

D. Auld
IMPORTANT

**THIS COMMUNICATION AFFECTS
YOUR PROPERTY**

Solicitor to the Council
P L Jeremiah, LLB

Our Ref: PT/CG E779

3 September 1996

DEVELOPMENT CONTROL	
03 SEP 1996	
PASSED TO	DATE REC.

S. H. M. W.
**North
Wiltshire
District
Council**

Monkton Park, Chippenham
Wiltshire SN15 1 ER
Telephone (0249) 443322

*SU0995.
Plotted
see.*

Dear Sir/Madam

TOWN AND COUNTY PLANNING ACT 1990

ENFORCEMENT NOTICE

Land at Silver Birch, Gosditch, Latton, 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 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

Paul N. G. Titchener

SOLICITOR TO THE COUNCIL

**DATE ON WHICH THE NOTICE TAKES EFFECT AND BEFORE WHICH ANY APPEAL MUST BE
RECEIVED 15 October 1996**

To Mrs H J Titchener
Silver Birch
Gosditch
Latton
Wiltshire

Mr T C Titchener
Silver Birch
Gosditch
Latton
Wiltshire

Woolwich Building Society
48 Bridge Street
Swindon
Wiltshire



779

DEVELOPMENT CONTROL	
03 SEP 1996	
PASSED TO	DATE REC.

E779

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

LAND AT SILVER BIRCH, GOSDITCH, LATTON, 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 failure to comply with a limitation, subject to which planning permission has been granted, that permission and the relevant condition being more fully described in Schedule 2 overleaf.
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 in the said Section 172 for the reasons set out in this notice.

NOTICE IS HEREBY GIVEN that the Council require that the steps specified in Schedule 3 overleaf be taken in order to remedy the breach within the period of the next planting season that is by the end of April 1997.

Subject to the provisions of Section 175(A) the Act
THIS NOTICE SHALL TAKE EFFECT on 15 October 1996

P. L. Jeremiah

SOLICITOR TO THE COUNCIL

DATED 3 September 1996

Schedule 1

Land at Silver Birch, Gosditch, Latton, Wiltshire shown stippled on the attached plan A ("the land").

DEVELOPMENT CONTROL	
03 SEP 1996	
PASSED TO	DATE REC.

Schedule 2

The failure to comply with a condition subject to which planning permission has been granted, namely condition 2 of the planning permission for the erection of a detached house, reference N.89.3136.D granted by the Council on 19 February 1990, ("the planning permission") by the execution of topping and lopping operations in respect of four no. silver birch trees situate on the land without the written approval of the local planning authority contrary to condition 2 of the planning permission which provides that:-

2. No tree within the site shall be cut-down, up-rooted, topped, lopped or destroyed, nor any hedge within the site cut-down or grubbed out, (except as indicated on the plans hereby approved) without prior approval in writing of the local planning authority.

Schedule 3

1. To fell and remove from the land the four no. silver birch trees referred to in Schedule 2 above.
2. To carry out a replanting scheme by the provision of four no. Himalayan Birch (*Betula jacquetmontii*) to be planted in a group as detailed on the attached plan B.
3. To retain the newly planted trees referred to in paragraph 2 above in accordance with condition 2 of the planning permission.

Reason

Prior to the execution of the topping and lopping operations, the silver birch trees constituted an important feature of high amenity value within the composition of the local environment; and the topping and lopping operations have severely reduced the physical massing of the trees and seriously disfigured them such that the character of the local environment has adversely changed and its appearance seriously damaged.

TIME FOR COMPLIANCE - Planting to be completed by the end of April 1997.

PLAN A

LEVEL
CONTROL

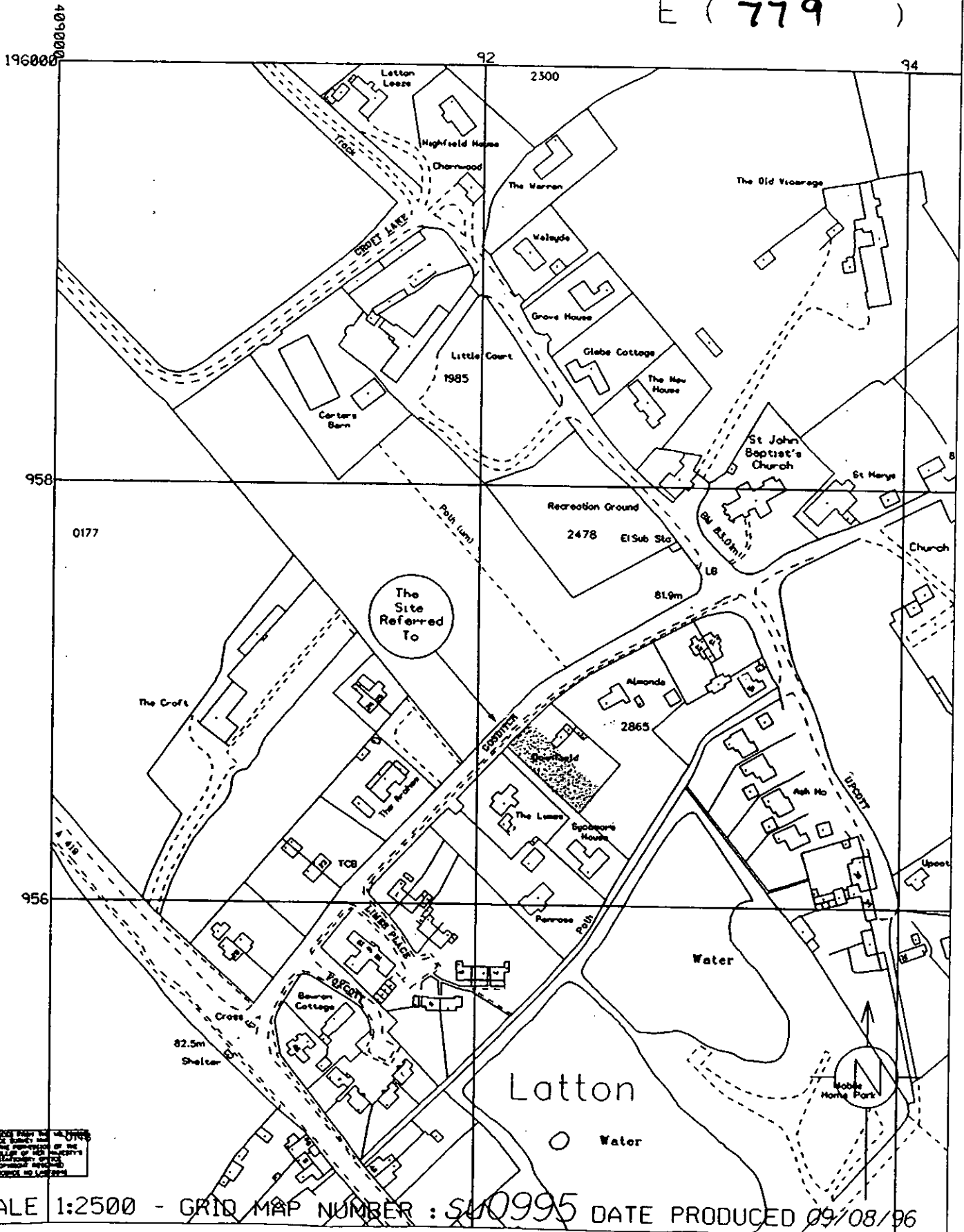
03 SEP 1996

NORTH WILTSHIRE DISTRICT COUNCIL TOWN & COUNTRY PLANNING DEPT. 1990

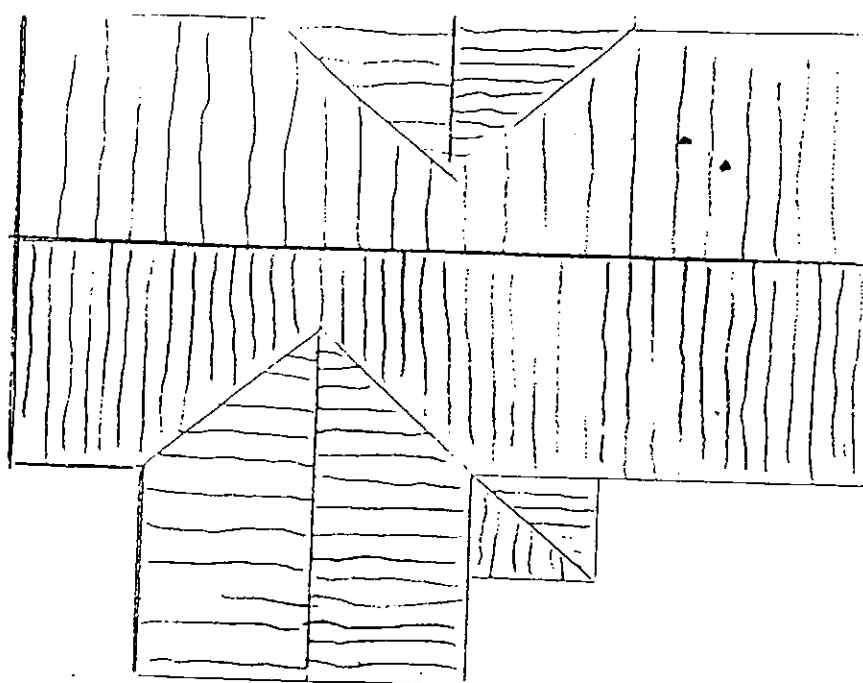
ENFORCEMENT NOTICE

Important - This Communication affects your PROPERTY

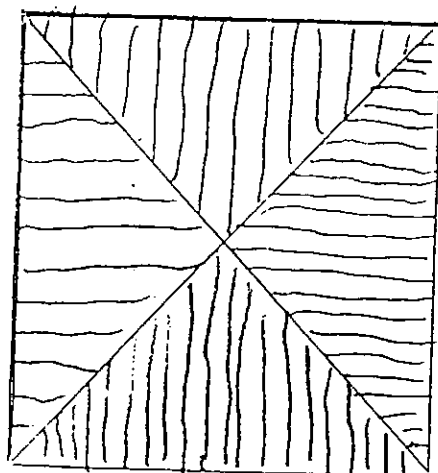
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PLAN B

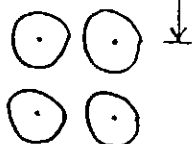


SILVER BIRCH



5.8m

Four *Betula jacquemontii*
(Himalayan Birch),
minimum height 1.5m



DEVELOPMENT
CONTROL

03 SEP 1996

TO INTERFEO.

IMPORTANT

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P L Jeremiah, LLB

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Telephone (0249) 443322

3 September 1996

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TOWN AND COUNTY PLANNING ACT 1990

ENFORCEMENT NOTICE

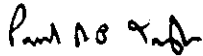
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ENFORCEMENT NOTICE

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DATED 3 September 1996

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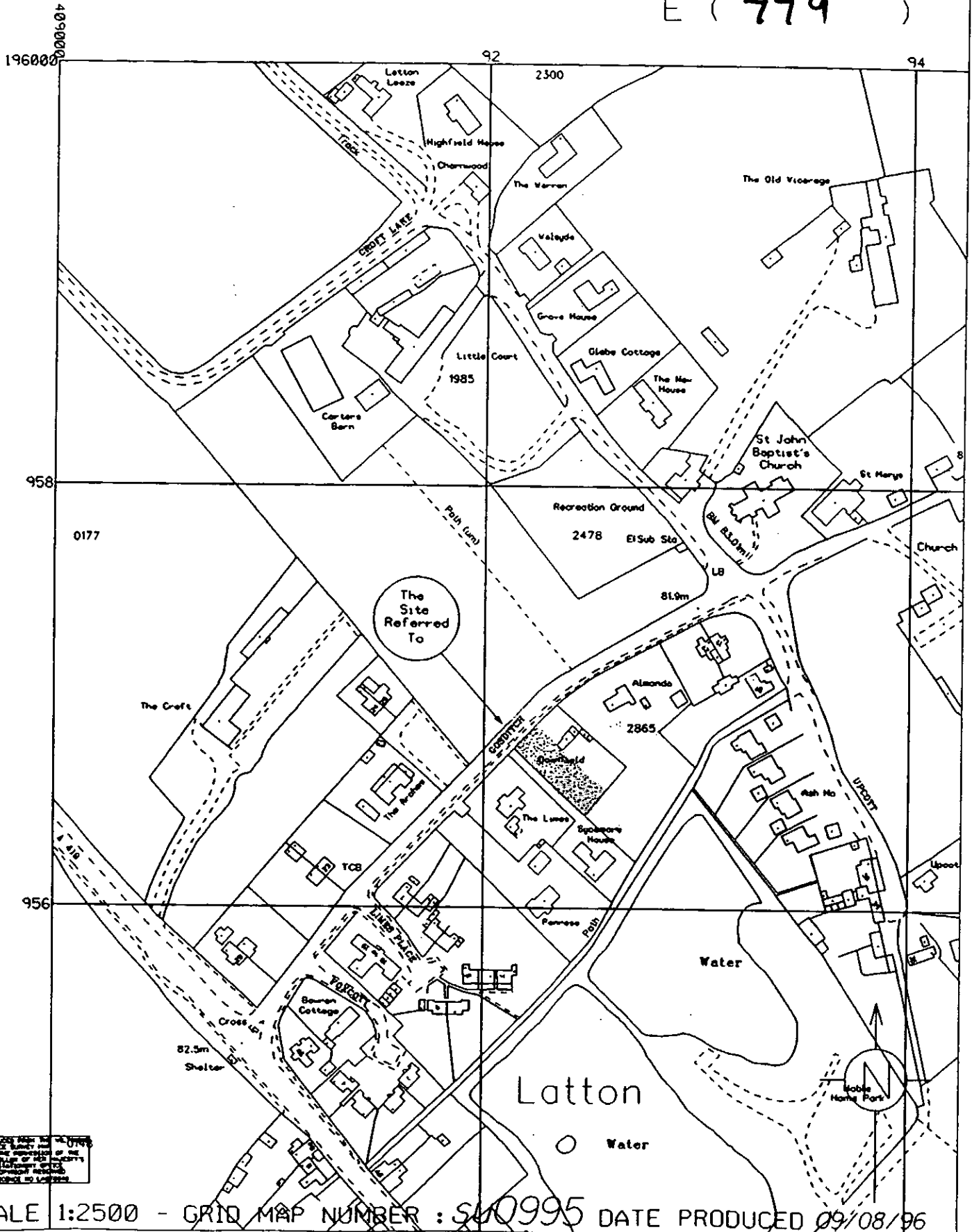
PLAN A

NORTH WILTSHIRE DISTRICT COUNCIL TOWN & COUNTRY PLANNING ACT 1990

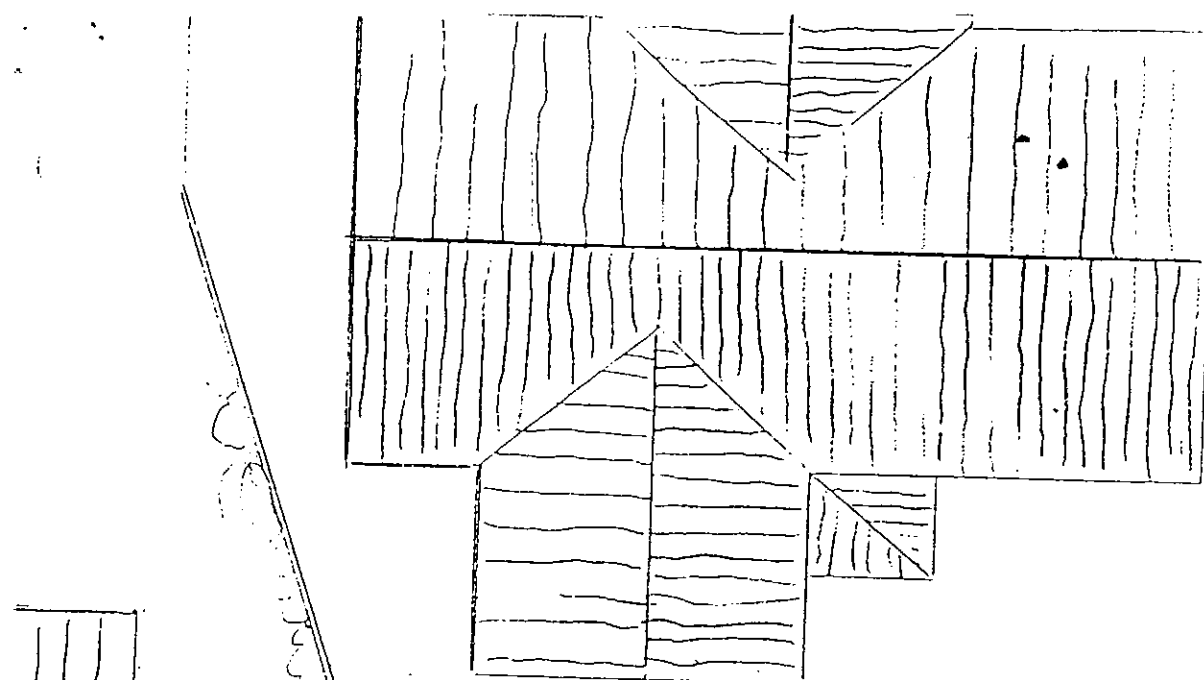
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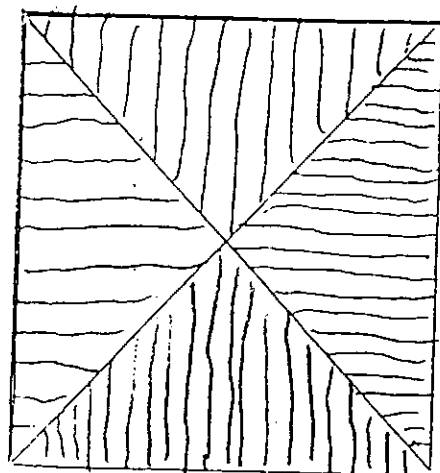
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PLAN B

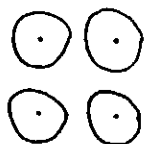


SILVER BIRCH



5.8m

Four *Betula jacquemontii*
(Himalayan Birch),
minimum height 1.5m



SCALE 1:100