

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990

[As amended by the Planning & Compensation Act 1991]

BREACH OF CONDITION NOTICE

SERVED BY: Wiltshire Council ('the Council')

TO: Mrs C Carswell, 5 Bentham Lane, Purton Stoke, Swindon, Wiltshire, SN5 4HZ

1. THIS NOTICE is served by the Council, under section 187A of the above Act, because it considers that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not being complied with. The Council consider that you should be required to comply with the condition specified in this Notice. **The Annex at the end of this Notice contains important additional information.**

2. THE LAND TO WHICH THIS NOTICE RELATES

Land at 5 Bentham Lane, Purton Stoke, Swindon, Wiltshire, SN5 4HZ shown edged with a thick black line on the attached plan, (The Land).

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is the permission reference 08/00051/S73A granted on 6th March 2008 described as: '*Siting of temporary mobile home in connection with house renovation*'.

A copy of the permission is attached to this notice.

4. THE BREACH OF CONDITION.

The following condition has not been complied with:

Condition 1: *The mobile home hereby permitted and any ancillary works or structures shall be removed from the site in their entirety on or before the 31st March 2009*

Reason: *Permission would not normally be granted for this type of development, but regard has been paid to the particular circumstances of the applicant.*

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition detailed in paragraph 4 of this Notice, you are required to comply with the stated condition by taking the following steps:

- 1) Remove from the site the mobile home and any ancillary works or structures.

6. PERIOD FOR COMPLIANCE

3 months from the date this Notice is served on you.

Dated: 15th July 2010
.....

Signed: 
The Council's Authorised Officer.

On behalf of:
Wiltshire Council North
Monkton Park
Chippenham
Wiltshire
SN15 1ER

ANNEX

WARNING

THIS NOTICE TAKES EFFECT IMMEDIATELY IT IS SERVED ON YOU IN PERSON OR ON THE DATE YOU RECEIVED IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance time period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is **£1,000** for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Mrs A Murphy, Planning Services, Wiltshire Council North, Monkton Park, Chippenham, Wiltshire, SN15 1ER. Tel: 01249 706635.

If you need independent advice about this Notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review.

[END]

BREACH OF CONDITION NOTICE



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WILTSHIRE COUNCIL - 100023455 2009

Application Reference Number 08/00051/S73A

**NOTIFICATION OF PLANNING
PERMISSION**

*North
Wiltshire
District
Council*

Name of Local Planning Authority: NORTH WILTSHIRE DISTRICT COUNCIL
Monkton Park, Chippenham, Wiltshire, SN15 1ER

Brief Details of Application in the Parish of: Purton

Applicant

Mrs Christine Carswell
5 BENTHAM LANE
PURTON STOKE
SWINDON
SN5 4HZ

Agent

Mr Paul Wilson
5 BENTHAM LANE
PURTON STOKE
SWINDON
SN5 4HZ

Location

5 BENTHAM LANE, PURTON STOKE, PURTON,
SWINDON, SN5 4HZ

Proposal

Siting of Temporary Mobile Home in Connection
with House Renovation

Registration Date: 24 January 2008

Permission Granted: 6 March, 2008

PERMISSION GRANTED FOR THE FOLLOWING REASON:

The approval of a temporary permission for the siting of the mobile home will not adversely affect the amenities of the surrounding area and therefore in accordance with Policy NE15 of the North Wiltshire Local Plan 2011.

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1 The mobile home hereby permitted and any ancillary works or structures shall be removed from the site in their entirety on or before the 31st March 2009

Reason: Permission would not normally be granted for this type of development, but regard has been paid to the particular circumstances of the applicant.

INFORMATIVES:

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References

Site location plan (scale 1:1250) and block plan (scale 1:500) both received by the local planning authority 09/01/08




Development Control Manager

Dated: 6 March, 2008

NORTH WILTSHIRE DISTRICT COUNCIL
Town and Country Planning Act 1990

PERMISSION FOR DEVELOPMENT

1. The Local Planning Authority HEREBY GRANT PLANNING PERMISSION subject to the scheduled conditions (if any) for the development proposed by the applicant in the application, which is expressly incorporated herewith and is briefly described in the Schedule forming part of this permission.
2. The scheduled conditions (if any) have been imposed for the reasons set out in the Schedule.
3. "The Local Planning Authority", "the scheduled conditions", and "the application" referred to above are those described in the Schedule.

NOTES

1. **Time Limits on Planning Permissions.** By virtue of Section 91 - 96 of the Town and Country Planning Act 1990, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits (as appropriate) will apply:-
 - 1.1 **Where planning permission is given in outline** subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made within 3 years from the date of the outline planning permission and further the development to which the permission relates must be begun either within 2 years from the final approval of all the matters reserved.
 - 1.2 **Where the planning permission is complete and is not in outline** then the development must be begun not later than the expiration of 3 years from the date on which permission was granted.
2. **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the district and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular the applicant is reminded of the following matters:-

- 2.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. You are advised to contact Building Control before considering work on site);**
- 2.2 the need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath;
- 2.3 The need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
- 2.4 the need to make any appropriate arrangements under the Highways Act 1971, in respect of any works within the limits of a public highway. The address of the Highway Authority is Wiltshire County Council, County Hall, Trowbridge.

(It is the responsibility of the applicant to ascertain whether his development affects any public right of way or listed building.)

3. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within three months of the date of this decision. (Appeals must be made on a form which is obtainable from the Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

4. **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
5. **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Application Reference Number 08/00051/S73A

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