

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 **39 Unity Road, Glenfield, Leicestershire LE3 8FU** 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 fence exceeding one metre in height adjacent to a highway (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 property '39 Unity Road' lies within the settlement boundary of Glenfield where policies DM1 (Development within the Settlement Boundaries) and DM8 (Local Parking and Highway Design Standards) of the Blaby District Council Local Plan (Delivery) Development Plan Document as well as Policy CS2 of the Core Strategy 2013 apply.

The boundary treatments of residential dwellings in the area surrounding the property are predominantly characterised by low to medium height fencing and walls or planting. The fence as erected, by virtue of its height, scale and materials forms a dominant feature within the landscape and prevents the natural surveillance of the street scene. As such it is incongruous within its surroundings and therefore fails to comply with policies DM1 and CS2.

The fence also fails to provide an adequate visibility splay for vehicle egress in relation to the driveway of the property '1 Glenfield Crescent', Glenfield as well of that of '39 Unity Road' itself. As such it fails to comply with policy DM8.

5. WHAT ARE YOU REQUIRED TO DO

Either:

- i) Remove the fence in its entirety; or
- ii) Reduce the fence including concrete posts to a height of not more than one metre along its southern elevation where it fronts the highway 'Glenfield Crescent', Glenfield; and reduce the fence including concrete posts to a height of not more than one metre along its western and eastern returns to a point level with the principal (front) elevation of the property '1 Glenfield Crescent', Glenfield; or
- iii) Reposition the fence such that no part of it is located forward of the principal (front) elevation of the property '1 Glenfield Crescent', Glenfield.

6. TIME FOR COMPLIANCE

The period of compliance shall be **28 days** after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **15th September 2024** unless an appeal is made against it **before** that date.

Dated: 15th August 2024

Signed:

Mr Dean Flower
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)**

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(c) Ordnance Survey

Enforcement Notice Plan - 39 Unity Road Glenfield LE3 8FU

N Scale: 1:500



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