

NORTH WILTSHIRE DISTRICT COUNCIL

*Posted  
File*

# ENFORCEMENT REGISTER INFORMATION SHEET

**E/** 660 B

APPEAL    yes    no

Plan's Ref

## ADDRESS

*LAND AT.*

*29 BROOKHURST,  
NASSON,  
COLHAM*

## BREACH of CONTROL

*SWS ATTACHED NOTICE*

Issuing Authority *NWDC*

Date Issued *16.7.92*

## STOP NOTICES

Date Served

Requiring

Date(s) served

*16.7.92*

Takes effect *24.8.92*

Compliance by *24.2.94*

Dates Extended by  
Secretary of State



Date withdrawn

## REQUIREMENTS of ENFORCEMENT

*SWS ATTACHED NOTICE*

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

DX 34208 Fax (0249) 443152

tel: CHIPPENHAM (0249) 443322 ext: 598 Rachel Hind

**E** 660B

*North  
Wiltshire*

**NORTH WILTSHIRE DISTRICT COUNCIL**  
Monkton Park, CHIPPENHAM, SN15 1ER

Dear Sir/Madam,

16th July 1992

**NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990**

# **ENFORCEMENT NOTICE**

Land at 29 Brockleaze, Neston, Corsham, 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 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 Notice.

Yours faithfully,

*G.C. Betteridge*

District Secretary

**DATE ON WHICH NOTICE TAKES EFFECT  
AND BEFORE WHICH ANY APPEAL  
MUST BE RECEIVED**

24th August 1992

**To:** Mr. R. J. Sibley  
323a Snarlton Lane  
Melksham  
Wiltshire

Mrs. A. Sibley  
323a Snarlton Lane  
Melksham  
Wiltshire

Mr. G. Sibley  
337 Snarlton Lane  
Melksham  
Wiltshire

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
**ENFORCEMENT NOTICE**

Land at 29 Brockleaze, Neston, Corsham, Wiltshire

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WHEREAS :

- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 172 of the Town and Country Planning Act 1990 ("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 overleaf.
- (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 overleaf, 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 172, for the reasons set out overleaf.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 overleaf be taken in order to remedy the breach and to alleviate injury to amenity which has been caused by the said development within the period of EIGHTEEN MONTHS from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 175(4) of the Act, on 24th AUGUST 1992.

ISSUED 16th JULY 1992

Signed.....

*G. C. Bettridge*  
DISTRICT SECRETARY

Monkton Park  
Chippenham SN15 1ER

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land at 29 Brockleaze, Neston, Corsham, Wiltshire shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The making of a material change in the use of land to:

- (i) use in connection with the sorting, reclamation, processing and distribution of scrap plastic; and
- (ii) Use for the associated storage of scrap plastic and other materials including waste materials

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To cease the use of the land in connection with the sorting, reclamation processing and distribution of scrap plastic and for the associated storage of scrap plastic and other materials including waste materials.
2. To remove from the land all materials used or stored in connection with the uses described in Schedule 2 paragraphs (i) and (ii) above, including all raw and scrap materials, scrap and processed plastic, boxes, crates, sacks, pallets, waste and refuse.
3. To plant a mixed indigenous hedge with species from the following list in two staggered rows between points X and Y on the attached plan as indicated:  
Hawthorn, hazel, field maple, blackthorn, dogwood, guelder rose, dog rose, field rose, beech, hornbeam, cherry plum, holly, wild privet, yew and box
4. To grass seed the rest and restore the land to a condition suitable for the purposes of agriculture, including the planting of orchard trees.

STATEMENT OF REASONS WHY THE LOCAL PLANNING AUTHORITY CONSIDER IT EXPEDIENT TO ISSUE THIS NOTICE

It appears to the Council that the above breach of planning control, namely the making of a material change of use of the land from its lawful use for orchard/garden land into a Sui generis use as alleged in Schedule (i) and (ii) above has occurred since the end of 1963.

The Sui generis uses as referred to in Schedule 2(i) and (ii) above, by reason of their location in open countryside and partly on orchard and garden land adjacent to and near to existing dwellings and public highways are detrimental to the character and appearance of the countryside and the residential amenity of near neighbours who are adversely affected by smells, litter, traffic noise, general disturbance and visual appearance.

The development is contrary to the employment and rural planning strategy for the area which seeks to direct employment uses to allocated sites, existing employment areas or to sites within the "framework" of existing settlements and to protect the countryside for its own sake. The development is therefore contrary to Policy E12, E13, E14, E16, C3 and C9 of the Western Wiltshire Structure Plan incorporating Alteration Number One policies E5 and C1 of the Corsham Local Plan and Policies E12, E13, E4 and C7 of the Deposited North Wiltshire Local Plan 1990

The Council does not consider that planning permission would be granted because planning conditions could not overcome these problems

# Special Document Placeholder

Special Document ID Barcode:



019718

**PLACEHOLDER**

*Prepared by Resolution Ltd.*

**PLACEHOLDER**

E6603

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990

# ENFORCEMENT NOTICE

5830  
968ha  
4.86

7535  
5.775ha  
14.27

1026  
508ha  
1.37

Trial Shaft

Brockless Farm

X

Tanks

Engineering Works

B.M. 111.99m

the land referred to

Pond

121.6m

G.P.

C 157

G.P.

120.7m

120.7m

The Court

6000  
425ha  
1.05

Pond

Scale: 1:1250

9005  
4.414ha  
0.9



Special Document  
019718

ST 865

866

867

868

869

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

**IMPORTANT -**

THIS COMMUNICATION AFFECTS  
YOUR PROPERTY

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

*de Scott*  
*North  
Wiltshire*

DX 34208 Fax (0249) 443152

**E** 660B

tel: CHIPPENHAM (0249) 443322 ext. 598 Rachel Hind

NORTH WILTSHIRE DISTRICT COUNCIL  
Monkton Park, CHIPPENHAM, SN15 1ER

Dear Sir/Madam,

16th July 1992

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
**ENFORCEMENT NOTICE**

Land at 29 Brockleaze, Neston, Corsham, 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 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 Notice.

Yours faithfully,

*G.C. Betteridge*

District Secretary

DATE ON WHICH NOTICE TAKES EFFECT  
AND BEFORE WHICH ANY APPEAL  
MUST BE RECEIVED

24th August 1992

o: Mr. R. J. Sibley  
323a Snarlton Lane  
Melksham  
Wiltshire

Mrs. A. Sibley  
323a Snarlton Lane  
Melksham  
Wiltshire

Mr. G. Sibley  
337 Snarlton Lane  
Melksham  
Wiltshire

# NORTH WILTSHIRE DISTRICT COUNCIL TOWN AND COUNTRY PLANNING ACT 1990 ENFORCEMENT NOTICE

Land at 29 Brockleaze, Neston, Corsham, Wiltshire

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WHEREAS :

- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 172 of the Town and Country Planning Act 1990 ("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 overleaf.
- (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 overleaf, 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 172, for the reasons set out overleaf.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 overleaf be taken in order to remedy the breach and to alleviate injury to amenity which has been caused by the said development within the period of EIGHTEEN MONTHS from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 175(4) of the Act, on 24th AUGUST 1992.

ISSUED 16th JULY 1992

Signed.....

*G. C. Bettridge*  
DISTRICT SECRETARY

Monkton Park  
Chippenham SN15 1ER



SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land at 29 Brockleaze, Neston, Corsham, Wiltshire shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The making of a material change in the use of land to:

- (i) use in connection with the sorting, reclamation, processing and distribution of scrap plastic; and
- (ii) Use for the associated storage of scrap plastic and other materials including waste materials

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To cease the use of the land in connection with the sorting, reclamation processing and distribution of scrap plastic and for the associated storage of scrap plastic and other materials including waste materials.
2. To remove from the land all materials used or stored in connection with the uses described in Schedule 2 paragraphs (i) and (ii) above, including all raw and scrap materials, scrap and processed plastic, boxes, crates, sacks, pallets, waste and refuse.
3. To plant a mixed indigenous hedge with species from the following list in two staggered rows between points X and Y on the attached plan as indicated:  
Hawthorn, hazel, field maple, blackthorn, dogwood, guelder rose, dog rose, field rose, beech, hornbeam, cherry plum, holly, wild privet, yew and box
4. To grass seed the rest and restore the land to a condition suitable for the purposes of agriculture, including the planting of orchard trees.

STATEMENT OF REASONS WHY THE LOCAL PLANNING AUTHORITY CONSIDER IT EXPEDIENT TO ISSUE THIS NOTICE

It appears to the Council that the above breach of planning control, namely the making of a material change of use of the land from its lawful use for orchard/garden land into a Sui generis use as alleged in Schedule (i) and (ii) above has occurred since the end of 1963.

The Sui generis uses as referred to in Schedule 2(i) and (ii) above, by reason of their location in open countryside and partly on orchard and garden land adjacent to and near to existing dwellings and public highways are detrimental to the character and appearance of the countryside and the residential amenity of near neighbours who are adversely affected by smells, litter, traffic noise, general disturbance and visual appearance.

The development is contrary to the employment and rural planning strategy for the area which seeks to direct employment uses to allocated sites, existing employment areas or to sites within the "framework" of existing settlements and to protect the countryside for its own sake. The development is therefore contrary to Policy E12, E13, E14, E16, C3 and C9 of the Western Wiltshire Structure Plan incorporating Alteration Number One policies E5 and C1 of the Corsham Local Plan and Policies E12, E13, E4 and C7 of the Deposited North Wiltshire Local Plan 1990

The Council does not consider that planning permission would be granted because planning conditions could not overcome these problems

# Special Document Placeholder

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**PLACEHOLDER**

*Prepared by Resolution Ltd.*

**PLACEHOLDER**

**E6603**

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
**ENFORCEMENT NOTICE**

5830  
968ha  
4.86

7535  
5.775ha  
14.27

5025  
508ha  
3.27

Trial Shaft

Brockless Farm

682

Engineering Works

B.M. 1.199m

Pond

121.6m

G.P.

The Court

6000  
425ha  
1.05

Pond

Scale: 1:1250



Special Document  
**019721**

9005  
4.414ha  
0.9

Old Well House

FP 47

FP 51

FP 45B

C 157

G.P.

U/C 4156

120.7m

120.7m

Ridge

ST

865

866

867

868

869

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

**IMPORTANT PLANNING**

**THIS COMMUNICATION AFFECTS  
YOUR PROPERTY**

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

DEPT.  
- 8 MAY 1992  
PASSED

M. Scord

*North  
Wiltshire*

DX 34208 Fax (0249) 443152  
tel: CHIPPENHAM (0249) 443322 ext.:598 Rachel Hind

**E** 660A

**NORTH WILTSHIRE DISTRICT COUNCIL**  
Monkton Park, CHIPPENHAM, SN15 1ER

Dear Sir/Madam,

7th. May 1992

**NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990**

# ● ENFORCEMENT NOTICE

Land at 29 Brockleaze, Neston, Corsham, 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 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 Notice.

Yours faithfully,

*G.C. Betteridge*

District Secretary

**DATE ON WHICH NOTICE TAKES EFFECT  
AND BEFORE WHICH ANY APPEAL  
MUST BE RECEIVED** 15th June 1992

To: Mr. R. J. Sibley  
323A Snarlton Lane  
Melksham  
Wiltshire

Mrs. A. Sibley  
323a Snarlton Lane  
Melksham  
Wiltshire

Mr. G. Sibley  
337 Snarlton Lane  
Melksham  
Wiltshire



- 8 MAY 1992

PASSED

- REC.

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990

# ENFORCEMENT NOTICE

Land at 29 Brockleaze, Neston, Corsham, Wiltshire

WHEREAS :

- (1) It appears to the North Wiltshire District Council ("the Council") being the local planning authority for the purposes of Section 172 of the Town and Country Planning Act 1990 ("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 172, for the reasons set out below.

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 EIGHTEEN MONTHS from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 175(4) of the Act, on 15th June 1992

ISSUED 7th May 1992

Signed

G.C. Bettridge

DISTRICT SECRETARY

Monkton Park,  
Chippenham, SN15 1ER.

/ SCHEDULE 1 . . . . .

(over)

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land at 29 Brockleaze, Neston, Corsham, Wiltshire shown stippled on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The making of a material change in the use of land to use for :-

- (i) the sorting, reclamation, processing and distribution of scrap plastic; and
- (ii) the associated storage of scrap plastic and other materials including waste materials.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

1. To cease the use of the land for the sorting, reclamation, processing and distribution of scrap plastic and for the associated storage of scrap plastic and other materials including waste materials.
2. To remove from the land all materials used or stored in connection with the uses described in Schedule 2 paragraphs (i) and (ii) above, including all raw and scrap materials, scrap and processed plastic, boxes, crates, sacks pallets, waste and refuse.

STATEMENT OF REASONS WHY THE LOCAL PLANNING AUTHORITY CONSIDER IT EXPEDIENT TO ISSUE THIS NOTICE

It appears to the Council that the above breach of planning control, namely the making of a material change of use of the land from its lawful use for a purpose within Class B1 Business of the Town and Country Planning (Use Classes) Order 1987 to a Sui generis use as alleged in Schedule 2(i) and (ii) above has occurred since the end of 1963.

The Sui generis uses as referred to in Schedule 2(i) and (ii) above, by reason of their location in open countryside and partly on orchard and garden land adjacent to and near to existing dwellings and public highways are detrimental to the character and appearance of the countryside and the residential amenity of near neighbours who are adversely affected by smells, litter, traffic noise, general disturbance and visual appearance.

The development is contrary to the employment and rural planning strategy for the area which seeks to direct employment uses to allocated sites, existing employment areas or to sites within the "framework" of existing settlements and to protect the countryside for its own sake. The development is therefore contrary to Policy E12, E13, E14, E16, C3 and C9 of the Western Wiltshire Structure Plan (incorporating Alteration Number One policies E5 and C1 of the Corsham Local Plan and Policies E12, E13, E4 and C7 of the Deposited North Wiltshire Local Plan 1990.

The Council does not consider that planning permission would be granted because planning conditions could not overcome these problems.

# Special Document Placeholder

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**PLACEHOLDER**

*Prepared by Resolution Ltd.*

**PLACEHOLDER**

NORTH WILTSHIRE DISTRICT COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
**ENFORCEMENT NOTICE**

5830  
968ha  
4.86

7535  
5.775ha  
14.27

5016  
408ha  
3.37

Trial Shaft

Brockless Farm

Tanks

Engineering Works

B.M. 111.99m

the land referred to

Pond

Pond

Ridge

120.7m

120.7m



Special Document  
**019722**

Scale: 1:1250

6000  
425ha  
1.05

9005  
4.414ha  
2.9





