



*the heart of Leicestershire*

Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**BREACH OF CONDITION NOTICE**

Served by Blaby District Council

To:



1. **This is a formal notice** which is issued by Blaby District Council, under Section 187A of the above Act, because it is considered that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. It is considered that you should be required to comply with the condition specified. The Annex at the end of this notice contains important additional information.

2. **The land to which this notice relates**

**Land adjacent to 32 Stanton Road, Sapcote, Leicestershire, (as shown edged red on the attached plan.)**

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is **21/0685/VAR** dated **17<sup>th</sup> December 2021** for **Variation of condition 6 (Site Management Plan) of 20/0265/FUL to permit working hours of 7:00am - 18:00pm Monday to Fridays and 8:00am - 16:00pm on Saturdays only and no working Sundays or Public Holidays**

4. **The breach of conditions**

The following conditions have not been complied with:-

### **Condition 3**

**Prior to first occupation of the first dwelling, a plan showing a detailed soft and hard landscaping scheme shall be submitted to and agreed in writing by the District Planning Authority. This scheme shall include details of:**

- (a) any existing trees, shrubs, hedges, water bodies to be retained and measures of protection in the course of the development;**
- (b) new tree and shrub planting. Including plant type, size, quantities and locations;**
- (c) other surface treatments;**
- (d) fencing and boundary treatments;**
- (e) any changes in levels or contours;**
- (f) the position of service and/or drainage runs (which may affect tree roots).**

### **Condition 4**

**The approved landscaping scheme shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.**

### **Condition 5**

**Prior to first occupation of Plots 1, 6 and 8, swift nest boxes shall be installed in accordance with Dwg No: '6001 Rev C' and shall be retained in perpetuity.**

## **5. What you are required to do**

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:-

### **Condition 3**

**Submit a Discharge of Condition application and pay the relevant fee, to satisfy the requirements of condition 3.**

The period for compliance for condition 3 is 30 days beginning with the day on which this notice is served on you.

**Once approved by the Council, carryout the required works in accordance with the approved plans and any conditions imposed.**

## **Condition 5**

**Install the swift nest boxes in accordance with Dwg No: '6001 Rev C'.**

The period for compliance for condition 5 is 90 days beginning with the day on which this notice is served on you.

## **6. When this notice takes effect**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: 20<sup>th</sup> April 2023

Signed:

Jonathan Hodge  
Planning Enforcement Manager

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

## **Warning**

### **There is no right of appeal against this notice.**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with the Planning Enforcement Team at the Council Offices (Tel 0116 272 7521).

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

### **Do not leave your response to the last minute.**



## Breach of Condition Plan

N  
Scale: 1:500