

Our Ref: 05.00039.ENF

Your Ref:

Enquiries to: Robin Williams

Date: 18 October 2005

Strategic Manager: Alun Davies

Mr H Atkinson
The Elms
Nursteed
Devizes
Wilts SN10 3HG

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

**ENFORCEMENT NOTICE AT LAND AT A4 HANG GLIDING, OLD YATESBURY
AIRFIELD, YATESBURY, CALNE, WILTS SN11 8FA**

The Council has issued an Enforcement Notice relating to the above Land and copies of this 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 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



INVESTOR IN PEOPLE

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Dear Sir

**ENFORCEMENT NOTICE AT LAND AT A4 HANG GLIDING, OLD YATESBURY AIRFIELD,
YATESBURY, CALNE, WILTS SN11 8FA**

Should you wish to appeal against the enforcement notice on ground (a) as provided by S174 (2) (a) of the Town and county 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.

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

05/00039/ENF

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 and building known as part of former Yatesbury Airfield, Calne, Wiltshire, 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 the site from agriculture to a mixed use as a hang gliding and paragliding centre and for residential purposes.

4. **REASONS FOR ISSUING THIS NOTICE**

- a) It appears to the Council that the breach of planning control relating to the change of use to hang gliding and paragliding centre has occurred within the last 10 years and the use for residential purposes within the last 4 years.
- b) The use of the site for residential purposes constitutes the provision of a new dwelling in the countryside where residential development is strictly controlled. The continued use of the land for a dwelling is contrary to Policy DP15 of the Wiltshire Structure Plan 2011, Policy RH12 of the North Wiltshire Local Plan 2001 and Policies C3 and H4 of the North Wiltshire Local Plan 2011 revised deposit draft.

- c) The inclusion of a dwelling in the use of the site is contrary to the sustainability aims of Policy DP1 of the Wiltshire Structure Plan 2011 and Government policy which seeks to promote sustainable development.
- d) The site is situated in flat open countryside within the North Wessex Downs Area of Outstanding Natural Beauty and the Yatesbury Aerodrome Conservation Area where new development needs to be strictly controlled in the interests of protecting the character of the area. The inclusion of a dwelling in the use of the site, together with the use of the site as a hang gliding and paragliding training centre without restrictions, would be contrary to Policies C8 and HE7 of the Wiltshire Structure Plan 2011, Policies RC7, RB3 and RC9 of the North Wiltshire Local Plan and policies NE4, HE1 and NE15 of the North Wiltshire Local Plan 2001 revised deposit draft.
- d) The continued use of the site for the unauthorised development would, in due course, lead to the development becoming lawful. The loss of planning control over the use of the site for the unauthorised uses would be likely to lead to further adverse detriment to the rural character of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Cease the residential use of the site.
- b) Cease the use of the site for a hang gliding and paragliding training centre.

6. TIME FOR COMPLIANCE

- a) For requirement 5 a) Three months from the date this notice takes effect.
- b) For requirement 5 b) 12 months from the date this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29 November 2005 unless an appeal is made against it beforehand.

Dated : 18 October 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.

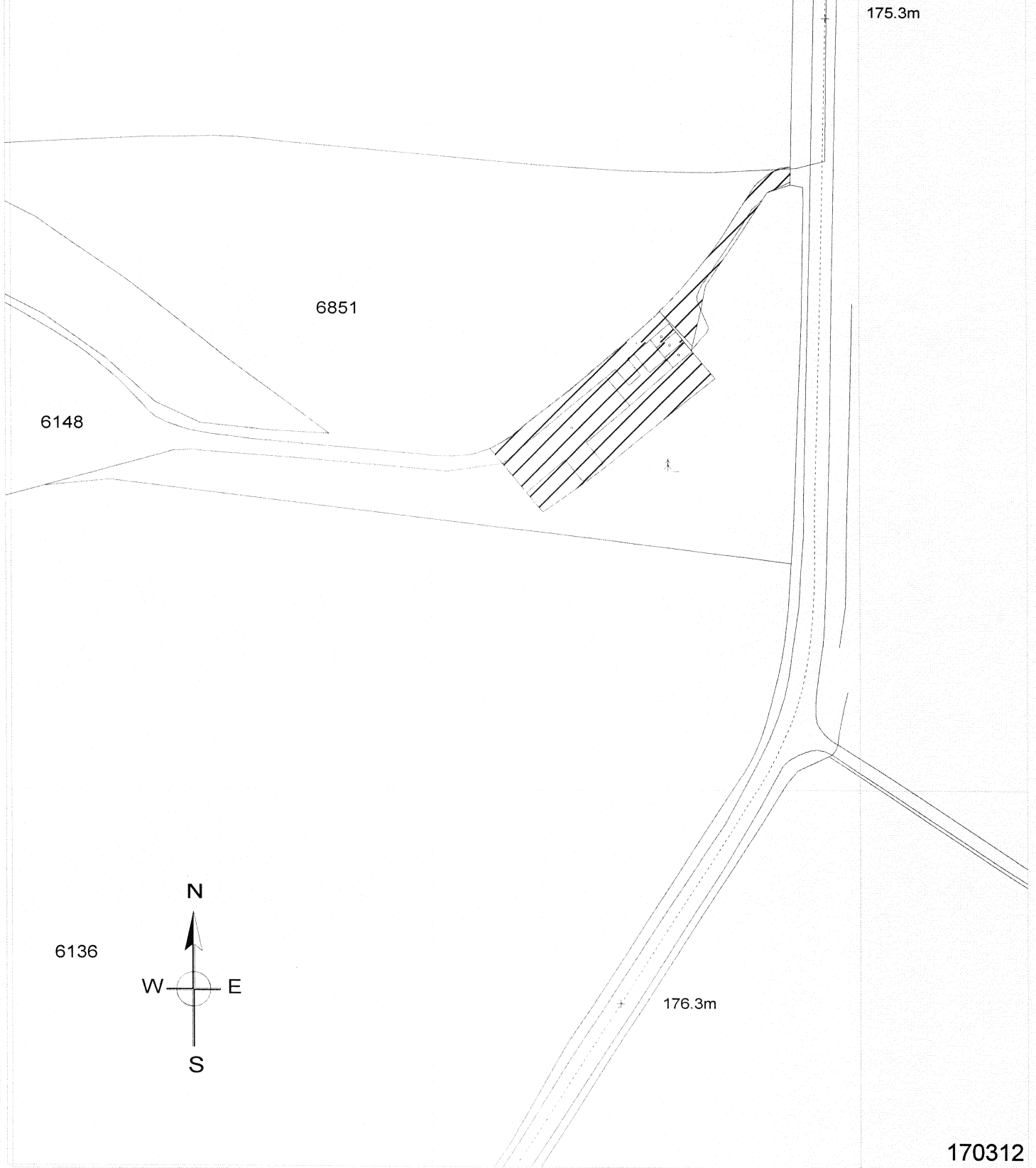
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

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.

405601

Enforcement Notice



*North
Wiltshire
District
Council*

Former Yatesbury Airfield, Yatesbury, Calne, Wilts
SCALE: 1:1250

Grid Ref: SU0573 7045 05/00039/ENF

Planning Services 18.10.05

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