

Our Ref: 10/138/ENF

Your Ref: Enquiries to: Mrs A Murphy

Date: 31st August 2010

Mr E Lammins,
Tile Supplies Direct,
29A Marshfield Road,
Chippenham,
Wilts
SN15 1JX

Planning Services

Monkton Park
Chippenham
Wiltshire
SN15 1ER

Tel: 01249 706635

Fax: 01249 460810

email: anne.murphy@wiltshire.gov.uk

www.wiltshire.gov.uk

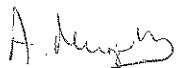
Dear Mr Lammins,

**Town and Country Planning Act 1990
Unauthorised change of use of premises
29A Marshfield Road, Chippenham, SN15 5HB**

The Council suspects that there may be activities being carried out at the above premises for which planning permission is required but which has not been granted. With this in mind, please complete, and return the enclosed Planning Contravention Notice within 21 days. Please also note the warning on page 2 of the Notice.

Please contact me if you want to arrange a date and time to discuss any of this.

Yours sincerely,



**Anne Murphy
Planning Services**

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990

[As amended by the Planning & Compensation Act 1991]

PLANNING CONTRAVENTION NOTICE

TO: Mr E Lammins

1 THIS NOTICE is served by Wiltshire Council ["the Council"] being the Planning Authority for the purposes of Section 171C of the Town and Country Planning Act 1990 ["the Act"] because it appears to them that there may have been a breach of planning control in respect of the land described in Schedule 1 below ["the land"]

2 The breach of planning control which may have occurred is specified in Schedule 2 below

3 This Notice is served on you as a person who -

- [1] Is the owner or occupier of the land or has any other interest in it or
- [2] Is carrying out operations in on over or under land or using it for any purpose

4 WHAT YOU ARE REQUIRED TO DO

In exercise of their powers under Section 171C[2] and [3] of the Act, the Council require you, so far as you are able, to give them the information required by Schedule 3 of the Notice in writing **WITHIN 21 DAYS**, beginning with the day on which this Notice is served on you using the attached Reply Form.

5 If you wish to make

[a] an offer to refrain from carrying out any operations or activities, or to undertake remedial works; or

[b] any representations about this Notice

you may do so, in writing, within 21 days of the date of this Notice.

[You should note that these arrangements do not remove the obligation on you to return the Notice fully completed, within the specified 21 day period].

SCHEDULE 1

Land to which this Notice relates

29A Marshfield Road, Chippenham, Wiltshire, SN15 1JX shown outlined in black on the attached plan.

SCHEDULE 2

Suspected breach of planning control

The unauthorised change of use of premises from motor parts storage and sales (Class A1) to tile and stone processing and sales (class B2).

SCHEDULE 3

Information required by the Notice

Please see attached Sheet

WARNING

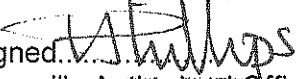
1 It is an offence to fail, without reasonable excuse, to comply with any requirement of this Notice within twenty-one days of the date on which it was served on you. The maximum penalty on conviction of this Offence is a fine not exceeding **£1000**. Continuing failure to comply will constitute a further Offence.

2 It is also an Offence to knowingly or recklessly give information in response to this Notice which is false or misleading in a material particular. The maximum penalty on conviction for this Offence is a fine not exceeding **£5000**

ADDITIONAL INFORMATION

1 If you fail to respond to this Notice the Council may take other action in respect of the suspected breach of planning control. In particular they may issue an Enforcement Notice under Section 171 of the Act requiring the breach, or any injury to amenity, caused by, it to be remedied

2 If the Council serve a STOP Notice under Section 183 of the Act, Section 186[5][b] of the Act provides that should you otherwise be entitled under Section 186, to compensation for loss or damage attributable to that Notice, no such compensation will be payable in respect of any loss or damage which could have been avoided had you given the Council the information required by this Notice, or had you otherwise co-operated with the Council when responding to it.

Dated...31/8/10.
Signed...
Council's Authorised Officer

Tony Phillips
Planning Services
Monkton Park
Chippenham
Wilts
SN15 1ER
On behalf of Wiltshire Council

SCHEDULE 3 – ref 10/138/ENF

PLEASE FILL AND RETURN THIS COPY WITH YOUR REPLY FORM

Should there be insufficient space to answer any question fully then please continue on a separate sheet or overleaf, whichever is most convenient to you.

- 1 Please print your full name.
- 2 Please print your full postal address, including postcode.
- 3 (a) Please confirm if you own all or part of the land as outlined with a thick black line on the attached plan 10/138/ENF-1

(b) If you do not own all of the land, please indicate the extent of the land you own on the attached plan. Please also provide the name and contact details of any other person who does own the land or has any legal interest in the land, stating the nature of that interest.

(c) Please also state the nature of your interest in the land (e.g. leaseholder, freeholder, tenant etc).

(d) If there is any other person who has an interest in the property within the land outlined with a thick black line on the attached plan 10/138/ENF - 1, either as a freeholder, mortgagee or lessee or who directly or indirectly receives rent from the property, please provide their name(s) and address(es).

(cont)

- 4 On the attached plan 10/138/ENF - 2 please identify and mark each building currently on the site with a unique identification number.
- 5 (a) Using the unique identification number for each building and/or part of building, (if the whole building is not used for one single activity), please specify each activity taking place within that building and/or part of building. Please clearly identify the areas used for the storage of goods, for the sale of goods, for any other storage, and for the processing of tiles and stone whether taking place inside or outside.
- (b) For the work involved in the processing of tiles and stone, please list the equipment used, the length of time that each piece of equipment is in use, and where within the site any equipment is located whilst the work takes place.
- (c) For the work involved in 5(b) please list the safety/protective equipment needed for that work
- 6 Please state how many hours each week are spent in the processing of tiles and stone.

(cont)

- 7 For each activity detailed in 5 (a), please confirm whether or not each building and/or part of building has been in continuous use for that particular activity since the use first started. If not, please give the dates during which the building and/or part of building has been in use for each activity taking place.
- 8 Using the unique identification number for each building and/or part of building, please specify the previous use of the building prior to the commencement of the latest activity.
- 9 Please specify on which days of the week each building and/or part of building is used for each specific activity detailed in 5 (a) and during what hours.
- 10 (a) Please specify how many journeys are made to the premises in connection with each activity specified in 5 (a), for example from customers or suppliers, and during what hours.

(b) If any deliveries are made to the premises in connection with these activities, please specify what types of vehicles make these deliveries, how often they take place per week and at what times of day.

10/138/ENF

(cont)

- 11 (a) For each activity detailed in 5 (a) please confirm what percentage of the business that activity comprises.
- (b) In respect of the sale of goods, please specify what percentage of the gross profit of the business this retail element comprises.
- 12 For each activity in each building and/or part of building detailed in 5 (a), please specify how many people, including you, are employed as a result of the activity. Please also indicate for each person if they are full time or part time.
- 13 Please explain why a planning application has not been submitted for the activities taking place at the site.
- 14 If you believe that planning permission is not required for any of the activities, please give your reasons.
- 15 Please provide any other information, and/or supporting evidence, which you consider may assist the Planning Authority to decide whether any activity/development is taking place at the property without planning permission or to assist the Local Planning Authority in deciding that enforcement action should not be pursued.

WILTSHIRE COUNCIL

To: Mrs A Murphy
Planning Services Wiltshire Council North
Monkton Park
Chippenham
Wilts
SN15 1ER

PLEASE **COMPLETE AND RETURN** THIS REPLY FORM TO THE ABOVE
NAMED PERSON WITHIN **21 DAYS** OF RECEIPT.

In reply to your Notice dated 31st August 2010 under Section 171C [2] and [3] of the
Town and Country Planning Act 1990, [as amended by the Planning and
Compensation Act of 1991], requiring me to provide certain information about the
nature of my interest and the interests of other persons in respect of property at:

29A Marshfield Road, Chippenham, Wiltshire, SN15 1JX

I hereby state that the answers set out in the Reply Form attached hereto, are to the
best of my knowledge a full, true, and correct Statement of all the information
required by the said Notice.

Print Name _____

Signed _____

Address _____

Postcode _____

Date _____

WILTSHIRE COUNCIL

To: Mrs A Murphy
Planning Services Wiltshire Council North
Monkton Park
Chippenham
Wilts
SN15 1ER

PLEASE **COMPLETE AND RETAIN** THIS COPY FOR YOUR INFORMATION

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I hereby state that the answers set out in the Reply Form attached hereto, are to the best of my knowledge a full, true, and correct Statement of all the information required by the said Notice.

Print Name _____

Signed _____

Address _____

Postcode _____

Date _____

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PLANNING CONTRAVENTION NOTICE



Wiltshire Council
Where everybody matters

Tile Services Direct, 29A Marshfield Road, Chippenham, Wiltshire, SN15 1JX
SCALE: 1:500

10/0138/ENF

Grid Ref.:ST 9158 7376

10/0138/ENF-1

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