

IMPORTANT -

THIS COMMUNICATION AFFECTS
YOUR PROPERTY

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

*North
Wiltshire*

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Rachel Hine

PLANNING
DEPT

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

11 MAY 1992

7th May 1992

PASSED TO

DATE REC.

Dear Sir/Madam,

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

Coopers Arms Farm, Tetbury Road, Malmesbury

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. Hazell
Coopers Arms Farm
Tetbury Road
Malmesbury
Wiltshire



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

Coopers Arms Farm, Tetbury Road, Malmesbury, 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 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 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 THREE 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. Behaiofe
DISTRICT SECRETARY

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

SCHEDULE 1 - LAND OR PREMISES TO WHICH THIS NOTICE RELATES

Land and buildings at Coopers Arms Farm, Tetbury Road, Malmesbury, Wiltshire shown stipple-edged on the attached plan

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

The partial construction of a building in natural stone with cavity wall insulation and concrete block interior shown as Building A cross-hatched on the attached plan.

SCHEDULE 3 - STEPS REQUIRED TO BE TAKEN

To demolish and remove the said building together with all building materials associated with its construction from the land

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

1. The site is situated within open countryside where there is a clear and strong planning objection to the erection of a building or substantial rebuilding to create a new dwelling.
2. The construction and design of the building is to a standard considerably higher than one would expect for an agricultural building associated with the adjacent farm and it appears to be being built so as to allow use as a domestic residence when complete or at some time in the future.
3. The site is situated within the open countryside where it is Government and Local Policy only to permit new buildings if they are essential to the needs of agriculture or forestry. It is considered that this building is an unnecessary development in the countryside detrimental to its character and appearance. The development is contrary to Policies H19 and H10 of the North Wiltshire Local Plan respectively which state that:-

New dwellings in the countryside outside the physical limits or framework of a settlement as defined on the proposals map will not normally be permitted unless justified in connection with the essential needs of agriculture or forestry.

4. There appears to be no essential need for the building to be sited in the countryside either for residential occupation or other use in connection with agriculture. In the circumstances the building is an unnecessary additional development in the countryside detrimental to its character and rural appearance conflicting with Policy C7 of the draft North Wiltshire Local Plan which states:-

C7 There will be a presumption against the construction of new buildings and against the location of other development in the countryside. In considering proposals for agricultural buildings requiring planning permission and any other development proposals which are accepted as essential in the countryside, due regard will be paid, especially in the areas of outstanding natural beauty and in the special landscape areas, to the following:-

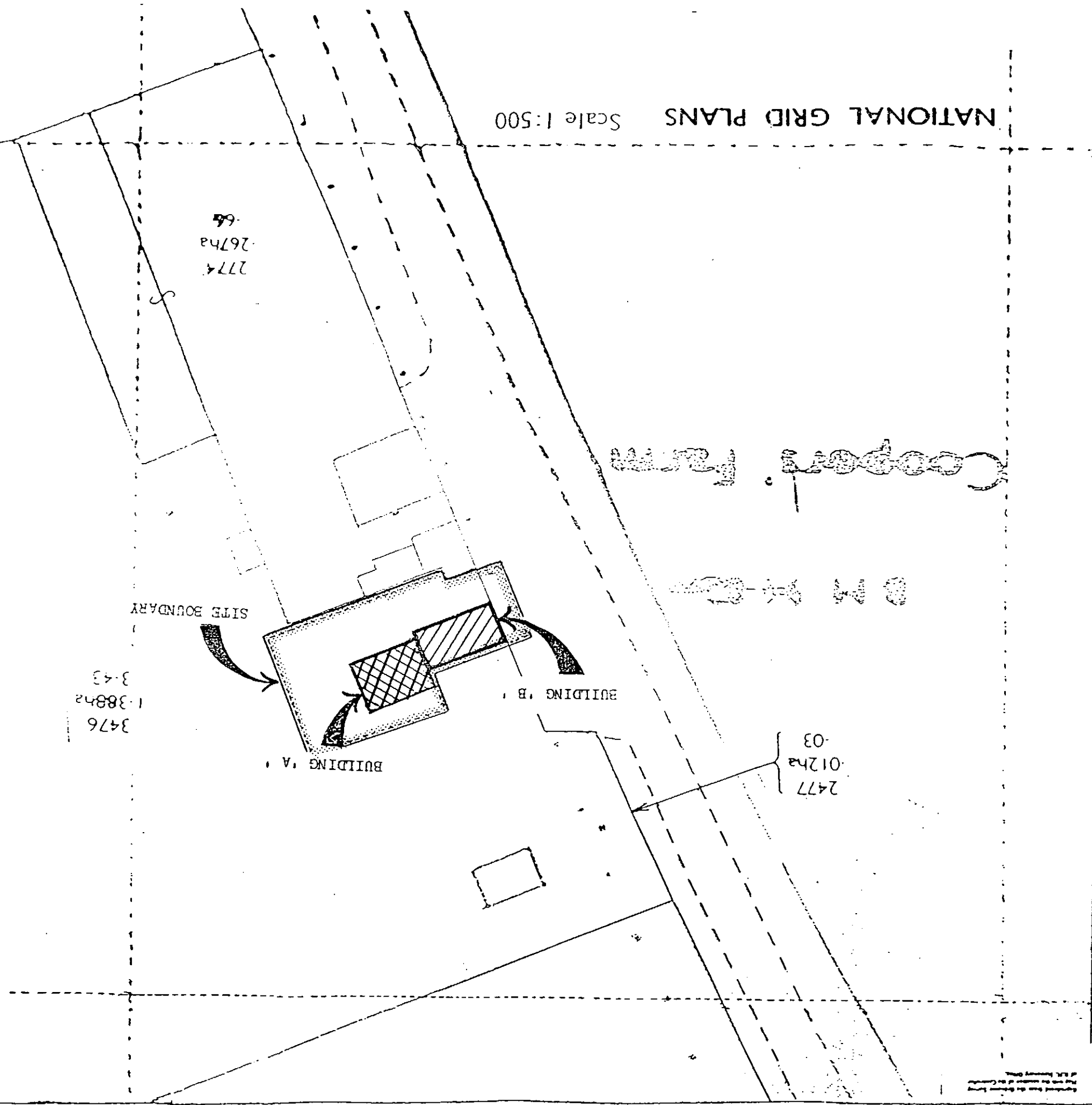
1. That any proposed development should not adversely affect the amenities and rural character of the area;
2. The protection and conservation of the natural environment and habitat and any woodland in the area;

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3. Any new development or buildings being designed and sited so as to minimise the impact on the open landscape of the area and, where possible, being located close to, and in association with, existing buildings and facilities;
4. The proposed development not giving rise to a traffic hazard and to the roads being able to accommodate the vehicles generated; and
5. The use of appropriate building materials and landscape treatment.

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



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PLANNING DEPT	
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