

Our Ref: 07.00226.ENF

Your Ref:

Chief Executive - Delwin Burbidge

Enquiries to:

Date: 4 July 2007

Planning Services

Monkton Park

Chippenham

Wiltshire

SN15 1ER

Tel: 01249 706627

Fax: 01249 460810

email: tphillips@northwilts.gov.uk

www.northwilts.gov.uk

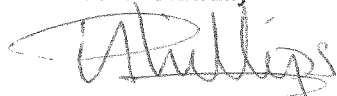
Dear Sir / Madam

**ENFORCEMENT NOTICE AT LAND ADJOINING SWINDON AND CRICKLADE RAILWAY,
TADPOLE LANE, BLUNSDON, SWINDON**

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

John Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire

Joyce Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire

Paul Thomas Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire

Kelly Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire



INVESTOR IN PEOPLE

Our Ref: 07.00226.ENF

Your Ref:

Chief Executive - Delwin Burbidge

Enquiries to:

Date: 4 July 2007

Planning Services

Monkton Park

Chippenham

Wiltshire

SN15 1ER

Tel: 01249 706627

Fax: 01249 460810

email: tphillips@northwilts.gov.uk

www.northwilts.gov.uk

Dear Sir / Madam

ENFORCEMENT NOTICE AT LAND ADJOINING SWINDON AND CRICKLADE RAILWAY, TADPOLE LANE, BLUNSDON, SWINDON

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.

The fee only needs to be paid by one person.

Yours faithfully



Charles Pescod
Implementation Team Leader
Development Control and Listed Buildings

To:

John Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire

Joyce Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire

Paul Thomas Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire

Kelly Varey
Tadpole Lane
Blunsdon
Swindon
Wiltshire



INVESTOR IN PEOPLE

07/0226/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 at Tadpole Lane, Blunsdon, Wiltshire, 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 agriculture, to a use for the siting and occupation of residential caravans, the laying of drainage including a container for the collection of foul sewage, the creation of a vehicular access onto a classified road, the erection of fencing in excess of 1 metre in height adjacent to a highway, the erection of two timber sheds, and the laying of hardcore and gravel to form a hard surface.

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 site has insufficient frontage to enable an access to be satisfactorily laid out incorporating the necessary visibility splays, which are essential in the interests of highway safety, contrary to policy C3 of the North Wiltshire Local plan 2011.

- c) The proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is not conducive to either walking or cycling due to the volume of traffic, narrowness of the road and the absence of footways. If allowed, the proposal would be likely to encourage reliance on private motor vehicles, contrary to the key aims of Planning Policy Guidance Note 13 which seeks to reduce growth in the length and number of motorised journeys and policy H9(i) of the North Wiltshire Local Plan 2011.
- d) The unauthorised development has resulted in the loss of an open space forming part of the Swindon Rural Buffer which is intended to prevent the coalescence of settlements, contrary to Policy DP13 of the Wiltshire and Swindon Structure Plan 2016 and Policy NE2 of the North Wiltshire Local Plan 2011.
- e) The continued use of the Land, without planning permission, for the stationing and occupation of caravans together with the ancillary works would, in due course, lead to the unauthorised development becoming lawful. The loss of planning control over this use of the Land would be likely to lead to further significant visual detriment to the rural character of the area.

5. WHAT YOU ARE REQUIRED TO DO

- a) Cease the residential use and remove from the Land all caravans, other vehicles and ancillary buildings, except those required for the purposes of agriculture.
- b) Remove from the Land, to a depth of at least 500mm below ground level or to its total depth if less than 500mm, all hardsurfacing material.
- c) Remove all drainage pipes, fixings and foul sewage storage tanks from the Land.
- d) Reduce the height of the fencing where it adjoins the highway to 1 metre or less, measured from the original ground level.
- e) Remove all debris resulting from the requirements of 5a - 5 d of this notice from the Land.
- f) Restore the condition of the Land to a use fit for agriculture.
- g) Replant the gap in the hedge that was formed to create the unauthorised access onto the classified road, with species to match those of the adjoining hedge.

6. TIME FOR COMPLIANCE

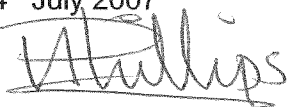
Nine months from the date this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 15th August 2007 unless an appeal is made against it beforehand.

Dated : 4th July 2007

Signed :

A handwritten signature in dark ink, appearing to read 'A. Phillips', written over a horizontal line.

on behalf of North Wiltshire District Council

A copy of this Enforcement Notice has been served on:

Joyce Varey at Land at Tadpole Lane, Blunsdon, Wiltshire.
John Varey at Land at Tadpole Lane, Blunsdon, Wiltshire.
Paul Varey at Land at Tadpole Lane, Blunsdon, Wiltshire.
Kelly Varey at Land at Tadpole Lane, Blunsdon, Wiltshire.

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.

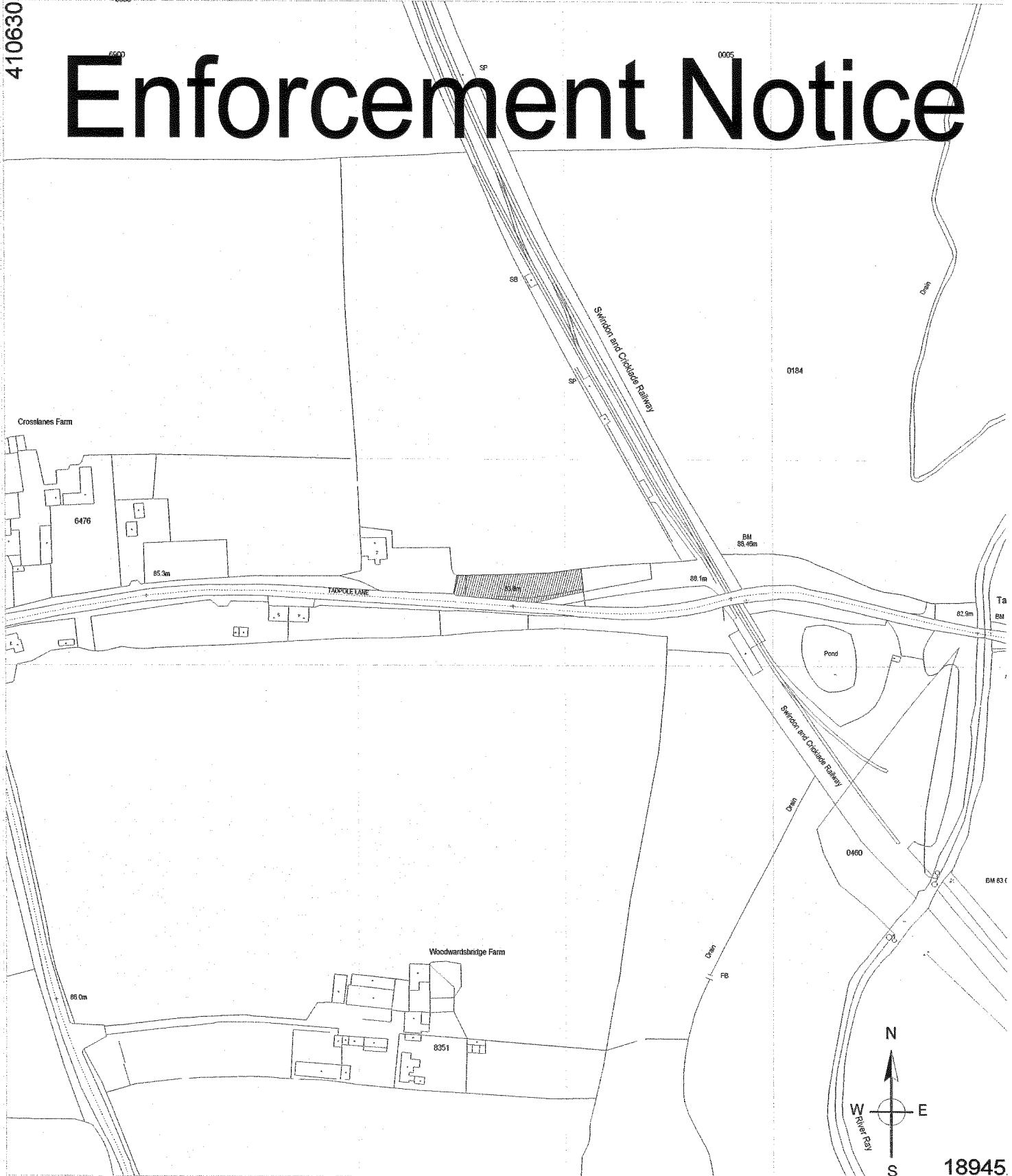
- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of this enforcement notice.
- (b) The second copy of the appeal form should be sent to the Council.
- (c) The third copy is for your own records.

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.

410630

Enforcement Notice



*North
Wiltshire
District
Council*

Land adjoining Swindon and Cricklade Railway, Tadpole Lane, Blunsdon, Swinon

SCALE: 1:2500

07.00266.ENF Grid Ref: SU1087 8973

Planning Services

4/7/2007

Reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office
© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.
NORTH WILTSHIRE DISTRICT COUNCIL- 100017933 2007