



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**(As amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE**

**ISSUED BY HINCKLEY & BOSWORTH BOROUGH COUNCIL ("the Council")**

**1. THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to it that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. It considers that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

**2. THE LAND AFFECTED**

The Land at 20 Hilary Crescent, Groby, Leicester, Leicestershire, LE6 0BG ("the Land") which is shown edged red on the plan annexed ("the Plan").

**3. THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission the change of use from Residential (C3) to a mixed use of a car repair business, vehicle sales business and Residential use

**4. REASONS FOR ISSUING THIS NOTICE**

- a) The running of a car sales and repair business is having an adverse impact on local residents and is not safeguarding or enhancing the existing environment. The running of the business is having a detrimental impact on the surrounding

area; this is contrary to policy BE1 of the Hinckley and Bosworth Borough Council Local Plan 2001.

- b) The Local Planning Authority have evidence that demonstrates the owner on a regular basis is repairing and selling motor vehicles on the public highway which is reducing the amount of street parking available to residents. This is resulting in the street scene becoming very congested with traffic within the cul de sac and vehicles parking on public footpaths resulting in the general public having to walk on the highway; this is unacceptable within a residential area and contrary to policy BE1 of the Hinckley and Bosworth Borough Council Local Plan 2001.
- c) The use has a detrimental impact on the amenities of local residents by the way of increased noise generated from the repairing of motor vehicles, oil spills onto the public highway causing an environmental concern and the general appearance of repairing motor vehicles is unacceptable within a residential area contrary to policy EMP4 of the Hinckley and Bosworth Borough Council Local Plan 2001.
- d) It is evident that the change of use has occurred within the last 10 years and is therefore considered expedient for the Local Planning Authority to take enforcement action to remedy the breach of planning control.

**5. WHAT YOU ARE REQUIRED TO DO:-**

- a) Cease the running of a car sales and repair business from the residential property.

**6. TIME FOR COMPLIANCE:**

Three (3) months after this notice takes effect.

**7. DATE WHEN THIS NOTICE TAKES EFFECT**

This notice will take effect on 6 March 2015 unless an appeal is made against it beforehand.

Dated: 6 February 2015

Signed: .....

A handwritten signature in black ink, consisting of a large, stylized 'H' followed by a horizontal line and a small 'u' shape.

on behalf of:-

Hinckley & Bosworth Borough Council

Hinckley Hub

Rugby Road

Hinckley

Leicestershire

LE10 0FR

## ANNEX

### PERSONS SERVED

The following persons have been served with a copy of this Notice:

Mr Garry Anthony Hawkins  
20 Hilary Crescent  
Groby  
Leicester  
Leicestershire  
LE6 0BG

To the Company Secretary of:  
Buckinghamshire Building Society  
High Street  
Chalfont St. Giles  
Bucks  
HP8 4QB

Any Owner  
Land at 20 Hilary Crescent  
Groby  
Leicester  
Leicestershire  
LE6 0BG

Any Occupier  
Land at 20 Hilary Crescent  
Groby  
Leicester  
Leicestershire  
LE6 0BG

### YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be **received**, by the Secretary of State **before** the date specified in paragraph 7 of the notice. The enclosed leaflet "HOW TO COMPLETE YOUR ENFORCEMENT APPEAL FORM" sets out your rights and how to lodge your appeal. If you wish to lodge an appeal you must contact the Planning Inspectorate in the first instance for the forms to be sent to you.

If you appeal and wish the appeal under ground (a) or the deemed planning application to be considered a fee of **£770.00** is payable. Fee must be paid to the Council (cheque made payable to Hinckley & Bosworth BC). The Planning Inspectorate will notify you of the date by when this fee must be paid.

### WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

# Enforcement Notice Plan

Not Set



## Legend

Scale: 0 0.0125 0.025 0.05 KM

Organisation	Hinckley and Bosworth BC
Department	Department
Comments	Not Set
Date	20/01/2015
MSA Number	100018489