



*the heart of Leicestershire*

Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**BREACH OF CONDITION NOTICE**

**Served by Blaby District Council**

**To: Mr Peter Plews, 14 Garry Street, Lubbethorpe, Leicestershire LE19 4DZ**

1. This is a formal notice which is issued by Blaby District Council, under Section 187A of the above Act, because it is considered that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. It is considered that you should be required to comply with the condition specified. The Annex at the end of this notice contains important additional information.

**2. THE LAND TO WHICH THIS NOTICE RELATES**

**Land at 14 Garry Street, Lubbethorpe, Leicestershire LE19 4DZ** shown edged RED on the attached plan.

**3. THE RELEVANT PLANNING PERMISSION**

The relevant planning permission to which this notice relates is 19/1033/RM dated 17 November 2020 for Reserved Matters application for the erection of 74 dwellings and associated infrastructure (details of appearance, landscaping, layout and scale)

**4. THE BREACH OF CONDITION**

The following conditions have not been complied with:

## **Condition 1**

**The development hereby approved shall be built in strict accordance with the approved plans and documents listed in the drawing register reference H5854 - Lubbesthorpe R9(1) - Planning Submission, dated 22nd October 2020 which is attached to and forms part of this decision.**

**Specifically Drawing reference – H5854\_004\_01 Issue G (Enclosed).**

## **Condition 4**

**"The approved landscaping scheme shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation."**

## **5. WHAT YOU ARE REQUIRED TO DO**

As the person responsible for the breach of conditions specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:

- 1) Remove the dwarf wall,
- 2) Remove flag Stones (Slabs) and reinstate in accordance with Condition 1, Drawing Reference H5854-004-01 Surface Treatment Layout.
- 3) Plant the following:
  - i. 11 'PRULU Prunus lusitanica' Hedgerow across the front boundary, adjacent to the highway, in the area shown in BLUE,
  - ii. 4 CHOTES Choisya ternata 'Sundance' in the area shown in GREEN,
  - iii. 3 CHOTES Choisya ternata 'Sundance', 4 HEBALRE Hebe albicans 'Red Edge', and 4 SKIJARU Skimmia japonica 'Rubella' directly in front of the house, in the area shown in YELLOW.

Planting is to be carried out in accordance with the approved soft landscaping proposals drawing ref GL120201K (enclosed) and as shown in image at Appendix 1.

The period for compliance: 90 days beginning with the day on which this notice is served on you.

## **6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Dated: **17.10.2024**

Signed: Dean Flower  
Planning Enforcement Manager

on behalf of:  
Blaby District Council  
Council Offices  
Narborough  
Leicester  
LE19 2EP

## **Warning**

### **There is no right of appeal against this notice**

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates Court, for which the maximum penalty is an unlimited fine. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with the Planning Enforcement Team at the Council Offices (Tel 0116 272 7521).

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

**Do not leave your response to the last minute.**

Drawings to be attached

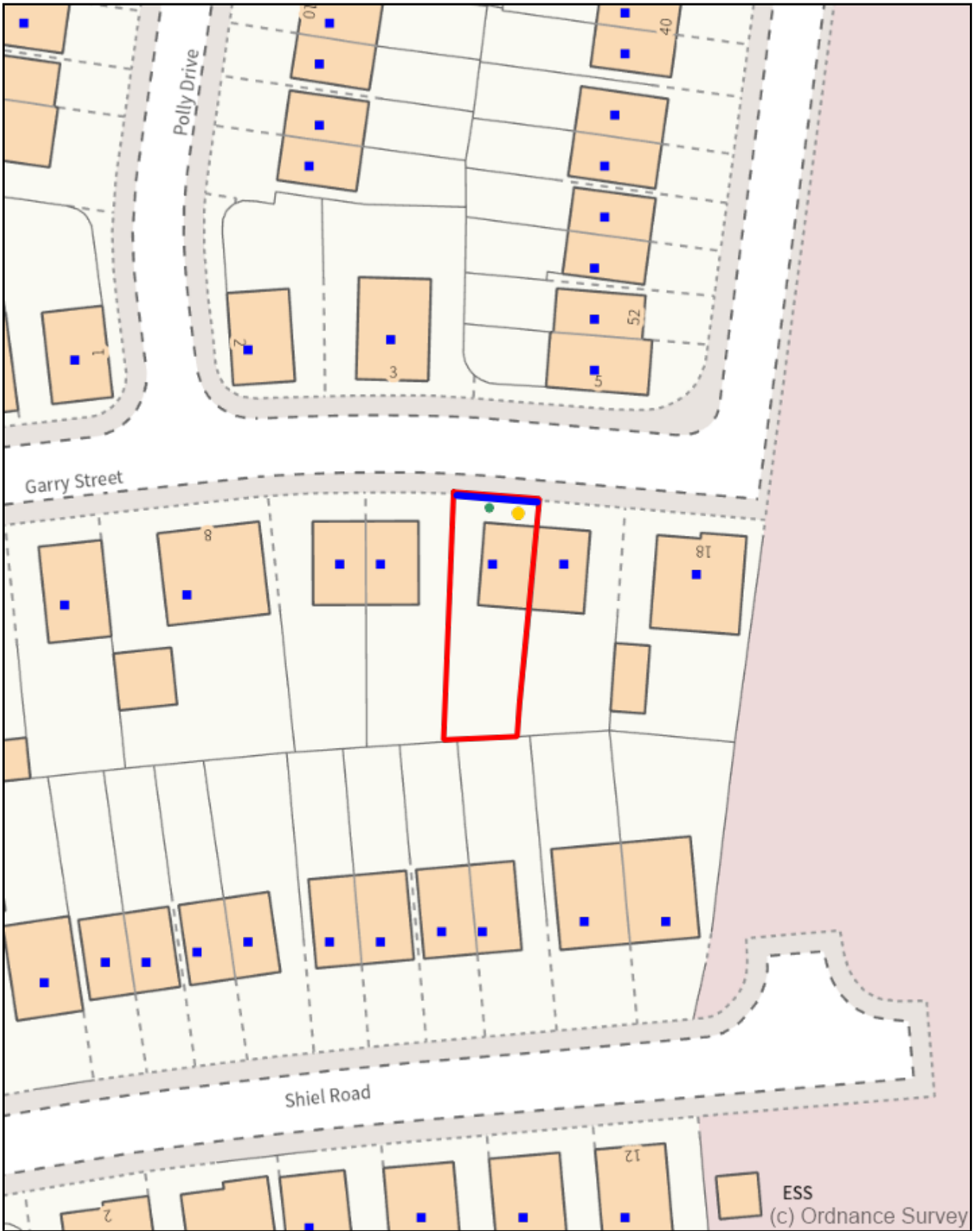
**H5854 - Lubbesthorpe R9(1) - Approved plans and documents listed in the drawing register reference.**

**H5854\_004\_01 Issue G – Surface Treatment Layout**

**GL120201K – Detailed plot landscaping plans**

Appendix 1





**Breach of Condition Notice - 14 Garry Street, Lubbesthorpe LE19 4DZ**

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Scale: 1:500



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