

**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 7 Cyril Street, Braunstone Town, Leicestershire LE3 2FF  
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 an extraction flue.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred on the Land to which this notice relates within the last four years.

The property is located within a settlement boundary where Policies DM1 of the Blaby District Council Local Plan (Delivery) DPD 2019 and CS2 of the Blaby Local Plan (Core Strategy) DPD 2013 apply.

Policy DM1 of the Blaby District Council Local Plan (Delivery) DPD 2019 requires that development within settlement boundaries should:

- a) Provide a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers, including but not limited to, consideration of:
  - i. privacy, light, noise, disturbance and overbearing effect;
  - ii. vibration, emissions, hours of working, vehicular activity.
- b) Be in keeping with the character and appearance of the area;
- c) Not result in the overdevelopment of the site due to factors including footprint, scale and massing;
- d) Have a satisfactory layout, design and external appearance;

e) Not prejudice the comprehensive development of a wider area.

This is echoed by Policy CS2 of the Blaby Local Plan (Core Strategy) DPD 2013, which requires new development to take into account local patterns of development and to be appropriate within its context.

The immediate character of the area is defined by retail units with residential flats above, along with residential properties of a mixed form and design. The flue is in a prominent position above the flat roof of 7 Cyril Street and is easily visible from the street scene. Chimneys within the vicinity are predominantly of brick construction whereas the flue in its current form exhibits an industrial appearance formed from metal and finished in black.

As such, due to the materials, finish and inappropriate design, it is considered that the flue in its current form is an incongruous feature within the street scene to the detriment of the area and the host building.

In light of the above, it is considered that the flue does not accord with Policy DM1 of the Blaby Local Plan DPD (2019) and Policy CS2 of the Blaby Core Strategy (2013)."

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

Remove and properly dispose of the flue and supporting wall brackets

## **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 **26<sup>TH</sup> April 2023** unless an appeal is made against it before that date.

Dated: **27<sup>th</sup> March 2023**

Signed:

Mr Jonathan Hodge

Planning Enforcement Manager

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

## **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**

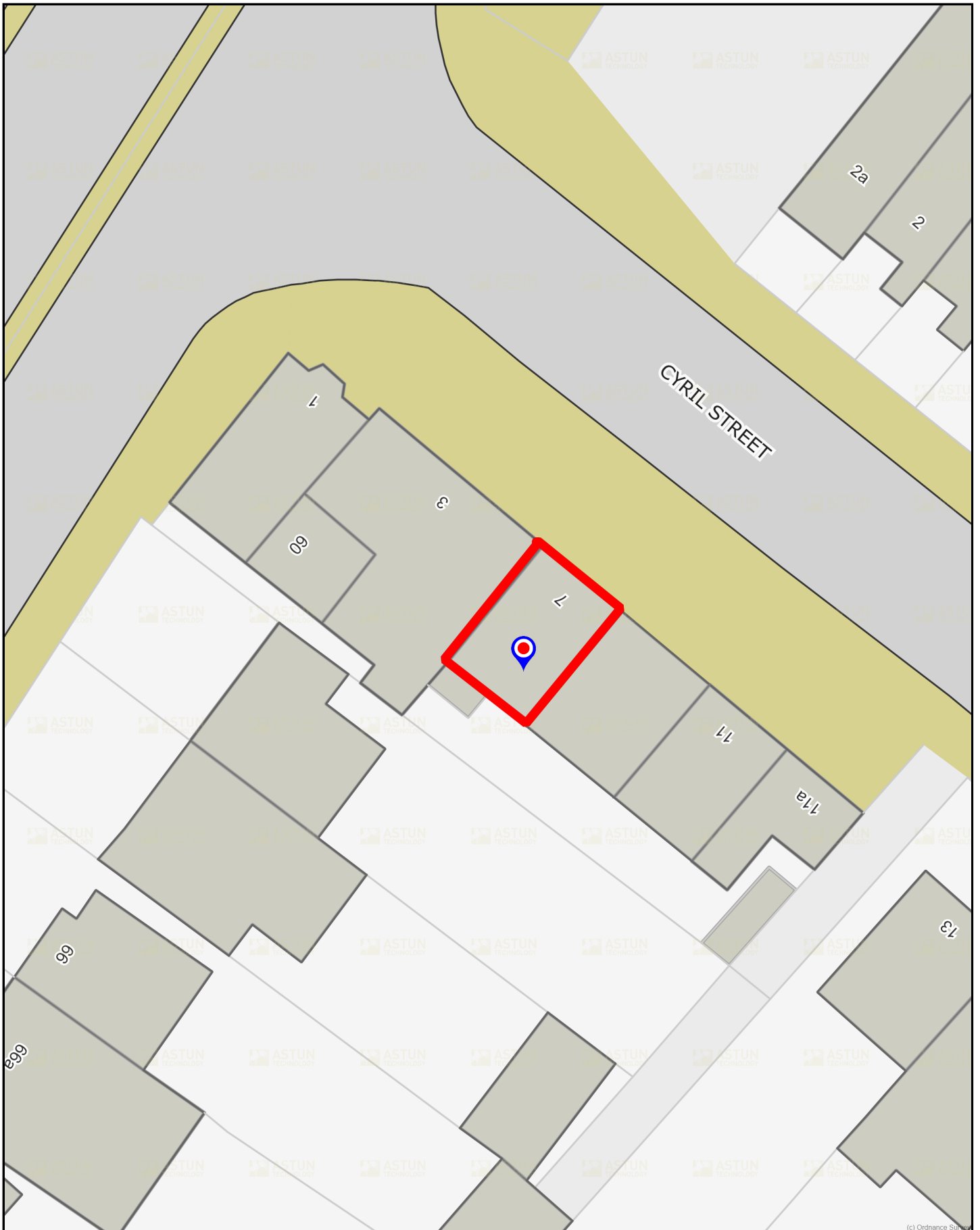
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of the notice. 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)**

Adaishwar Grewal  
7 Cyril Street  
Braunstone Town  
Leicestershire  
LE3 2FF

Adaishwar Grewal  
16 Knighton Grange Road  
Leicester  
England  
LE2 2LE



## Enforcement Notice Plan - 7 Cyril Street

 N Scale: 1:250