

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** 645C

Your
Ref:

Enquiries to:
Miss Hind

Dear Sir/Madam,

13th September 1991

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

Land at 148 Oxford Road, Calne, 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 28th October 1991

To: Mr. Keith S. Powney
146 Oxford Road
Calne
Wiltshire



645 C

E645C

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

The unauthorised development is a result of the intensity and expansion of the authorised car repair business which has, by reason of the increase in generally noisy activities, fumes, visually intrusive activities and buildings, adversely affected the character, residential environment and outlook of adjoining residents. The development is therefore contrary to Policy E12 of the Western Wiltshire Structure Plan and Policy E10 of the draft North Wiltshire Local Plan 1990.

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

Land at 148 Oxford Road, Calne, 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 SIX 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 28th October 1991

ISSUED 13th September 1991

Signed

G.C. Bettbridge

DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

E645C

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

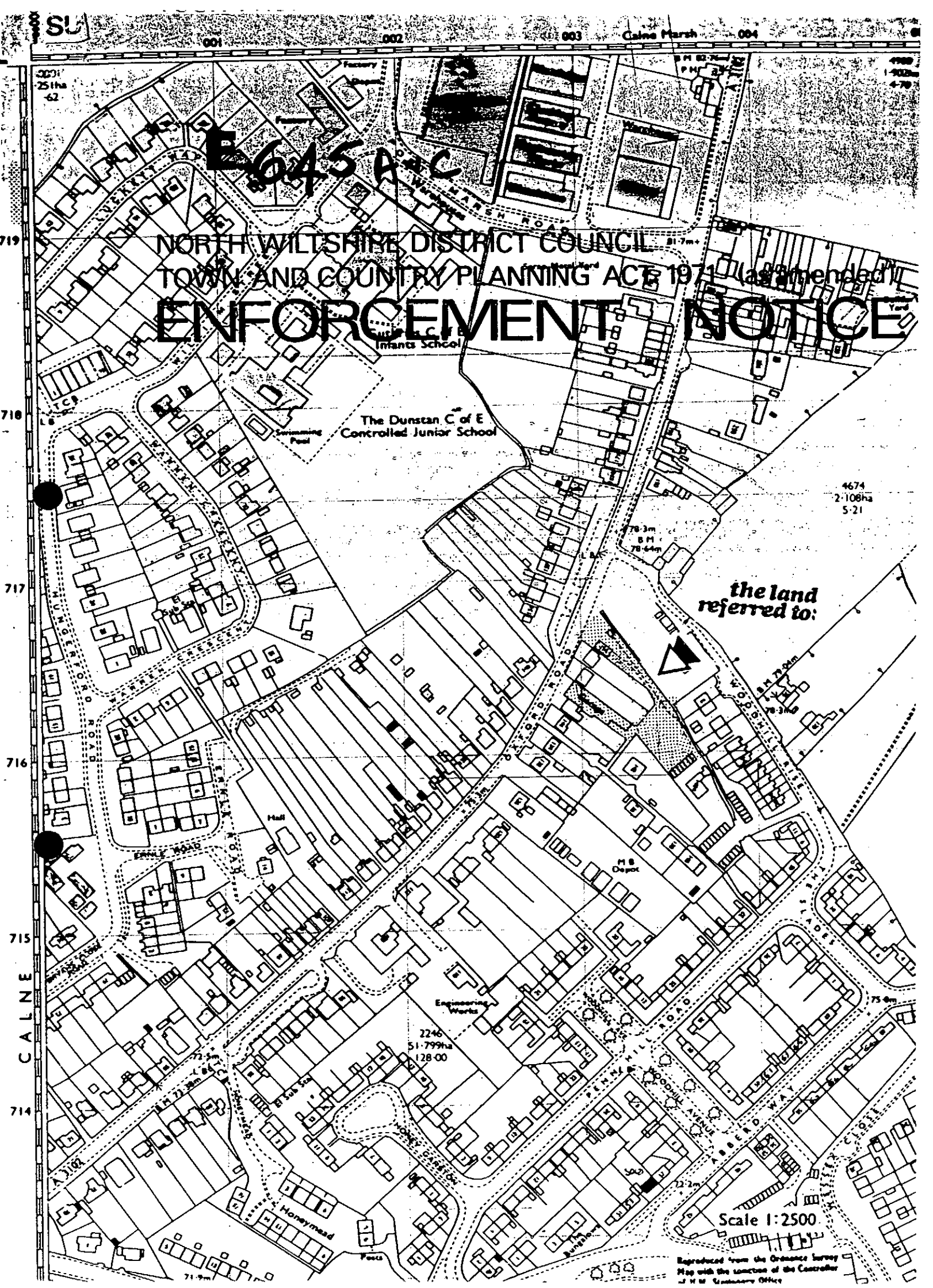
Land at 148 Oxford Road Calne Wiltshire shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

1. The making of material alterations to the external appearance of the building used as a motor vehicle repair workshop, namely the addition of 4 no. external ventilation, intake and external flues/ducts.
2. The erection of an oil tank and supports and a portacabin type office on the site.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To remove the 4 No. external ventilation extract and intake/ducts from the exterior of the motor vehicle repair workshop building.
2. To remove from the land the oil tank and supports and the portacabin and return the land to its previously existing loose hardcore surface.



001

002

003

Calne Marsh

004

251ha
62

4674
2.108ha
5.21

E645 A+C

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

The Dunstan C of E
Controlled Junior School

**the land
referred to:**

2246
51.799ha
128.00

Scale 1:2500

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

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G.C. Betteridge LL.B. (Solicitor)
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Miss Hind

Dear Sir/Madam,

13th September 1991

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TOWN AND COUNTRY PLANNING ACT 1971 (as amended)
ENFORCEMENT NOTICE**

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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 28th October 1991

To: Mr. Keith S. Powney
146 Oxford Road
Calne
Wiltshire

E645A

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

Reason for issue:

The non-compliance with the terms of the planning permission and the failure to comply with conditions 1,2,3, 4 and 5 has resulted in unco-ordinated vehicle parking, external alterations and outside storage which adversely affect, by reason of noise, smell, dust, grit, general activity and outlook, the appearance and character of the site and resulting in industrial activities close to residential boundaries with an adverse effect on the dwellings surrounding the site.

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

Land at 148 Oxford Road, Calne, 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 SIX 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 28th October 1991

ISSUED 13th September 1991

Signed

G.C. Betteridge

DISTRICT SECRETARY

Monkton Park,
Chippenham SN15 1ER

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land at 148 Oxford Road, Calne, Wiltshire as shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The failure to comply with the terms and conditions 1,2,3,4 and 5 of planning permission reference N.82.0172.F dated 29th March 1982 - for the erection of a car repair workshop (hereinafter referred to as "the planning permission")
By:-

- (i) Failing to lay out the car parking areas as indicated on the revised block plan received by the North Wiltshire District Council on 22nd March 1982 and using the areas so designated other than for the parking of cars contrary to Conditions 1,2 and 4 of the planning permission which provide that:-
 - 1. The development hereby authorised shall be carried out in accordance with the application as amended by the revised block plan received by North Wiltshire District Council on 22nd March 1982.
 - 2. Within one month of the commencement of use of the building hereby approved the existing workshop premises shall be demolished completely and removed from the site and the car parking laid out in accordance with the revised block plan dated "March 1982" received by the North Wiltshire District Council on 22nd March 1982.
 - 4. The car parking spaces shown on the revised block plan shall be used for this purpose only and for no other purpose at any time without the prior written consent of the Local Planning Authority
- (ii) Making external alterations to the car repair workshop, namely the installation of 4 no. external ventilation, extract and intake flues/ducts without the permission of the Local Planning Authority, contrary to Condition 3 of the planning permission which provides that:-
 - 3. Notwithstanding the provisions of the Town and Country Planning General Development Order 1977 (as subsequently amended) the building hereby approved shall not be extended or altered in any way unless permission is granted by the Local Planning Authority.
- (iii) Storing materials and siting a skip for the storage of waste materials outside the car repair workshop and outside of any properly constructed screened storage area approved by the Local Planning Authority, contrary to Condition 5 of the planning permission which provides that:-
 - 5. No materials, crates, packing materials, scrap metal or waste materials shall be stored on the site except within the building hereby permitted or within a properly constructed screened storage area details of which shall have been submitted to and approved by the Local Planning Authority.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

- 1. To lay out the car parking areas in accordance with the revised block plan received by the North Wiltshire District Council on 22nd March 1982 and attached to the planning permission and to keep the areas so designated free from obstruction and available for the parking of cars at all times.

E645A continued

SCHEDULE 3 STEPS REQUIRED TO BE TAKEN

- 2 To remove the 4 no. external ventilation, extract and intake flues/ducts from the exterior of the car repair workshop.
3. To remove the skip and all materials stored outside the car repair workshop from the site.

E-645 A+CNORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1971 (as amended)**ENFORCEMENT NOTICE**

Infants School

The Dunstan C of E
Controlled Junior School4674
2.108ha
5.21the land
referred to:

Engineering Works

2246
51.799ha
128.00

Honey-mead

Scale 1:2500

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

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E645A continued

SCHEDULE 3 STEPS REQUIRED TO BE TAKEN

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E 645 A-C

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

The Dunstan C of E
Controlled Junior School

the land
referred to:

Scale 1:2500

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