

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 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 Block H Blaby Industrial Park, Winchester Avenue, Blaby, Leicester Leicestershire, LE8 4GZ. 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 a building comprising of storage containers and metal sheeting (shown in green in the approximate position on the attached plan).

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 Land is located in the area known as Blaby on the edge of an industrial estate. It comprises one large industrial building (in addition to the unauthorised building) with car parking areas to the north and south of the site. To Land is bordered by a railway line to the north, residential area to the west and other industrial buildings to the east and south of the Land.

Policy CS2 and CS6 of Blaby District Local Plan (Core Strategy) Development Plan Document (2013) applies in this circumstance as well as Policy DM1 and of the Blaby District Local Plan (Delivery) Development Plan Document (2019) due to the land being situated within a Settlement Boundary and identified as a Key Employment Site as set out on the policies Map.

Policy CS2 takes a positive approach to the design of new development, with aims to improve the design quality of all new developments in the District as well as preserving the cultural heritage of the District and recognising its contribution to local distinctiveness. Policy DM1 echoes these strategic aims by ensuring that new development within Settlement Boundaries will; be in keeping with the character and appearance of the area; as well as having a satisfactory layout, design and external appearance.

Policy CS6 also builds upon these aspects as it seeks to enable development of employment uses. However, when considered; suitability will be informed by their ability to accommodate employment growth without significant harm to amenity.

As stated previously the Land borders residential properties to the west and the locality is characterised by sectional industrial style buildings where the lower section is brick built and the upper section is clad in metal sheeting. The unauthorised building covers an area of approximately 225sqm and has been created using a plethora of materials including storage containers to form each of the side elevations and as well as a metal framed dual pitched roof which is then further supported by metal uprights at various points.

As such the unauthorised building by virtue of its design, layout and materials are of an unsatisfactory design and external appearance. The building represents an incongruous feature in the locality which is of a discordant design and appearance and is considerably out of keeping with the character and appearance of the area.

Consequently, the development is contrary to Policy CS2 and CS6 of the Blaby District Local Plan (Core Strategy) Development Plan Document Adopted 2013 and Policy DM1 of the Blaby District Local Plan 2019.

5. WHAT YOU ARE REQUIRED TO DO

Remove from the land the entirety of the unauthorised building (including the storage container); and reinstate the Land to adjacent land levels.

6. TIME FOR COMPLIANCE

The period of compliance shall be 30 days after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17th September 2022 unless an appeal is made against it before that date.

Dated: 19th August 2022

Signed:

Jonathan Hodge
Senior Enforcement Officer
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)**

Champakal Mistry
Block H Blaby Industrial Park
Winchester Avenue
Blaby
Leicester
Leicestershire
LE8 4GZ

Bhikhu Thanki
Block H Blaby Industrial Park
Winchester Avenue
Blaby
Leicester
Leicestershire
LE8 4GZ

Company Secretary
Complete Warehousing and Distribution Limited
Block H Blaby Industrial Park
Winchester Avenue
Blaby
Leicester
Leicestershire
LE8 4GZ

Company Secretary
UK Midland Electronics Limited
Block H Blaby Industrial Park
Winchester Avenue
Blaby
Leicester
Leicestershire
LE8 4GZ

Whom It May Concern
Block H Blaby Industrial Park
Winchester Avenue
Blaby
Leicester
Leicestershire
LE8 4GZ



EN Plan Block H Blaby Industrial Park



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(c) Ordnance Survey

Customer Support Team
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0303-444 5000
Email enquiries@planninginspectorate.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Appeals Casework Portal (<https://acp.planninginspectorate.gov.uk/>); or
- sending us enforcement appeal forms, which can be obtained by contacting us on the details above.

You MUST make sure that we RECEIVE your appeal BEFORE the effective date on the enforcement notice.

Please read the appeal guidance documents at <https://www.gov.uk/appeal-enforcement-notice/how-to-appeal>.

In exceptional circumstances you may give written notice of appeal by letter or email. You should include the name and contact details of the appellant(s) and either attach a copy of the Enforcement notice that you wish to appeal or state the following:

- the name of the local planning authority;
- the site address; and
- the effective date of the enforcement notice.

We MUST receive this BEFORE the effective date on the enforcement notice. This should immediately be followed by your completed appeal forms.