



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**(As amended by the Planning and Compensation Act 1991)**  
**ENFORCEMENT NOTICE**

**ISSUED BY HINCKLEY & BOSWORTH BOROUGH COUNCIL**

**1. THIS IS A FORMAL NOTICE** which is issued by the Council because it appears 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**

23C Wood Street, Hinckley, Leicestershire, LE10 1JQ ("the Unit") which is shown edged red on the plan annexed ("Planning Enforcement Notice Plan").

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

Without planning permission the change of use of the Unit the current lawful use of which falls within Use Class B2 to a dog day care and grooming centre (Sui Generis Use) (shown edged red on the attached plan).

**4. REASONS FOR ISSUING THIS NOTICE**

- a) The change of use results in the partial loss of an employment unit within a designated employment site. This property is allocated as a Category B

employment site within the Council's Employment Land and Premises Study (2013); within the most recent review of the study it was recommended that 100% of these premises be retained for uses falling within Use Classes B1, B2 or B8. Therefore the loss of this unit would be contrary to Policy DM19 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

- b) It is evident that the change of use 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:-**

Cease the use of the unit for the operation of a dog day care and dog grooming centre.

**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 **(6 February 2017)** unless an appeal is made against it beforehand.

Dated: 6 January 2017

Signed: .....

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 Daemon Johnson	Onyxrose Limited
14 Landseer Drive	19 Dugdale Street
Hinckley	Nuneaton
LE10 0GF	Warwickshire
	CV11 5QL

Any Owner	Any Occupier
Land at Factory Units	Land at Factory Units
23C Wood Street	23C Wood Street
Hinckley	Hinckley
Leicestershire	Leicestershire
LE10 1JQ	LE10 1JQ

### 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



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**Scale:** 1:525

Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	08/12/2016
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