



**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 Tara, Barlestone Road, Bagworth, Coalville, 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 erection of a three metre high close boarded fence adjacent to Barlestone Road, Bagworth

**4. REASONS FOR ISSUING THIS NOTICE**

a) The erection of a 3 metre high close boarded fence adjacent to the public highway is having a detrimental impact on the character and appearance of the area. The

fencing does not enhance or complement the surrounding area and is contrary to Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

- b) The fencing is a dominant and alien arrangement that constitutes an incongruous form of development and as a result is contrary to Policy DM4 and DM10 of the Site Allocations and Development Management Policies DPD.
- c) It is also evident to the Local Planning Authority that the fencing has been in place for less than four 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) Remove the fencing from the land and all associated materials

**6. TIME FOR COMPLIANCE:**

One calendar month after this notice takes effect.

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

This notice will take effect on 24 February 2018 unless an appeal is made against it beforehand.

Dated: 24 January 2018

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:

Mrs Sally Elliott-Smith  
11 Nevada Park  
Park Avenue  
Melton Mowbray  
Leicestershire  
LE13 0JD

Mr Sidney Smith  
11 Nevada Park  
Park Avenue  
Melton Mowbray  
Leicestershire  
LE13 0JD

Mrs Sally Elliott-Smith  
Tara House  
Barlestone Road  
Bagworth  
Coalville  
Leicestershire  
LE67 1DD

Mr Sidney Smith  
Tara House  
Barlestone Road  
Bagworth  
Coalville  
Leicestershire  
LE67 1DD

Mr Charlie Stanlie  
19 Golf Course Lane  
Leicester

Any Owner  
Land at Tara  
Barlestone Road  
Bagworth  
Coalville  
Leicestershire  
LE67 1DD

Any Occupier  
Land at Tara  
Barlestone Road  
Bagworth  
Coalville  
Leicestershire  
LE67 1DD

### 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 **£344.00** 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

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2015.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	24/01/2018
PSMA Number	100018489