

NORTH WILTSHIRE DISTRICT COUNCIL
ENFORCEMENT REGISTER
INFORMATION SHEET

✓

E/ 474		
APPEAL	yes	no
Plan's Ref		

ADDRESS

LAND ADJACENT TO
37 ASH CROSSLAND.
CHIPPENHAM.

BREACH of CONTROL

THE MAKING OF A MATERIAL CHANGE
IN THE USE OF THE LAND FROM USE
FOR ALLOTMENT OR GARDEN GROWING
TO USE FOR THE STATIONING, DISMANTLING,
BREAKING, REPAIR AND SALE OF MOTOR
VEHICLES AND/OR PARTS THEREON

Issuing Authority NWDC

Date Issued 12.5.87

STOP NOTICES

Date Served 12.5.87

Requiring

THE CESSATION OF ALL ACTIVITIES
COMPRISING IN THE SAID BREACH
OF PLANNING CONTROL ON OR
AFTER THE DATE WHEN THIS STOP
NOTICE BECOMES EFFECTIVE WHICH
DATE SHALL BE 18TH MAY 1987

Date(s) served

12.5.87

Takes effect 15TH 6. 87

Compliance by 22.6.87

Dates Extended by
Secretary of State

Date withdrawn

REQUIREMENTS of ENFORCEMENT

- (1) TO CEASE THE USE OF THE LAND FOR THE STATIONING,
DISMANTLING, BREAKING, REPAIR AND SALE OF MOTOR
VEHICLES OR THEIR PARTS
- (2) TO REMOVE THE MOTOR VEHICLES AND MOTOR
VEHICLES PARTS FROM THE LAND.

EXTENT to WHICH NOTICE COMPLIED WITH (dates)



474

IMPORTANT -

THIS COMMUNICATION AFFECTS YOUR PROPERTY

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



R. BURTON

**North Wiltshire
District Council**

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

Our ref **E 474**

Enquires to Mr McDonald

Your ref

12 May 1987

Dear Sir/Madam,

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

Land adjacent to 37 Ashe Crescent, Chippenham, Wilts.

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 ANNEX overleaf.

Yours faithfully,

DATE ON WHICH NOTICE TAKES EFFECT
AND BEFORE WHICH ANY APPEAL
MUST BE RECEIVED 15th June, 1987


Assistant District Secretary

To:

Maurice Waldron
37 Ashe Crescent
Chippenham
Wiltshire
SN15 1RN

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

Reasons for issue:-

The use of the land for the activities in connection with motor vehicles alleged in the notice is severely detrimental to the residential amenity of the locality.

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

Land adjacent to 37 Ashe Crescent, Chippenham, Wilts.

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 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 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 seven days 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 15th June, 1987

ISSUED 12 May 1987

Signed

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

(over)

SCHEDULE 1 - Land or premises to which this notice relates

Land at Ashe Crescent, Chippenham, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - Alleged breach of planning control

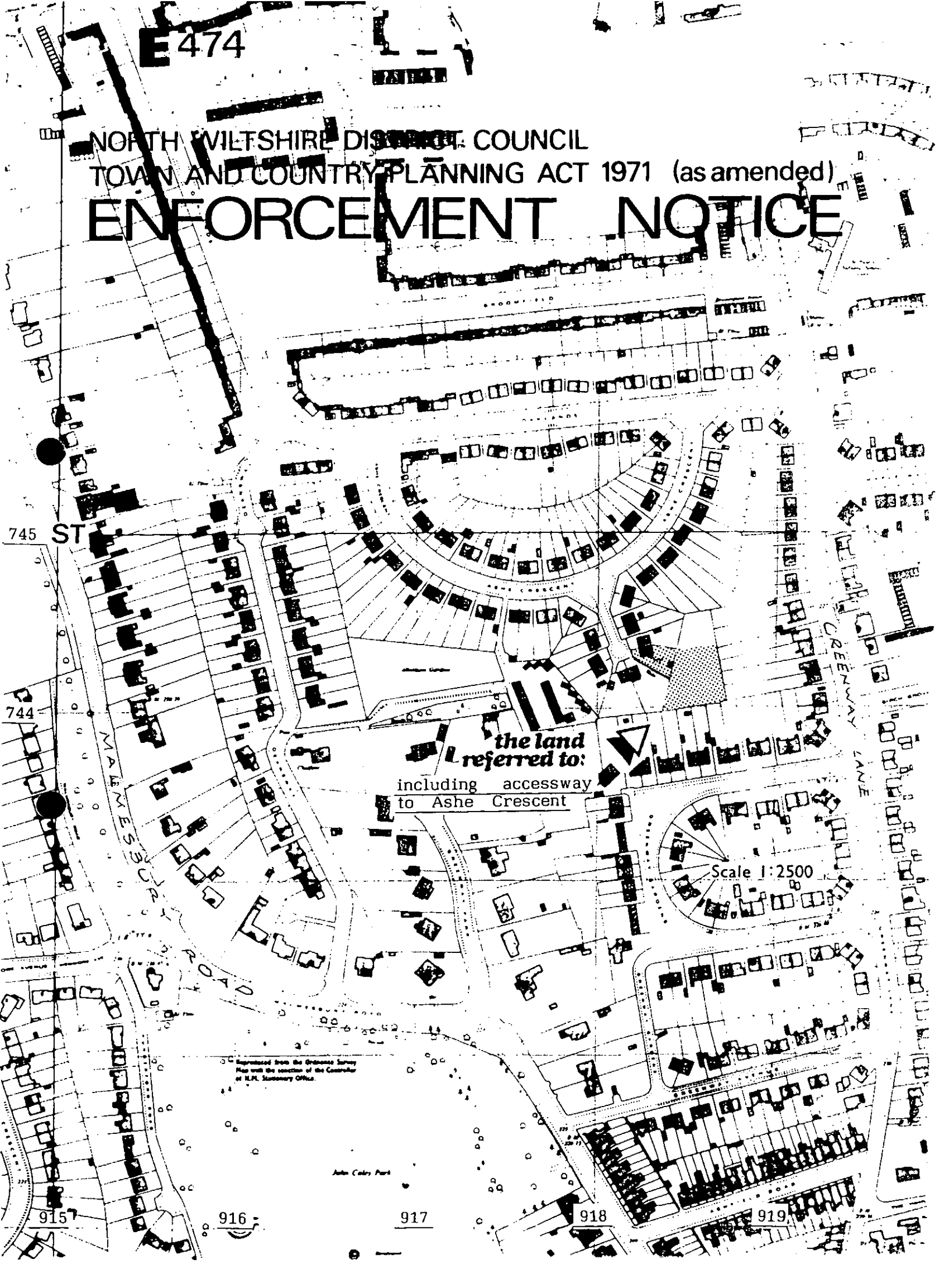
The making of a material change in the use of the land from use for allotment or garden ground to use for the stationing, dismantling, breaking, repair and sale of motor vehicles and/or parts therefrom.

SCHEDULE 3 - Steps required to be taken.

- (1) To cease the use of the land for the stationing, dismantling, breaking, repair and sale of motor vehicles or their parts.
- (2) To remove the motor vehicles and motor vehicle parts from the land.

E474

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



the land referred to:
including accessway
to Ashe Crescent

Scale 1:2500

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

John Cady Park

915

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

Land adjacent to 37 Ashe Crescent, Chippenham, Wilts.

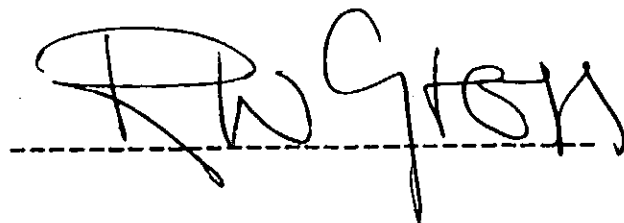
TO : Maurice Waldron, 37 Ashe Crescent, Chippenham, Wilts.

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 in this matter have served copies of an Enforcement Notice as described in the Schedule hereto and requiring a breach of planning control to be remedied.
2. The Council considers it expedient to prevent before the expiry of the period allowed for compliance with the said Enforcement Notice the carrying out of any activity comprised in the alleged breach of planning control described in the said Enforcement Notice.

NOW THEREFORE the Council in pursuance of its powers under the said Section 90 and all other powers it enabling HEREBY PROHIBITS and requires the cessation of all activities comprised in the said alleged breach of planning control on and after the date when this Stop Notice becomes effective which date shall be 18th May, 1987.

DATED this 12th May 1987



Monkton Park,
Chippenham, SN15 1ER.

S C H E D U L E

A T T E N T I O N is drawn to the copy of the Enforcement Notice which is attached hereto and to Section 90 of the Act which is reproduced overleaf

TOWN AND COUNTRY PLANNING ACT 1971 (s.90)

Stop notices

90.—(1) Where in respect of any land the local planning authority—

- (a) have served a copy of an enforcement notice requiring a breach of planning control to be remedied; but
- (b) consider it expedient to prevent, before the expiry of the period allowed for compliance with the notice, the carrying out of any activity which is, or is included in, a matter alleged by the notice to constitute the breach,

then, subject to the following provisions of this section, they may at any time, before the notice takes effect serve a further notice (in this Act referred to as a "stop notice") referring to, and having annexed to it a copy of, the enforcement notice and prohibiting the carrying out of that activity on the land, or any part of it specified in the stop notice.

(2) A stop notice shall not prohibit—

- (a) the use of any building as a dwellinghouse, or
- (b) the use of land as the site for a caravan occupied by any person as his only or main residence (and for this purpose "caravan" has the same meaning as it has for the purposes of Part I of the Caravan Sites and Control of Development Act 1960), or
- (c) the taking of any steps specified in the enforcement notice as required to be taken in order to remedy the breach of planning control;

and where the period during which an activity has been carried out on land (whether continuously or otherwise) began more than twelve months earlier, a stop notice shall not prohibit the carrying out of that activity on that land unless it is, or is incidental to, building, engineering, mining or other operations or the deposit of refuse or waste materials.

(3) A stop notice shall not take effect (and so cannot be contravened) until such date as it may specify, being a date not earlier than three nor later than twenty-eight days from the day on which it is first served on any person.

(4) A stop notice shall cease to have effect when—

- (a) the enforcement notice is withdrawn or quashed, or
- (b) the period allowed for compliance with the enforcement notice expires, or
- (c) notice of the withdrawal of the stop notice is first served under subsection (6) of this section;

and a stop notice shall also cease to have effect if or to the extent that the activities prohibited by it cease, on a variation of the enforcement notice, to be included in the matters alleged by the enforcement notice to constitute a breach of planning control.

(5) A stop notice may be served by the local planning authority on any person who appears to them to have an interest in the land or to be engaged in any activity prohibited by the notice; and where a stop notice has been served in respect of any land, the authority may display there a notice (in this section referred to as a "site notice") stating that a stop notice has been served and that any person contravening it may be prosecuted for an offence under this section, giving the date when the stop notice takes effect and indicating its requirements.

(6) The local planning authority may at any time withdraw a stop notice (without prejudice to their power to serve another) by serving notice to that effect on persons served with the stop notice and, if a site notice was displayed in respect of the stop notice, displaying a notice of the withdrawal in place of the site notice.

(7) If any person contravenes, or causes or permits the contravention of, a stop notice—

- (a) after a site notice has been displayed, or
- (b) if a site notice has not been displayed, more than two days after the stop notice has been served on him,

then, subject to subsection (8) of this section, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000, or on conviction on indictment to a fine; and if the offence is continued after conviction he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding £100 for each day on which the offence is continued, or on conviction on indictment to a fine.

(8) In proceedings for an offence under this section it shall be a defence for the accused to prove that the stop notice was not served on him and that he did not know, and could not reasonably have been expected to know, of its existence.

(9) A stop notice shall not be invalid by reason that a copy of the enforcement notice to which it relates was not served as required by section 87(5) of this Act if it is shown that the local planning authority took all such steps as were reasonably practicable to effect proper service.

(10) Any reference in this section to the period allowed for compliance with an enforcement notice shall be construed in accordance with section 89(6) of this Act.

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

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



**North Wiltshire
District Council**

Monkton Park,
Chippenham,
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Tel. Chippenham (0249) 654188.
Ext. 132

Our ref **E 474**

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12 May 1987

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Yours faithfully,

Assistant District Secretary

DATE ON WHICH NOTICE TAKES EFFECT
AND BEFORE WHICH ANY APPEAL
MUST BE RECEIVED 15th June, 1987

To:

Maurice Waldron
37 Ashe Crescent
Chippenham
Wiltshire
SN15 1RN

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

Reasons for issue:-

The use of the land for the activities in connection with motor vehicles alleged in the notice is severely detrimental to the residential amenity of the locality.

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1971 (as amended)
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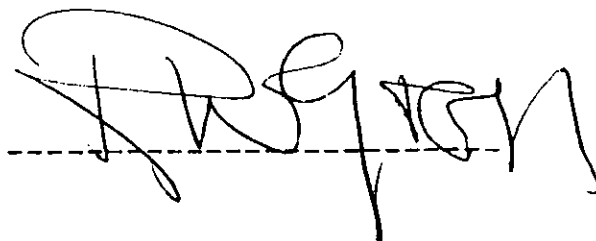
NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 below be taken in order to remedy the breach within the period of seven days from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act, on 15th June, 1987

ISSUED 12 May 1987

Signed

Monkton Park,
Chippenham, SN15 1ER.



/ SCHEDULE 1

(over)

SCHEDULE 1 - Land or premises to which this notice relates

Land at Ashe Crescent, Chippenham, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - Alleged breach of planning control

The making of a material change in the use of the land from use for allotment or garden ground to use for the stationing, dismantling, breaking, repair and sale of motor vehicles and/or parts therefrom.

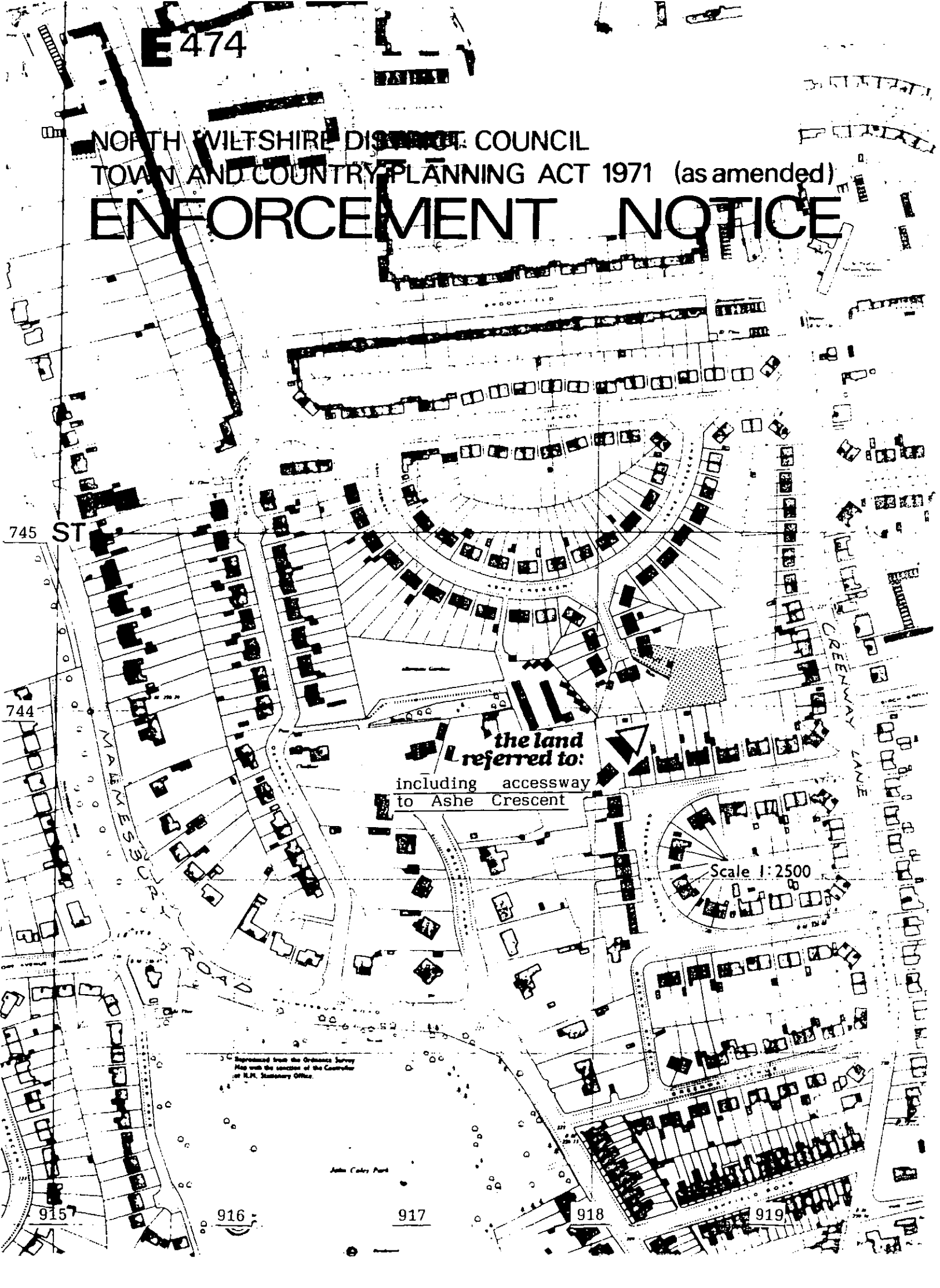
SCHEDULE 3 - Steps required to be taken.

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E 474

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

ENFORCEMENT NOTICE



the land
referred to:
including accessway
to Ashe Crescent

Scale 1:2500

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

John Coker, Part

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

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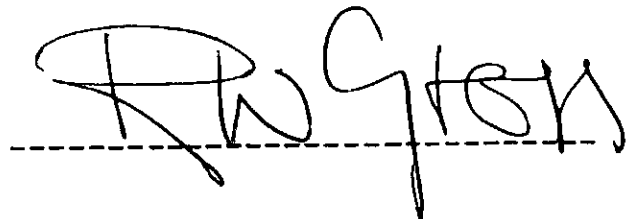
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NOW THEREFORE the Council in pursuance of its powers under the said Section 90 and all other powers it enabling
HEREBY PROHIBITS and requires the cessation of all activities comprised in the said alleged breach of planning control on and after the date when this Stop Notice becomes effective which date shall be 18th May, 1987.

DATED this 12th May 1987



Monkton Park,
Chippenham, SN15 1ER.

SCHEDULE

A T T E N T I O N is drawn to the copy of the Enforcement Notice which is attached hereto and to Section 90 of the Act which is reproduced overleaf

TOWN AND COUNTRY PLANNING ACT 1971 (s.90)

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then, subject to the following provisions of this section, they may at any time, before the notice takes effect serve a further notice (in this Act referred to as a "stop notice") referring to, and having annexed to it a copy of, the enforcement notice and prohibiting the carrying out of that activity on the land, or any part of it specified in the stop notice.

- (2) A stop notice shall not prohibit—
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 - (b) the use of land as the site for a caravan occupied by any person as his only or main residence (and for this purpose "caravan" has the same meaning as it has for the purposes of Part I of the Caravan Sites and Control of Development Act 1960), or
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