE HOG, 8 MARKET CROSS,  
MALMESBURY, WILTSHIRE**

The Council has issued an Enforcement Notice relating to the above Land and copies of this Notice has been served on you, 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:

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8 Market Cross  
Malmesbury  
Wilts SN16 9AS

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# **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 The Whole Hog, 8 Market Place, Malmesbury, Wiltshire SN16 9AS shown hatched on the attached plan.

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

Without planning permission, the construction of a decking area and the insertion, within the building, of a doorway to gain access to this decking 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 decking area causes loss of privacy to the adjoining neighbours and therefore is contrary to Policy RH14 of the North Wiltshire Local Plan.
- c) The inserted door, due to its position and materials, does not harmonise with the character or appearance of the existing building and the character of the Conservation Area and is therefore contrary to Policies RH14 and RB3 of the North Wiltshire Local Plan.

**5. WHAT YOU ARE REQUIRED TO DO**

- a) Demolish the decking area.
- b) Remove all debris resulting from the demolition of the decking area from the premises.
- c) Remove the door and frame from which access is gained to the decking area.
- d) Block up the resultant opening created by complying with requirement 5c) of this notice.
- e) Externally finish the blocked up area referred to in requirement 5d) of this notice with render to match the type and texture of the adjoining walls.
- f) Externally paint the finished render required by 5d) of this notice in the colour of and to match the adjoining walls.

**6. TIME FOR COMPLIANCE**

5a) and 5b) – one month from the date this notice takes effect.

5c), 5d) 5e) and 5f) – three months from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 25 June 2004 unless an appeal is made against it beforehand.

Dated : 14 May 2004

Signed :

on behalf of North Wiltshire District Council

## **ANNEX**

### **YOUR RIGHT OF APPEAL**

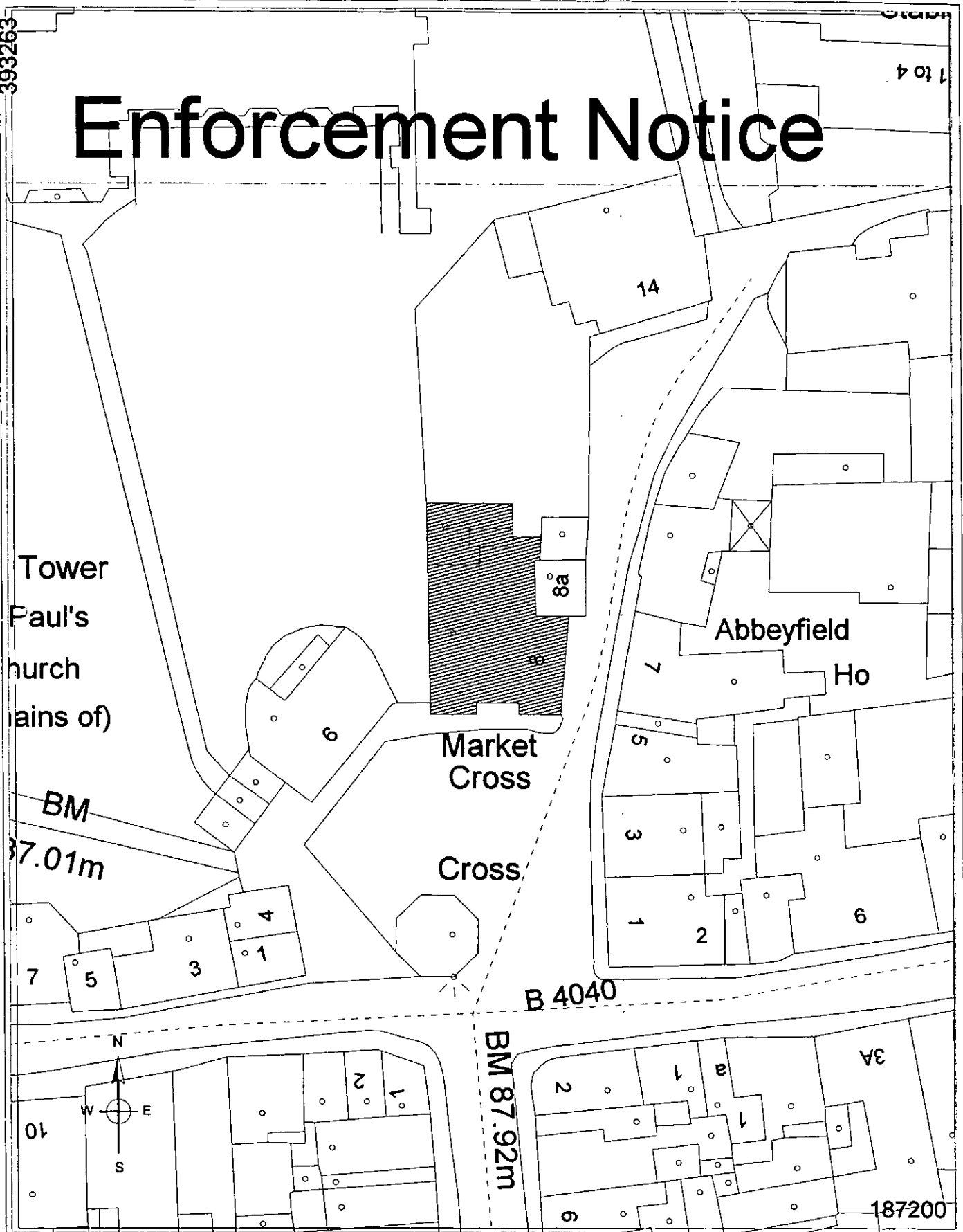
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the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

# Enforcement Notice



*North  
Wiltshire  
District  
Council*

The Whole Hog, 8 Market Cross, Malmesbury, Wilts SN16 9AS

SCALE: 1:500

Grid Ref: ST 9330 8726

03/00424/EMIN

Planning Services

16.4.04

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2004