

**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 on the North side of Riverside Way, Littlethorpe, Leicestershire, LE19 2PT (also known as "Stables") 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 Material Change of Use of the Land to a mixed use of agriculture, horsiculture and for residential occupation.

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 is located to the North side of Riverside Way, Littlethorpe and is accessed directly off Riverside Way by virtue of a small gated field access to the South West of the Land. This Land is located off a classified C road which is a prominent thoroughfare connecting the villages of Narborough, Littlethorpe and neighbouring Whetstone and is widely used by the local community. The Land is bounded by other agricultural land uses to the north, east and west with a residential housing estate located to the south of Riverside Way.

The Land is located outside of the settlement boundaries of Narborough and Littlethorpe within the Green Wedge (as identified on the Policies Map of the Blaby District Local Plan (Delivery) Development Plan Document (2019)). In such areas, Policy CS16 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) states that Green Wedges will be maintained in locations within Soar Valley South, specifically between Whetstone, Enderby, Glen Parva, Braunstone, Blaby, Littlethorpe, Narborough and Cosby.

The District Planning Authority considers the location and residential occupation of the motor home on the Land, along with its associated welfare facilities and private amenity space, to represent an unwarranted and sporadic form of development into the Green Wedge beyond the logical and defined settlement boundary of Littlethorpe. The Land is not considered to be an appropriate location to guide development of a residential or urbanising nature and there is no reasonable justification or essential need for the residential occupation of the Land. Accordingly, this development within the Green Wedge conflicts with the aims of Policy CS16 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and the aims of Paragraph 80 of the National Planning Policy Framework (2021).

The Land is located within the Sence and Soar Floodplain Landscape Character Area as defined by the Blaby Landscape and Settlement Character Assessment (2020), where the character of that area is broadly described as a low-intensity managed landscape with a naturalistic feel shaped by riparian vegetation, well-developed hedgerows and defined by the meandering routes of the Rivers Sence and Soar, the varied banks and a mix of woodland and open meadows. Although set back from the highway and located amongst stables and storage containers against a backdrop of mature trees that lie adjacent to the bank of the River Soar, the motor home and its associated structures for private amenity purposes, are visually prominent features along the northern and eastern approaches of Riverside Way.

Having regard to the location of the Land within the Green Wedge the District Planning Authority considers that the siting and residential occupation of the motor home on the Land, including the siting of associated welfare facilities, and any other domestic paraphernalia, represents an undesirable and urbanising form of development in the Green Wedge. In addition, the accumulation and utilitarian appearance of these structures unduly clutters the Land and is out of keeping with the prevailing open and undeveloped character of the wider Green Wedge. Consequently, the unauthorised development conflicts with Policy CS16 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policy DM2(a) of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

The majority of the Land is situated within Flood Zone 2; with the area where the motor home and associated welfare facilities are located lying in Flood Zone 3 associated with the River Soar. In accordance with the guidance contained within the National Planning Policy Framework and National Planning Practice Guidance, the current unauthorised development is considered to fall within the 'Highly Vulnerable' category within Flood Zone 2 where further information and justification is required to demonstrate its acceptability, as well as also within Flood Zone 3, where 'Highly Vulnerable' development should not be permitted.

The District Planning Authority considers that this unauthorised development is unacceptable due to the Highly Vulnerable nature of the unauthorised development with a lack of demonstrable proof of other suitable sites being actively considered, coupled with the absence of any reasonable justification that the unauthorised development provides wider sustainability benefits that would outweigh the significant flood risk. Furthermore, the unauthorised development does not take into account the causation of increased risk of flooding in the wider area (taking climate change into account). The unauthorised development therefore conflicts with the aims of Policies CS21 and CS22 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and the aims of the National Planning Policy Framework (2012), in particular paragraphs 162 - 165 (inclusive).

The District Planning Authority considers that the Land has an unsuitable access in connection with a residential use, with specific regard to the access width, surface treatment, visibility splays and parking provision. Consequently, the access to the Land does not provide a satisfactory form of access to the public highway and is therefore contrary to Policy DM8(a) of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

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

- a) Cease the use of the Land for residential occupation.
- b) Remove from the Land the Motor Home (approximate position coloured green on the attached plan)
- c) Remove from the Land the storage container (approximate position coloured orange) on the attached plan)
- d) Remove from the Land the portable toilet (approximate position coloured blue) on the attached plan)
- e) Remove from the Land all domestic paraphernalia associated with residential occupation.

## **6. TIME FOR COMPLIANCE**

The period of compliance shall be 6 months after this notice takes effect.

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

This notice takes effect on 1<sup>st</sup> December 2023 unless an appeal is made against it before that date.

Dated: 1 November 2023

Signed:

Jonathan Hodge  
Planning Enforcement Manager  
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 Paul Greenfield  
Land on the North side of Riverside Way  
Littlethorpe  
Leicestershire  
LE19 2PT

Mrs Jacqueline Greenfield  
Land on the North side of Riverside Way  
Littlethorpe  
Leicestershire  
LE19 2PT



# Enforcement Notice Plan

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Scale: 1:1250



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