



**Hinckley & Bosworth
Borough Council**

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 Allotment Gardens, Newtown Linford Lane, Groby, Leicestershire, ("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 allotment gardens to the use for the maintenance, repair and storage of motor vehicles (sui generis)

4. REASONS FOR ISSUING THIS NOTICE

- a) The unauthorised change of use has been undertaken in an area designated as Green Wedge as identified within the adopted Hinckley and Bosworth Borough Council Core Strategy 2009.
- b) The unauthorised change of use has been undertaken without the benefit of planning permission and has an undesirable impact on the open and undeveloped character of the Green Wedge. Any land uses within the Green Wedge should retain the visual appearance of the area. There are a number of uses acceptable within the Green Wedge; however the maintenance, repair and storage of motor vehicles is unacceptable and is contrary to Policy 9 of the adopted Hinckley and Bosworth Borough Council Core Strategy 2009.
- c) It is important to ensure that the Green Wedge is protected and enhanced further to increase its amenity as well as its ecological value. The use of the land for the maintenance, repair and storage of motor vehicles does not retain the function of the Green Wedge and damages its value; contrary to Policy 9 of the Hinckley and Bosworth Borough Council Core Strategy.
- d) The Council considers that the adverse impacts of the unauthorised development cannot be satisfactorily mitigated by the use of planning conditions. It is evident that the change of use of the land to the use for the maintenance, repair and storage of motor vehicles 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:-

- a) Cease the use of the land for the maintenance, repair and storage of motor vehicles
- b) Remove all motor vehicles from the land and associated materials

6. TIME FOR COMPLIANCE:

Two months after this notice takes effect.

7. DATE WHEN THIS NOTICE TAKES EFFECT

This notice will take effect on 7 January 2018 unless an appeal is made against it beforehand.

Dated: 7 December 2017

Signed: 

Gemma Dennis (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:

Mr Hopkins
The Bungalow
Beveridge Lane
Bardon Hill
Coalville
Leicestershire

Any Owner
Land at Allotment Gardens
Newtown Linford Lane
Groby
Leicestershire

Any Occupier
Land at Allotment Gardens
Newtown Linford Lane
Groby
Leicestershire

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

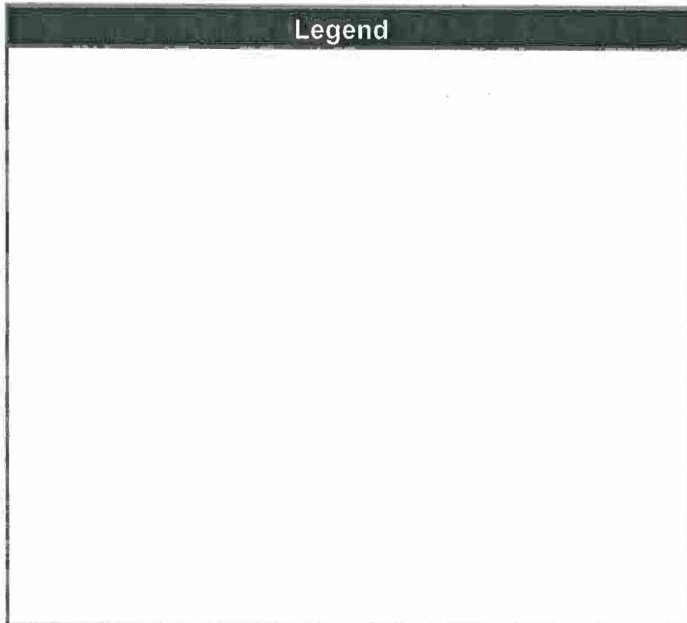
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Planning Enforcement Plan

Not Set



Legend



Scale: 0 0.0275 0.055 0.11 KM

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Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
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