



**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 ("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 74 Alexander Avenue, Earl Shilton, Leicester, Leicestershire, LE9 7AG ("the Land") which is shown edged red on the plan annexed ("Enforcement Plan").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission the erection of a single storey detached garage to the front of 74 Alexander Avenue (approximate location edged blue on the Enforcement Plan) and for identification purposes shown also on the attached photograph marked 'Appendix A'.

4. REASONS FOR ISSUING THIS NOTICE

- a) In the opinion of the Council as the Local Planning Authority, the single storey detached garage has a detrimental impact on the character and appearance of the surrounding area and as such is contrary to Policy DM10 of the Council's Site Allocations and Development Policies Development Plan Document (2016). A planning application for the retention of the garage (reference 18/00076/HOU) was refused on 21 March 2018 and an appeal against this refusal was dismissed on the 29 June 2018 by an Inspector appointed by the Secretary of State.
- b) It is evident that erection of the garage has occurred within the last 4 years and the Council as the Local Planning Authority considers that it is expedient to take enforcement action to remedy this breach of planning control.

5. WHAT YOU ARE REQUIRED TO DO:-

Remove the garage and all associated materials from the Land

6. TIME FOR COMPLIANCE:

Three (3) months after this notice takes effect.

7. DATE WHEN THIS NOTICE TAKES EFFECT

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

Dated: 7/9/18.

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:

| | |
|---------------------|-----------------------------|
| John Lee Stilgoe | Any Owner |
| 74 Alexander Avenue | Land at 74 Alexander Avenue |
| Earl Shilton | Earl Shilton |
| Leicester | Leicester |
| Leicestershire | Leicestershire |
| LE9 7AG | LE9 7AG |

| | |
|------------------------|-----------------------------|
| Rebecca Louise Stilgoe | Any Occupier |
| 74 Alexander Avenue | Land at 74 Alexander Avenue |
| Earl Shilton | Earl Shilton |
| Leicester | Leicester |
| Leicestershire | Leicestershire |
| LE9 7AG | LE9 7AG |

National Westminster Bank PLC
Mortgage Centre
P.O.Box 123
Greenock
PA15 1EF

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 **£412.00** 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 Plan

Not Set



Scale: 1:1,250

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| Organisation | Hinckley and Bosworth BC |
| Department | |
| Comments | Not Set |
| Date | 04/09/2018 |
| PSMA Number | 100018489 |