



**Hinckley & Bosworth
Borough Council**

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 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 123 Stamford Street, Ratby, Leicester, Leicestershire, LE6 0JU ("the Land") which is shown edged red on the plan annexed ("the Plan").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission the material change of use of the Land from use as a dwellinghouse to a mixed use comprising use as a dwellinghouse and use as a dog breeding establishment and the keeping of more than six dogs over and above that which can be considered incidental to the personal enjoyment of the dwelling at 123 Stamford Street, Ratby

4. REASONS FOR ISSUING THIS NOTICE

- a) The property is a mid terrace property with 11 dogs present at the address. The dogs are currently kept in the rear garden of the property and therefore a number of nearby residents are affected by noise and odour from the dogs. It is considered that such a high number of dogs in close proximity to neighbouring properties is having an adverse impact upon neighbouring properties through noise and disturbance and is considered to be contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD.
- b) It is evident to the local planning authority that the material change of use for the keeping of dogs not incidental to the personal enjoyment of the dwelling house has been in place for less than ten years and it is therefore expedient for the 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 for the keeping of dogs that are not incidental to the enjoyment of the dwelling house
- b) Reduce the number of dogs kept at the property to no more than six.


6. TIME FOR COMPLIANCE:

Three months after this notice takes effect.

7. DATE WHEN THIS NOTICE TAKES EFFECT

This notice will take effect on 7 July 2017 unless an appeal is made against it beforehand.

Dated: 7 June 2017

Signed: 
Principal Planning Officer

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:

Julia Claire Newton-Winfield
123 Stamford Street
Ratby
Leicester
LE6 0JU

To the Company Secretary of:
TSB Bank PLC
Whistletree
P.O. Box 655
Durham
DH1 9LX

Any Owner
Land at 123 Stamford Street
Ratby
Leicester
Leicestershire
LE6 0JU

Any Occupier
Land at 123 Stamford Street
Ratby
Leicester
Leicestershire
LE6 0JU

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

Not Set



Legend

Scale: 0 0.0125 0.025 0.05 KM

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Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
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