

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 Old Blacksmiths Workshop, Granitethorpe Quarry Disused, Leicester Road, Sapcote, Leicestershire 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 Old Blacksmiths Workshop (coloured in green on the attached plan) from a use as a short term holiday let to a use for permanent 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 four years.

The Land is located to the South East of the Disused Granitethorpe Quarry which is accessed off Leicester Road, Sapcote, by a single track private way which forms part of Public Right of Way V44. This is located on the northern boundary of the Land, and is a prominent Bridleway, widely used by the local community. The Land is predominately bounded by open countryside with stables and an agricultural haybarn in the immediate locality.

The Land is situated within the Countryside as set out in the policies map and in this location, Policy CS18 of Blaby District Local Plan (Core Strategy) Development Plan Document (2013) applies as well as Policies FV7 and FV8 of the Fosse Villages Neighbourhood Plan (2021).

Policy CS18 Countryside of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) requires the need to retain Countryside to be balanced against the need to provide new development (including housing) in the most sustainable locations. Given the location, which is both in the countryside and outside the boundaries of a 'Medium Central Village', there is a presumption against new unrestricted housing development and as such the Land is not considered a sustainable location for such a use. This is highlighted further by the Land's axiomatic separation from the main settlement itself. As such, the current unauthorised use conflicts with Policy CS18 of the Blaby District Local Plan (Delivery) Development Plan Document.

The Land is also located outside of the Limits to Built Development as defined in the Fosse Villages Neighbourhood Plan. Policy FV7 indicates that the housing requirement for Sapcote will be met by existing commitments and development within the Limits to Built Development. Sapcote has exceeded its minimum housing requirement of 415 dwellings, as set out in Policy FV7.

Policy FV8 indicates that outside the Limits to Built Development support for housing development will be limited to certain circumstances. However, the current unauthorised use does not meet any of the relevant criteria and whilst in relation to criterion B, the use can be considered small scale and would not cause additional impact on the countryside (given the existence of the building is already approved), the Land is not considered a sustainable location for such a use. That being said the Land is linked via a Public Right of Way to Sapcote, itself a Medium Central Village. However, with only a limited range of key services and facilities available from the village and with only an on-demand bus service the Land is noticeably detached and distinctly physically separate from the village. As such this does not outweigh the conflict with policy and the current unauthorised use conflicts with Policies FV7 and FV8 of the Fosse Villages Neighbourhood Plan.

The approved use of the Land is that of a short-term holiday let and was only considered acceptable due to the benefits that the use as a holiday let would provide. This includes the benefits to the rural economy, the provision of accommodation to support access to the Leicestershire countryside and tourist attractions. The current unauthorised use negates these benefits completely and as such the unauthorised Material Change of Use causes harm by virtue of the Land not representing an appropriate location for permanent residential occupation and conflicts with Policy CS18 of the Blaby District Local Plan (Core Strategy) Development Plan Document (2013), Policies FV7 and FV8 of the Fosse Villages Neighbourhood Plan (2021) and the aims and objectives of the National Planning Policy Framework

5. WHAT ARE YOU REQUIRED TO DO

Cease the use of the Old Blacksmiths Workshop (coloured in green on the attached plan) for permanent 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 29th September 2023 unless an appeal is made against it before that date.

Dated: 31 August 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 John Mac
The Chalet
Hinckley Road
Wolvey
Hinckley
LE10 3HQ

Owner/Occupier
Land at Old Blacksmiths Workshop
Granitethorpe Quarry Disused
Leicester Road
Sapcote
Leicestershire

Whom It May Concern
Land at Old Blacksmiths Workshop
Granitethorpe Quarry Disused
Leicester Road
Sapcote
Leicestershire



(c) Ordnance Survey

Enforcement Notice Plan - Old Blacksmith



N
Scale: 1:1250

© Blaby District Council