



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 known as land adjacent to 5 Kingfisher Way, Sheepy Parva, Atherstone, 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 creation of footings and hard standing on the area hatched green on the plan

4. REASONS FOR ISSUING THIS NOTICE

- a) The footings and hard standing are located within Flood Zone 3b, and would have an adverse impact on the flood plain and would inhibit or damage the drainage functions of the natural watercourse system which is contrary to Policy NE13 and

NE15 of the adopted Hinckley and Bosworth Local Plan and Paragraph 103 of the National Planning Policy Framework.

- c) The Council considers that the adverse impacts of the unauthorised development can not be satisfactorily mitigated by the use of planning conditions. It is evident that the hard standing and footings were created within the last 4 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) Break up the unauthorised hard standing and footings hatched green on the Plan and remove all arisings and associated materials from the Land.
- b) Lay the area hatched in green on the Plan with top soil and re-seed with grass.

6. TIME FOR COMPLIANCE:

- a) 2 months after this notice takes effect
- b) 3 months after this notice takes effect.

7. DATE WHEN THIS NOTICE TAKES EFFECT

This notice will take effect on 1 November 2015 unless an appeal is made beforehand.

Dated: 1 October 2015

Signed: 

Simon Atha
Planning Manager

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 Adrian Burr
Springbourne Homes Ltd
The Commercial Centre
25 Coton Road
Nuneaton
Warwickshire
CV11 5TW

Mr Adrian Charles Burr
5 Kingfisher Way
Sheepy Parva
Atherstone
Leicestershire
CV9 3SW

Any Occupier
Land at Land Adjacent To
5 Kingfisher Way
Sheepy Parva
Atherstone
Leicestershire
CV9 3SW

Any Owner
Land at Land Adjacent To
5 Kingfisher Way
Sheepy Parva
Atherstone
Leicestershire
CV9 3SW

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.

Enforcement Plan
Not Set



Legend



Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	30/09/2015
PSMA Number	100018489