

ENFORCEMENT REGISTER INFORMATION SHEET

E/ 375.

APPEAL

yes

no

Plan's Ref

ADDRESS

LAND FORMING PART OF
KILMS AND KILMHURST
SITE. ROWDEN HILL.
CHIPPENHAM.

BREACH of CONTROL

Issuing Authority N.W.D.C.

Date Issued 25. 8. 83

STOP NOTICES

Date Served 25. 8. 83

Requiring IMMEDIATE CESSATION
OF ALL WORKS OF FELLING
EXISTING TREES SHOWN REMAINING
IN THE APPROVED LANDSCAPING
SCHEME TAKING PLACE UPON THE
SAID LAND WITH EFFECT FROM
28. 8. 83.

Date(s) served

25. 8. 83.

Takes effect 17. ~~8~~ 83Compliance by 26. 8. 83 (1)
FIRST PLANTING
SEASONDates Extended by
Secretary of State

Date withdrawn

Steps required to be taken

1. To cease the felling of the existing trees shown as remaining on the said landscaping scheme within twenty four hours.
2. To secure within one month of the first available planting season the replacement of the trees shown as remaining on the said landscaping scheme which have been felled and thereafter maintain the same for a period of not less than five years. Any tree which dies within that period shall be replaced within one month of the first available planting season following the said trees demise and thereafter maintained for a further period of five years.

EXTENT to WHICH NOTICE COMPLIED WITH (dates)



375

Alleged breach of planning control

A. The Condition\$ which have not been complied with

Condition No. 2. "Prior to the commencement of any works on site a landscaping scheme shall be submitted to and approved by the local planning authority. Any such scheme shall include where possible, the retention of existing trees and/or hedges within and/or bordering the site. The approved scheme shall be implemented in the first available planting season following completion of the building works and shall be maintained thereafter for a period of not less than five years. Any tree 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."

B. Alleged Breach of Condition\$

Condition No. 2. set out above has not been complied with in that the existing trees shown as ^{remains} on the landscaping scheme (N/83/0085/D) approved on the 15th March, 1983, are being felled.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

NORTH WILTSHIRE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971 (as amended)

ENFORCEMENT NOTICE

Land forming part of the Elms and Elmhurst Site,
Rowden Hill, Chippenham.

WHEREAS:

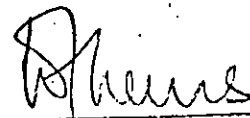
- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control within the period of 4 years before the day of issue of this notice on the land or premises (hereinafter referred to as "the land") described in Schedule 1 below.
- (2) The breach of planning control which appears to have taken place consists in the failure to comply with the condition set out in Schedule 2A below relating to the development of the land subject to which planning permission was granted on the 27th May, 1981, in the respect set out in Schedule 2B 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 specified in respect of each step in that Schedule.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act on 17th October 1983.

Issued 25th August, 1983.

Signed



Solicitor to the Council.

North Wiltshire District Council,
Monkton Park,
Chippenham,
Wiltshire.

Schedule 1.

Land or premises to which this notice relates

The land situate at and forming part of the site of the Elms and Elmhurst, Rowden Hill, Chippenham, 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. The Condition\$ which have not been complied with

Condition No. 2. "Prior to the commencement of any works on site a landscaping scheme shall be submitted to and approved by the local planning authority. Any such scheme shall include where possible, the retention of existing trees and/or hedges within and/or bordering the site. The approved scheme shall be implemented in the first available planting season following completion of the building works and shall be maintained thereafter for a period of not less than five years. Any tree 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."

B. Alleged Breach of Condition\$

Condition No. 2. set out above has not been complied with in that the existing trees shown as ^{remaining} on the landscaping scheme (N/83/0085/D) approved on the 15th March, 1983, are being felled.

Schedule 3.

Steps required to be taken

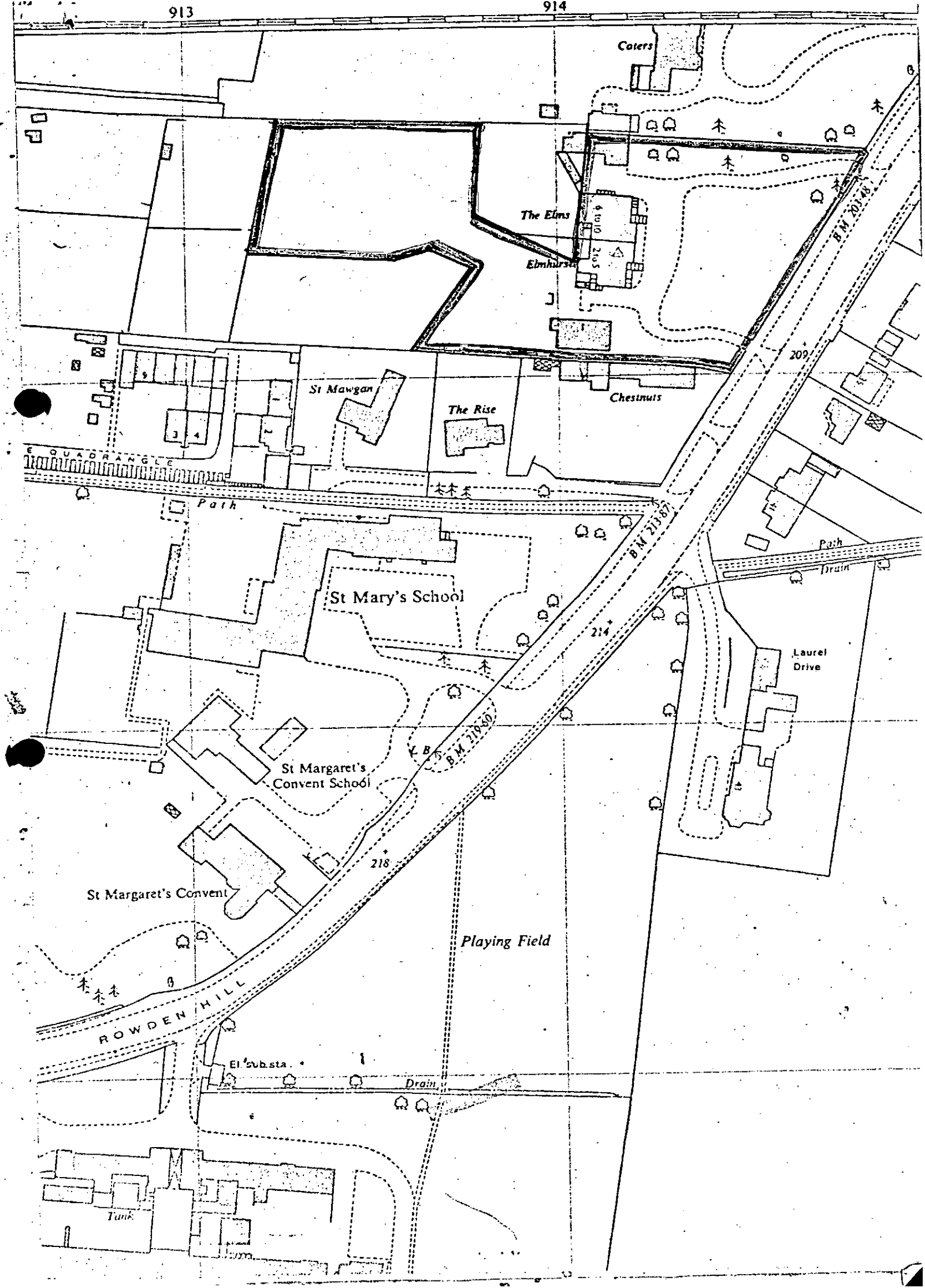
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THE ANNEX

NOTE - This does not form part of the Enforcement Notice

STATEMENT OF REASONS

1. The mature trees make a significant contribution to the character of this area and their retention would considerably reduce the impact of the new development on this site.
2. The loss of the trees would be severely detrimental to the visual amenity of the site in particular and the area in general.



NORTH WILTSHIRE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1971 (as amended)

STOP NOTICE

LAND FORMING PART OF THE SITE OF THE ELMS AND ELMSHURST, ROWDEN HILL, CHIPPENHAM

WHEREAS:

1. The North Wiltshire District Council (hereinafter referred to as "the Council") being the Local Planning Authority for the purposes of Section 90 of the Town and Country Planning Act 1971 (hereinafter referred to as "The Act") in this matter have served copies of an Enforcement Notice requiring a breach of planning control on land forming part of the site of the Elms and Elmshurst Rowden Hill Chippenham to be remedied.
2. A copy of the Enforcement Notice is annexed hereto.
3. The breach of planning control referred to in the said Enforcement Notice comprises the carrying out of works of felling existing trees shown remaining in the approved landscaping scheme.
4. The Council consider it expedient having regard to all material considerations to prevent, before the expiry of the period allowed for compliance in the enforcement notice, the carrying out of all works of felling existing trees shown remaining in the approved landscaping scheme taking place upon the land.

NOW THEREFORE the Council in pursuance of its powers under, Section 90 of the Act and all other powers it enabling HEREBY PROHIBITS and requires the immediate cessation of ALL WORKS OF FELLING EXISTING TREES SHOWN REMAINING IN THE APPROVED LANDSCAPING SCHEME taking place upon the said land with effect from the 28th August, 1983.

DATED this 25th day of August, 1983

B. Harris

Solicitor to the Council

North Wiltshire District Council,
Monkton Park,
Chippenham,
Wiltshire.

E 375

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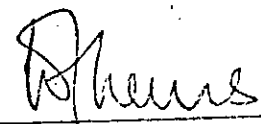
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- (2) The breach of planning control which appears to have taken place consists in the failure to comply with the condition set out in Schedule 2A below relating to the development of the land subject to which planning permission was granted on the 27th May, 1981, in the respect set out in Schedule 2B below.
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Schedule 2.

Alleged breach of planning control

A. The Conditions which have not been complied with

Condition No. 2. "Prior to the commencement of any works on site a landscaping scheme shall be submitted to and approved by the local planning authority. Any such scheme shall include where possible, the retention of existing trees and/or hedges within and/or bordering the site. The approved scheme shall be implemented in the first available planting season following completion of the building works and shall be maintained thereafter for a period of not less than five years. Any tree 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."

B. Alleged Breach of Conditions

Condition No. 2. set out above has not been complied with in that the existing trees shown as ^{remaining} on the landscaping scheme (N/83/0085/D) approved on the 15th March, 1983, are being felled.

Schedule 3.

Steps required to be taken

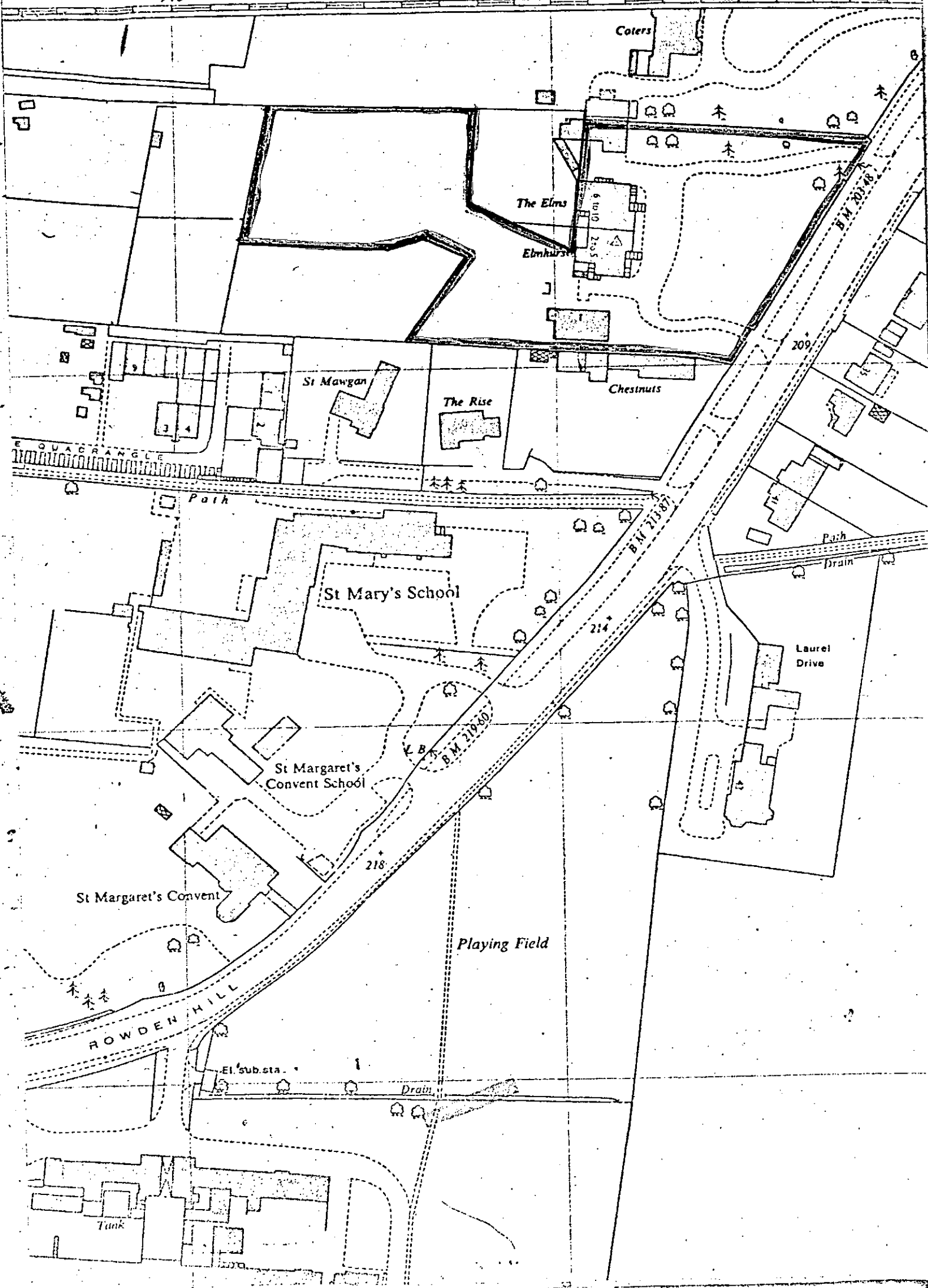
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NOW THEREFORE the Council in pursuance of its powers under, Section 90 of the Act and all other powers it enabling HEREBY PROHIBITS and requires the immediate cessation of ALL WORKS OF FELLING EXISTING TREES SHOWN REMAINING IN THE APPROVED LANDSCAPING SCHEME taking place upon the said land with effect from the 28th August, 1983.

DATED this 25th day of August, 1983



Solicitor to the Council

North Wiltshire District Council,
Monkton Park,
Chippenham,
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