

**Our Ref:** 04/00038/ENF(B)

**Your Ref:**

**Enquiries to:** Robin Williams

**Date:** 22<sup>nd</sup> June 2005

**Strategic Manager:** Alun Davies

**Mr I M Plank  
4 Church Lane  
Cricklade  
Swindon  
Wilts SN6 6AD**

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

Tel: 01249 706640  
Fax: 01249 460810  
email: [rwilliams@northwilts.gov.uk](mailto:rwilliams@northwilts.gov.uk)  
[www.northwilts.gov.uk](http://www.northwilts.gov.uk)

Dear Mr Plank

**ENFORCEMENT NOTICE AT WREN'S BROOK, SAMBOURNE ROAD,  
MINETY, MALMESBURY 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 04/00038/ENF appears not to have been served upon you correctly. In the circumstances the Planning Authority is issuing a fresh Notice with the reference number 04/00038/ENF(B). This Notice now served on you contains fresh dates. The Notice is dated 22 June 2005 and takes effect on 3 August 2005 unless an appeal is made against it beforehand.

I confirm that the earlier enforcement notice referenced 04/00038/ENF dated 22<sup>nd</sup> December 2004 is withdrawn pursuant to Section 173A of the Town and Country Planning Act 1990 (as amended).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**



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Dear Sir

**ENFORCEMENT NOTICE ON LAND AT WREN'S BROOK, SAMBOURNE  
ROAD, MINETY, MALMESBURY, 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:-

£265 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**



INVESTOR IN PEOPLE

**04/00038/ENF(B)**

# **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 part OS Parcel no.4400, Wren's Brook, Sambourne, Minety, Wiltshire, SN16 9RQ shown hatched on the attached plan.

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

Without planning permission, the change of use of land from a mixed use for agriculture and the keeping of horses to a mixed use for that purpose and for use by a fencing and building contractor for workshop and storage purposes.

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 site is situated in the open countryside and the unauthorised use is detrimental to the character of the area in particular and rural amenity in general, and if allowed would set a precedent for further undesirable development on this site contrary to Policies RE19 and RC9 of the North Wiltshire Local Plan.
- c) Should the Council take no enforcement action against this unauthorised use it would become lawful. The continued use of this site for an

inappropriate use without any restrictions and involving open storage and activities may encourage the use to intensify to the further detriment of the countryside.

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

- a) Cease using the land for workshop and storage purposes not associated with agriculture and/or the keeping of horses.
- b) Remove all materials, tools, generators, mixers and other items associated with the unauthorised use, and any debris, from the site.

**6. TIME FOR COMPLIANCE**

Four months from the date this notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 3 August 2005 unless an appeal is made against it beforehand.

Dated : 22 June 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.

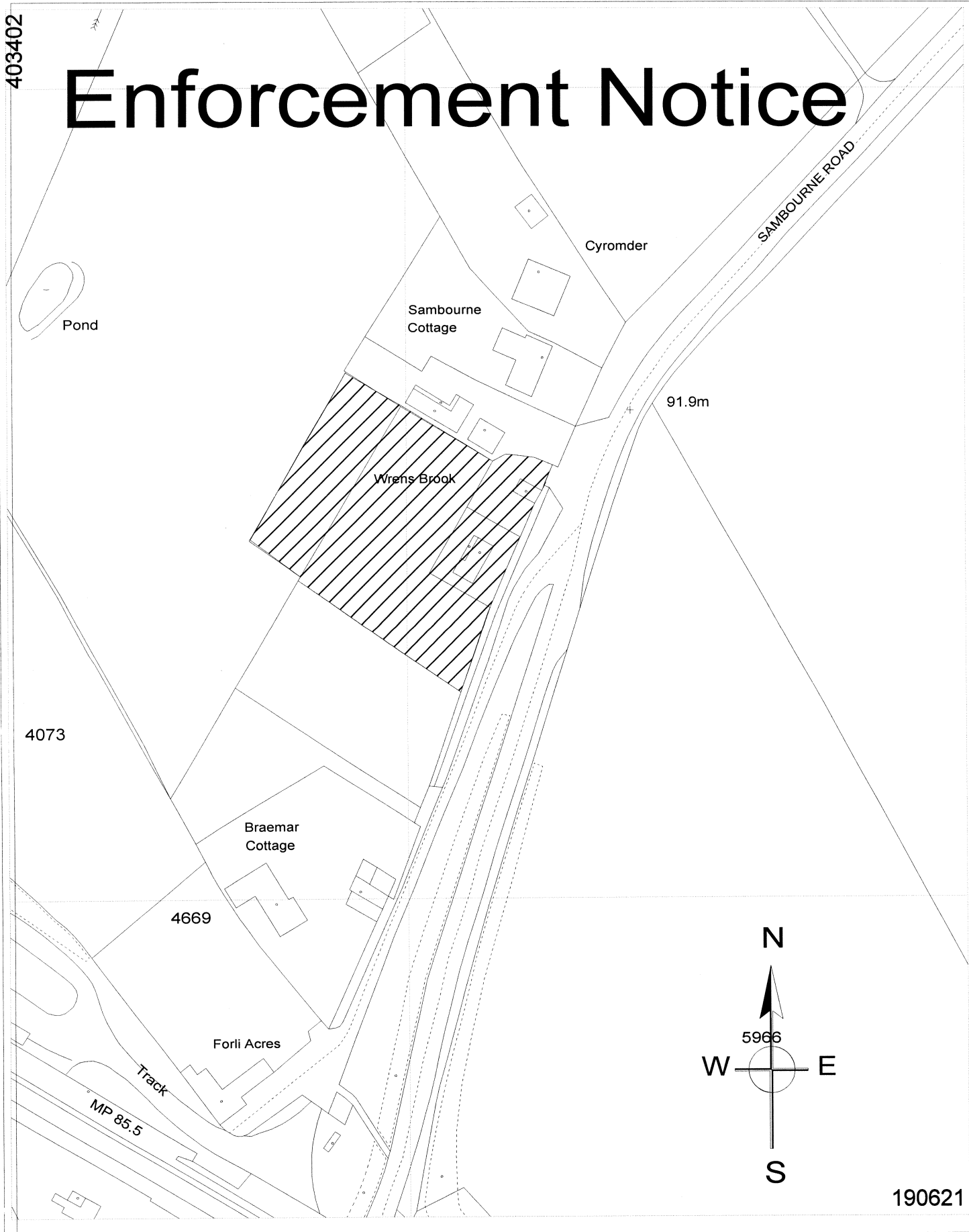
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

### **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.

403402

# Enforcement Notice



*North  
Wiltshire  
District  
Council*

Wren's Brook, Sambourne Road, Minety, Malmesbury, Wilts  
SCALE: 1:1250

Grid Ref: SU0350 9080 04/00038/ENF (B)

Planning Services<sup>22.6.05</sup>

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NORTH WILTSHIRE DISTRICT COUNCIL- 100017933 2005