

**ENFORCEMENT REGISTER
INFORMATION SHEET**Accepted
Sue**E/** 744

APPEAL yes no

Plan's Ref

ADDRESSLAND & BUILDING OFF
LOWDEN HILL
CHILPENHAM**BREACH of CONTROL**SAA ATTACHED
NOTICE

Issuing Authority NWDC

Date Issued 25.8.94

STOP NOTICES

Date Served

Requiring



Date(s) served

25.8.94

Takes effect 6.10.94

Compliance by 6.1.95

Dates Extended by
Secretary of State

Date withdrawn

REQUIREMENTS of ENFORCEMENT

SAA 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 MR. P. TAYLOR

E 744

*North
Wiltshire*

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

25th AUGUST 1994

Dear Sir/Madam,

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

LAND AND BUILDING OFF LOWDEN HILL 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 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 6th OCTOBER 1994

To: MR. J. SINCLAIR
LOWDEN NURSERIES
BATH ROAD
SHAW
MELKSHAM
WILTSHIRE

MR. M. HATHERILL
7 CROSS KEYS
CORSHAM
WILTSHIRE SN13 0DT

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

LAND AND BUILDING OFF LOWDEN HILL CHIPPENHAM 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 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 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 6th OCTOBER 1994

ISSUED 25th AUGUST 1994

Signed

G. C. Bettendyke

Monkton Park,
Chippenham, SN15 1ER.

/ SCHEDULE 1

(over)

SCHEDULE 1 - LAND TO WHICH THIS NOTICE RELATES

Land and building off Lowden Hill, Chippenham, Wiltshire shown stippled on the attached plan.

SCHEDULE 2 - ALLEGED BREACH OF PLANNING CONTROL

Unauthorised material change of use of land and domestic garage from an ancillary residential use to a commercial use as a motorbike repair workshop.

SCHEDULE 3 - STEPS TO BE TAKEN

To cease the commercial use of the garage referred to in Schedule 2 above.

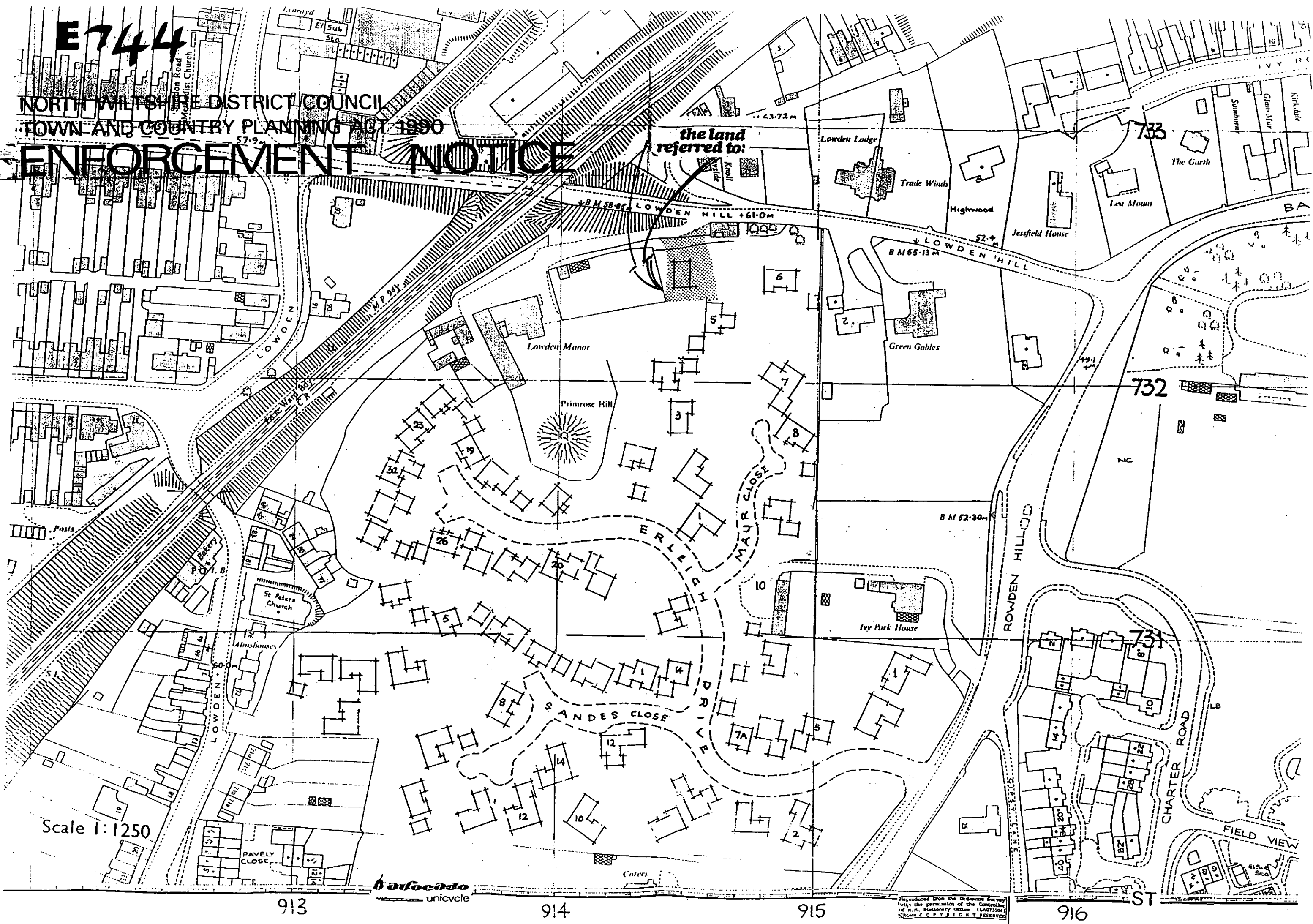
REASONS FOR ISSUE

- (1) The unauthorised material change of use is detrimental to highway safety as it results in an increase in vehicles reversing into Lowden, a Class III highway, where visibility is restricted.
- (2) The site is in a residential area and the unauthorised change of use is detrimental to the amenity of that area by reason of the noise and disturbance resulting from the use and the associated vehicle movements.
- (3) The development is contrary to Policy E12 of the adopted North Wiltshire Local Plan for the reasons set out in (1) and (2) above.

E744

NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE



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

DX 34208 Fax (0249) 443152

tel: CHIPPENHAM (0249) 443322 ext: 598

Plotted 21-10-94
G.C. Betteridge
North Wiltshire

PLANNING DEPT	
26 AUG 1994	
ESTD	PASSED TO DATE REC
MR. P. TAYLOR	

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

25th AUGUST 1994

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TOWN AND COUNTRY PLANNING ACT 1990
ENFORCEMENT NOTICE**

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Yours faithfully,

G.C. Betteridge

District Secretary

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To: MR. J. SINCLAIR
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BATH ROAD
SHAW
MELKSHAM
WILTSHIRE

MR. M. HATHERILL
7 CROSS KEYS
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THIS NOTICE SHALL TAKE EFFECT, subject to the provisions of Section 175(4) of the Act, on 6th OCTOBER 1994

ISSUED 25th AUGUST 1994

Signed

G. C. Bettendy

Monkton Park,
Chippenham, SN15 1ER.

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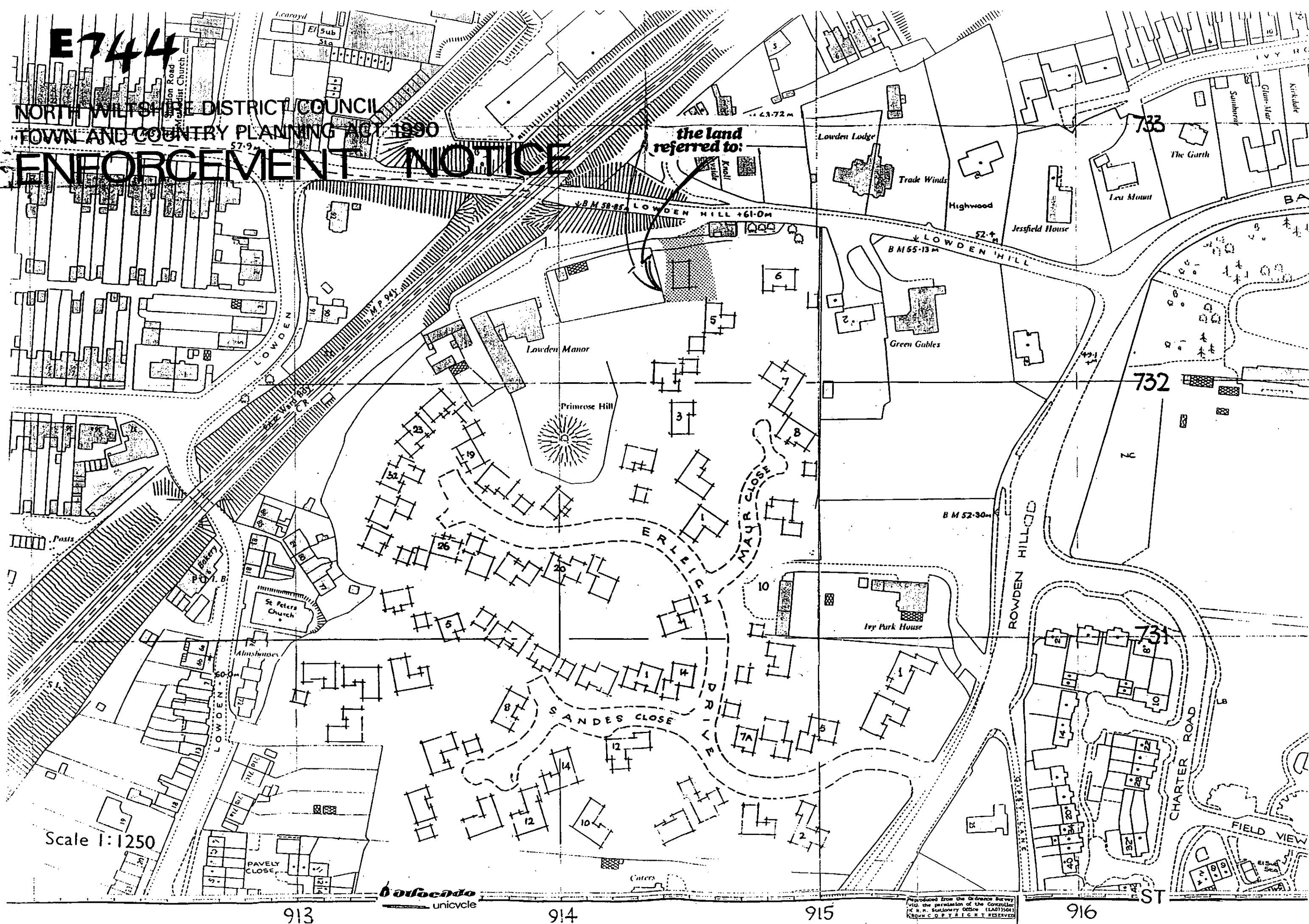
SCHEDULE 3 - STEPS TO BE TAKEN

To cease the commercial use of the garage referred to in Schedule 2 above.

REASONS FOR ISSUE

- (1) The unauthorised material change of use is detrimental to highway safety as it results in an increase in vehicles reversing into Lowden, a Class III highway, where visibility is restricted.
- (2) The site is in a residential area and the unauthorised change of use is detrimental to the amenity of that area by reason of the noise and disturbance resulting from the use and the associated vehicle movements.
- (3) The development is contrary to Policy E12 of the adopted North Wiltshire Local Plan for the reasons set out in (1) and (2) above.

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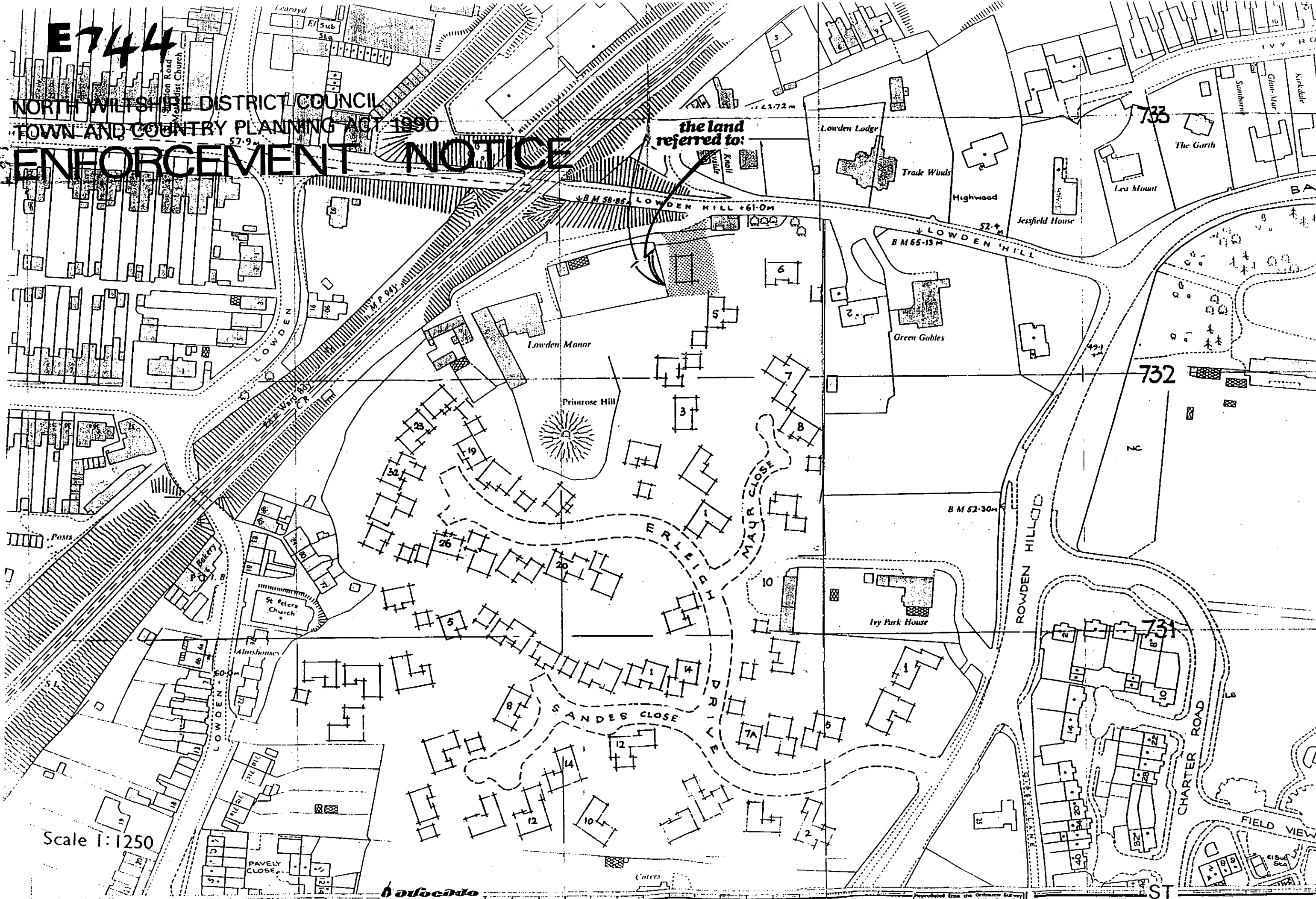
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NORTH WILTSHIRE DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE



Scale 1:1250

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unicycle

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