



**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 them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider 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 TO WHICH THIS NOTICE RELATES

Land at the rear of 84 Leicester Road ("the Land"), shown edged red on the attached plan ("the Plan").

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission the material change of use of former garden land to a use for the storage of building materials

4. REASONS FOR ISSUING THIS NOTICE

- a) In the opinion of the Local Planning Authority the storage of building materials on this area of land is incompatible with the residential character of the area and is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD.
- c) The Council considers that the adverse impacts of the unauthorised change of use cannot be satisfactorily mitigated by the use of planning conditions. It is evident that the change of use of the land to a builder's storage yard 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 storage of building materials
- b) Remove all materials associated with this use from the land.

6. TIME FOR COMPLIANCE:

One (1) month after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice will take effect on **8 November 2018** unless an appeal is made against it beforehand.

Dated: 8 October 2018

Signed:.....

Nicola Smith (Interim Head of Planning)

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:

Merrywell Properties Limited
1 Lovelace Close
Sibson
Nuneaton
CV13 6LH

Merrywell Properties Limited
208 Binley Road
Coventry
CV3 1HG

The Company Secretary
Merrywell Properties Limited
208 Binley Road
Coventry
CV3 1HG

The Company Secretary
Merrywell Properties Limited
1 Lovelace Close
Sibson
Nuneaton
CV13 6LH

Any Owner
Land to rear of 84 Leicester Road
Hinckley
Leicestershire
LE10 1LT

Any Occupier
Land to rear of 84 Leicester Road
Hinckley
Leicestershire
LE10 1LT

Paul Leonard Holman Gadd
226 Tamworth Road
Amington
Tamworth
B77 3DE

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. This 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.

The Plan

Not Set



Scale: 1:1,250

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Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	08/10/2018
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