

Enforcement Notice

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 161 Narborough Road South, Braunstone Town, Leicestershire LE3 2LH 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 material change of use of the property from residential dwellinghouse to a mixed use of residential dwellinghouse and food preparation, delivery and collection.

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 ten years. The Land comprises of a semi-detached dwelling located within a Settlement Boundary. The Land fronts the slip road of Narborough Road South, Braunstone Town, Leicestershire.

It is considered that on the basis of the scale of the business described in the returned Planning Contravention Notice and on the "Desserts 2 Go" company website, is not compatible with the predominantly residential character of the area and is likely to impact on local residential amenity by way of noise and disturbance to neighbouring properties.

As such, it is contrary to Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

5 WHAT YOU ARE REQUIRED TO DO

Cease the use of the property for the purposes of food preparation, delivery and collection.

6 TIME FOR COMPLIANCE

One month after this notice takes effect.

7 WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20th July 2020, unless an appeal is made against it before that date.

Dated: 22nd June 2020

Signed:

Andrew Etherington
Planning Enforcement Manager
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.

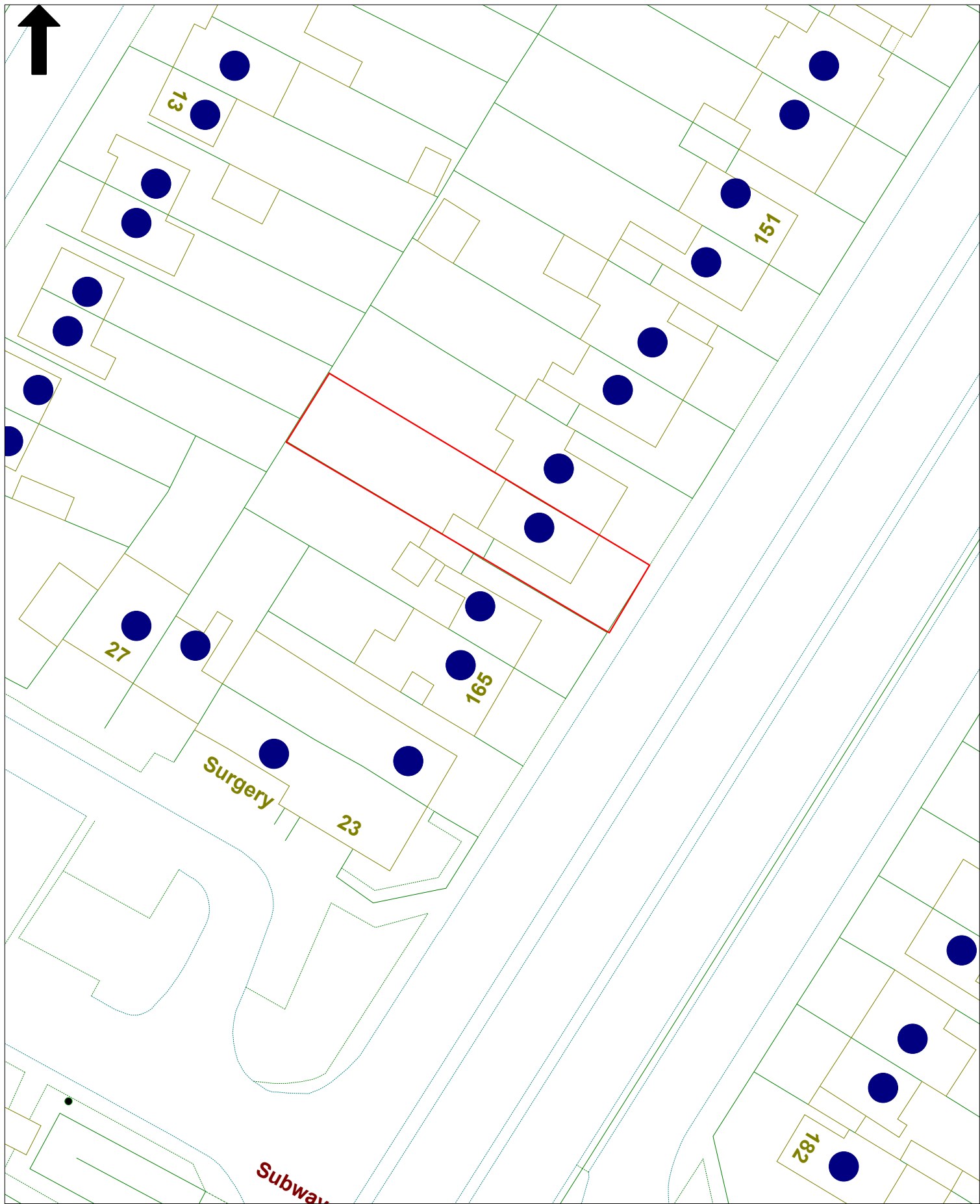
PERSONS SERVED WITH ENFORCEMENT NOTICE

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

Ms Vicky Williams
161 Narborough Road South
Braunstone Town
Leicestershire
LE3 2LH

Mr Praful Modi
161 Narborough Road South
Braunstone Town
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