



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 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 Fields Farm, Goatham Lane, Osbaston, Nuneaton, Leicestershire ("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 the gallops from an ancillary use to the use of the gallops for a commercial purpose (shown edged blue on the attached plan)

**4. REASONS FOR ISSUING THIS NOTICE**

a) The use of the gallops for commercial purposes is adversely affecting the residential amenity of the occupiers of the neighbouring property by virtue of noise and disturbance. The activity by virtue of the number of vehicle movements

to and from the premises is resulting in an intensification of the use that leads to a harmful impact on the character of the surrounding countryside. The unrestricted use of the gallops is contrary to Policy BE1 (criterion i) of the adopted Local Plan and Policy NE5 (criteria ii)

- b) The Local Planning Authority has evidence to that demonstrates that the gallops are used on a regular basis for commercial purposes and that by virtue of this unrestricted activity there is an harmful impact in terms of residential amenity; contrary to Policy BE1 (criteria i) of the adopted Local Plan
- c) In the opinion of the Local Planning Authority, by virtue of the scale and intensification of the commercial activities taking place due to the unrestricted amount of vehicles and people visiting the premises is not in keeping with the undeveloped rural character of the general surroundings; contrary to Policy NE5 (criteria ii) of the adopted Local Plan.
- d) In the opinion of the Local Planning Authority the change of use of the gallops for commercial purposes is having an adverse impact on the local highway network with an increase in vehicle movements to the premises; contrary to Policy T5 of the adopted Local Plan.
- e) 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 use of the gallops for commercial purposes other than as permitted by Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 2015.


## **6. TIME FOR COMPLIANCE:**

One (1) month after this notice takes effect.

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

This notice will take effect on 1 August 2015 unless an appeal is made against it beforehand.

Dated: 1 July 2015

Signed:  .....

Simon Atha  
Planning Manager (Development Management)

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 Richard John Hopwood  
Field Farm  
Osbaston Lane  
Osbaston  
Leicestershire  
CV13 0DR

Mrs Cathryn Mary Hopwood  
Field Farm  
Osbaston Lane  
Osbaston  
Leicestershire  
CV13 0DR

Any Owner  
Land at Fields Farm  
Goatham Lane  
Osbaston  
Nuneaton  
Leicestershire  
CV13 0DR

Any Occupier  
Land at Fields Farm  
Goatham Lane  
Osbaston  
Nuneaton  
Leicestershire  
CV13 0DR

To the Company Secretary of:  
HSBC Bank PLC  
40 Wakefield Road  
Leeds  
LS98 1FD

### 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. The 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

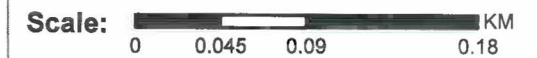
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. 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	30/06/2015
PSMA Number	100018489