

2nd Enf. Notice Issued File copy - 1st Notice withdrawn

MATERIAL CHANGE OF USE

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 2004)

ENFORCEMENT NOTICE

ISSUED BY CHARNWOOD BOROUGH COUNCIL (“The Council”)

- 1 **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below

They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

- 2 **THE LAND AFFECTED**

Wymeswold Airfield, Wymeswold Road, Hoton, Loughborough,
Leicestershire, LE12 5SA shown edged red on the attached plan.

- 3 **THE BREACH OF PLANNING CONTROL ALLEGED**

The use of the airfield and recreational vehicle driving facilities for product training and demonstration by vehicle manufacturers.

4 **REASONS FOR ISSUING THIS NOTICE**

a) It appears to the Council that the above breach of planning control has occurred within the last ten years.

b) The retention of the use of the runways and other land at the former airfield for training and vehicle demonstration for customers and staff of vehicle manufacturers and distributors, as an addition to the approved recreation use under planning permission P/01/0853/2, would be likely to continue to cause an unacceptable degree of noise and disturbance to residents in the local area, in particular noise generated by motor vehicles used in the activities of the use and by tyre squeal caused by cornering vehicles, to the detriment of their amenity. As such, therefore, the continuation of the use would be contrary to aspects of the provisions of policies CT/2, CT/10 and EV/39 of the Borough of Charnwood Local Plan and Transport Policy 4 of the Leicestershire Structure Plan 1991-2006

c) The Council do not consider that planning permission should be given, because planning conditions could not overcome these objections.

5 **WHAT YOU ARE REQUIRED TO DO**

Cease the use of the site for driving facilities for product training and demonstration by vehicle manufacturers.

6 **TIME FOR COMPLIANCE**

One month after this notice takes effect

7 **WHEN THIS NOTICE TAKES EFFECT**

- a. This notice takes effect on 13 July 2005 unless an appeal is made against it beforehand.

Dated: 10 June 2005



Signed:

Legal Services Manager
On behalf of: Charnwood Borough Council
Southfields
Loughborough LE11 2TX
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 13 July 2005. The enclosed booklet "Making Your Enforcement Appeal" sets out your rights. Read it carefully. A copy of Sections 171A to 177 of the Town & Country Planning Act 1990 which deal with enforcement is contained within this booklet at page 59. Your particular attention is drawn to Section 174 which sets out the grounds under which an appeal can be made. If you decide to appeal you may use the enclosed appeal forms. One is for you to send to the Secretary of State, one should be sent to the Borough Council, and the other is for you to keep as a duplicate for your own records. You should also send to the Secretary of State the spare copy of this Enforcement Notice which is enclosed, together with a statement in writing specifying the grounds of appeal on which you intend to rely, and the facts upon which each ground is based.

Please note that should you decide to appeal under ground (a) of Section 174(2) a fee of £265.00 will be payable by you to the Secretary of State and Council.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 13 July 2005 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(s) specified in the notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

Ref: CET/EMB/1092-105