The Planning Inspectorate

Appeal Decisions

Hearing Held on 14 August 2018

Site visit made on 14 August 2018

by Chris Preston BA(Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal A Ref: APP/T2405/C/17/3192458
Appeal B Ref: APP/T2405/C/17/3192459
Land at 110 Forest Road, Narborough, Leicestershire LE19 3EQ

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- Appeal A is made by Mr Parmjit Athwal (Carlton Stores) and Appeal B by Mrs Jasbir Athwal against an enforcement notice issued by Blaby District Council.
- The enforcement notice was issued on 05 December 2017.
- The breach of planning control as alleged in the notice is: Without planning permission the siting of a parcel locker and associated bollards on the Land.
- The requirements of the notice are: Remove from the Land to which this notice relates the parcel locker and associated bollards, located approximately on the attached plan edged green.
- The period for compliance with the requirements is 2 months after the notice takes effect.
- Appeal A is proceeding on the grounds set out in section 174(2) (a), (c), (e) and (g) of the Town and Country Planning Act 1990 as amended and Appeal B is proceeding on grounds (c), (e) and (g).

Decision in Relation to Appeal A:

1. It is directed that the enforcement notice be varied by the deletion of the words "2 months" in relation to the period for compliance at section 6 and the substitution of the following words "3 months". Subject to that variation the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Decision in Relation to Appeal B:

2. It is directed that the enforcement notice be varied by the deletion of the words "2 months" in relation to the period for compliance at section 6 and the substitution of the following words "3 months". Subject to that variation the appeal is dismissed and the enforcement notice is upheld.

Procedural Matters

3. Where two appellants are named on the same appeal form, as in the case of Mr and Mrs Athwal, two separate appeals are made and each is given an appeal reference. I have referred to the appeal by Mr Athwal (Carlton Stores) as Appeal A and the appeal by Mrs Athwal as Appeal B. The grounds of appeal were identical but the relevant fee in relation to the appeal on ground (a) was only paid in relation to one of the appeals, as is commonly the case in such

circumstances. Therefore, the appeal on ground (a) will only be considered in relation to Appeal A. In all other respects, the appeals are identical and I have considered both together within my decision letter.

The Appeals on Ground (e)

4. An appeal on ground (e) is made on the basis that copies of the enforcement notice were not properly served, as required by section 172 of the Town and Country Planning Act 1990 (the Act). Section 172(2) requires that a copy is served on the owner and on the occupier of the land to which it relates and on any other person having an interest in the land, being an interest which, in the opinion of the local planning authority, is materially affected by the notice.

5. The appellant suggested in the appeal form that the notice was served on the incorrect address in relation to Mr and Mrs Athwal. The Council had carried out a Land Registry search which identified that the land was purchased by Mr and Mrs Athwal in 2003. Their address at that time was shown as 258 Leicester Road, Wigston Fields and the Council served notice at that property. It would appear that Mr and Mrs Athwal have not lived at that address for a number of years. However, notice was also served directly on the 'Owner/Occupier' of Carlton Stores at No. 110 Forest Road. Mr Athwal was identified as the owner of the land when the retrospective planning application was submitted to the Council and No. 110 Forest Road was given as his address[1].

6. Mr and Mrs Athwal were clearly aware of the service of the notice and have been able to submit appeals accordingly. Consequently, it appears to me that the notice was properly served with respect of their interest in the land. At the Hearing, Mr Jagbir Athwal, the son of Mr Parmjit Athwal, suggested that notice should have been served on Carlton Stores Ltd, the company which runs the business at the premises. He argued that the company may have defended the appeal differently and that it was prejudiced by the failure to serve notice on it.

7. That argument was raised extremely late in proceedings at the event itself and not as part of the appellant's case prior to that point. Secondly, no information was provided to enable me to understand the relationship between Carlton Stores Ltd and the land owner, Mr Parmjit Athwal. He is identified as the owner of the land in the Land Registry search and on the planning application and it is not clear if the limited company leases the store from him. In any event, I was informed that he is one of the three directors of the company and it is reasonable to assume that he would be in a position to communicate with other directors, including Mr Jagbir Athwal, about the service of the notice. The fact that Jagbir was present at the hearing indicates that he was aware of the proceedings.

8. Thus, it appears to me that the Council took all reasonable steps to identify relevant owners and occupiers and that the notice was properly served in that regard. Even if it was the case that notice should have been served on Carlton Stores Ltd, which is not entirely clear on the limited information available, I am satisfied that no substantial prejudice has arisen on the basis that Mr Parmjit Athwal is a director of that company. In view of the terms of section 176(5) of the Act, the failure to serve notice on the company could be disregarded.

[1] Certificate B at section 25 of the application form.

9. In addition to matters of service, the appellant also raised a point regarding the failure of the Council to disclose an enforcement report which explained why it was expedient, in the eyes of the Council, to take enforcement action. That was raised under ground (e) on the basis that section 172(1)(b) of the Act identifies that an authority may issue a notice where it appears to them that it is expedient to do so, having regard to the provisions of the development plan and other material considerations. In the absence of a report setting out why it was expedient to issue the notice, the appellant maintains that the notice was not validly served.

10. In response, the Council accepted that no specific enforcement report was prepared. However, the service of the enforcement notice directly followed the Council's decision to refuse to grant planning permission for the development in relation to the retrospective planning application. The report regarding that decision sets out why the Council considered that the development is unacceptable in planning terms, including reference to development plan policies that the Council considered were most relevant to the decision. Thus, the delegated report in relation to the planning application also served to explain the Council's rationale for taking enforcement action. Those reasons were fully set out in the enforcement notice itself.

11. I appreciate that the appellant has raised other material considerations in support of the development in relation to the ground (a) appeal that were not addressed by the Council when it assessed the application, for example in relation to environmental benefits associated with the suggested reduction in delivery journeys. However, those matters will be considered when assessing the planning merits of the proposal. It is quite normal for competing arguments to be put forward in relation to ground (a) appeals. The Council's failure to consider those other matters prior to issuing the enforcement notice does not invalidate the service of the notice. Rather, it will be a matter of planning judgement as to whether planning permission should be granted having regard to all material factors. In terms of the statutory requirements, the enforcement notice explained why the Council considered it expedient to issue the notice and, as such, that there was no fundamental failure to have regard to the terms of section 172(1)(b) of the Act.

12. In view of the above, the appeals on ground (e) fail.

The Appeals on Ground (c)

13. The appellants' submissions in relation to ground (c) essentially have two strands; that the storage locker does not amount to operational development and secondly, if it does, that it would amount to 'permitted development'. On the first issue, section 55(1) of the Act defines development as: The carrying out of building, engineering, mining or other operations in, on, over, or under land or the making of a material change in the use of any buildings or other land. A building is defined by s336 of the Act as: any structure or erection and any part of a building, as so defined, but does not include plant or machinery comprised in a building.

14. There is extensive case law in relation to the question of what amounts to a building operation and the parties made passing reference at the Hearing to two relevant cases; Skerritts of Nottingham and Barvis. Those judgements

and other relevant case law have established three primary factors that should be considered in determining what constitutes a building; size; the degree of permanence; and the degree of physical attachment to the ground. No one factor is decisive and any judgement will be a matter of fact and degree based upon the specific circumstances of the case.

15. In this case, the parcel collection locker sits on adjustable feet which in turn rest on the hard surface on the forecourt. The feet are not physically bolted into the ground and the structure rests on its own weight. The electricity supply runs from within the shop and is connected to the underside of the unit. However, it would be a relatively straightforward matter to disconnect the supply and the degree of physical attachment by way of anchoring to the ground is limited.

16. Notwithstanding that point, the structure is 2.4m high, just under 3m wide and has a depth of 868mm. It is a bulky and tall structure and is likely to be of considerable weight, given its design and equipment within it. Those factors would preclude ease of movement and it strikes me that it is not a structure that could be moved round at will by the shop owners themselves. In relation to the appeal on ground (g), the appellants have argued that a three month period will be required on account of the fact that the operators of the unit (Inpost Uk Ltd.) would need to survey the site and arrange removal. That is an indication that moving the structure is not straightforward and no doubt care would need to be taken so as not to damage the electrical systems within.

17. Moreover, the structure has a substantial degree of permanence. By its nature, it is not intended to be moved regularly. It requires an electricity supply and a level surface and the associated bollards would appear to be an integral security feature designed to protect the unit from damage. Those bollards are fixed to the ground and relocation of the unit would also be likely to entail removal and relocation of those bollards. The structure has been in the same position since April 2014 and that is an indication that it is not designed to be moved regularly.

18. The appellant used an analogy that a motorbike could remain in the same position for a number of years but would not become a building as a result. However, fundamentally a motorbike is a small item that is inherently designed for movement. In contrast, the storage/ collection locker is designed to remain in the same position, as dictated by security features and the simple fact that its size and bulk would preclude regular movement.

19. Consequently, notwithstanding that the unit is not physically attached to the ground, I find that its size and degree of permanence are such that it amounts to a building operation. My conclusions in that regard are reinforced by the fact that collection facilities can, in certain situations, benefit from 'permitted development rights' granted under Class C, Part 7, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). In other words, in order to be 'permitted development' it must follow that such structures can be considered as 'development' in the first instance. For the reasons given I find that to be the case with regard to the structure in question.

20. The rights granted by Class C of Part 7 were introduced when the 2015 GPDO came into force in April 2015. The parcel locker in this case was erected before that date and could not have benefitted from those development rights. In any event, under the terms of paragraph C.1(d) development is not permitted under Class C if any part of the development would be within 2m of the boundary of the curtilage.

21. It appears to me that the curtilage in this instance includes the shop, its forecourt and the associated parking areas that surround it. In effect, the hard surface along the Browning Street side has a mixed use because it serves as a parking area for the flats above the shop and as a use in connection with the shop, specifically in relation to the area upon which the collection locker sits. The structure is located a few centimetres from the back edge of the footpath and just over one metre from the boundary of the adjacent dwelling at No. 2a Browning Street. As such it contravenes the requirements of paragraph C.1(d) and would not amount to permitted development.

22. The appellants also contend that the structure would have benefitted from permitted development rights for temporary structures as granted at the time through Class A, Part 4, Schedule 2 of the 1995 version of the GPDO (as amended). Those rights applied to the provision of buildings, movable structures, works, plant or machinery *required temporarily in connection with and for the duration of operations being or to be carried out on, in or over* the land in question, or on land adjoining that land.

23. The basis for the appellants' claim is that the facility is required in connection with the operations involved in running the shop. However, that is clearly a misreading of the provisions of the GPDO. It is clear that the *operations* referred to relate to building or engineering operations in the planning sense and not the day to day operation of an on-going concern. As correctly noted by the Council, the rights extend to the temporary provision of buildings or structures in association with building sites or civil engineering projects etc. Paragraph A.2 of Part 4 required that any such buildings or structures be removed once the operations had been carried out. In other words, the rights extended to a temporary period whilst building or engineering operations were being carried out and did not provide for an on-going right to locate buildings or structures in association with an already established use.

24. Having regard to the above, operational development has taken place which would require planning permission. No such permission existed for the development, either through permitted development rights or from any permission granted by the Council. In the absence of planning permission it is clear that a breach of planning control has occurred and the appeals on ground (c) must fail.

Appeal A on Ground (a)

25. From the information before me, the main issues in relation to the appeal on ground (a) are:

    i) The effect of the development on the character and appearance of the area;

ii) The effect on the living conditions of neighbouring residents as a result of any noise and disturbance that may arise from the use of the facility;

iii) The effect on car parking and highway safety;

iv) If any harm is identified in relation to issues i) to iii) whether that harm is outweighed by benefits in terms of a reduction in vehicular delivery movements and economic benefits to the local economy such that planning permission should be granted.

The Effect on the Character and Appearance of the Area

26. Carlton Stores is a local convenience store situated at the junction between Forest Road and Browning Street. It is, in some respects, a traditional corner shop being the only retail store in the area, surrounded by residential development. Forest Road is a larger distributor road and the streets that feed off it, including Browning Street, have the feel of quieter secondary streets. Consequently, as one would expect, the entrance to the store and the customer parking area and commercial signage is located on the busier Forest Road frontage.

27. The character of Browning Street is markedly more residential in nature. The entrance to the two first floor flats is on that side of the building, as are the two parking spaces associated with those flats. Beyond the store is a continuous run of housing, beginning with No.2a which is closely adjacent. It is an attractive street of detached and semi-detached dwellings in a range of styles. Almost universally those dwellings are set back behind small front gardens and the associated walls, fences and hedgerows enhance the character of the area. With some exceptions, the walls and fences are of a modest height and the hedges and trees add a sense of greenery.

28. The straight alignment of the street is such that clear views are available in both directions. The storage locker protrudes into views along the street on account of its prominent position, set at right angles to the store very close to the back edge of the pavement and adjacent to the driveway at No.2a. At 2.4m high it is taller than any nearby boundary feature and substantially higher than the traditionally modest front boundaries. The bright white finish and integrated advertising draw the eye and set the structure apart as an incongruous addition when compared to prevailing boundary treatments. I note that there are other tall fences and garages within the surrounding area but all of those have a residential character, unlike the parcel locker which is overtly commercial.

29. I concur with the Council that it may be possible to accommodate a similar facility without undue harm if it was located sensitively at an appropriate part of the site. However, the present position seems to have been selected without any regard to the residential character of Browning Street. The structure is removed from the main area of commercial activity at the front of the store and abruptly sits in the foreground of views along Browning Street.

30. In view of the above, I find that the design and scale of the structure are inherently unsuitable to the chosen location in a prominent position on a predominantly residential street. As a result, the locker fails to have regard

to the prevailing character of the area and causes harm to the character and appearance of the street. In that respect the development is contrary to the aims of policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) (the Core Strategy) which, amongst other things, seeks to ensure that new development is appropriate to its context and creates a high quality environment. It is also contrary to the aims of saved policy R1 (iii) and (v) of the Blaby Local Plan (1999) (the Local Plan) which seeks to avoid development of unacceptable appearance that is significantly out of character with the area.

Effect on the Living Conditions of Neighbouring Residents

31. As noted, the collection facility is located on the Browning Street side of the store. At ground floor level it is directly outside the staff room window. At first floor level a bedroom window of one of the two first floor flats is in close proximity. The detached dwelling at No. 2a Browning Street is located close to the rear of the unit.

32. The parties agree that the unit itself does not generate any significant noise level when parcels are being loaded and dispensed and I have no reason to take a different view on the evidence presented. The Council's concerns relate to the potential for noise and disturbance from customers who are using the facility, for example from car doors opening and shutting, raised voices and the like, particularly if the use was during the late evening period when adjacent residents are likely to be in bed.

33. The appellant has provided figures from the operator of the unit showing the times at which it was used over a three month snap-shot. For the most part, collections took place within daytime hours, with peaks between 1500 and 1900hrs. Very few collections were made later in the evening over the period in question and none after 2300hrs. I must treat those figures with some caution because it is not clear whether that particular timeframe is representative of the use over a longer period of time.

34. However, I consider it likely that the data is likely to be broadly representative of the collection times as a whole. Most people are likely to use the facility to pick up deliveries whilst going about their business in daytime hours, on the way to work, after work, before or after the school run etc. In addition, the level of use appears to be low, with an average of roughly one collection a day over the three month period. That may fluctuate but the number of lockers within the unit will limit the maximum level of use.

35. There is nothing to indicate that the use of the facility is inherently noisy of itself. Whilst an occasional car may pull up or someone using the service may talk to a friend or make conversation, the number of such instances is likely to be low and any impact unlikely to be of a level or frequency that would disturb sleep within neighbouring units. There is no record of complaints relating to noise and no comments were received from neighbouring residents when the retrospective application was publicised.

36. Consequently, whilst I can appreciate the potential for disturbance as a result of comings and goings, the scale of use appears to be such that the actual impacts have not unduly caused harm to the living conditions of neighbouring

residents. Having regard to the capacity of the unit I see no reason why that would change in the future. Accordingly, I am satisfied that the development has not resulted in any significant detriment to the living conditions of neighbouring properties as a result of noise such that it does not contravene the aims of saved policy R1(i) of the Local Plan.

Car Parking and Highway Safety

37. The land that immediately surrounds the shop serves as a car park for the retail unit and the two flats at first floor level. The entrance door to those flats is on Browning Street and a condition was attached to the planning permission that approved the flats to require that two parking spaces were provided on the Browning Street frontage. Those spaces were shown on plan numbered HP3491/d/14. The collection locker and the associated bollards are located in the vicinity of parking space 1 on that plan. However, as I was able to witness on my site visit ample space exists to the side of the store for two cars to park such that the locker has not resulted in a reduction in the available number of parking spaces from that shown on the approved plan.

38. The appellant maintains that those using the collection facility will predominantly do so on foot on the basis that it serves the local community. Nothing to substantiate that is before me. Whilst I have no doubt that some will choose to arrive on foot, others may come by car if they live slightly further afield or if they are passing en route to somewhere else. Those arriving by car would have the option of parking to the front of the store or on the roadside at Browning Street. No information has been presented by the Council to indicate that there is an existing parking problem in the area and visits to the facility are likely to be short in duration such that any parking would not occupy spaces for long. The same could be said of parking associated with the convenience store. In the context of that regular turnover of parking any car visits associated with the facility are unlikely to add undue pressure for parking in the local area.

39. Moreover, whilst the position of the structure impairs visibility for drivers pulling out of the driveway at No.2a Browning Street traffic speeds on that residential road are likely to be low and the situation is no different from other driveways along the road where adjacent fences and hedges restrict visibility.

40. Having regard to the above, I am satisfied that the development has not led to undue competition for car parking spaces to a degree that would cause highway safety issues or that it results in any harm to highway safety as a result of its location. Accordingly, it complies with the requirements of saved policy T6 of the Local Plan.

Benefits of the Development

41. The appellant contends that the development results in economic benefits associated with the adjacent convenience store, social benefits as a result of the convenience of the collection facility to the local community and environmental benefits arising from the reduced number of delivery trips to local homes. The Council does not dispute those benefits.

42. I accept that there will be an economic impact but the precise financial arrangement between the operator of the collection facility and the owner of the store is unclear. No doubt the arrangement provides extra income but it is difficult to attach any significant weight to that argument in the absence of information. The store appears to have operated for a number of years in the absence of the facility and there is nothing to indicate that it is dependent on it for continued survival.

43. In a wider economic context, the facility does help to facilitate on line shopping but, in the absence of the unit, deliveries would still be made, either to the door or to an alternative location. Thus, I am not convinced that there is a strong economic argument in favour of the development.

44. The unit does have the potential to reduce delivery trips. Instead of delivering to the door of the purchaser the driver deposits goods in the locker and the customer will then come and collect. If the customer is unhappy with the product, they return it to the locker for collection. Thus, the delivery driver would not be required to travel to individual addresses, reducing mileage and vehicle emissions in that respect. Whether the relationship is more convenient for the customer or the delivery company is a moot point and, in that context, the weight I attach to any community benefit is limited.

45. Moreover, whether any overall environmental benefit would arise will depend on how far customers travelled to collect and deposit goods and how they travelled. If those journeys were by car the overall reduction in carbon emissions and environmental benefits may be minimal. The information presented does not enable me to make any meaningful analysis in that regard. In any event, the level of use of the facility would appear to be low. The figures provided show that 105 collections were made over a 3 month period; roughly one a day. In view of that modest use and the fact that no real information is presented regarding vehicular trips, I attach very limited weight to any benefit associated with reduced vehicular emissions.

The Planning Balance

46. In the overall balance, I attach limited weight to the benefits put forward and find that they do not outweigh the harm to the character and appearance of the area that I identified in the first main issue. I do accept that the development may potentially have benefits in terms of minimising energy use and the use of resources, as required by policy CS21(b) of the Core Strategy. However, that is a policy requirement that all developments are expected to contribute towards and compliance with the policy does not represent a significant consideration beyond what is ordinarily expected, nor does it justify a failure to comply with other relevant policies of the development plan. The harm to the character and appearance of the area is clearly contrary to the aims of policy R1(iii & v) of the Local Plan and policy CS2 of the Core Strategy. Policy R2 of the Local Plan notes that development will only be granted for non-residential development where there is no conflict with the aims of policy R1 (i & iii-viii).

47. I am also mindful that the Council is not opposed to the development in principle but considers that any benefits associated with the facility could be achieved through relocation to a less sensitive part of the site. It is not for

me to determine any alternative proposal but I agree with the Council that the front of the site has a more commercial feel than the Browning Street aspect and a greater degree of enclosure such that it is likely that a more sensitive location could be found within that vicinity. With careful thought, any benefits arising could be achieved without the harm to the character and appearance of the area associated with the current scheme.

48. The development plan remains the starting point for decision making and decisions should be taken in accordance with the development plan unless material considerations indicate otherwise. Consideration of the relevant policies of the plan leads me to conclude that planning permission should not be granted for the proposal and no material considerations have been put forward that would lead me to reach a different conclusion. For those reasons, the appeal on ground (a) fails and I shall refuse to grant planning permission.

The Appeals on Ground (g)

49. The notice requires that the parcel locker and associated bollards are removed within 2 months of the date the notice takes effect which, in the case of an appeal, is the date of the appeal decision. The appellants submitted information from the operating company that it would take three months to arrange for contractors to disconnect and remove the facility. The Council is satisfied that period of time is reasonable and stated at the Hearing that it was amenable to the terms of the notice being amended accordingly. Given the information presented, and the agreement between the parties, I see no reason to take a different view and consider that 3 months represents a reasonable period of time. The appeals on ground (g) succeed to that extent and I shall vary the terms of the notice accordingly.

Chris Preston

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Harjit Gill	Son-in-Law of appellant
Mr Parmjit Athwal	Appellant
Mr Jagbir Athwal	Son of appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr Andrew Etherington	Enforcement Manager
Mr Stephen Dukes	Senior Planning Officer

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 : 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 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 THE NOTICE RELATES

Land at 110 Forest Road, Narborough, Leicestershire, LE19 3EQ 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 siting of a Parcel Locker and associated bollards on the Land to which this notice relates.

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 Land comprises of a convenience store located on the corner of Forest Road and Browning Street in Narborough. The shop has an open hard surfaced area to the front, with dropped kerb access availability from both Forest Road and Browning Street. The main entrance to the shop is on the Forest Road frontage, and the building includes two self contained flats, accessed via a door on the Browning Street frontage. The site is located in a primarily residential area and the surrounding properties are used as dwelling houses.

The parcel locker was installed to the side of the building, adjacent to no.2a Browning Street, in April 2014. The purpose of the parcel locker is to provide a facility for the collection of parcels which is available 24 hours a day. The parcel locker is 2.426 metres in height and measures 2.975 metres in length and 868mm in depth, with a canopy over the customer collection area.

The retention of the parcel locker in this location would be detrimental to the character and appearance of the street scene as it forms a visually prominent and obtrusive addition which erodes the open character of the frontages along Browning Street and gives an untidy, incongruous and cluttered appearance to the street scene. The development is therefore considered contrary to policies CS2 of the Blaby Local Plan Core Strategy (2013) and R2 of the Blaby Local Plan (1999).

The retention of the structure would be detrimental to the amenities enjoyed by current and future occupiers of no.2a Browning Street and the flats above 110 Forest Road by reason of noise and disturbance associated with its 24 hour operation, in particular from vehicular movements, activity and noise from the machine itself. The proposal is therefore considered contrary to policies CS2 of the Blaby Local Plan Core Strategy (2013) and R2 of the Blaby Local Plan (1999).

The retention of the parcel locker impacts on off-street parking availability for the residential flats and highway visibility due to it's positioning, and as such is considered detrimental to highway safety and would be contrary to policy T6 of the Blaby Local Plan (1999).

5 WHAT YOU ARE REQUIRED TO DO

Remove from the Land to which this notice relates the Parcel Locker and associated bollards, located approximately on the attached plan edged green.

6 TIME FOR COMPLIANCE

The period of compliance shall be 2 months after this notice takes effect.

7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 3rd January 2018 unless an appeal is made against it before that date.

Dated: 5th December 2017

Signed: [redacted]

Andrew Etherington
Planning Enforcement Manager
Blaby District Council
Council Offices
Narborough
Leicester
LE19 2 EP

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)

Company Secretary,
Inpost UK Ltd,
Suite 655 Milton Keynes Business Centre,
Foxhunter Drive
Linford Wood,
Milton Keynes,
MK14 6GD

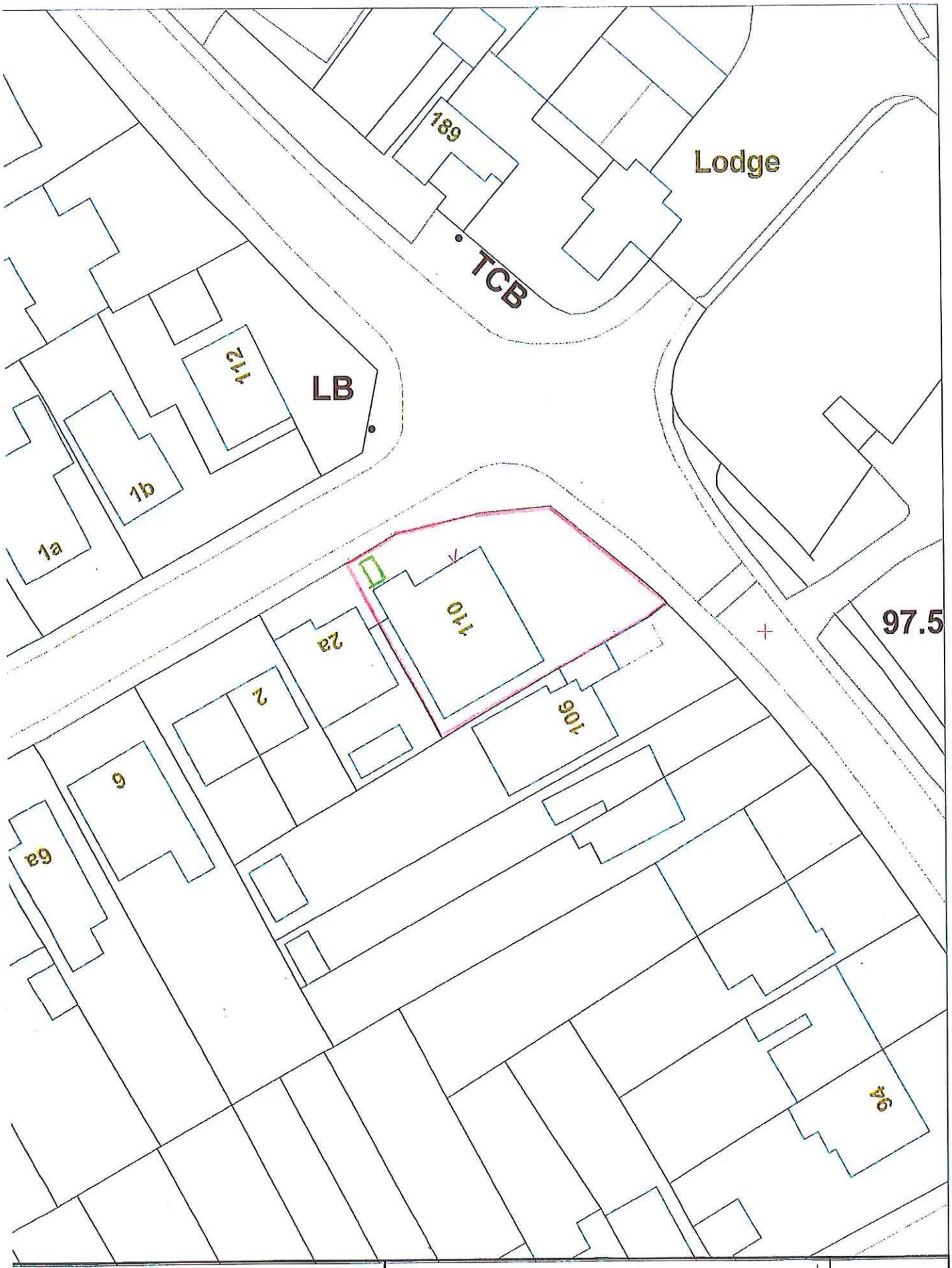
Mr Paramjit Singh Athwal
258 Leicester Road
Wigston Fields
Leicestershire
LE18 1HQ

Mrs Jasbir Kaur Athwal
258 Leicester Road
Wigston Fields
Leicestershire
LE18 1HQ

Owner/Occupier
110a Forest Road
Narborough
Leicestershire
LE19 3EQ

Owner/Occupier
110b Forest Road
Narborough
Leicestershire
LE19 3EQ

Owner/Occupier
Carlton Stores
110 Forest Road
Narborough
Leicestershire
LE19 3EQ



Location of Parcel Locker and associated bollards

O. S. Map Ref. :- SP5398SW

Date :- 04 December 2017

Scale :- 1:500

N