

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**ENFORCEMENT NOTICE**

ISSUED BY: Blaby District Council

1. **THIS NOTICE** 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) of the above Act, at the Land described below. The Council 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 THE NOTICE RELATES**

Land at **6 Brookes Avenue, Croft, Leicestershire LE9 3GJ** shown edged **RED** on the attached plan. (“the Land”).

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

Without planning permission, the unauthorised erection of a brick wall with timber gates/infill in excess of 1m in height adjacent to a highway (shown in **BLUE** in the approximate position on the attached plan).

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.

The development results in a significant shortfall in visibility to the south west of the access when considered against the standards set out in the Leicestershire Highway Design Guide due to the height and position of the boundary wall. This would require vehicles exiting the access to significantly protrude into the highway in order to see approaching vehicles which would lead to dangers for highway users. It is considered that the development fails to provide a safe and suitable access for all users and therefore has an unacceptable impact on highway safety contrary to Policy DM8 of the Blaby Local Plan Delivery DPD (2019) and Paragraph 114 of the National Planning Policy Framework (2023).

## 5. WHAT ARE YOU REQUIRED TO DO

Either:

- i. Reduce the height of all elements of the wall including pillars, infills and gates to a height not exceeding one metre above ground level; or
- ii. Remove all elements of the wall including pillars, infills and gates in their entirety.

## 6. TIME FOR COMPLIANCE

The period of compliance shall be **28 days** after this notice takes effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **MONDAY 5TH MAY 2024** unless an appeal is made against it before that date.

Dated: 4<sup>th</sup> April 2024

Signed: 

Graham Perkins  
Senior Enforcement Officer

on behalf of:  
Blaby District Council  
Council Offices  
Narborough  
Leicester  
LE19 2EP

Annex

## **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. Please read the attached note from the Planning Inspectorate which accompanies this notice.

## **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 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)**

Mr Roy Burdfield  
6 Brookes Avenue  
Croft  
Leicestershire  
LE9 3GJ

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

Highways  
Leicestershire County Council,  
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