



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) ("The Act")**

**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 31 Flaxfield Close, Groby, Leicester, Leicestershire, LE6 0EZ which is shown edged red on the plan annexed ("the Land").

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

Without planning permission, the use of 31 Flaxfield Close, a private residential property for the parking of one flat bed lorry, which constitutes a material change of use.

**4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last 10 years. The reasons for issuing the Enforcement Notice are as follows:-

- a) The unauthorised use of a private residential property for the parking of a flat bed lorry is on a quiet residential cul-de-sac, harms the character of the street and the amenity of the area is contrary to policy DM10 of the Site Allocations and Development Management Policies DPD.

The Council considers that planning permission should not be given, because planning conditions could not overcome the harm identified.

**5. WHAT YOU ARE REQUIRED TO DO:-**

**You must:**

- a) Permanently remove any flat bed lorry situated on the Land.
- b) Cease the use for the parking of any commercial or heavy goods vehicle

**6. TIME FOR COMPLIANCE:**

One month after this notice takes effect.

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

This notice will take effect on 14 April 2017 unless an appeal is made against it beforehand.

Dated: 14 March 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 Philip John Hardcastle  
31 Flaxfield Close  
Groby  
Leicester  
LE6 0EZ

Mrs Rosalind Hardcastle  
31 Flaxfield Close  
Groby  
Leicester  
LE6 0EZ

Miss Shabina Ladha  
Straw & Pearce Solicitors  
18 Rectory Place  
Loughborough  
Leicestershire  
LE11 1UU

Any Owner  
Land at 31 Flaxfield Close  
Groby  
Leicester  
Leicestershire  
LE6 0EZ

Any Occupier  
Land at 31 Flaxfield Close  
Groby  
Leicester  
Leicestershire  
LE6 0EZ

### 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.

# Enforcement Notice Plan



Author: Web AppBuilder for ArcGIS

## Map Notes

Service Layer Credits:



Scale 1:1,000

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