

## 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 60 Tournament Road Glenfield Leicestershire LE3 8LR 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 a residential property to a mixed use of residential property; food preparation and hot food takeaway; siting and use of a mobile catering trailer.

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 detached dwelling located within a Settlement Boundary. The Land occupies a corner plot fronting both Tournament Road and Treaty Road Glenfield, Leicestershire.

The District Planning Authority has concluded that the establishment of a hot food takeaway (Sui Generis) in this residential location would have a significant and unacceptable impact on the amenities of the occupiers of residential properties in close proximity to the site due to noise and disturbance outside of normal business hours resulting from the operation of the business and from customers arriving both on foot and by vehicle.

Furthermore, the odours generated by the food preparation and cooking processes would have an adverse impact on the amenities of neighbouring occupiers. As such the development is contrary to Policies DM1 (a)ii and (b) of the Blaby District Local Plan (Delivery) Development Plan Document (2019).

The siting and operation of a mobile catering trailer for the purposes of providing a hot food take-away on the frontage of a residential dwelling on a corner plot would significantly detract from the general character and appearance of the area. The District Planning Authority concludes that the trailer's siting and position represents a visually incongruous feature in the streetscene that would be intrinsically out of keeping with the character and appearance of this residential area.

As such the development is contrary to Policies CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) and Policies DM1 (c) and (d) 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 and hot food takeaway.

Remove the mobile catering trailer from the Land.

**6 TIME FOR COMPLIANCE**

One month after this notice takes effect.

**7 WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on 8<sup>th</sup> January 2021, unless an appeal is made against it before that date.

Dated: 11<sup>th</sup> December 2020

Signed: *Andrew Etherington*

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**

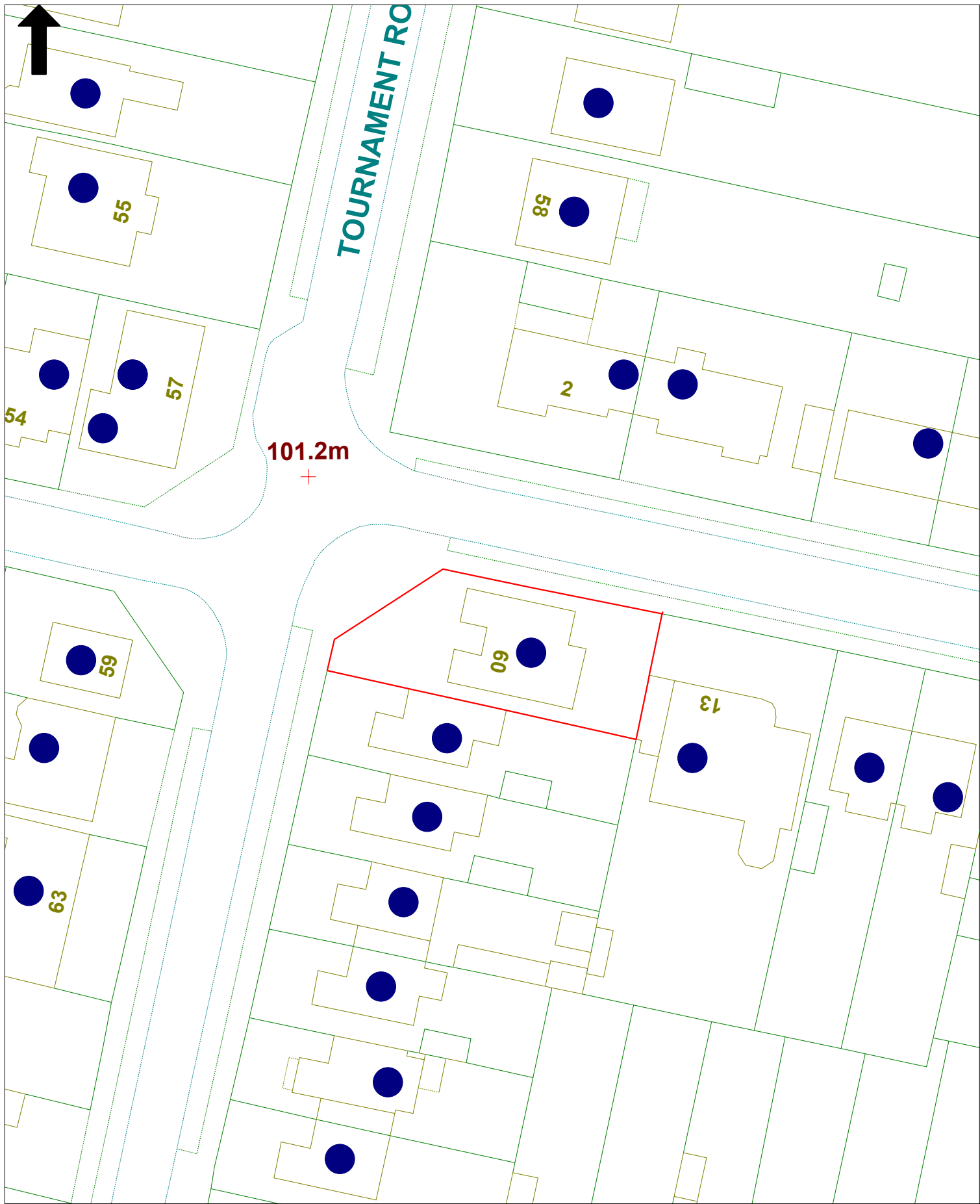
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of the notice. 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)**

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Glenfield,  
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Scale 1:500  
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