



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 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 231 Shaw Lane and the Land to the side and rear of 231 Shaw Lane, Markfield, Leicestershire, LE67 9PW, ("the Land") which is shown edged red on the plan annexed ("the Plan").

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

Without planning permission the use of the Land for a dog breeding establishment and the keeping of dogs (other than animals which are incidental to the personal enjoyment of the dwelling at 231 Shaw Lane).

**4. REASONS FOR ISSUING THIS NOTICE**

- a) In the opinion of the Council as Local Planning Authority the breeding and keeping of dogs is having an adverse impact on the neighbouring residential amenity due to the noise generated from the barking of dogs and odour. The development is contrary to Policy BE1 (criterion i) of the Hinckley and Bosworth Local Plan 2001, Policy DM1 (criteria a and b) of the emerging Site Allocations and Development Management Policies Development Plan Document and paragraph 17 of the National Planning Policy Framework.
- b) It is evident that the change of use has occurred within the last 10 years and is therefore considered expedient for the Council as 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 operation of a dog breeding establishment and/or for the keeping of dogs that are not incidental to the enjoyment of the dwelling house.

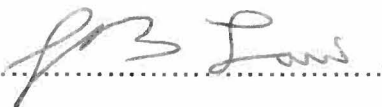
**6. TIME FOR COMPLIANCE:**

One month after this notice takes effect.

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

This notice will take effect on 7 February 2016 unless an appeal is made against it beforehand.

Dated: 7 January 2016

Signed:  .....

Graeme Law (Development 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 Andrew Pickup  
Linton Farms Limited  
Linton Farm  
Merrylees Road  
Thornton  
Leicestershire  
LE67 1AN

To the Company Secretary of:  
Nationwide Building Society  
Nationwide House  
Pipers Way  
Swindon  
SN38 1NW

To the Company Secretary of:  
Bradgate Property Management Ltd  
Bradgate Rise  
Evamay Building  
Windsor Street  
Burbage  
Hinckley  
LE10 2LL

Mrs Julia Newton Winfield  
231 Shaw Lane  
Markfield  
Leicestershire  
LE67 9PW

Any Occupier  
Land at 231 Shaw Lane  
Markfield  
Leicestershire  
LE67 9PW

Any Owner  
Land at 231 Shaw Lane  
Markfield  
Leicestershire  
LE67 9PW

### 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.

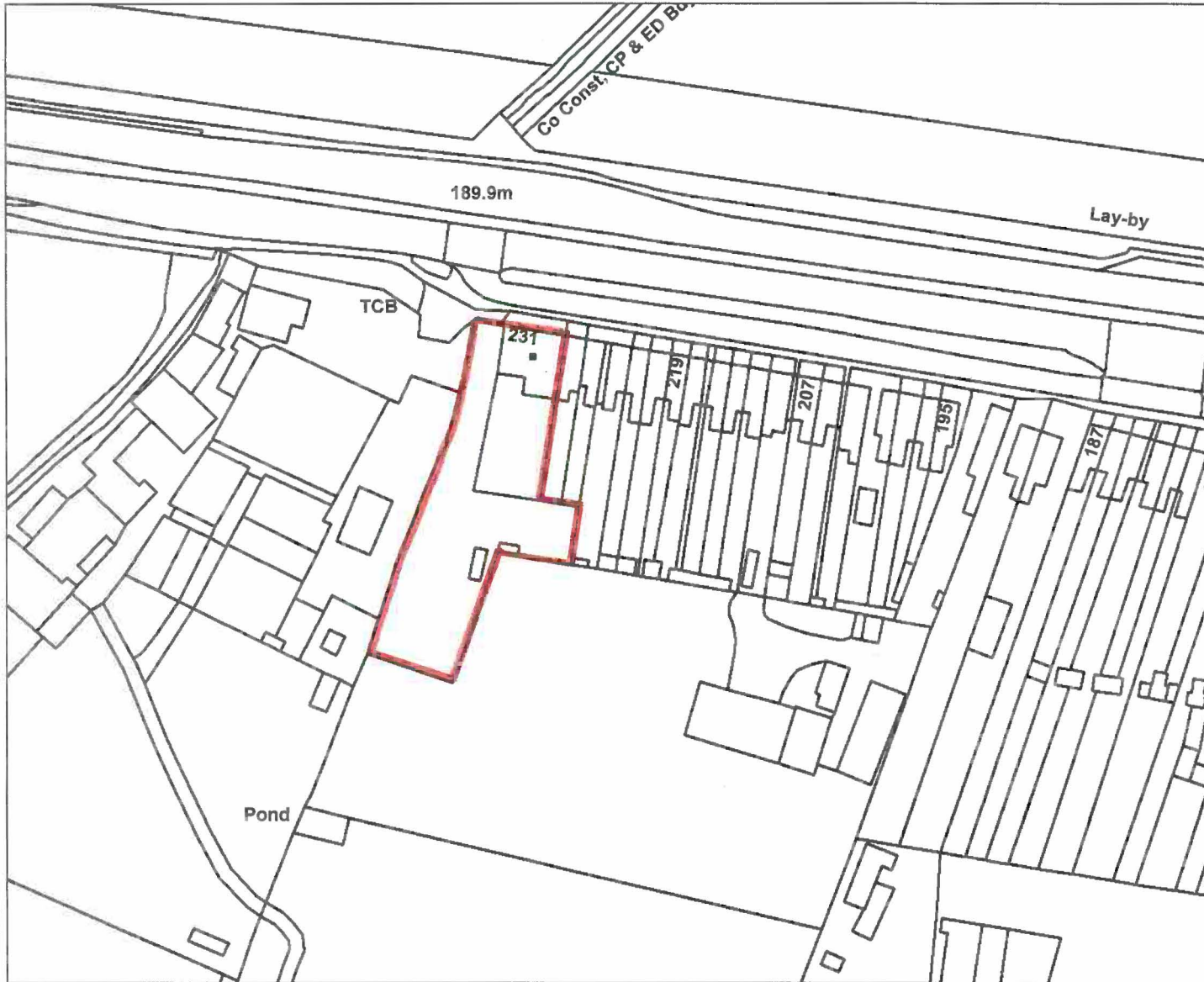
If you appeal and wish the appeal under ground (a) or the deemed planning application to be considered a fee of **£770.00** is payable. Fee must be paid to the Council (cheque made payable to Hinckley & Bosworth BC). The Planning Inspectorate will notify you of the date by when this fee must be paid.

### 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 Notice Plan

Not Set



## Legend

Scale: 0 0.0125 0.025 0.05 KM

Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	29/12/2015
PSMA Number	100018489