

ENFORCEMENT REGISTER INFORMATION SHEET

E/ 428

APPEAL yes no

Plan's Ref

ADDRESS

THE MILL RACE
BURNIVALL
MARNESBURY
WILTS

BREACH of CONTROL

THE FILLING IN WITH
RUBBLE AND SOIL OF
A FORMER MILL RACE.

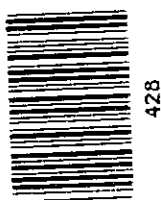
Issuing Authority NWDC.

Date Issued 19.8.85.

STOP NOTICES

Date Served

Requiring



Date(s) served

19.8.85.

Takes effect 30.9.85

Compliance by 30.1.86

Dates Extended by
Secretary of State

Date withdrawn

REQUIREMENTS of ENFORCEMENT

- 1 THE REMOVAL OF ALL TIPPED MATERIAL FROM THE SITE.
- 2 THE EXPOSURE OF THE ORIGINAL GROUND LEVEL OF THE LAND IN A TIDY CONDITION.

EXTENT to WHICH NOTICE COMPLIED WITH (dates)

IMPORTANT -

THIS COMMUNICATION AFFECTS YOUR PROPERTY

District Secretary's Department
B. J. Quorroll, LL.B., (Solicitor) District Secretary



**North Wiltshire
District Council**

Monkton Park,
Chippenham,
Wiltshire, SN15 1ER.
Tel. Chippenham (0249) 654188.
Ext. 132

Our ref **E** 428

Enquiries to Mr. McDonald

Your ref

19th August, 1985

Dear Sir/Madam,

NORTH WILTSHIRE DISTRICT COUNCIL TOWN AND COUNTRY PLANNING ACT 1971 (as amended) **ENFORCEMENT NOTICE**

THE MILL RACE, BURNIVALE, MALMESBURY, 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 and the fee specified in the box below, 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 ANNEX overleaf.

Yours faithfully,


District Secretary

DATE ON WHICH NOTICE TAKES EFFECT and BEFORE WHICH ANY APPEAL MUST BE RECEIVED - 30th September, 1985.
--

FEE WHICH MUST ACCOMPANY APPEAL - - £24

To:
The Secretary,
Linolite Limited
241 City Road,
London EC1V 1JD

ANNEX - (This does not form part of the Enforcement Notice)

REASON FOR ISSUE:-

The land lies mainly within the landscape protection and enhancement areas defined in the adopted Malmesbury Local Plan, in an area particularly significant to the present setting of the town and greatly adding to the amenities of the area. The loss of this historic feature of the Mill Race with its line of willow trees would be seriously detrimental to the visual and historic character of the area.

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1971 (as amended)
ENFORCEMENT NOTICE

----- THE MILL RACE, BURNIVALE, MALMESBURY, WILTSHIRE -----

WHEREAS :

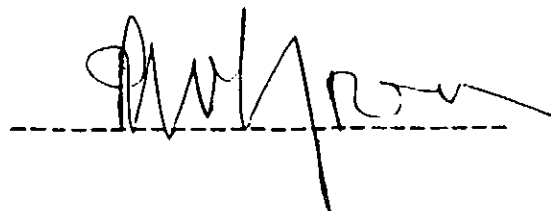
- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control within the period of four years before the date of 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 the building, engineering, mining or other operations 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 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 four months from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act, on 30th September 1985

ISSUED 19th August, 1985

Signed



Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

(over)

SCHEDULE 1 - Land or premises to which this Notice relates

The Mill Race, Burnivale, Malmesbury, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - Alleged breach of planning control

The filling in with rubble and soil of a former mill race.

SCHEDULE 3 - Steps required to be taken

1. The removal of all tipped material from the site.
2. The exposure of the original ground level of the land in a tidy condition.

MALMESBURY

No 6 WARD

E428

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1971 (as amended)
ENFORCEMENT NOTICE

the land
referred to:



Scale 1:2500

Excerpted from the Ordnance Survey
Map with the sanction of the Controller
of H.M. Stationery Office.

St Aldhelm's Mead
(Rest of Ground)

Avon

Ward Bd.

IMPORTANT

THIS COMMUNICATION AFFECTS
YOUR PROPERTY

District Secretary's Department
B. J. Quoroll, LL.B., (Solicitor) District Secretary

PLANNING
DEPARTMENT

20 AUG 1985



**North Wiltshire
District Council**

Monkton Park,
Chippenham,
Wiltshire, SN15 1ER.
Tel. Chippenham (0249) 654188.
Ext. 132

428

Our ref **E** 428

Enquiries to Mr. McDonald

Your ref

Dear Sir/Madam,

19th August, 1985

NORTH WILTSHIRE DISTRICT COUNCIL TOWN AND COUNTRY PLANNING ACT 1971 (as amended) ENFORCEMENT NOTICE

THE MILL RACE, BURNIVALE, MALMESBURY, 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 and the fee specified in the box below, 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 ANNEX overleaf.

Yours faithfully,


District Secretary

DATE ON WHICH NOTICE TAKES EFFECT and
BEFORE WHICH ANY APPEAL MUST BE
RECEIVED - 30th September, 1985.

FEE WHICH MUST ACCOMPANY
APPEAL - £24

To:
The Secretary,
Linolite Limited
241 City Road,
London EC1V 1JD

ANNEX - (This does not form part of the Enforcement Notice)

REASON FOR ISSUE:-

The land lies mainly within the landscape protection and enhancement areas defined in the adopted Malmesbury Local Plan, in an area particularly significant to the present setting of the town and greatly adding to the amenities of the area. The loss of this historic feature of the Mill Race with its line of willow trees would be seriously detrimental to the visual and historic character of the area.

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1971 (as amended)
ENFORCEMENT NOTICE

----- THE MILL RACE, BURNIVALE, MALMESBURY, WILTSHIRE -----

WHEREAS :

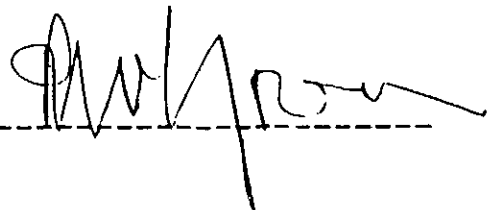
- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 87 of the Town and Country Planning Act 1971 ("the Act") in this matter, that there has been a breach of planning control within the period of four years before the date of 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 the building, engineering, mining or other operations 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 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 four months from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act, on 30th September 1985

ISSUED 19th August, 1985

Signed



Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

(over)

SCHEDULE 1 - Land or premises to which this Notice relates

The Mill Race, Burnivale, Malmesbury, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - Alleged breach of planning control

The filling in with rubble and soil of a former mill race.

SCHEDULE 3 - Steps required to be taken

1. The removal of all tipped material from the site.
2. The exposure of the original ground level of the land in a tidy condition.

MALMESBURY

No 6 WARD

E428

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1971 (as amended)
ENFORCEMENT NOTICE

the land
referred to:



Scale 1:2500

Reproduced from the Ordnance Survey
Map with the sanction of the Controller
at the Survey Office.