



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 15 Sparkenhoe, Newbold Verdon, Leicester, Leicestershire, LE9 9LU ("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 edged hatched in red from a residential property (Use Class C3) to a mixed use of residential and a builder's storage yard (*sui generis*) and including:

- a) The erection of a 2-metre-high metal palisade fence shown in blue on the Plan
- b) The storage of building materials not associated with the development of the site.

4. REASONS FOR ISSUING THIS NOTICE

- a) In the opinion of the Council as Local Planning Authority the unauthorised change of use to a builder's storage yard, the storage of various building materials and the erection of a 2 -metre -high metal palisade fence within a residential property is having an adverse impact on the amenities of neighbouring properties which is contrary to Policy DM10 (criterion b) of the Site Allocations and Development Management Policies Development Plan Document Submission Document December 2014 and Policy BE1 (criterion i) of the Hinckley and Bosworth Local Plan 2001.
- b) In the opinion of the Local Planning Authority the fence, materials and change of use is having a detrimental impact on the character and appearance of the surrounding area. The fence, materials and change of use do not respect the local distinctiveness of the local surrounding area and as such are contrary to Policy DM10 (criteria c and d) of the emerging Site Allocations and Development Management Policies Development Plan Document Submission Document December 2014 and Policy BE1 (criterion a) of the Hinckley and Bosworth Local Plan 2001.
- c) It is evident that the change of use to a mixed sui generis use has occurred within the last 10 years and it 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 shown in red on the Plan as a builder's storage yard
- b) Remove all building materials and equipment not associated with any development on the land within the area outlined in red on the Plan
- c) Remove the metal palisade fencing shown blue on the Plan


6. TIME FOR COMPLIANCE:

- a) One calendar month after this notice takes effect.
- b) Three months after this notice takes effect
- c) Four months after this notice takes effect

7. DATE WHEN THIS NOTICE TAKES EFFECT

This notice will take effect 7 February 2016 on 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 Kevin David Orton
15 Sparkenhoe
Newbold Verdon
Leicestershire
LE9 9LU

Mrs Mary Christina Orton
15 Sparkenhoe
Newbold Verdon
Leicestershire
LE9 9LU

To the Company Secretary of:
Bank of Scotland PLC
Birmingham Midlands Division
Pendeford Business Park
Wobaston Road
Wolverhampton
WV9 5HZ

Any Owner
Land at 15 Sparkenhoe
Newbold Verdon
Leicester
Leicestershire
LE9 9LU

Any Occupier
Land at 15 Sparkenhoe
Newbold Verdon
Leicester
Leicestershire
LE9 9LU

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

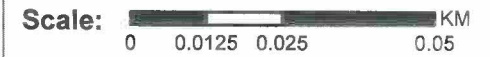
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice.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



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