



**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 Manor Hill Farm, Leicester Lane, Desford, Leicester, Leicestershire ("the Land") which is shown edged red on the plan annexed ("the Plan").

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

The use of a building permitted under the provisions of Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 (Planning Reference: 13/00605/GDO) for purposes other than agriculture to a material change of use to a workshop.

**4. REASONS FOR ISSUING THIS NOTICE**

- a) In the opinion of the Local Planning Authority the siting of a building in open countryside introduces an incongruous form of development which does not protect the intrinsic value, beauty, open character and landscape character of the countryside and is contrary to Policy DM4 of the Site Allocations and Development Management Policies DPD.
- b) An application was made under Part 6, Part A of the Town and Country Planning (General Permitted Development) Order 2015 (Planning Reference: 13/00605/GDO). The application was for a "Portal Framed agricultural link building to fit between the two existing agricultural buildings" the purpose of the building is for it to be used for the storage of agricultural feed and straw. It appears to the Local Planning Authority that the building is not and has never been used for the purpose of agriculture. In fact it is used as a workshop for various equipment, with also a mezzanine floor constructed within the barn used as an office space.
- b) It is evident to the Local Planning Authority that the building in question was granted a general development order for a "Portal Framed agricultural link building to fit between the two existing agricultural buildings" (Planning Reference: 13/00605/GDO) however the building in question has not been used for the purposes of agriculture. This change in use of the building has occurred within the last ten years and is therefore expedient to take enforcement action.

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

- a) Use the building granted under planning reference 13/00605/GDO to be used for the purposes of agriculture; or
- b) Demolish the building, remove from the land all resulting debris including the foundations of the building, all building materials and building equipment and, reinstate the land to its former condition as pasture land

## **6. TIME FOR COMPLIANCE:**

- a) Three months after this notice takes effect; or
- b) Six months after this notice take effect

7. DATE WHEN THIS NOTICE TAKES EFFECT

This notice will take effect on 20 March 2018 unless an appeal is made against it beforehand.

Dated: 20 February 2018

Signed: .....  .....

Gemma Dennis (Team Leader – Development Management)

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 A Preston  
Manor Hill Farm  
Leicester Lane  
Desford  
Leicester  
Leicestershire  
LE9 9JJ

Mrs Catherine Mary Preston  
15 Enderby Lane  
Thurlaston  
Leicestershire  
LE9 7TF

To the Company Secretary of:  
HSBC Bank PLC  
40-54-47 of Securities Processing Centre  
P.O. Box 6304  
Coventry  
CV3 9JY

Any Owner  
Land at Manor Hill Farm  
Leicester Lane  
Desford  
Leicester  
Leicestershire  
LE9 9JJ

Any Occupier  
Land at Manor Hill Farm  
Leicester Lane  
Desford  
Leicester  
Leicestershire  
LE9 9JJ

### 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 **£924.00** 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 0.0275 0.055 0.11 KM

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Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	20/02/2018
PSMA Number	100018489