



Hinckley & Bosworth
Borough Council

A Borough to be proud of

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 ("the Act")

(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 the Council that there has been a breach of planning control, under section 171A(1)(a) of the 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 adjacent to the west of E. Taylor Skip Hire & Recycling Limited, Leicester Road, Hinckley, Leicestershire, LE10 3DR ("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 of land within the area hatched in blue on the Plan from agricultural use to the storage of non-agricultural waste and equipment and including:

- a) Waste materials comprising stone, road planings, road chippings, rubble, crushed bricks and concrete
- b) skips,
- c) lorry trailers vehicle bodies containers vehicles and vehicle parts

d) Other waste products

4. REASONS FOR ISSUING THIS NOTICE

- a) The unauthorised change of use has been undertaken in an area designated as Green Wedge as identified within the adopted Hinckley and Bosworth Borough Council Core Strategy 2009.
- b) The unauthorised change of use has been undertaken without the benefit of planning permission and has an undesirable impact on the open and undeveloped character of the Green Wedge. The Green Wedge uses should provide and promote positive management of the land. There are a number of uses acceptable within the Green Wedge; however, the storage of non agricultural waste and equipment is unacceptable within the Green Wedge and is contrary to Policy 6 of the adopted Hinckley and Bosworth Borough Council Core Strategy 2009
- c) Any land uses within the Green Wedge should retain the visual appearance of the area. The storage of non agricultural waste and equipment is having a detrimental impact on the character and appearance of the area; contrary to Policy 6 of the Hinckley and Bosworth Borough Council Core Strategy
- d) It is important to ensure that the Green Wedge is protected and enhanced further to increase its amenity as well as its ecological value. The use of the land for the storage of non agricultural waste and equipment does not retain the function of the Green Wedge and damages its value; contrary to Policy 6 of the Hinckley and Bosworth Borough Council Core Strategy.
- e) Policy WCS13 of the Leicestershire and Leicester Waste Development Framework Core Strategy and Development Control Policies states that the strategy for Green Wedges is not to grant planning permission for waste management. The storage of non agricultural waste and equipment is having a damaging effect on the landscape character of the area and has resulted in a loss of amenity value for the surrounding communities.
- f) The Council considers that these activities and structures have introduced visually intrusive and inappropriate development form into the countryside and the Green

Wedge; contrary to the core principles of Paragraph 17 of the National Planning Policy Framework and Hinckley and Bosworth Borough Council's Core Strategy Policy 6

- g) The Council considers that the adverse impacts of the unauthorised development cannot be satisfactorily mitigated by the use of planning conditions. It is evident that the change of use of the land to storage of non-agricultural waste and equipment has occurred within the last 10 years and it is expedient for the Council as 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 use of the Land for the storage of non-agricultural waste and equipment
- b) Remove all non-agricultural waste and equipment from the Land
- c) Break up the hard standing in the area hatched blue on the Plan and remove from the Land all arisings and associated materials from such breaking up
- d) Lay the area hatched in blue on the Plan with top soil and reseed with grass


6. TIME FOR COMPLIANCE:

- a) 3 months after this notice takes effect
- b) 4 months after this notice takes effect
- c) 6 months after this notice takes effect
- d) 7 months after this notice takes effect

7. DATE WHEN THIS NOTICE TAKES EFFECT

This notice will take effect on 4 March 2015 unless an appeal is made against it beforehand.

Dated: 4 February 2015

Signed: 

Duly authorised to sign
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 Elis John Taylor
Leachmore House
Workhouse Lane
Burbage
Hinckley
Leicestershire
LE10 3AS

Any Owner
E Taylor Skip Hire & Recycling Limited
Leicester Road
Hinckley
Leicestershire
LE10 3DR

Any Occupier
E Taylor Skip Hire & Recycling Limited
Leicester Road
Hinckley
Leicestershire
LE10 3DR

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.

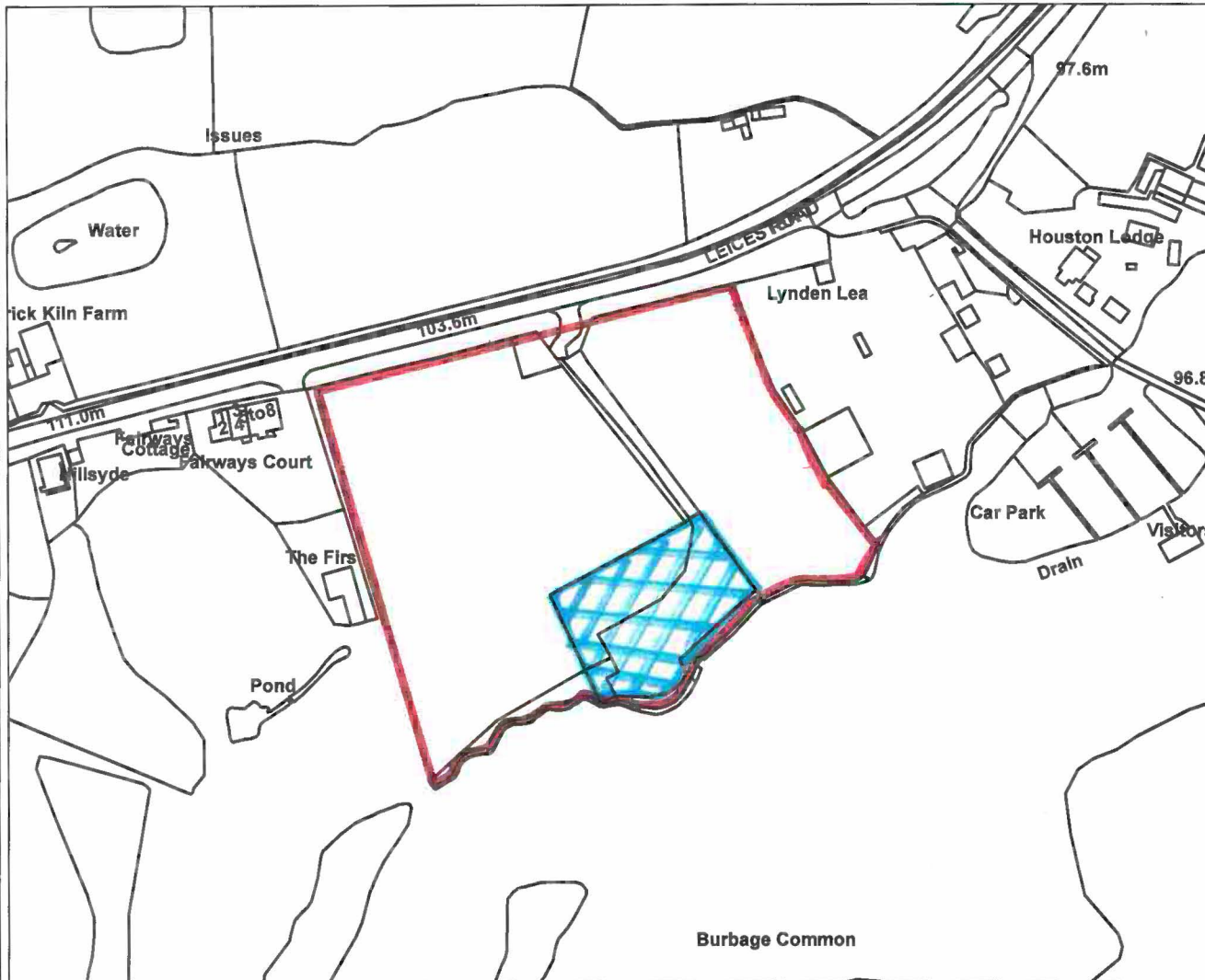
If you appeal and wish the appeal under ground (a) or the deemed planning application to be considered a fee of **£770.00** is payable. Fee must be paid to the Council (cheque made payable to Hinckley & Bosworth BC). The Planning Inspectorate will notify you of the date by when this fee must be paid.

WHAT HAPPENS IF YOU DO NOT APPEAL

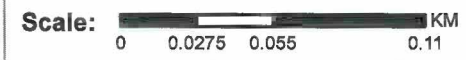
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice.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

Planning Enforcement Plan

Not Set



Legend



Organisation	Hinckley and Bosworth BC
Department	Department
Comments	Not Set
Date	04/02/2015
MSA Number	100018489

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