

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: Mr James Barrett, Barretts Yard, 29A Stone Lane, Lydiard Millicent, Wiltshire, SN5 3LD.

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 been 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 Barretts Yard, 29A Stone Lane, Lydiard Millicent, Wiltshire, SN5 3LD, shown hatched on the attached plan, (The Land).

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is the permission reference 08/01603/S73A granted on 27th August 2008 described as: '*Variations to Conditions 3,4,5 & 7 of 07/2947FUL(Revised)*'.

A copy of the permission is attached to this notice.

4. THE BREACH OF CONDITION.

The following condition has not been complied with:

Condition 3: *No machinery shall be operated, no industrial process shall be carried out on site before 08:00 hours on weekdays and Saturdays nor after 18:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank or Public Holidays. There shall be no deliveries received or goods despatched from the site before 08:00 hours on weekdays and Saturdays nor after 17:30 hours on weekdays and Saturdays, nor before 10:00 hours and after 16:00 hours on Sundays, Bank or Public Holidays.*

Reason: *In the interests of the amenity of the area.*

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) Ensure that no machinery is operated and no industrial process carried out on site before 08:00 hours on weekdays and Saturdays nor after 18:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank or Public Holidays. Ensure that no deliveries are received or goods despatched from the site before 08:00 hours on weekdays and Saturdays nor after 17:30 hours on weekdays and Saturdays, nor before 10:00 hours and after 16:00 hours on Sundays, Bank or Public Holidays.

6. PERIOD FOR COMPLIANCE

1 month from the date this Notice is served on you.

Dated: 5 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.

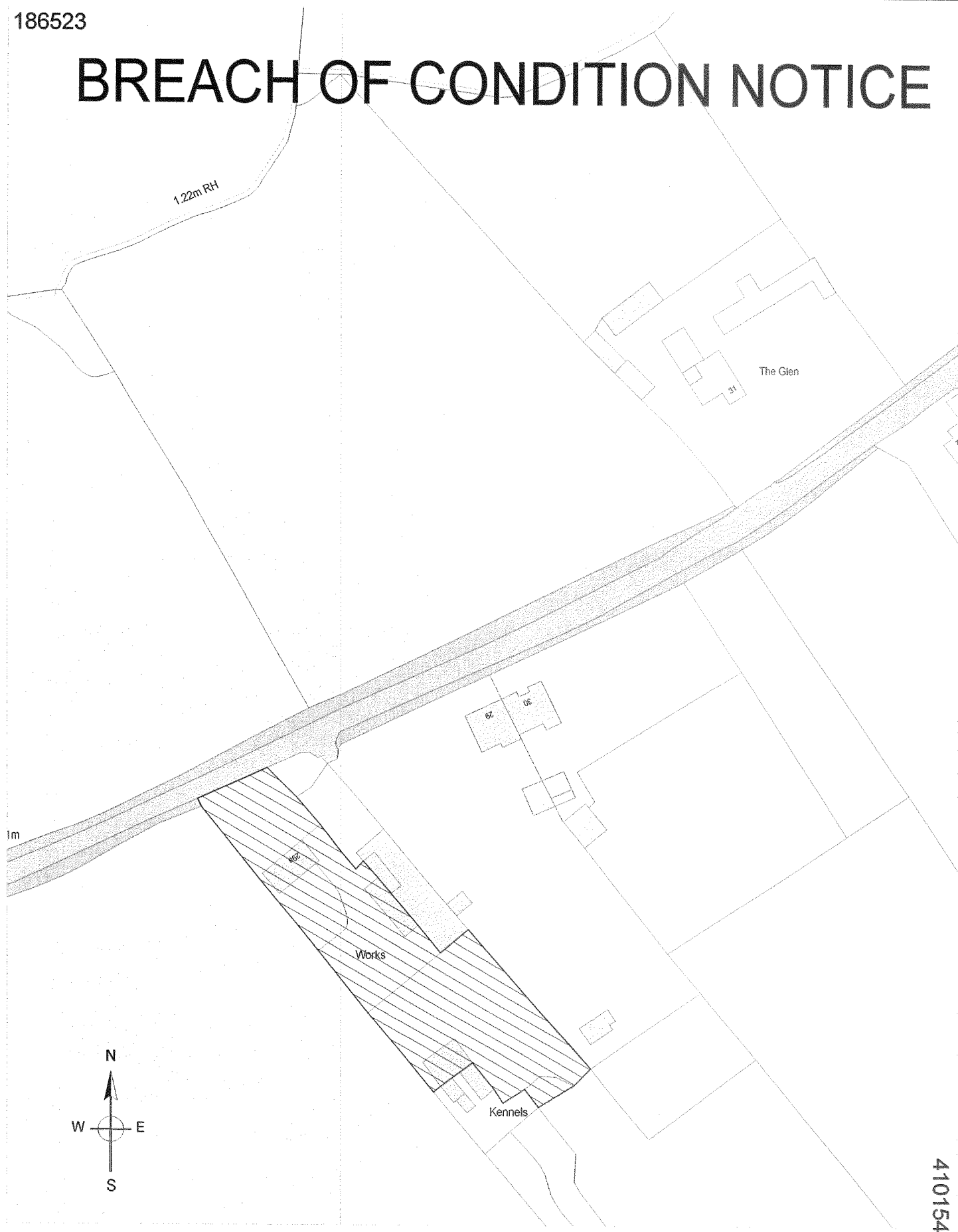
It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance time period. You will then be at risk of **immediate prosecution** in the Magistrates' Court, for which the maximum penalty is **£1,000** for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Mr T Phillips, Planning Services, Wiltshire Council North, Monkton Park, Chippenham, Wiltshire, SN15 1ER. Tel: 01249 706627

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]

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BREACH OF CONDITION NOTICE



Wiltshire Council
Where everybody matters

Barretts Yard, Stone Lane, Lydiard Millicant, Wiltshire
SCALE: 1:1250

10/0193/ENF

Grid Ref: SU 1001 8630

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