

**IMPORTANT -**

**THIS COMMUNICATION AFFECTS  
YOUR PROPERTY**

District Secretary's Department,  
G.C. Betteridge, LL.B. (Solicitor), District Secretary

DX 34208 Fax (0249) 443152

tel: CHIPPENHAM (0249) 443322 ext: 598 Rachel Hind

**E**

27

*North  
Wiltshire*

NORTH WILTSHIRE DISTRICT COUNCIL  
Monkton Park, CHIPPENHAM, SN15 1ER

Dear Sir/Madam,

22nd July 1992

**NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990**

# ● ENFORCEMENT NOTICE

Land at Lacey's House, Malmesbury Road, Brinkworth, Wiltshire

The Council have issued an Enforcement Notice relating to the above land and I now serve on you a copy of that Notice, in view of your interest in the land. Unless an appeal is made to the Secretary of State as described below, the Notice will take effect on the date shown in the box below and you must then ensure that the required steps for which you may be held responsible are taken within the period or periods specified in the Notice.

If you wish to appeal against the Notice, you should first read carefully the enclosed booklet entitled "Enforcement Notice Appeals - A Guide to Procedure". Then, you or your agent should complete the enclosed appeal form and send it, together with the extra copy of the Enforcement Notice enclosed herewith to the address on the appeal form. Your appeal **MUST BE RECEIVED** by the Department of the Environment **BEFORE THE NOTICE TAKES EFFECT**.

● There is a requirement on the Council to specify the reasons why the local planning authority consider it expedient to issue the Notice and these reasons are set out in the Notice.

Yours faithfully,

*G.C. Betteridge*

District Secretary

DATE ON WHICH NOTICE TAKES EFFECT  
AND BEFORE WHICH ANY APPEAL  
MUST BE RECEIVED 7th September 1992



27

To: Mr. Randal Parfitt  
Orchard House  
Swindon Road  
Little Somerford  
Chippenham  
Wiltshire

Raymond Webb & Son Ltd.  
11 Marsh Street  
Bristol BS1 4 AQ

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
**ENFORCEMENT NOTICE**

Land at Lacey's House, Malmesbury Road, Brinkworth, Wiltshire

WHEREAS :

- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 172 of the Town and Country Planning Act 1990 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963 on the land or premises ("the land") described in Schedule 1 below.
- (2) The breach of planning control which appears to have taken place consists in the carrying out of development by the making of the material change in the use of the land described in Schedule 2 below, without the grant of planning permission required for that development.
- (3) The Council consider it expedient, having regard to the provisions of the development plan and to all other material considerations, to issue this enforcement notice, in exercise of their powers contained in the said Section 172, for the reasons set out below.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken in order to alleviate injury to amenity which has been caused by the said development within the period specified in respect of each step in that Schedule.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 175(4) of the Act, on 7th September 1992

ISSUED 22nd July 1992

Signed

*G.C. Betteridge*  
DISTRICT SECRETARY

Monkton Park,  
Chippenham, SN15 1ER

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land at Lacey's House, Malmesbury Road, Brinkworth, shown hatched and cross-hatched on the attached plan marked "A" which is located on the south side of the B4042 Malmesbury to Wootton Bassett road shown on the attached plan marked "B" for location purposes only.

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The making of a material change in the use of the land from residential use or no use to a use for the stationing servicing and repair of motor vehicles and stationing of vehicle parts and pallets.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To cease the use of the land shown cross-hatched on plan "A" for the stationing servicing and repair of motor vehicles and stationing of vehicle parts and pallets within a period of three months.
2. To remove the motor vehicles, vehicle parts and pallets from the land shown cross-hatched on plan "A" within a period of three months.
- 3
  - (i) To cultivate the land shown cross-hatched on plan "A" to a depth of not less than 300 millimetres, after having removed all existing vegetation and waste materials within a period of three months, and
  - (ii) To plant, from the western boundary of the site to the eastern boundary, a row of Portugal laurel trees (*prunus lusitanica*) of height 45 to 60 centimetres, half a metre apart and 1 metre from the boundary fence marked XY on plan "A", and
  - (iii) To randomly plant an equal mixture of the following types of trees of height 45 to 60 centimetres, 2 metres apart within the whole of the remaining area of the land shown cross-hatched on plan "A":-  
 Mountain Ash (*sorbus acuparia*); Goat Willow (*salix caprea*); Cherry Plum (*prunus cerasifera*); Grey Alder (*alnus incana*); Hazel (*corylus avellana*)
  - (iv) Steps 3(ii) and 3(iii) shall be carried out in the first planting season following the date this Notice shall take effect and shall be maintained thereafter for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which dies by a species to be approved in writing by the Local Planning Authority.
  - (v) to erect a wooden post and double rail type fence of 1-2 metres in height along the boundary marked V-W on plan "A" within a period of three months.

STATEMENT OF REASONS WHY THE LOCAL AUTHORITY CONSIDER IT EXPEDIENT TO ISSUE THIS NOTICE

The area of hardstanding which is additional to the original hardstanding area for which planning permission was granted on 17th June 1990, is being used for the parking of lorries and stationing of ancillary equipment. In addition, lorries and trailers park on the grassed area beyond the extended hardstanding area, sometimes as little as 12 feet away from the boundary fence with the adjoining property which is sited in very close proximity to that fence.

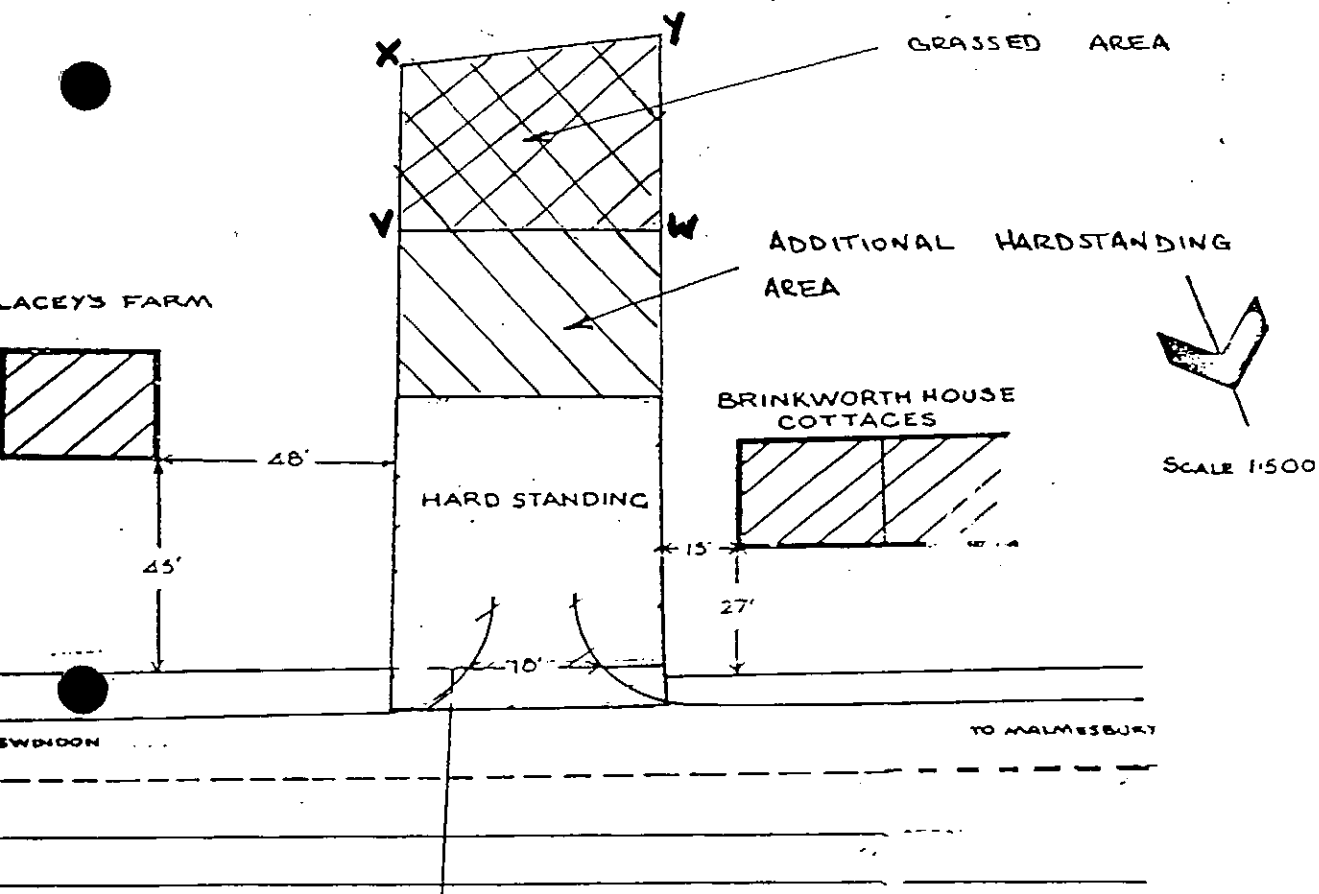
The local planning authority considers that when the grassed area is used as a lorry park it causes an unacceptable loss of amenity for the occupiers of that dwelling, which has windows on the elevation facing the boundary fence.

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NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990

# ENFORCEMENT NOTICE

PLAN 'A'





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YOUR PROPERTY**

District Secretary's Department,  
G.C. Bettendge, LL.B. (Solicitor), District Secretary

DX 34208 Fax (0249) 443152

tel: CHIPPENHAM (0249) 443322 ext: 598 Rachel Hind

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NORTH WILTSHIRE DISTRICT COUNCIL  
Monkton Park, CHIPPENHAM, SN15 1ER

*R. Burton*  
*(3)*  
*North 27*  
*Wiltshire*

Dear Sir/Madam,

22nd July 1992

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TOWN AND COUNTRY PLANNING ACT 1990  
ENFORCEMENT NOTICE**

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Yours faithfully,

*G.C. Bettendge*  
District Secretary

DATE ON WHICH NOTICE TAKES EFFECT  
AND BEFORE WHICH ANY APPEAL  
MUST BE RECEIVED 7th September 1992

To: Mr. Randal Parfitt  
Orchard House  
Swindon Road  
Little Somerford  
Chippenham  
Wiltshire

Raymond Webb & Son Ltd.  
11 Marsh Street  
Bristol BS1 4 AQ

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
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NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken in order to alleviate injury to amenity which has been caused by the said development within the period specified in respect of each step in that Schedule.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 175(4) of the Act, on 7th September 1992

ISSUED 22nd July 1992

Signed

*G.C. Betteridge*  
DISTRICT SECRETARY

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The local planning authority considers that when the grassed area is used as a lorry park it causes an unacceptable loss of amenity for the occupiers of that dwelling, which has windows on the elevation facing the boundary fence.

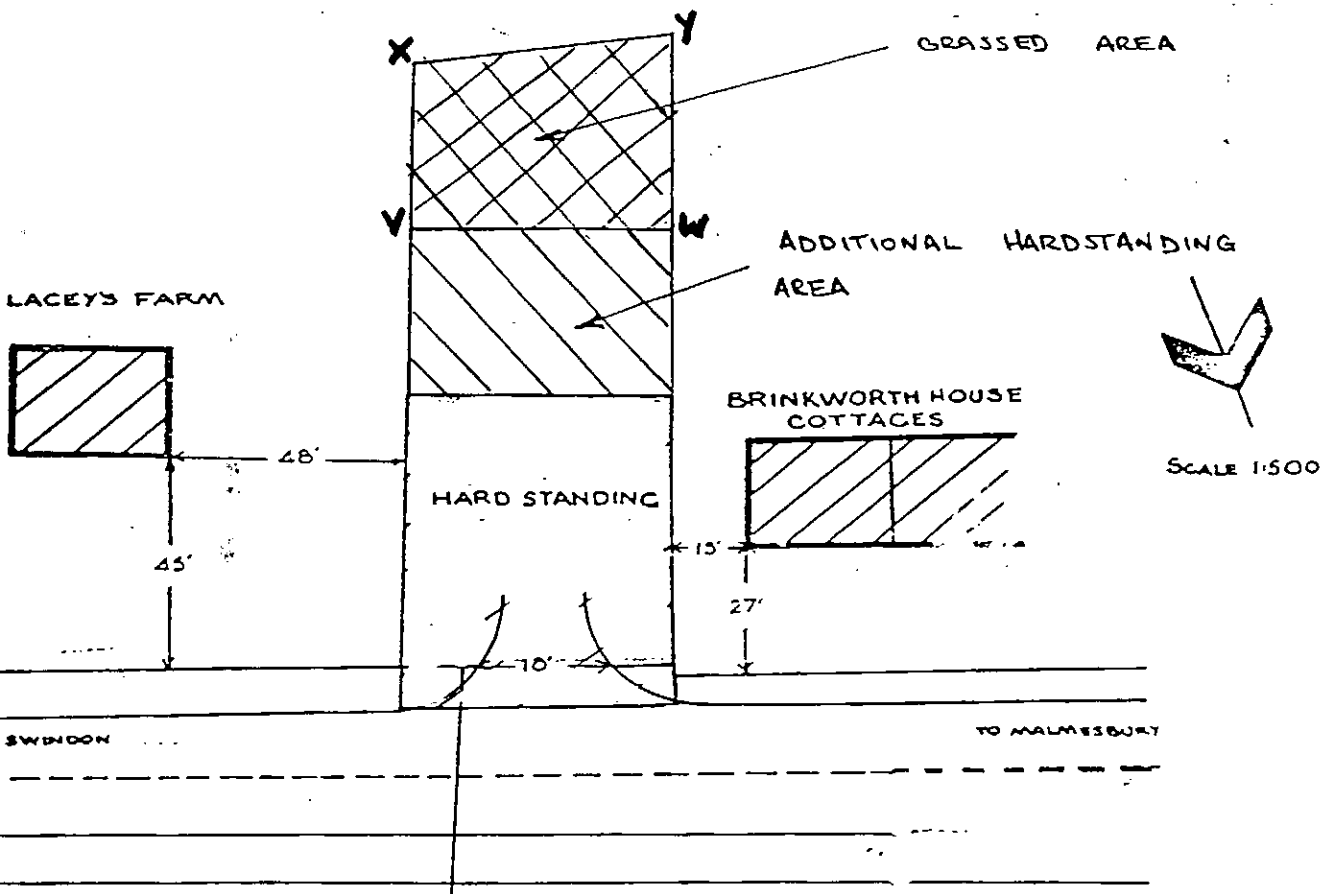


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NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990

# ENFORCEMENT NOTICE

PLAN 'A'



**E 27**

# ENFORCEMENT / NOTICE

**the land  
referred to;**

WILTSHIRE COUNTY

P104Aed.  
10-8-92**ENFORCEMENT REGISTER  
INFORMATION SHEET**

<b>E/</b> 27/92		
APPEAL	yes	no
Plan's Ref		

**ADDRESS**

LACKY'S HOUSE  
MALMESBURY RD  
BRINKWORTH.

**BREACH of CONTROL**

AS PER ATTACHED  
NOTICE

Issuing Authority NWDC

Date Issued 22.7.92

**STOP NOTICES**

Date Served

Requiring

Date(s) served

22.7.92

Takes effect 7.9.92

Compliance by 7.12.92  
planting shrubs

Dates Extended by  
Secretary of State

Date withdrawn

**REQUIREMENTS of ENFORCEMENT**

AS PER ATTACHED NOTICE

EXTENT to WHICH NOTICE COMPLIED WITH (dates)

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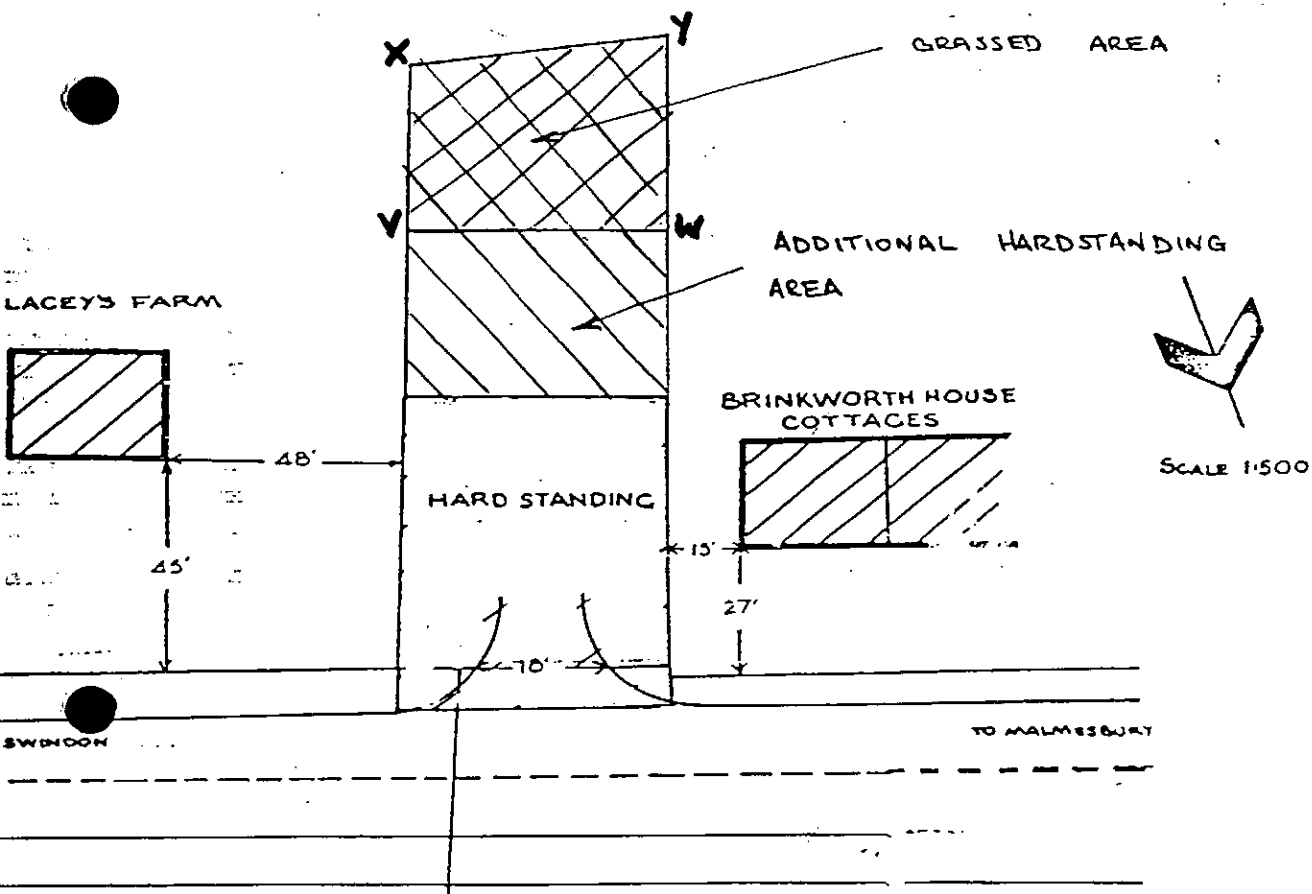
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TOWN AND COUNTRY PLANNING ACT 1990

# ENFORCEMENT NOTICE

PLAN 'A'



**E 27**

# ENFORCEMENT NOTICE

WILTSHIRE COUNTY

**the land referred to:**

Brinkworth House

OH  
187