

04/00441/ENF (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 the south of 1 Pretty Chimneys, Kington Langley, Chippenham, Wiltshire, SN14 6BH shown hatched on the attached plan ("the site").

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

Without planning permission, the change of use of land from agriculture to use for motorcycle activities not associated with agricultural use and the positioning of a storage container.

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) By reason of its proximity to residential properties, the use of the land by motorcycles results in an unreasonable disturbance to the amenities of local residents. Also due to the site's prominent rural location its use for motorcycle activities is detrimental to the rural character and amenity of the area. The development is therefore contrary to the provisions of policy RC9 of the adopted North Wiltshire Local Plan 2001 and Policy C3 of the North Wiltshire Local Plan 2011 revised deposit draft.

- c) The continued use of this land by motorcycles without planning permission would, in due course, lead to the unauthorised development becoming lawful. The loss of planning control over the use of this land by motorcycles could lead to further intensification of the use to the detriment of the rural character and amenity of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Cease the use of the land by motorcycles that are not used incidental to the use of the land for agricultural purposes.
- b) Remove from the land the storage container currently located within the south eastern corner of the car park and marked diagrammatically with an "X" on the attached plan
- c) Remove from the land the wall of straw bales not used for agricultural purposes, located at the northern end of the site adjacent to the car park and marked diagrammatically with a heavy black line on the attached plan.

6. TIME FOR COMPLIANCE

One month from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 May 2005 unless an appeal is made against it beforehand.

Dated : 31 March 2005

Signed :



on behalf of North Wiltshire District Council

ANNEX

YOUR RIGHT OF APPEAL

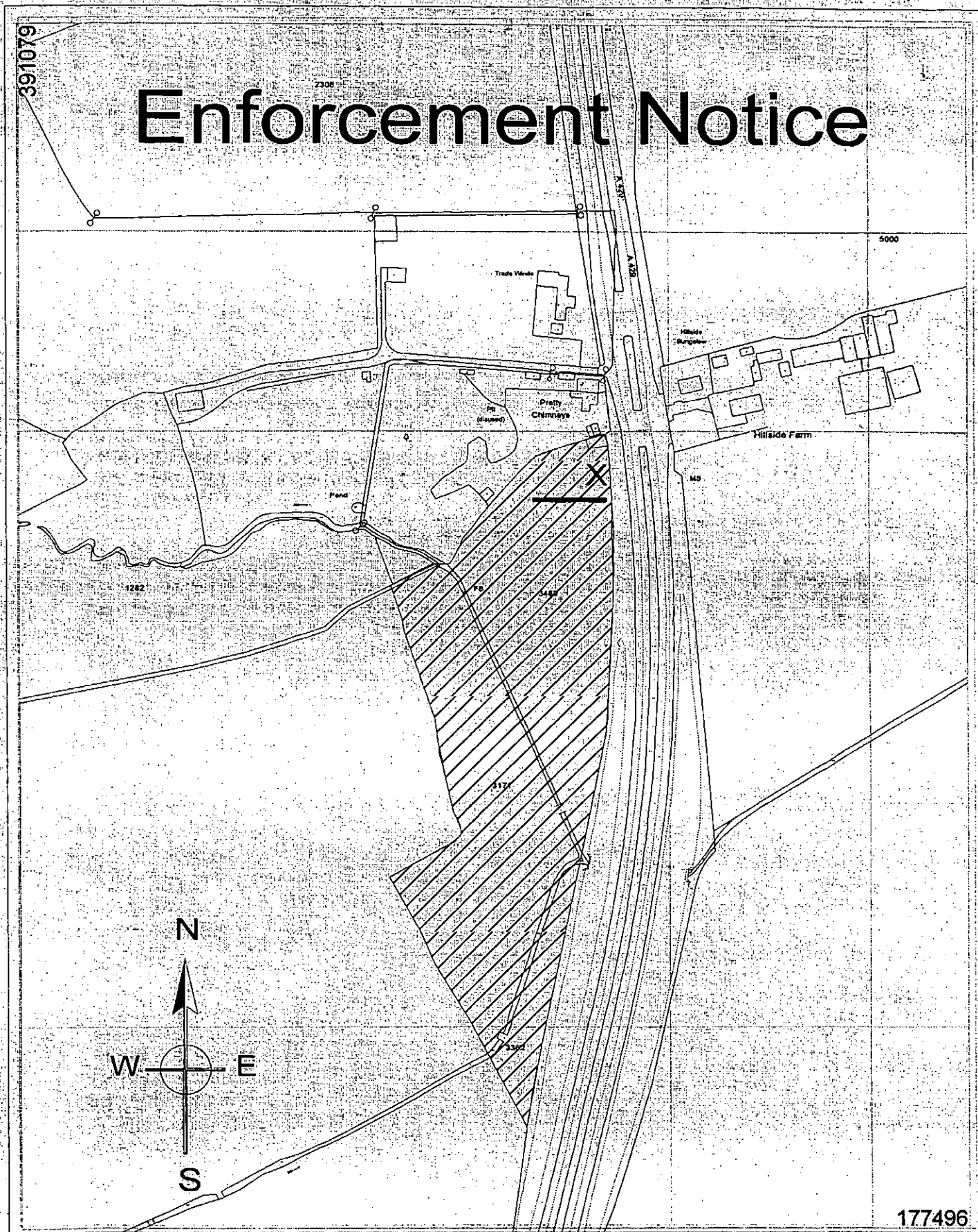
You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed booklet "Enforcement Notice Appeals - A Guide to Procedure" sets out your rights. You may use the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

Enforcement Notice



*North
Wiltshire
District
Council*

Land to the South of 1 Pretty Chimneys, Kington Langley, Chippenham
SCALE: 1:2500

ST9131 7778 04/00441/ENF

Planning Services 31.3.05

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NORTH WILTSHIRE DISTRICT COUNCIL 100017933 2005

04/00441/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

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2. **THE LAND TO WHICH THE NOTICE RELATES**

Land to the south of 1 Pretty Chimneys, Kington Langley, Chippenham, Wiltshire, SN14 6BH shown hatched on the attached plan ("the site").

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

Without planning permission, the carrying out of engineering operations by the laying out of a motorcycle track and re-contouring of the land to create mounds and depressions for use in connection with motorcycle activities.

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) By reason of its proximity to residential properties, the use of the land by motorcycles results in an unreasonable disturbance to the amenities of local residents. Also due to the site's prominent rural location its use for motorcycle activities is detrimental to the rural character and amenity of the area. The development is therefore contrary to the provisions of policy RC9 of the adopted North Wiltshire Local Plan 2001 and Policy C3 of the North Wiltshire Local Plan 2011 revised deposit draft.

5. WHAT YOU ARE REQUIRED TO DO

- a) Restore the site levels in accordance with the natural contours of the land over the whole of the site by the removal of all mounds, bunds and other areas where material rises above natural ground level and filling of all depressions below natural ground level with soil.
- c) Finish the surface of the land where it has been disturbed by the need to comply with the requirements in paragraphs 5a) of this notice with topsoil to a depth of at least 75mm.
- d) Sow grass seed over the whole of the restored areas.

6. TIME FOR COMPLIANCE

Four months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 12 May 2005 unless an appeal is made against it beforehand.

Dated : 31 March 2005

Signed :



on behalf of North Wiltshire District Council

ANNEX

YOUR RIGHT OF APPEAL

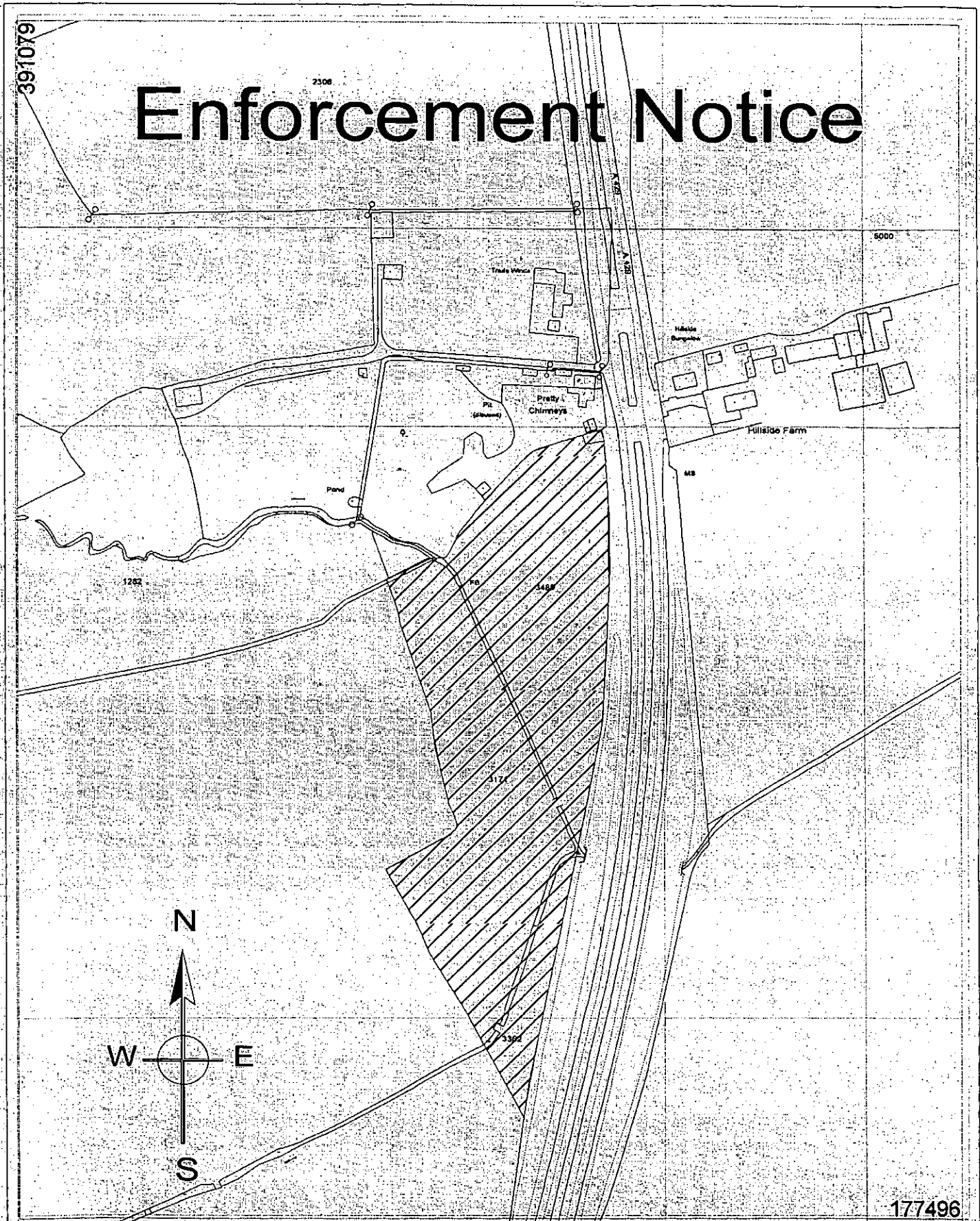
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Enforcement Notice



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Land to the South of 1 Pretty Chimneys, Kington Langley, Chippenham
SCALE: 1:2500

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Planning Services 31.3.05

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2005

Our Ref: 04/00441/ENF

Your Ref:

Enquiries to: Robin Williams

Date: 31 March 2005

Strategic Manager: 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 NOTICES AT LAND TO THE SOUTH OF 1 PRETTY
CHIMNEYS, KINGTON LANGLEY, CHIPPENHAM, WILTS SN14 6BH**

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 are 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

Sean Kirk
2 Pretty Chimneys
Kington Langley
Chippenham
Wilts SN14 6BH

The Woolwich
54 Lombard Street
London EC3P 3AH



INVESTOR IN PEOPLE

Our Ref: 04/00441/ENF

Your Ref:

Enquiries to: Robin Williams

Date: 31 March 2005

Strategic Manager: 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 NOTICES AT LAND TO THE SOUTH OF 1 PRETTY
CHIMNEYS, KINGTON LANGLEY, CHIPPENHAM, WILTS SN143 6BH**

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:-

Notice A - £265 for both The Planning Inspectorate and the Local Planning Authority
Notice B - £3105 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

Sean Kirk
2 Pretty Chimneys
Kington Langley
Chippenham
Wilts SN14 6BH

The Woolwich
54 Lombard Street
London EC3P 3AH



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