



**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, within paragraph (a) of section 171A(1)(a) of the above Act, at the Land described below. The Council 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 TO WHICH THIS NOTICE RELATES**

The Land at 25 Warwick Gardens, Hinckley, Leicestershire, LE10 1SD shown edged red on the attached location plan (The Land).

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

Without planning permission the erection of a 2 metre high fence and associated gate adjacent to a highway at 25 Warwick Gardens, Hinckley, Leicestershire shown marked in a blue line between points A and B on the attached 'Enforcement

Plan' and for identification purposes on the attached photograph marked 'Appendix (A)'.  
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#### **4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breaches of planning control have occurred on the Land to which this notice relates within the last four years. Policy DM10 of the adopted Site Allocations and Development Policies Development Plan Document Submission (2016) states that planning permission will only be granted for development where it enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. In the opinion of the Council as Local Planning Authority the erection of the fence and associated gate adjacent to the highway are considered, by virtue of their scale and design, to have a significant adverse impact upon the character and appearance of the area and are therefore contrary to Policy DM10 of the adopted Site Allocations and Development Policies Development Plan Document Submission (2016).

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

Remove the fence and gate shown marked in a blue line between points A and B on the attached 'Enforcement Plan' or lower them to no more than 1 metre in height above ground level.

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

The period of compliance shall be 30 days after this notice takes effect.

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

This notice will take effect on **24 February 2019** unless an appeal is made against it beforehand.

Dated: 24/1/19.

Signed: ..... *GD* .....

Gemma Dennis  
Team Leader (Enforcement)

On behalf of:-

Hinckley & Bosworth Borough Council  
Hinckley Hub  
Rugby Road  
Hinckley  
Leicestershire  
LE10 0FR

## **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.

**PERSONS SERVED WITH ENFORCEMENT NOTICE**

**Town and Country Planning (Enforcement Notices & Appeals) (England) Regulations  
2002 Part 2, 5(c)**

Richard James Seabrook  
25 Warwick Gardens  
Hinckley  
Leicestershire  
LE10 1SD

Kara Louise Seabrook  
25 Warwick Gardens  
Hinckley  
Leicestershire  
LE10 1SD

# Enforcement Notice Location Plan

Not Set



**Scale:** 1:1,250

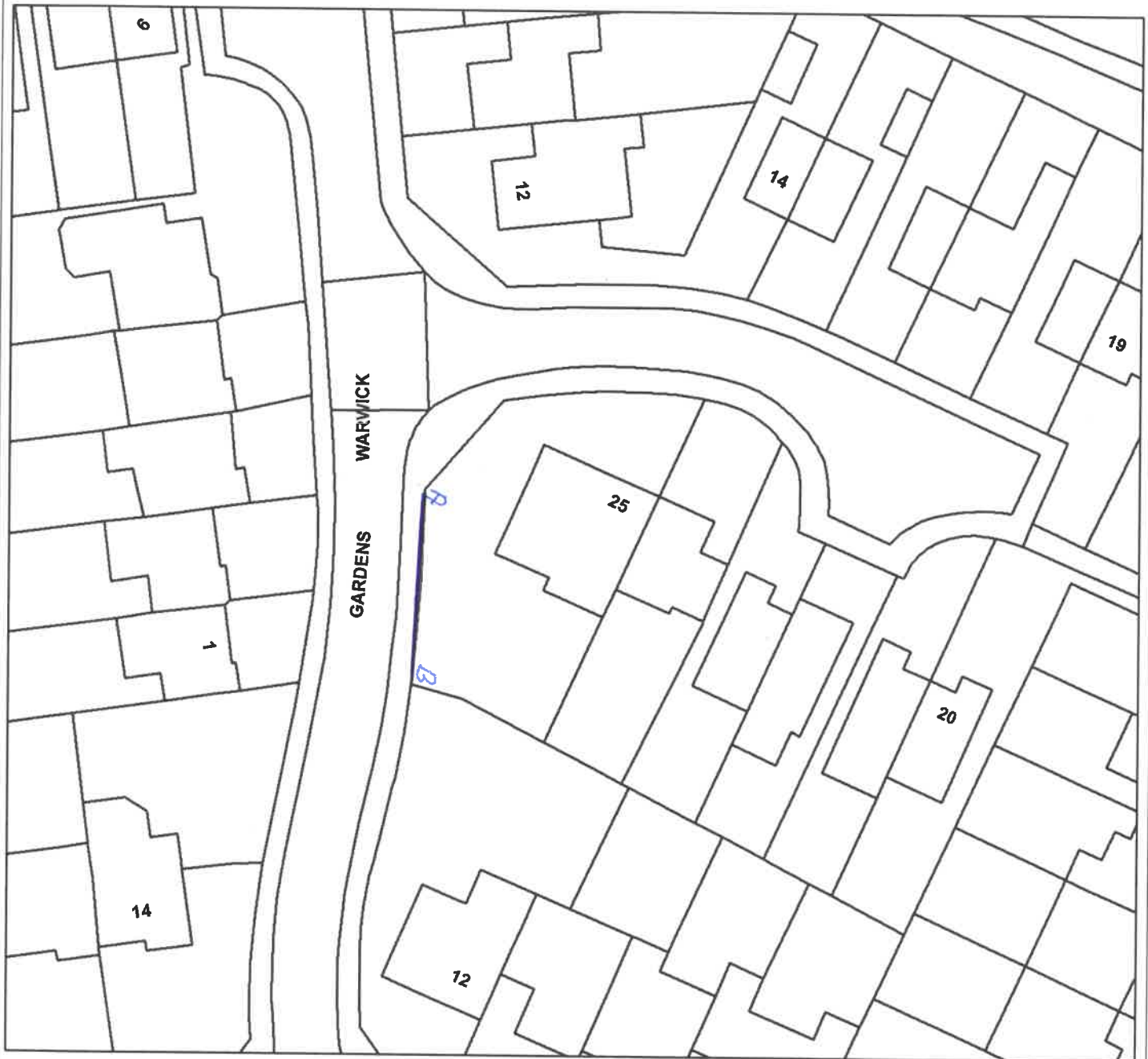
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Organisation	Hinckley and Bosworth BC
Department	
Comments	Not Set
Date	24/01/2019
PSMA Number	100018489

# Enforcement Plan

Not Set



**Scale:** 1:500

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Appendix (A)

