

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,
Wiltshire, SN15 1ER.
Tel. Chippenham (0249) 443322
Ext. 598

Our
Ref: **E** 606

Your
Ref:

Enquiries to:
Miss Hind

15th February 1991

Dear Sir/Madam,

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

Land at Pound House (formerly Pond Barn) West Yatton, Chippenham

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 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,

G.C. Betteridge

District Secretary

DATE ON WHICH NOTICE TAKES EFFECT AND
BEFORE WHICH ANY APPEAL MUST BE
RECEIVED 29th March 1991

To: Mr. John F. T. Van Oss
Pound House
West Yatton
Chippenham
Wiltshire SN14 7 EU



606

ANNEX - (This does not form part of the enforcement notice)

Reasons for issue:

1. The development, by reason of the loss of available domestic garaging thereby creating long term curtilage parking and future pressure for the provision of garaging and by reason of the raised and new walls obscuring the largely unaltered open fronted cow byre and dividing the curtilage, results in a domestication of the frontage to the detriment of the setting of the listed building; the character and appearance of this former agricultural complex and the wider rural scene which is an Area of Outstanding Natural Beauty
2. The development is contrary to Policies C3B and B2 of the Western Wiltshire Structure Plan, Policies B3 and C3 of the Chippenham Local Plan and Policies H11, B3, C3 and C7 of the draft North Wiltshire Local Plan 1990.

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

Land at Pound House (formerly Pond Barn) West Yatton, Yatton Keynell,

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 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 TWELVE 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 29th March 1991

ISSUED 15th February 1991

Signed

G.C. Batteidge

DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land at Pound House (formerly Pond Barn) West Yatton, Yatton Keynell, Chippenham, Wiltshire shown stipple edged on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

Unauthorised works consisting of:

1. The raising of a natural stone boundary wall to a height of between 5'8" (1.727 m.) and 7' (2.134 m.); and
2. The construction of an additional stepped wall to a maximum height of 6'6" (1.981 m.) within the curtilage of Pound House; and
3. The external alterations of the dwelling by the removal of the vertically boarded and painted timber garage door and its replacement by a single pedestrian door and natural stone infill walling. These alterations were carried out in conjunction with the removal of the sloping access to the domestic garage and the raising of the land and its retention by new natural stone walls

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. Reduce the height of the said boundary wall to its previously existing height (approximately 1m.) and replace the natural stone copings
2. Remove the said additional stepped wall within the curtilage and reinstate the lawn
3. Remove the said single pedestrian door, natural stone infill walling, raised land and new retaining walls and reinstate a vertically boarded cream painted timber garage door under a timber head and a sloping part concrete and part gravel access with side retaining walls of natural stone

in order to restore the said boundary wall the dwelling and the area within the curtilage of pound house to their former state

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,
Wiltshire, SN15 1ER.
Tel. Chippenham (0249) 654188.
Ext 598

Our ref **E** 606

Enquiries to Miss Hind

Dear Sir/Madam,

15th February 1991

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

Land at Pound House (formerly Pond Barn) West Yatton, Chippenham

The Council have issued a Listed Building Enforcement Notice relating to the above property and I now serve on you a copy of that Notice, in view of your interest in the premises.

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 or your agent should write to the Secretary of State for the Environment, Room 903, Tollgate House, Houlton Street, Bristol, BS2 9DJ setting out the grounds of appeal and stating briefly the facts on which it is proposed to rely in support of each of those grounds. Extracts from the Act are copied on the accompanying papers and your attention is drawn in particular to the list of grounds of appeal at Section 97(1) (a) to (k). You should enclose with any appeal the extra copy sent herewith of the Notice. **ANY APPEAL MUST BE RECEIVED BY THE DEPARTMENT OF THE ENVIRONMENT BEFORE THE NOTICE TAKES EFFECT.**

The reasons why the local planning authority consider it expedient to issue the Notice are briefly set out in the ANNEX overleaf.

Yours faithfully,

G.C. Betteridge
District Secretary

DATE ON WHICH NOTICE TAKES EFFECT and BEFORE WHICH
ANY APPEAL MUST BE RECEIVED - 29th March 1991

To:

Mr. John F. T. Van Oss
Pound House
West Yatton
Chippenham
Wiltshire SN14 7 EU

ANNEX - (This does not form part of the enforcement notice)

Reasons for issue:

The development adversely affects the appearance of this important barn within a listed group of former farm buildings by:-

- (i) the construction of raised boundary and new stepped walling which obscures public views of the building, divides the curtilage in a domestic manner and perpetuates a domestic appearance
- (ii) the loss of the garage and garage doors

The construction is therefore contrary to Policy B2 of the Western Wiltshire Structure Plan, Policy B3 of the Chippenham Local Plan and Policy B3 of the draft North Wiltshire Local Plan 1990.

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

Land at Pound House (formerly Pond Barn) West Yatton, Yatton Keynell, Chippenham

WHEREAS :

- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 96 of the Town and Country Planning Act 1971 ("the Act") in this matter, that works have been / are being executed to the listed building in their area described in Schedule 1 below such as to involve a contravention of Section 55 of the Act.
- (2) The contravention which appears to have taken place is described in Schedule 2 below.
- (3) The Council consider it expedient, having regard to the effect of the said works on the character of the listed building as one of special architectural or historic interest and to all other material considerations, to issue this listed building enforcement notice, in exercise of their powers contained in the said Section 96, 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 for the purpose set out in that Schedule within the period of TWELVE MONTHS from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 97 of the Act, on 29th March 1991

ISSUED 15th February 1991

Signed

G.C. Betteridge

DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER

/ SCHEDULE 1

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SCHEDULE 1 - LISTED BUILDING TO WHICH THIS NOTICE RELATES

Land at Pound House (formerly Pond Barn) West Yatton, Yatton Keynell, Chippenham, Wiltshire Listed Grade II (No. 3/542) shown stipple edged on the attached plan

SCHEDULE 2 - THE CONTRAVENTION

Unauthorised works to the building consisting of:-

1. The raising of a natural stone boundary wall to a height of between 5'8" (1.727 m.) and 7' (2.134 m); and
2. The construction of an additional stepped wall to a maximum height of 6'6" (1.981 m.) within the curtilage of Pound House; and
3. The external alterations of the dwelling by the removal of the vertically boarded and painted timber garage door and its replacement by a single pedestrian door and natural stone infill walling. These alterations were carried out in conjunction with the removal of the sloping access to the domestic garage and the raising of the land and its retention by new natural stone walls.

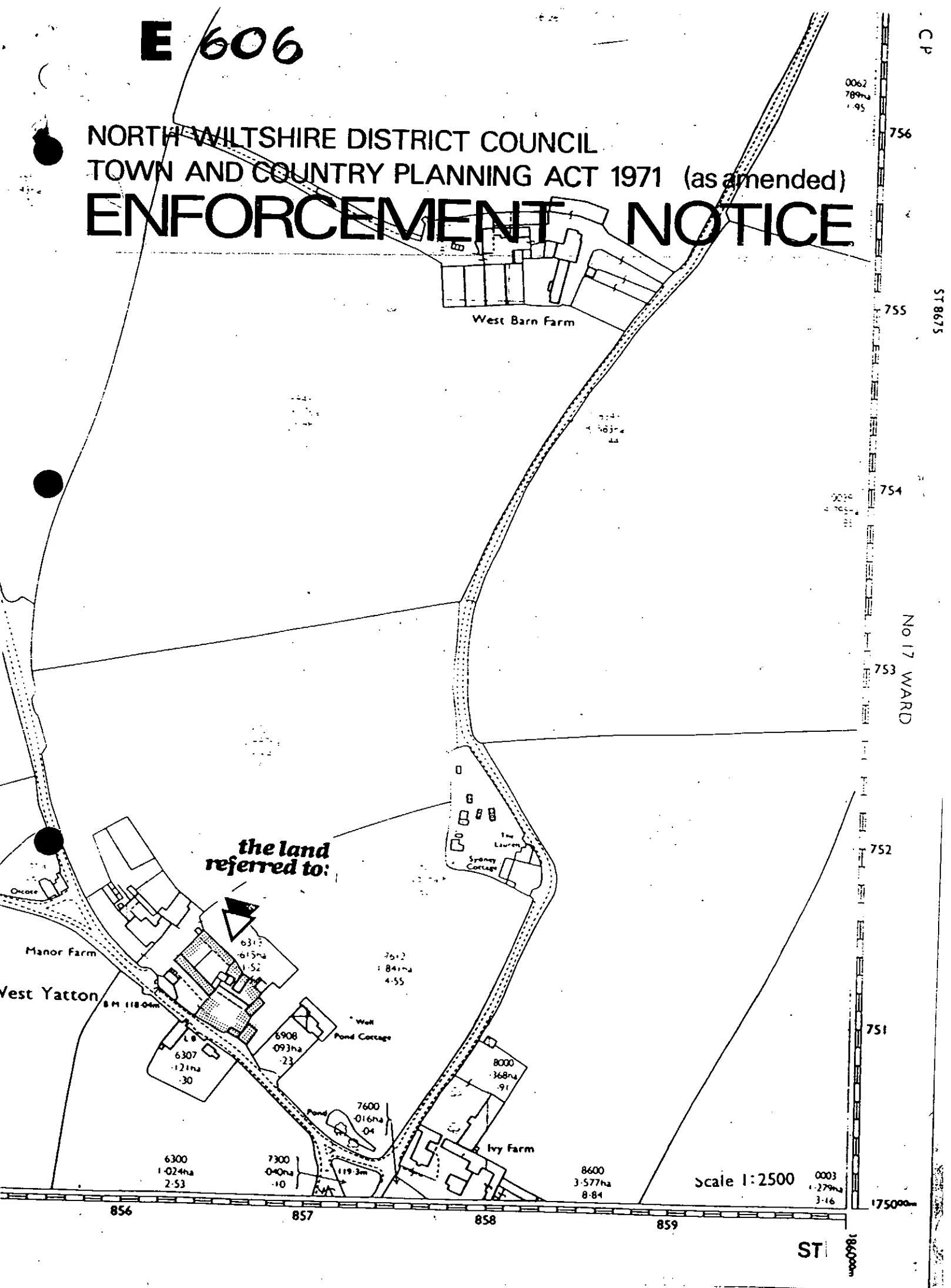
SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. Reduce the height of the said boundary wall to its previously existing height (approximately 1m.) and replace the natural stone copings
2. Remove the said additional stepped wall within the curtilage and reinstate the lawn
3. Remove the said single pedestrian door, natural stone infill walling, raised land and new retaining walls and reinstate a vertically boarded cream painted timber garage door under a timber head and a sloping part concrete and part gravel access with side retaining walls of natural stone

in order to restore the said boundary wall, the dwelling and the area within the curtilage of Pound House to their former state.

E 606

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





Planning Inspectorate
Department of the Environment

Room 1120(7) Tollgate House Houlton Street Bristol BS2 9DU 8 JAN 92

Fax 0272-218782
Telex 0272-449321

Direct Line 0272-218731
Enquiries 0272-218075
GTN 1374

R S Goodman FRICS
Brooks Chartered Surveyors
2 Princes Street
BATH
BAL 1HL

Your Reference
RSG/MMT/15/91
Council Reference
E.606
Our Reference
T/APP/F/91/J3910/607973
T/APP/C/91/J3910/608661
Date
26 JAN 92

Sir

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990,
SECTION 39 AND SCHEDULE 3
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 174 AND SCHEDULE 6
APPEALS BY MR J F T VAN OSS
LAND AND BUILDING AT POUND HOUSE (FORMERLY POND BARN) WEST YATTON, YATTON
KEYNELL, CHIPPENHAM, WILTSHIRE

1. I have been appointed by the Secretary of State for the Environment to determine your client's appeals. These appeals are against a listed building enforcement notice and an enforcement notice issued by the North Wiltshire District Council concerning the above land and building. I have considered the written representations made by you and by the Council and also those made by interested persons. As you know I inspected the site on 26 November 1991.

LISTED BUILDING ENFORCEMENT NOTICE AND ENFORCEMENT NOTICE

2. a. The notices were issued on 15 February 1991.

b. The contravention of Section 7 and the breach of planning control alleged in the notices is: (1) the raising of a natural stone boundary wall to a height of between 5'8" (1.727m) and 7'0" (2.134m); and (2) the construction of an additional stepped wall to a maximum height of 6'6" (1.981m) within the curtilage of Pound House; and (3) the external alterations of the dwelling by the removal of the vertical boarded and painted timber garage door and its replacement by a single pedestrian door and natural stone infill walling. These alterations were carried out in conjunction with the removal of the sloping access to the domestic garage and the raising of the land and its retention by natural new stone walls.

c. The requirements of the notice are: (1) reduce the height of the said boundary wall to its previously existing height (approximately 1m) and replace natural stone copings; (2) remove the said additional stepped wall within the curtilage and reinstate the lawn; (3) Remove the said single pedestrian door, natural stone infill walling, raised land and new retaining walls and reinstate a vertically boarded cream painted timber garage door under a timber head and a sloping part concrete part gravel

access with side retaining walls of natural stone, in order to restore the said boundary wall, the dwelling, and the area within the curtilage of Pound House to their former state.

d. The period for compliance with the notices is twelve months from the date on which the notice takes effect.

e. The appeals were made on the grounds set out in Section 39(1) (a) (b) (e) (g) and (i) of the 1990 Act and Section 174(2) (a) (b) and (g) of the principal Act.

3. Pound House is one of four residential properties in a recent conversion of Manor Farmhouse and farm buildings. Manor Farmhouse and the attached barn (Old Barn) are 18th century Grade II listed buildings and the front railings and front walls to the farmhouse are also listed in Grade II for group value. The remaining buildings in the group comprise three cow byres, which are now outbuildings to the four properties, a granary block, (Dovecote House) and Pond Barn which is now Pound House. The site lies within an Area of Outstanding Natural Beauty.

4. The garden to Pound House is enclosed by a stone wall. The notices refer to an addition to this wall between the end of a cow byre and the entrance gate where it has been raised from around one metre to two metres. There is also a new stepped wall within the garden running from the entrance gate towards the front door. The third allegation in the notices refers to the replacement of a basement garage entrance and ramp with a wall and door and steps leading down to it.

PLAN ACCOMPANYING THE NOTICES

5. You point out that the plan accompanying the notices is incorrect and includes land beyond the limits of your client's ownership. The council accept that this was an error in the drafting of the plan and have prepared a fresh plan. You consider that the new plan is correct and raise no objection to its incorporation into the notices. Both parties accept that this correction can be made without injustice and I will therefore substitute the new plan for the notice plans and deal with the appeals on that basis.

LISTED BUILDING ENFORCEMENT NOTICE

Appeal on ground (a)

6. For your client, you submit that Pound House no longer forms part of the curtilage of a listed building and so is not subject to listed building control. The council contend that the property remains part of the larger farmstead, centred on the listed farmhouse and barn, to which listed building control applies.

7. Section 1(5)(b) of the Act states that any object or structure within the curtilage of a listed building which, although not fixed to the building, has formed part of the land and has done so since 1948, shall be treated as part of the listed building. Circular 8/87, at paragraph 86, refers to this type of object or structure as a curtilage building and to the related listed building as the principal building.

8. Manor Farmhouse and barn were first listed in 1960 and remained on the list when the area was resurveyed in 1985. At that time, it was part of an agricultural holding. Ownership changed hands in 1986, listed building

consent and planning permission were granted for the conversion scheme and work to convert the buildings was carried out between 1988 and 1990. Your client contracted to purchase Pound House in November 1989 and part of the contract included additional works to the property which are the subject of the notices. From the papers before me, the alleged works appear to have been carried out during late January and early February 1990. The purchase was completed on 16 February 1990 and Pound House was the last of the converted agricultural buildings to be sold. The developer occupied Manor Farmhouse. The question to be addressed is whether Pound House was a curtilage building at the time the alleged works were carried out.

9. The Courts have held that three factors should be taken into account in deciding whether a structure is a curtilage building. The first is the physical layout of the principal building and the structure. Pound House was an agricultural building within the farmstead at Manor Farm. In January 1990, Pound House was part of a conversion scheme of a group of redundant buildings. The second factor is ownership, past and present. At the time of listing, Manor Farmhouse and Pound House were owned by a farmer. During the conversion work and the alleged works, the listed farmhouse and Pound House were owned by a developer. Your client's ownership of Pound House appears to postdate the alleged works. The third factor is the use or function of the building and structure, past and present. Pound House was an agricultural building within the farmstead when the farmhouse was listed. At the time of the alleged works, Pound House was a separate residential unit awaiting occupation.

10. From these findings, I consider that two factors, physical layout and ownership, point to Pound House being a curtilage building at the time of the alleged works and the other factor, function, counts against it being considered so. I give weight to the present and past physical layout of the group of buildings, including Pound House, which was an agricultural group related to the listed farmhouse and barn. I consider that, despite a number of approved changes in layout and enclosure, they remain, in their materials and disposition, a single ensemble of buildings. I therefore conclude that, for the purposes of the listed building enforcement notice, your client's property is a curtilage building to be treated as if part of the listed farmhouse.

11. No specialist evidence is submitted to show that Pound House is not of special architectural or historic interest. I consider that its form and use of materials contributes to the vernacular quality of the group of former farm buildings. In conclusion, I consider that it has not been shown that Pound House, which is to be treated as part of the listed farmhouse, is not of special architectural or historic interest. Your client's ground (a) appeal therefore fails.

Appeal on ground (b)

12. You argue that the works are of a minor nature when viewed in the context of the whole of the original farmstead and have not affected its character.

13. The basis of a ground (b) appeal is that the matters alleged in the notice to constitute a contravention of section 7, namely, the raising and the construction of walls and the infilling of a garage opening, do not involve such a contravention. Section 7 requires authorisation for any works for the alteration to a listed building in any manner which would affect its character as a building of special architectural or historic interest. Pound House is

to be treated as part of a listed building. The matter to be decided is whether the works alleged in the notice have affected the character of your client's property.

14. I believe that the works have affected the character of Pound House in the following ways. The front elevation of the house has been altered from one with a timber garage door and ramp access to one with a solid wall and door and stepped access. The walls have changed the degree of enclosure of the front garden to the house. As a matter of fact and degree, I consider that the alleged works have affected the character of Pound House, which is to be treated as part of the listed farmhouse. Whether the effect of the works is positive or negative is considered under the ground (e) appeal. The works have not been authorised and therefore there has been a contravention of section 7. Your client's ground (b) appeal therefore fails.

Appeal on ground (e)

15. The main issue to be determined in the ground (e) appeal is the impact of the unauthorised works on the special architectural or historic character of Pound House and the former farmstead as a whole.

16. At my inspection, it struck me that Pound House is of less interest than the other curtilage buildings. The authorised conversion work entailed gutting the structure, raising the roof, the formation of new openings in the solid walls of the old barn and the addition of a new projecting extension to the old barn and these changes have removed some of its agricultural interest. Its main architectural and historic interest lies in its bold barn-like form and its use of traditional local materials. In my opinion, the change in the elevation to the new extension has not had an adverse effect on this special interest and the strong and noble form of the old agricultural building is unchanged. The new stepped wall does introduce a subdivision into the former foldyard space, which is now a front garden, but is not so high or so lengthy or so poorly detailed as to have an adverse impact. The additional height to the perimeter wall simply produces a wall which is similar to others nearby and is a typical means of enclosure in this former farmstead. I consider that the council concern to protect the special interest of this old steading is well founded. I believe that the unauthorised works leave its best features intact.

17. Paying special regard to the desirability of preserving the special architectural or historic interest of structures which are to be treated as part of listed buildings, I consider that listed building consent should be granted for the retention of the unauthorised works. Your client's appeal on ground (e) therefore succeeds and the listed building enforcement notice will be quashed. The appeal on grounds (g) and (i) do not fall to be considered.

ENFORCEMENT NOTICE

Appeal on ground (b)

18. There is a difference of opinion regarding permitted development of Pound House at the time the alleged breach of planning control took place. The council have submitted two photographs dated January 1990 which show Pound House, substantially complete, but prior to the execution of the alleged alterations listed in the notice. From this evidence, it is clear to me, as a matter of fact and degree, that Pound House was then a dwellinghouse with a curtilage and so could benefit from any further development permitted by the Town and Country Planning General Development Order 1988 (GDO).

19. I am aware that planning permission was granted for the conversion of the barn to Pond House subject to conditions which restrict the permitted development of extensions, external alterations, and means of enclosure. However, the notice before me does not allege a breach of these conditions. I have considered whether the recital to the notice could be changed to that of a breach of condition notice. The Act empowers the correction of notices where to do so would not cause injustice to either party. I believe that, in this appeal, injustice would be caused to the parties if such a correction was made to the notice in that one or both parties would have a materially different case to answer. Accordingly, I will deal with the notice as one which alleges operational development.

20. Dealing with the first two allegations involving the construction of walls. Class A of Part 2 of Schedule 2 to the GDO, at A1(d), states that development within the curtilage of, or to a wall surrounding, a listed building is not permitted by the Order. The walls were erected at a time when Pound House was within the curtilage of the listed farmhouse and was to be treated as part of that building. Therefore, they were development which was not permitted by the GDO. Planning permission has not been obtained for this development and therefore the construction of the walls constitutes a breach of planning control.

21. The third allegation entails an alteration to the external wall of the dwellinghouse. Such alterations are permitted by Class A of Part 1 to Schedule 2 to the GDO subject to certain parameters being met. I consider that all the parameters are met in this case. My view is that the alteration to the front wall alleged in the notice is development which is permitted by virtue of Class A of Part 1 to Schedule 2 to the GDO. The carrying out of this work does not therefore constitute a breach of planning control.

22. Your client's ground (b) appeal therefore succeeds in respect of the external alterations to the dwellinghouse and fails in respect of the construction of the two walls. The notice will be corrected to reflect this.

Appeal on ground (a)

23. The ground (a) appeal seeks planning permission for the retention of the two unauthorised walls. The main issue in this appeal is the impact of the retention of the walls on the special architectural or historic interest of Pound House and the farmstead.

24. As I have already explained, I consider that the walls have an acceptable impact on Pound House and the former farm complex. They are constructed of local materials and blend in well with the other new work in the conversion scheme. The council object to the screening by the walls of the interesting cow byres in the front garden. I accept that this engaging feature of the group of buildings is now less visible to public view but this public display did not strike me as vital to the preservation of the agricultural interest embodied in the conversion scheme. Any future agricultural building historian could seek permission to inspect the part-hidden cow byres from the land owner.

25. Section 66(1) of the Act requires that in considering whether to grant planning permission for development which affects a listed building, special regard should be had to the desirability of preserving any features of special architectural or historic interest which it possesses. With this in mind, I consider that planning permission should be granted for the retention of the

two walls. Your client's ground (a) appeal succeeds and the notice, as corrected, will be quashed. The ground (g) appeal does not fall to be considered.

OTHER MATTERS

26. I have had regard to the other points raised, including the cases quoted by both parties, but these matters do not outweigh the main considerations leading to my decisions.

FORMAL DECISIONS

Listed Building Enforcement Notice : T/APP/F/91/J3910/607973

27. For the above reasons, and in exercise of the powers transferred to me, I hereby;

- i. direct that plan A attached to this letter be substituted for the plan accompanying the listed building enforcement notice.

Subject thereto, I allow your client's appeal, direct that the listed building enforcement notice be quashed and grant listed building consent for the retention of the raising of a natural stone boundary wall to a height of between 5'8" (1.727m) and 7'0" (2.134m); and the construction of an additional stepped wall to a maximum height of 6'6" (1.981m) within the curtilage of Pound House; and the external alterations of the dwelling by the removal of the vertical boarded and painted timber garage door and its replacement by a single pedestrian door and natural stone infill walling at Pound House, West Yatton, Yatton Keynell, Chippenham.

Enforcement Notice : T/APP/C/91/J3910/608661

28. For the above reasons, and in exercise of the powers transferred to me, I hereby;

- i. direct that plan B attached to this letter be substituted for the plan accompanying the enforcement notice.
- ii. allow your client's appeal on ground (b) in respect of the external alterations of the dwelling by the removal of the vertical boarded and painted timber garage door and its replacement by a single pedestrian door and natural stone infill walling at Pound House.
- iii. direct that the notice be corrected and varied by the deletion of paragraph 3 from Schedules 2 and 3 of the notice.
- iv. allow your client's appeal, direct that the enforcement notice, as corrected and varied, be quashed and grant planning permission for the retention of the raising of a natural stone boundary wall to a height of between 5'8" (1.727m) and 7'0" (2.134m); and the construction of an additional stepped wall to a maximum height of 6'6" (1.981m) within the curtilage of Pound House, West Yatton, Yatton Keynell, Chippenham.

29. These decisions do not convey any approval or consent required under any enactment, byelaw, order or regulation other than Section 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 57 of the Town and Country Planning Act 1990.

RIGHT OF APPEAL AGAINST DECISION

30. This letter is issued as the determination of the appeals before me. Particulars of the rights of appeal against the decisions to the High Court are enclosed for those concerned.

31. A further letter concerning your client's application for an award of costs will be sent to you as soon as possible.

I am Sir
Your obedient Servant

J. T. Griffiths

J T GRIFFITHS MA(Arch) MSc RIBA MRTPI DMS
Inspector
ENCS

Ref Nos: T/APP/F/91/J3910/607973 and T/APP/C/91/J3910/608661

A

This is the plan referred to in my decision letter.

J.T. Griffiths

6 JAN 92

J T GRIFFITHS MA(Arch) MSc RIBA MRTPI DMS
Inspector

the REVISED PLAN ("Appendix 1")
accompanying the planning authority's
letter of 30th July 1991, the referable
parcel of land being that shewn **HATCHED**

