

**Our Ref:** 06/00188/ENF

**Strategic Manager:** Alun Davies

**Your Ref:**

**Enquiries to:**

**Date:** 08 May 2006

**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 Madam

**ENFORCEMENT NOTICE AT THE OLD INN, UPPER MINETY, MALMESBURY, WILTSHIRE,  
SN16 9PT**

The Council have 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:** Mrs A Bailey  
The Old Inn  
Upper Minety  
Malmesbury  
Wiltshire  
SN16 9PT

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Dear Madam

**ENFORCEMENT NOTICE AT THE OLD INN, UPPER MINETY, MALMESBURY, WILTSHIRE,  
SN16 9PT**

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 should be made payable to the 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: Mrs A Bailey  
The Old Inn  
Upper Minety  
Malmesbury  
Wiltshire  
SN16 9PT



**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 Old Inn, Upper Minety, Malmesbury, Wiltshire SN16 9PT shown hatched on the attached plan (the "Land").
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**  
  
Without planning permission, the material change of use of the Land from a mixed use for residential purposes and as a public house to use as a dwellinghouse.
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 unauthorised change of use results in the loss of an important local amenity, thereby reducing the ability of the settlement to meet the local need for services and has a serious adverse impact upon the local community. The change of use is contrary to Policy DP1 of the Wiltshire Structure Plan 2016, Policy RS8 of the North Wiltshire Local Plan and Policies C4 and R6 of the North Wiltshire Local Plan 2011 revised deposit draft.

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

- a) Cease using the part of the land that was formally used for the purposes of a public house solely for residential purposes.
- b) Restore the land to a condition suitable for the reinstatement of the commercial public house use.

**6. TIME FOR COMPLIANCE**

One month from the date the notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 19 June 2006 unless an appeal is made against it beforehand.

Dated : 8<sup>th</sup> May 2006

Signed :

A handwritten signature in black ink, appearing to be 'R.B. [unclear]', written over a horizontal line.

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.

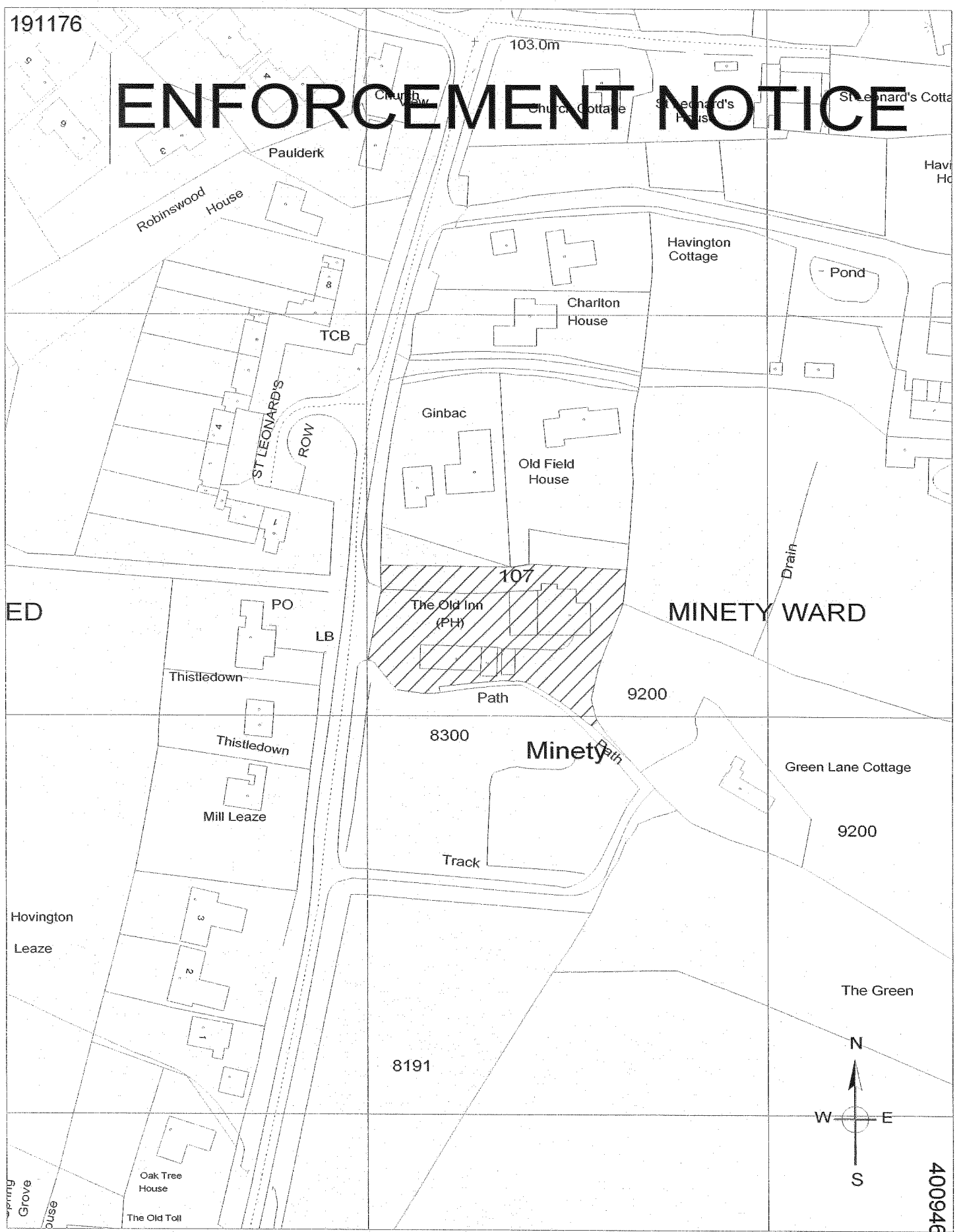
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

### **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.

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# ENFORCEMENT NOTICE



*North  
Wiltshire  
District  
Council*

The Old Inn, Upper Minety, Malmesbury  
SCALE: 1:1250

06/00188/ENF

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