

NORTH WILTSHIRE DISTRICT COUNCIL

ENFORCEMENT REGISTER INFORMATION SHEET

E/ 627 A.

APPEAL yes no

Plan's Ref

ADDRESS

LAND ADJACENT TO
THE GARTH
IVY LAND
CH. PASHAM

BREACH of CONTROL

EXCAVATION OF THE LAND ADJACENT
TO THE BATH ROAD BOUNDARY IN CLOSE
PROXIMITY TO THE BASE OF A WIND FENCE
WHICH IS THE SUBJECT OF LAND PRESERVATION
ORDER TOGETHER WITH THE PARTIAL
DEMOLITION OF THE WALL TO THE
BATH ROAD FRONTAGE

Issuing Authority NWDC

Date Issued 9.5.91

STOP NOTICES

Date Served

Requiring



627 A

Date(s) served

9.5.91

Takes effect 21.6.91

Compliance by 21.8.91

Dates Extended by
Secretary of State

Date withdrawn

REQUIREMENTS of ENFORCEMENT

1. To backfill the excavated area with sub soil similar to the existing soil.
2. To spread a layer of good quality top soil on top of the backfilled area to a minimum depth of 300mm. to bring the level up to the existing surrounding ground level.
3. To rebuild the partially demolished wall to the Bath Road frontage with stone similar to that of the remaining wall.

EXTENT to WHICH NOTICE COMPLIED WITH (dates)

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** 627 A

Your Ref:

Enquiries to:
Miss Hind

Dear Sir/Madam,

9th May 1991

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

Land adjacent to The Garth, Ivy Road, Chippenham, 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 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 21st June 1991

To: The Secretary
Runvalue Ltd.
The Cott
Pewsham
Chippenham

The Secretary
Ashway Financial Services plc
73 London Road
Alderley Edge
Cheshire
SK9 7DY

Mr. M. J. Lewthwaite
Cork Gully
Joint Administrative Receiver
66 Queen Square
Bristol
BS1 4JP

E627 A

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

Reason for issue:

Enforcement is necessary to ensure the re-instatement of the land and boundary wall and in the interests of the long term viability, safety and public amenity value of the lime trees and the appearance and character of the area.

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

----- Land adjacent to The Garth, Ivy Road, Chippenham 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 TWO 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 21st June 1991

ISSUED 9th May 1991

Signed G.C. Bettridge
DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land adjacent to The Garth, Ivy Road, Chippenham, Wiltshire
shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

Excavation of the land adjacent to the Bath Road boundary in close proximity to the base of a lime tree which is the subject of Tree Preservation Order together with the partial demolition of the wall to the Bath Road frontage.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To backfill the excavated area with sub soil similar to the existing soil.
2. To spread a layer of good quality top soil on top of the backfilled area to a minimum depth of 300mm. to bring the level up to the existing surrounding ground level.
3. To rebuild the partially demolished wall to the Bath Road frontage with stone similar to that of the remaining wall.

627

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

the land referred to:

CHIPPENHAM M B
CHIPPENHAM WITHIN C

Scale 1:2500

6900
6-65

Metres
173000

914

915

916

917

ST

ST 9273

736

735

734

733

732

731

0 100 Links

IMPORTANT -

THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

10 MAY 1991



**North Wiltshire
District Council**

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

Our Ref: **E** 627 A

Your Ref:

Enquiries to:
Miss Hind

Dear Sir/Madam,

9th May 1991

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Yours faithfully,

G.C. Betteridge
District Secretary

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BEFORE WHICH ANY APPEAL MUST BE
RECEIVED 21st June 1991

To: The Secretary
Runvalue Ltd.
The Cott
Pewsham
Chippenham

The Secretary
Ashway Financial Services plc
73 London Road
Alderley Edge
Cheshire
SK9 7DY

Mr. M. J. Lewthwaite
Cork Gully
Joint Administrative Receiver
66 Queen Square
Bristol
BS1 4JP

E627 A

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

Reason for issue:

Enforcement is necessary to ensure the re-instatement of the land and boundary wall and in the interests of the long term viability, safety and public amenity value of the lime tree and the appearance and character of the area.

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

----- Land adjacent to The Garth, Ivy Road, Chippenham 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.

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THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act, on 21st June 1991

ISSUED 9th May 1991

Signed

G.C. Bettelheim

DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land adjacent to The Garth, Ivy Road, Chippenham, Wiltshire
shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

Excavation of the land adjacent to the Bath Road boundary in close proximity to the base of a lime tree which is the subject of Tree Preservation Order together with the partial demolition of the wall to the Bath Road frontage.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To backfill the excavated area with sub soil similar to the existing soil.
2. To spread a layer of good quality top soil on top of the backfilled area to a minimum depth of 300mm. to bring the level up to the existing surrounding ground level.
3. To rebuild the partially demolished wall to the Bath Road frontage with stone similar to that of the remaining wall.

627

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

ENFORCEMENT NOTICE

the land
referred to:

CHIPPENHAM M B
CHIPPENHAM WITHIN CP

Scale 1:2500

6900
6.65

Metres

173000

Links 100

ST

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 **E** 627 B
Ref:

Your
Ref:

Enquiries to:
Miss Hind

Dear Sir/Madam,

9th May 1991

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

Land adjacent to The Garth, Ivy Road, Chippenham, Wiltshire

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Yours faithfully,

G.C. Betteridge
District Secretary

DATE ON WHICH NOTICE TAKES EFFECT AND
BEFORE WHICH ANY APPEAL MUST BE
RECEIVED 21st June 1991

To: The Secretary
Runvalue Ltd.
The Cott
Pewsham
Chippenham

The Secretary
Ashway Financial Services plc
73 London Road
Alderley Edge
Cheshire
SK9 7DY

Mr. M. J. Lewthwaite
Cork Gully
Joint Administrative Receiver
66 Queen Square
Bristol
BS1 4JP

E627 B

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

Reason for issue:

Enforcement is necessary to ensure that the proper institution of tree and hedge protection measures prior to the construction continuing in the interests of the appearance and character of the street scene.

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

Land adjacent to The Garth, Ivy Road Chippenham, 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 failure to comply with conditions or limitations subject to which planning permission was granted, that permission and the relevant condition being more fully described in Schedule 2 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 on which this Notice takes effect:

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 88(10) of the Act, on 21st June 1991

ISSUED 9th May 1991

Signed G. C. B. B. B. B. B.
DISTRICT SECRETARY

Monkton Park,
Chippenham SN15 1ER

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land adjacent to The Garth, Ivy Road, Chippenham, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The failure to comply with a condition of planning permission by commencing the development permitted by planning permission N.90.1529.F 6th August 1990 (Erection of detached dwelling) - by failing to ensure that the existing frontage shrub planting and any trees are protected from damage by chestnut paling fencing during the construction of the dwelling thereby permitted.

The condition referred to in the above planning permission is:-

No tree within sight shall be cut down, up rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, without the prior approval in writing of the local planning authority. To ensure the existing frontage shrub planting and any trees shall be protected from damage by chestnut paling fencing during the construction of the dwelling hereby permitted.

Reason :- In the interests of the appearance and character of the street scene.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To construct chestnut paling fencing to ensure that the existing frontage shrub planting of any trees shall be protected from damage during the construction of the dwelling permitted by planning permission N.90.1529.F.
2. To plant additional laurel shrubs to replace those lost or damaged in the part construction of this dwelling

627

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

the land referred to:

CHIPPENHAM M B
CHIPPENHAM WITHIN C R

Scale 1:2500

6400
645:

Metres

173000

0 100 Links

ST

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.
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Our Ref: **E** 627 A

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Enquiries to:
Miss Hind

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9th May 1991

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Yours faithfully,

G.C. Betteridge
District Secretary

DATE ON WHICH NOTICE TAKES EFFECT AND
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RECEIVED 21st June 1991

To: The Secretary
Runvalue Ltd.
The Cott
Pewsham
Chippenham

The Secretary
Ashway Financial Services plc
73 London Road
Alderley Edge
Cheshire
SK9 7DY

Mr. M. J. Lewthwaite
Cork Gully
Joint Administrative Receiver
66 Queen Square
Bristol
BS1 4JP

E627 A

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

Reason for issue:

Enforcement is necessary to ensure the re-instatement of the land and boundary wall and in the interests of the long term viability, safety and public amenity value of the lime trees and the appearance and character of the area.

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

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ISSUED 9th May 1991

Signed

G.C. Bellbridge

DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

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shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

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SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

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627

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

ENFORCEMENT NOTICE

the land
referred to:

CHIPPENHAM M B
CHIPPENHAM WITHIN C R

Scale 1:2500

6900
6.65

914

915

916

917

ST

ST 9273

736

735

734

733

732

731

Metres

173000

Links

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100

100

100

100

100

100

100

100

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100

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District Secretary



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

reason for issue:

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ENFORCEMENT NOTICE

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ISSUED 9th May 1991

Signed G. C. Bhatnagar
DISTRICT SECRETARY

Monkton Park,
Chippenham SN15 1ER

ENFcon1

/SCHEDULE 1.
(over)

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land adjacent to The Garth, Ivy Road, Chippenham, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The failure to comply with a condition of planning permission by commencing the development permitted by planning permission N.90.1529.F 6th August 1990 (Erection of detached dwelling) - by failing to ensure that the existing frontage shrub planting and any trees are protected from damage by chestnut paling fencing during the construction of the dwelling thereby permitted.

The condition referred to in the above planning permission is:-

No tree within sight shall be cut down, up rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, without the prior approval in writing of the local planning authority. To ensure the existing frontage shrub planting and any trees shall be protected from damage by chestnut paling fencing during the construction of the dwelling hereby permitted.

Reason :- In the interests of the appearance and character of the street scene.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To construct chestnut paling fencing to ensure that the existing frontage shrub planting of any trees shall be protected from damage during the construction of the dwelling permitted by planning permission N.90.1529.F.
2. To plant additional laurel shrubs to replace those lost or damaged in the part construction of this dwelling

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the land
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CHIPPENHAM WITHIN C P

Scale 1:2500

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Metres
173000

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