

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990

[As amended by the Planning & Compensation Act 1991]

ENFORCEMENT NOTICE

ISSUED BY: Wiltshire Council ('the Council')

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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 Manor Barn, Sevington, Wiltshire, SN14 7LD shown outlined with a thick black line on the attached plan ("the Land").

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

Without planning permission, the erection of a conservatory and laying of a patio.

4. **REASONS FOR ISSUING THIS NOTICE**

- a. It appears to the Council that the above breach of planning control has occurred within the last 4 years.
- b. The Council considers it expedient to issue this notice having regard to the effect of the development which involves an extension, the design of which takes little account of the character and setting of the host building, being a building of special architectural or historic interest. This is contrary to policy BD6 (i) and (ii) of the North Wiltshire Local Plan 2011.
- c. The Council considers it expedient to issue this notice having regard to the effect of the development which involves development which seriously detracts from the character of the listed building and the setting of the conservation area contrary to policy HE1 and HE4 of the North Wiltshire Local Plan 2011.

- d. The development seriously detracts from the character of the countryside, contrary to policy NE15 (i) of the North Wiltshire Local Plan 2011.

5. WHAT YOU ARE REQUIRED TO DO

- a) Dismantle / demolish and permanently remove from the land the rear conservatory and natural stone plinth.
- b) Permanently 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 that forms the patio and the base of the conservatory.
- c) Permanently remove from the Land all debris resulting from the requirements of 5a – 5b of this notice.
- d) Restore the areas resulting from the requirements of 5a – 5c of this notice level with the natural contours of the adjoining land.
- e) Seed with grass the areas disturbed by compliance with the requirements of paragraph 5a – 5d of this notice.

6. TIME FOR COMPLIANCE

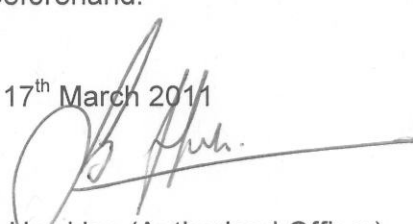
For a) to e) - six months from the date this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **28th April 2011** unless an appeal is made against it beforehand.

Dated : 17th March 2011

Signed :



Stephen Hawkins (Authorised Officer)

on behalf of Wiltshire Council
Monkton Park
Chippenham
Wiltshire

A copy of this Enforcement Notice has been served on:

Mr S Rollinson, Manor Barn, Sevington Wiltshire, SN14 7LD
The Mortgage Business PLC, Trinity Road, Halifax, West Yorkshire, HX1 2RG

ANNEX

THIS IS IMPORTANT

YOUR RIGHT OF APPEAL

You can appeal against this notice to the Planning Inspectorate on-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs). An appeal can also be made via a hard copy after getting enforcement appeal forms either by phoning the Planning Portal on 0117 372 6372 or by emailing them at enquiries@pins.gsi.gov.uk. **You MUST make sure that the Planning Inspectorate receive your appeal before the effective date on the enforcement notice.** In exceptional circumstances you may give notice of appeal by fax at 0117-372 8782 or letter sent to The Planning Inspectorate, CST Room 3/05, Temple Quay House, The Square, Temple Quay, Bristol BS1 6PN.

. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

They must receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the enforcement notice were not served as required by section 172;
- (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of **£335**. You should pay half of the fee (**£167.50**) to Wiltshire Council (The Local Planning Authority) (made payable to Wiltshire Council and the other half of the fee to the Planning Inspectorate (made payable to the Department for Communities and Local Government). Joint appellants need only pay one set of fees.

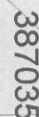
If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

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.

08/0016/ENF (B)

ENFORCEMENT NOTICE



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