

04 June 2018

Development Services  
Wiltshire Council

**VARIOUS**

Tel: 0300 456 0114

**NOTIFICATION OF ENFORCEMENT APPEAL**

[PlanningAppeals@wiltshire.gov.uk](mailto:PlanningAppeals@wiltshire.gov.uk)

Our Ref: 15/00498/ENF

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

APPELLANTS NAME: **Mrs Susan Howe and Mr Simon Howe**  
APPEAL SITE: **Appleford, Thornhill, Royal Wootton Bassett, SN4 7RX**

INSPECTORATE REFERENCE: **APP/Y3940/C/18/3193744 & APP/Y3940/C/18/3193745**  
APPEAL START DATE: **22nd May 2018**

**REMINDER**

Further to my previous letter regarding the **Inquiry** to be held on the above, I am now writing to inform you of the date and venue.

The appeal will be attended by the local planning authority, the appellant and a presiding inspector.

You may attend the **Inquiry** which will open on 26<sup>th</sup> February 2019 at 10am at the Council Offices, Monkton Park, Chippenham SN15 1ER and is currently scheduled to last **3** days. You may attend the **Inquiry** and at the discretion of the Inspector take part in the discussion.

**THE BREACH OF PLANNING CONTROL ALLEGED:**

**Without planning permission:**

- a) The unauthorised material change of use of the Land from a residential and equestrian use to a mixed use for residential, equestrian and the use of the Land for driver vehicle training including theory and practical driver training and the stationing of vehicles associated with this use.
- b) The unauthorised development of a gravelled hard surface area being used for ancillary parking associated with the unauthorised use.

**The enforcement notice was issued for the following reasons:**

- a) It appears to Wiltshire Council that the above breach of planning control for the unauthorised change of use has occurred within the last ten years .

- b) Core policy 1 and 2 of the Wiltshire Core Strategy (adopted January 2015) and paragraph 7 of the National Planning Policy Framework in that the unauthorised use takes place in an isolated unsustainable location.
- c) Core Policy 19 of the Wiltshire Core Strategy (Core Policy 19 provides the Royal Wootton Bassett and Cricklade Area Strategy) in that the unauthorised use takes place in an isolated unsustainable location.
- d) Core Policy 34 of the Wiltshire Core Strategy and paragraph 17 of the National Planning Policy Framework in that the use takes place in an unsustainable location and detracts from neighbouring residential amenity as well as being unsympathetic to the natural landscape setting.
- e) Core Policy 51 of the Wiltshire Core Strategy and paragraph 109 of the National Planning Policy Framework in that the unauthorised use and in particular the parking and use of large vehicles has an adverse impact on the local landscape character area.
- f) Core Policy 57 of the Wiltshire Core Strategy and paragraph 17 of the National Planning Policy Framework in that the unauthorised development is harmful to neighbouring residential and visual amenities as well as being unsympathetic to the natural landscape setting.
- g) Core policies 60 and 61 of the Wiltshire Core Strategy together with paragraph 32 of the National Planning Policy Framework in that the unauthorised development takes place in an unsustainable location encouraging the use of the private car whilst the use of the local road network by heavy goods vehicles is likely to lead to the risk of hazardous situations.
- h) Core Policy 67 of the Wiltshire Core Strategy together with paragraph 109 of the National Planning Policy Framework in that the unauthorised development, including the ancillary hardstanding is located within an area of higher flood risk (Flood Zone 2 and 3).
- i) The Council consider that planning permission should not be given for the unauthorised development, because planning conditions could not overcome these objections to development.

**The enforcement notice requires the following steps to be taken:**

- a) The cessation of the use of the land for driver vehicle training, including both theory and practical training purposes.
- b) The cessation of use of the land for the stationing of all vehicles associated with the use of the land for driver vehicle training.
- c) Remove all vehicles, plant and equipment associated with the unauthorised use of the land.
- d) Excavate the unauthorised gravelled hard surfaced area marked cross hatched on the attached plan and remove all resultant materials from the land.
- e) Reinstatement of the Land levels in the cross hatched area on the attached plan to match the land levels on the immediately adjacent Land using top soil and sown with rye grass seed.

**Contact us:**

Development Services – North  
Monkton Park Chippenham  
Wiltshire SN15 1ER  
Tel: 01249 706444

Development Services – Central  
County Hall Bythesea Road  
Trowbridge Wiltshire BA14 0RD  
Tel: 01225 770344

Development Services – South  
Bourne Hill Salisbury  
Wiltshire SP1 3UZ  
Tel: 01722 434541

**A copy of the Enforcement Notice can be viewed by contacting Wiltshire Council. The compliance period of time stated on the notice is 4 months.**

The appellant has appealed against the notice on the following grounds:

- a) That planning permission should be granted for what is alleged in the notice.
- b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.
- c) That there has not been a breach of planning control
- d) That, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.
- f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.
- g) The time given to comply with the notice is too short.

The appeal is against the Against an Enforcement Notice in respect of the above site, and is to be decided on the basis of the Inquiry procedure.

If you wish to receive a copy of the appeal Decision Letter, you should write to the Planning Inspectorate specifically requesting one.

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Finally, you may wish to note that The Planning Inspectorate has produced a guide to taking part in planning appeals. If you would like to receive a copy of this, please contact me on the telephone number set out at the head of this letter, further information can also be obtained from their web site at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

Yours faithfully,

Mike Wilmott  
Head of Development Management

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