

NORTH WILTSHIRE DISTRICT COUNCIL

ENFORCEMENT REGISTER INFORMATION SHEET

plotted
25-10-94
gwe.

E/ 740

APPEAL yes no

Plan's Ref

ADDRESS

LAND TO SOUTH
SODOM LANE
DAUNTISBY

BREACH of CONTROL

SNR ATTACHED NOTICE

Issuing Authority NWDC

Date Issued 25.10.94

STOP NOTICES

Date Served

Requiring



Date(s) served

25.10.94

Takes effect 6.12.94

Compliance by 6.1.95

Dates Extended by
Secretary of State

Date withdrawn

REQUIREMENTS of ENFORCEMENT

SNR ATTACHED NOTICE

G.I.S.

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*

DX 34208 Fax (0249) 443152

tel: CHIPPENHAM (0249) 443322 ext: 598 PT/CG

E

740

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

25 October 1994

Dear Sir/Madam,

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

Land to the south of Sodom Lane, Dauntsey, 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.

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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 6 December 1994

To:

Mrs Valerie Griffiths
8 Sheppard Street
Swindon
Wiltshire

Mr R James
c/o Land to the south of
Sodom Lane
Dauntsey
Wiltshire

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TOWN AND COUNTRY PLANNING ACT 1990

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Land to the south of Sodom Lane, Dauntsey, Wilts

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 last ten years 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 one month 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 6 December 1994

ISSUED 25 October 1994

Signed

S.C. Bettinidge

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

(over)

E740

Schedule 1 - Land or premises to which this notice relates.

Land to the south of Sodom Lane, Dauntsey, Wiltshire shown stipple-edged on the attached plan.

Schedule 2 - Alleged breach of planning control.

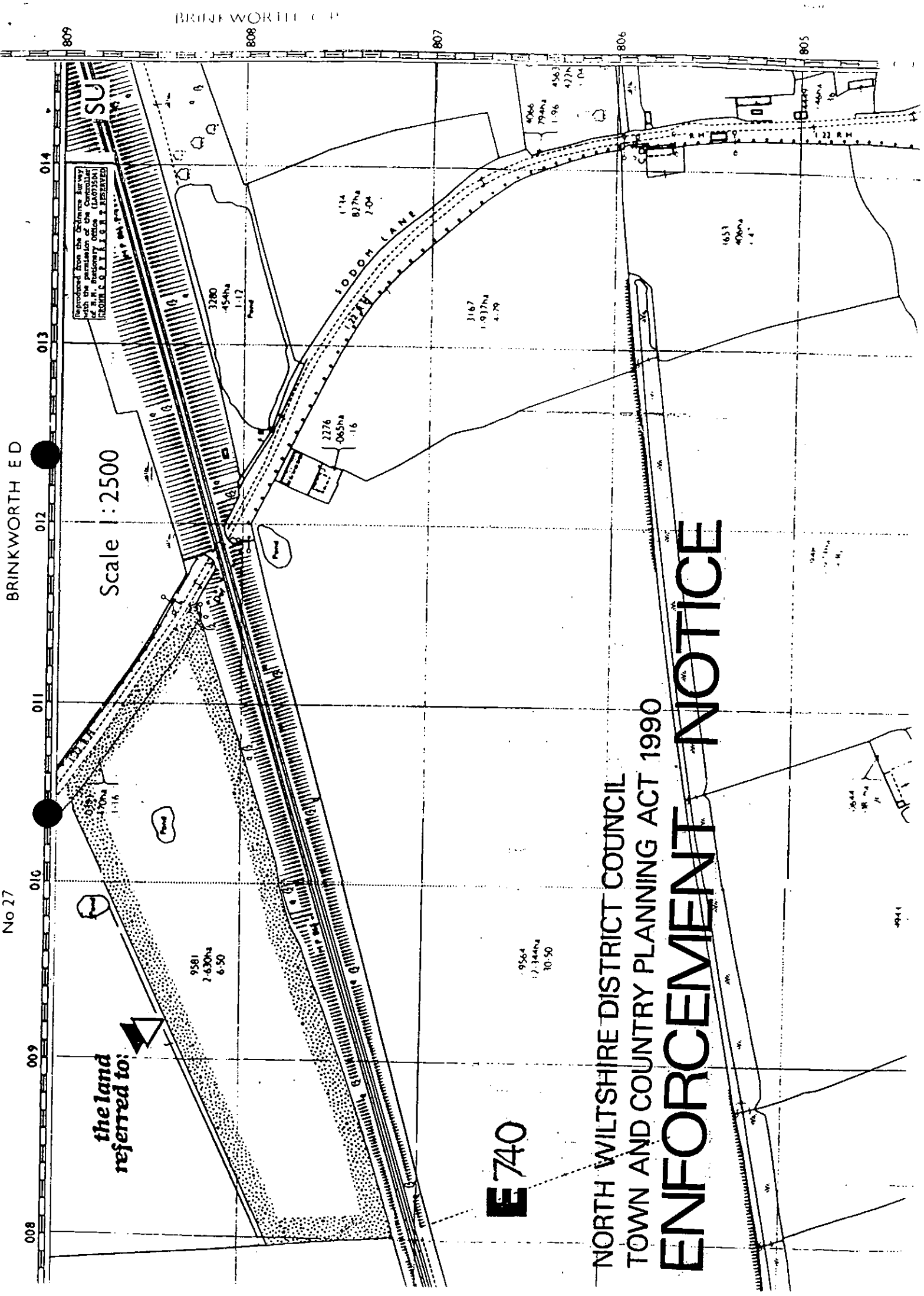
The making of a material change in the use of the land from a use for agriculture to a mixed use for that purpose and, in addition, use for the storage of a scrap motor vehicle and the storage of waste materials, metal, bricks, timber, furniture and a caravan.

Schedule 3 - Steps to be taken.

1. To remove from the land the scrap motor vehicle, waste materials, metal, bricks, timber, furniture and the caravan and to cease the use of the land for the storage of these articles and the caravan.
2. To restore the land to a condition suitable for agricultural use by chain harrowing the ground on which items have been stored and grass seeding any bare areas.

Reasons for Issue

The open storage of a scrap motor vehicle, waste materials, metal, bricks, timber, furniture and a caravan is, by reason of its visual appearance and the activity associated with the storage, severely detrimental to the appearance and character of the countryside. Consequently the use is contrary to Policy E15 and C7 of the North Wiltshire Local Plan.



the land referred to:

E 740

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE



The Planning Inspectorate

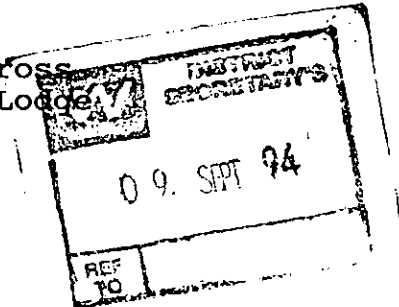
An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0272-87 8927
Switchboard 0272-878000
Fax No 0272-878769
GTN 1374-

Ad 1796

Mr D G Norcross
St Edith's Lodge
Bromham
CHIPPENHAM
Wilts
SN15 2DE



Your Ref:

Our Ref:

T/APP/J3910/A/94/237187/P7

Date:

-8 SEP 1994

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MRS V GRIFFITHS
APPLICATION NO: N.93.1959.OL

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the North Wiltshire District Council to refuse planning permission in respect of an application for a riding school (to include menage, loose boxes, dwelling and new access) on land to the south of Sodom Lane, Dauntsey. I have considered the written representations made by you and by the Council and also those made by Dauntsey Parish Council and an interested person. I inspected the site on 23 August 1994.

2. The application was submitted in outline with the matters of siting and access to be determined at this stage. You informed the Council that the siting refers to the loose boxes only. However, despite the fact that you were advised by the Council that the application was unacceptable on policy and siting grounds, no amendments to the plans have been made to attempt to overcome the latter. Therefore, although you state in the grounds of appeal that your client would be willing to relocate the various elements of the riding school to provide an acceptable layout, I am considering the siting as submitted to and determined by the Council. I notice there are no objections by the Council with regard to the matter of access, and I too could see no grounds for refusing the proposal on this count.

3. Accordingly, from what I have read in the representations and seen during my inspection of the site and its surroundings, I consider the main issue in this case is whether, having regard to the prevailing planning policies, the development would harm the character and appearance of the countryside.

4. The Council state that the approved North-East Wiltshire Structure Plan and the adopted North Wiltshire Local Plan



100%
RECYCLED PAPER

comprise the development plan for the area. Policies in both these documents indicate that new dwellings in the countryside will not normally be permitted unless they are justified in connection with the essential needs of agriculture or forestry. Further policies provide for some outdoor recreation and tourist facilities to be permitted in the countryside.

5. Planning permission has previously been granted for the site to be used as a 9-hole pay and play golf course. However, it is now considered that this is unlikely to be commercially viable in view of the presence of other golf courses in the locality. A riding school would, in your client's opinion, be more likely to be successful.

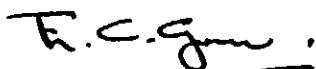
6. I note that your client's land measures about 15.25ha and the proposal relates to the keeping of 10 horses thereon. The Council question the long term viability of an enterprise based on this number of horses, but it is apparent from the decision notice and their written statement that they acknowledge an equestrian menage and loose boxes can be considered appropriate in the countryside. However, they state that such enterprises should be established on sites where existing residential accommodation is available. The Council also refer to the advice contained in Planning Policy Guidance : The Countryside and the Rural Economy (PPG7), which states that the countryside should be protected for its own sake. PPG7 also advises that new buildings should form part of a group rather than stand in isolation. Notwithstanding this, the plan submitted with the application shows the constituent elements of the proposal to be within the same field, but widely separated from each other.

7. The terrain in this area is mainly flat, hence, any structures erected on the appeal site would be particularly prominent in the landscape. It is evident that the previous permission for a golf course did not include any proposals for buildings on the land. You argue that the dwelling is required to provide an element of security for the proposed riding school. However, I do not regard that as being sufficient justification for permitting a house in the countryside contrary to long established local and national policies which are aimed at protecting the countryside from non-essential development. I therefore conclude the proposal would constitute unwarranted sporadic development and thereby harm the character and appearance of the countryside in this locality.

8. I have considered all the other matters raised in the representations, but I have found no other matter of such weight as those upon which I have formed my conclusions and which lead to my decision.

9. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully



E C Grace DipTP(Nottm) FRTPI FBEng PPIAAS
Inspector

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SOL
R.H.U.
G.I.S.
North.
Wiltshire
NORTH WILTSHIRE DISTRICT COUNCIL
Monkton Park, CHIPPENHAM, SN15 1ER

25 October 1994

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District Secretary

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PLANNING	
26 OCT 1994	
PAGE	

To:

Mrs Valerie Griffiths
8 Sheppard Street
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Wiltshire

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c/o Land to the south of
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Dauntsey
Wiltshire

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TOWN AND COUNTRY PLANNING ACT 1990
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WHEREAS :

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Signed

S. C. Bettinidge

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/ SCHEDULE 1

(over)

E740

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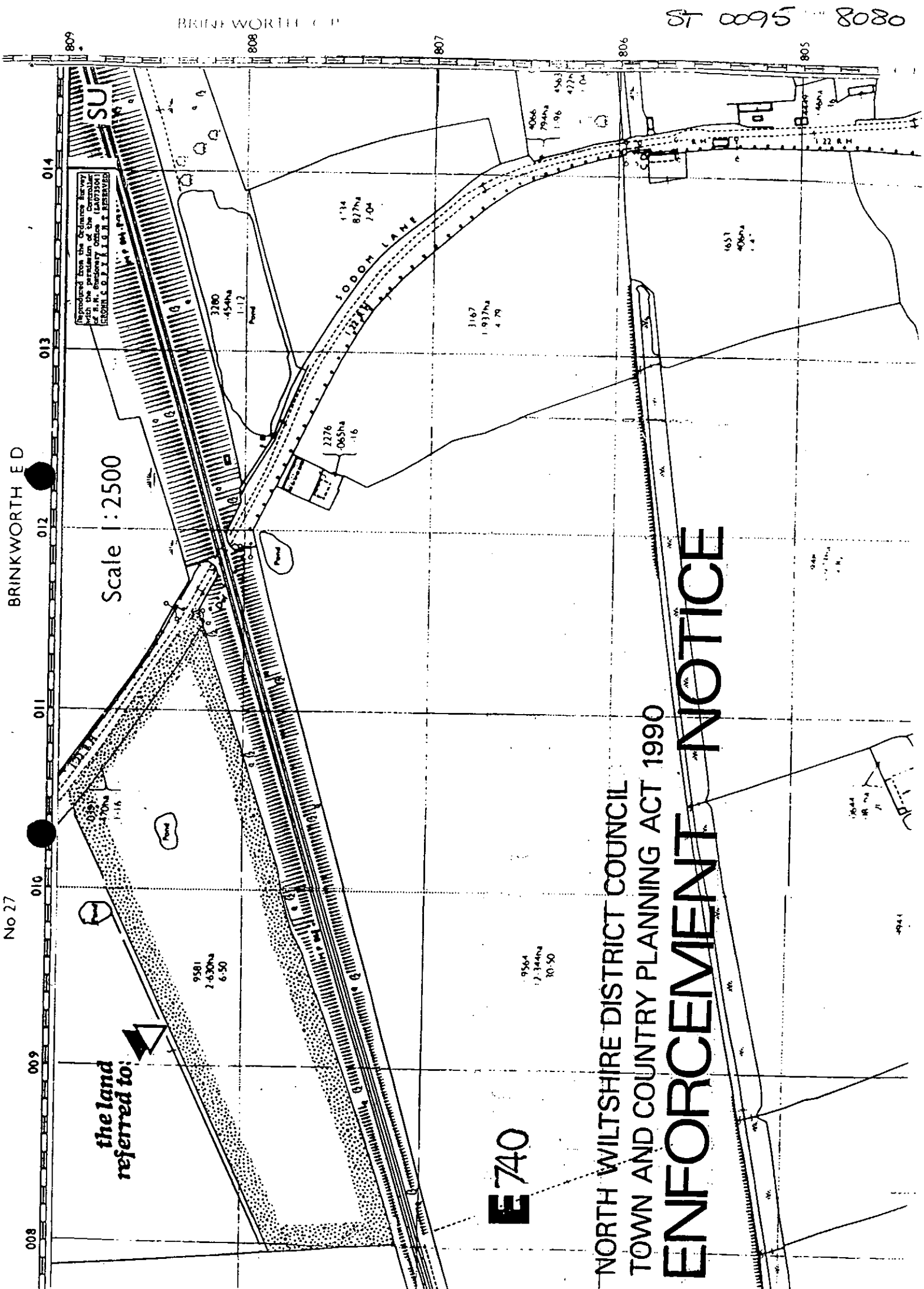
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Scale 1:2500

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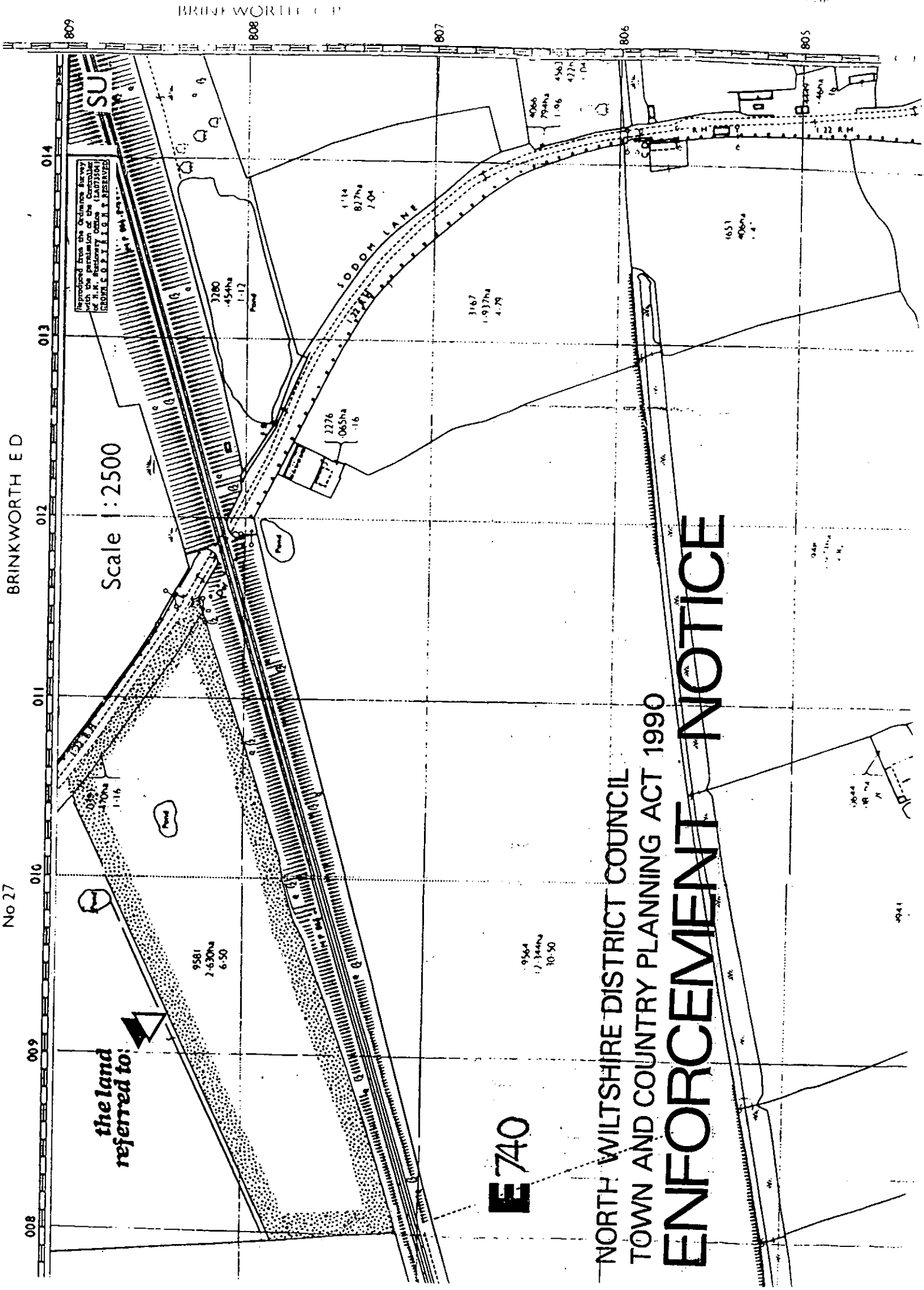
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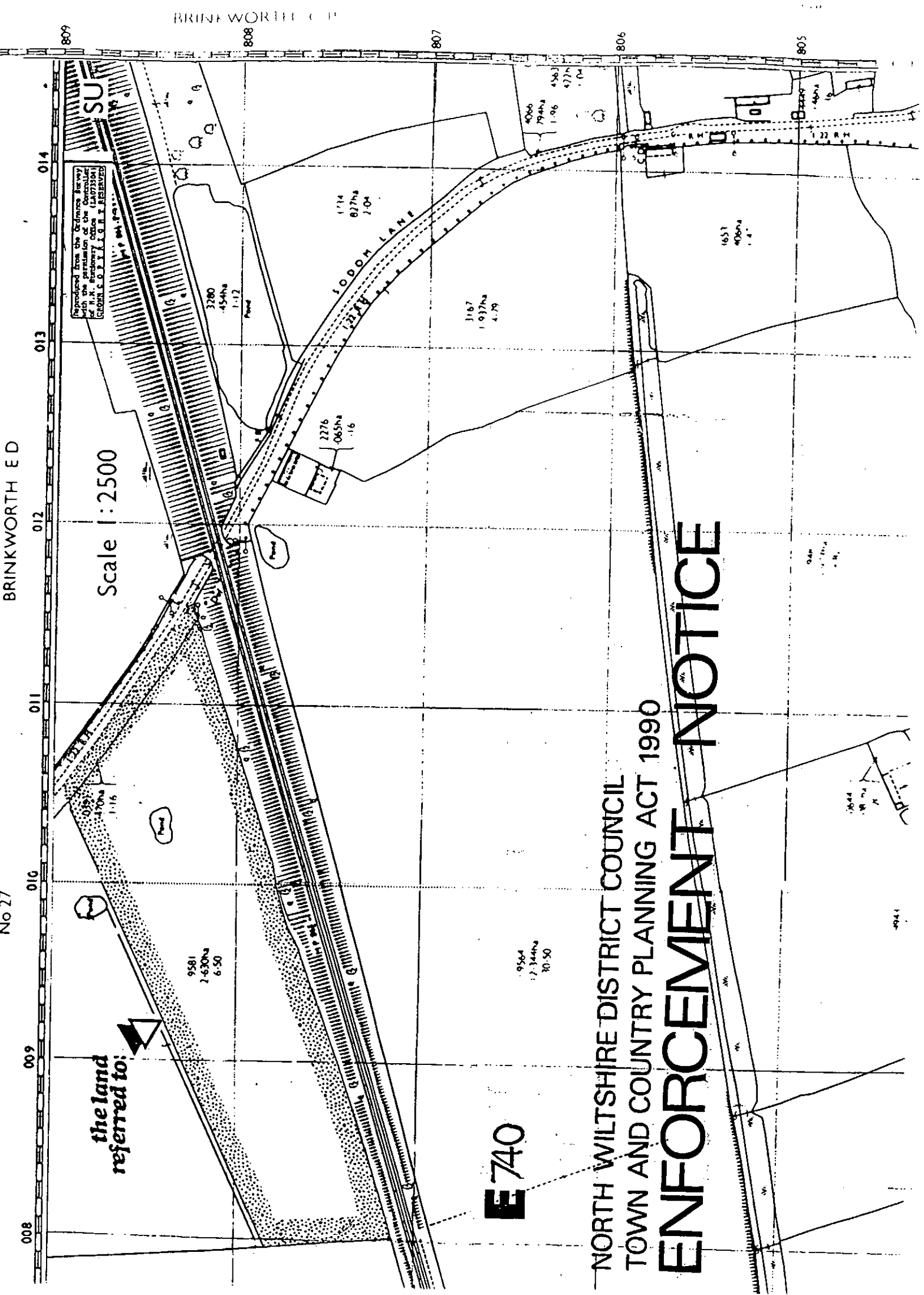
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