

NORTH WILTSHIRE DISTRICT COUNCIL
ENFORCEMENT REGISTER
INFORMATION SHEET

E/315		
APPEAL	yes	no
Plan's Ref		

ADDRESS

CHURCH VIEW,
LANES END,
GASTARD,
CORSHAM

BREACH of CONTROL

Issuing Authority N. W. D. C.

Date Issued 16-8-82

STOP NOTICES

Date Served

Requiring



Date(s) served

Takes effect 27-9-82

Compliance by 27-11-82

Dates Extended by
Secretary of State

Date withdrawn

Steps required to be taken

1. To secure the discontinuance of the said land for the storage of materials and equipment connected with the business of a builder for purposes unconnected with the use of the land as a private dwellinghouse.
2. To secure the removal of all materials and equipment brought onto the said land for purposes unconnected with the use of the land as a private dwellinghouse.
3. To secure the planting of a row of five laurel shrubs (*Prunus Laurocerasus*) along the south eastern boundary of the land adjacent to St. John the Baptist Church and behind the said laurel plant towards the northern end of the above mentioned boundary a weeping birch (*Betula Pendula "Youngii"*) at the mid point of the said boundary plant a whitebeam (*Sorbus Aria*) and towards the southern end of the said boundary plant a sycamore (*Acer Pseudoplatanus*) in accordance with the approved plan, and thereafter maintain the said trees and shrubs for a period of five years
4. To secure the replacement in accordance with the approved plan of any of the said trees or shrubs which dies within a period of five years from planting in the first available planting season after the tree or shrubs demise, and thereafter maintain the same for a further period of five years.

Alleged breach of planning control

A. Description of the material change of use alleged to have been made

The making of a material change in the use of the said land from a use solely as a private dwellinghouse by the addition to the existing residential use of a use for the storage of materials and equipment in connection with the business of a builder and for purposes unconnected with the use of the land as a private dwellinghouse.

B. The condition which has not been complied with

"The tree and shrub planting indicated on the approved plan shall be implemented in the first available planting season following commencement of building operations on the site. The trees and shrubs shall be maintained to the satisfaction of the local planning authority for a period of at least five years. Any tree or shrub which dies within that period shall be replaced to the satisfaction of the local planning authority and maintained for a further period of five years."

C. Alleged breach of condition

The condition set out above has not been complied with in that the tree and shrub planting indicated on the approved plan was not carried out.

Copies to: hand Charges
Mr. C. Walker (-)

E 315.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

NORTH WILTSHIRE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971 (as amended)

ENFORCEMENT NOTICE

CHURCH VIEW, LANES END, GASTARD, CORSHAM

WHEREAS:

- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control after the end of 1963 and within a period of four years before the issue of this notice, 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 2A below, without the grant of planning permission required for that development and the failure to comply with the condition set out in Schedule 2B below relating to the planting of trees and shrubs subject to which planning permission was granted on the 21st January 1980 for the development of that land, in the respect set out in Schedule 2C below.
- (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 87 for the reasons set out in the annex to this notice.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken in order to remedy the breach within the period of two months from the date of which this notice takes effect

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act, on 27th September, 1982.

Issued Sixteenth August, 1982

North Wiltshire District Council,
Monkton Park,
Chippenham,
Wiltshire,
SN15 2LN

Solicitor to the Council

SCHEDULE 1

Land or premises to which this notice relates

The land situate at and known as Church View, Lanes End, Gastard, Corsham in the County of Wiltshire which is more particularly delineated on the plan attached hereto and thereon edged red.

SCHEDULE 2

Alleged breach of planning control

A. Description of the material change of use alleged to have been made

The making of a material change in the use of the said land from a use solely as a private dwellinghouse by the addition to the existing residential use of a use for the storage of materials and equipment in connection with the business of a builder and for purposes unconnected with the use of the land as a private dwellinghouse.

B. The condition which has not been complied with

"The tree and shrub planting indicated on the approved plan shall be implemented in the first available planting season following commencement of building operations on the site. The trees and shrubs shall be maintained to the satisfaction of the local planning authority for a period of at least five years. Any tree or shrub which dies within that period shall be replaced to the satisfaction of the local planning authority and maintained for a further period of five years."

C. Alleged breach of condition

The condition set out above has not been complied with in that the tree and shrub planting indicated on the approved plan was not carried out.

SCHEDULE 3

Steps required to be taken

1. To secure the discontinuance of the said land for the storage of materials and equipment connected with the business of a builder for purposes unconnected with the use of the land as a private dwellinghouse.
2. To secure the removal of all materials and equipment brought onto the said land for purposes unconnected with the use of the land as a private dwellinghouse.
3. To secure the planting of a row of five laurel shrubs (*Prunus Laurocerasus*) along the south eastern boundary of the land adjacent to St. John the Baptist Church and behind the said laurel plant towards the northern end of the above mentioned boundary a weeping birch (*Betula Pendula "Youngii"*) at the mid point of the said boundary plant a whitebeam (*Sorbus Aria*) and towards the southern end of the said boundary plant a sycamore (*Acer Pseudoplatanus*) in accordance with the approved plan, and thereafter maintain the said trees and shrubs for a period of five years
4. To secure the replacement in accordance with the approved plan of any of the said trees or shrubs which dies within a period of five years from planting in the first available planting season after the tree or shrubs demise, and thereafter maintain the same for a further period of five years.

THE ANNEX

STATEMENT OF REASONS

1. The permanent introduction of the use would result in the encroachment of an incompatible commercial use into a predominantly residential area, a loss of amenity to adjoining properties and the creation of a precedent for similarly undesirable development.
2. Planting is essential in the interest of the visual amenity of the area, the development would not otherwise have been permitted.

