

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 Huncote Mill, Croft Hill Road, Huncote, LE9 3GR 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 Land to a mixed use of Class E(g)(ii) (the research and development of products and processes) and Class B8 (Storage).

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breaches of planning control have occurred on the Land to which this notice relates within the last ten years.

The breach lies within the Land associated with Huncote Mill, Croft Hill Road in the village of Huncote, Leicestershire. The site is located in an area identified as Countryside where small scale employment development is considered acceptable subject to its impacts. The retention of the Class E(g)(ii)/ Class B8 use, by means of the nature of its commercial use along with the size of the proposed site, is not considered to be of limited small scale and as a result represents an unwarranted expansion of urban development within its countryside setting.

The location, scale and appearance of the site is considered to result in harm to the appearance of the countryside and is contrary to much of the criteria set out in Policy DM3 of the Blaby District Local Plan (Delivery) Development Plan Document for employment development located beyond settlement boundaries. Consequently the scheme is contrary to Policies CS6 and CS18 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and the Policy DM3 of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

The scale, layout, turning facilities, access arrangement and nature of the commercial use, in an otherwise quiet countryside location, results in external and internal vehicular movements that cause significant noise and vehicular disturbance to the detriment of the residential amenity and is Contrary to Policy DM2 of the Blaby Local Plan (Delivery) Development Plan Document (2019).

Part of the site is located within Flood Zone 3 and as such the scheme is contrary to Policy CS21 and CS22 of the Blaby District Local Plan (Core Strategy) 2013.

The site access and turning facilities are not in accordance with the Leicestershire Highway Design Guide and do not provided a satisfactory form of access to the public highway to ensure that vehicles can enter and leave the site in a forward gear. Therefore, the scheme is contrary to Policy DM8 of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

5. WHAT YOU ARE REQUIRED TO DO

- i. Cease the use of the Land for the mixed use of Class E(g)(ii) (the research and development of products and processes) and Class B8 (Storage).
- ii. Remove from the Land, all storage containers and all associated articles used in connection with the mixed use of Class E(g)(ii) (the research and development of products and processes) and Class B8 (Storage).
- iii. Remove the existing hard standing (approximate area edged green) and reinstate as grassland to existing adjacent land levels.

6. TIME FOR COMPLIANCE

4 Months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 11th March 2022 unless an appeal is made against it before that date.

Dated: 11th February 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

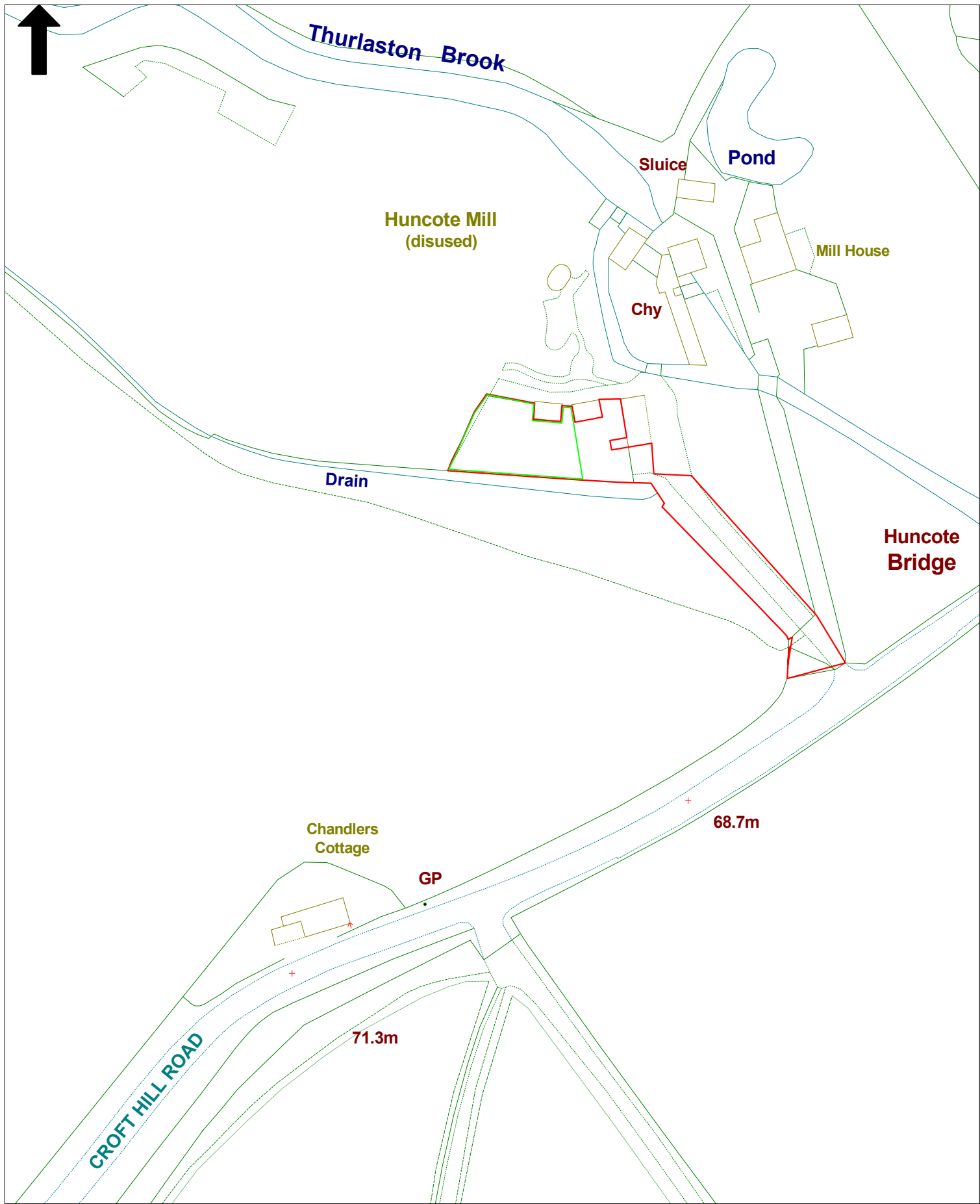
PERSONS SERVED WITH ENFORCEMENT NOTICE

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

Alastair Brooks
The Mill
Croft Hill Road
Huncote
LE9 3GR

Yvette Marie Brooks
The Mill
Croft Hill Road
Huncote
LE9 3GR

Santander UK PLC
(Co. Regn. No. 2294747) of Deeds of services
101 Midsummer Boulevard
Milton Keynes
MK9 1AA



Scale 1:1250
 Map Ref: SP5197SW

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Key

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.