



**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: Melton Borough Council  
Burton Street  
Melton Mowbray  
LE13 1GH**

**1. THIS NOTICE** is issued by the Council because it appears to them 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. 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. 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 43 Bowbridge Gardens, Bottesford, Leicestershire, NG13 0AZ., shown edged in red on the attached plan (Appendix 1)

**3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission, the erection of an outbuilding in the rear garden of 43 Bowbridge Gardens, Bottesford, Leicestershire was carried out without the required planning permission. Subsequent retrospective planning permission (Ref: 24/00645/FULHH) was refused in December 2024, in the approximate position marked with a cross on the attached plan.

**4. REASONS FOR ISSUING THIS NOTICE**

The Outbuilding was constructed without the necessary planning permission. A subsequent retrospective planning permission (Ref: 24/00645/FULHH). This was refused in December 2024.

Justification for the refusal of 24/00645/FULHH is based on the case officer's professional opinion that the structure does not comply with Policy D1 of the current Melton Plan.

**Maintaining the integrity of the planning system:**

It ensures that development occurs by approved plans and conditions, preventing unauthorised development that could harm the environment, community amenities, or the character of an area.

**Upholding community standards:**

It helps preserve the visual and environmental quality of neighbourhoods by preventing development that is incompatible with the Melton Local Plan.

**Maintaining public confidence:**

Melton Borough Council considers that it has been both necessary and proportionate in dealing with this matter. It has followed a route in line with its Enforcement Policy by engaging and explaining the breach. It now believes proactive enforcement is the only option to maintain public trust in the planning system, demonstrating that the Council is committed to upholding the rules and protecting the interests of the community.

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

- Reduce the height of the roof so no part of the structure exceeds 2500mm from ground level. In effect, this means a reduction in height of 230mm from its current height of 2850mm.
- Reduce the size of the structure to ensure that the ground covered by the building does not exceed more than 50% of the total area of the curtilage (excluding the ground area of the original dwelling).
- Ensure all aspects of the structure are compliant and within the parameters of the Permitted Development Order (2015) Class E (Outbuildings).

**6. TIME FOR COMPLIANCE**

**No later than Tuesday 17<sup>th</sup> June 2025**

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice **takes effect on Monday 17<sup>th</sup> February 2025**, unless an appeal is made against it beforehand.

Dated: 15<sup>th</sup> January 2025

Development Manager  
Place and Prosperity

Signed:

On behalf of Melton Borough Council  
Burton Street  
Melton Mowbray  
Leicestershire  
LE13 1GH

Nominated Officer:

Signed

## **Annex**

### ***THE RIGHT OF APPEAL***

There is a right of appeal for anyone who has an interest in the land to which the enforcement notice relates, or who is a relevant occupier, whether or not they have been served with a copy of the notice. Anyone occupying the land by virtue of a licence is a relevant occupier.

Any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

The enclosed information sheet published by the Planning Inspectorate gives details of how to make an appeal [link to

<http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf> ]

### **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[s] 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.

(Appendix 1)

H.M. LAND REGISTRY		TITLE NUMBER	
		LT 185042	
ORDNANCE SURVEY PLAN REFERENCE	SK 7939	SECTION A	Scale 1/1250 Enlarged from 1/2500
COUNTY LEICESTERSHIRE	DISTRICT MELTON	© Crown copyright 1976	

BOTTESFORD PARISH



