

29 February 2012

# CONTRAVENTIONS FILE SUMMARY SHEET

<b>Ref. No:</b> 20124032C		<b>Enf. Ref:</b>	
Address:		18 LUTTERWORTH ROAD	
Details:		USE OF PROPERTY	
Contravenor:		THE OCCUPIER	
Progress:		Resolved	
Next Action?			
Case Officer:	OPP	UPRN:	JUM2119
Breach code:	CAR	Ward:	Aylestone
Enf Authorised:		Appeal Rec Date:	
<b>CASE RECEIVED:</b> 17/01/2012		Appeal Decision:	
<b>CASE RESOLVED:</b> 29/02/2012		Appeal Dec Date:	

## ACTIONS

Date	Type	Officer	Details
28/02/2012	VIS	OPP	SV made, photos taken and put on F.D. No answer at door, calling card left. Numerous vehicles at front of premises.

29/02/2012 CON OPP Telephone call from [redacted] the contravenor. He stated that most of the cars were in his possession some without road tax. The others were being repaired at his garage at 625 Aylestone Road and left on his drive for collection. He stated of all the cars on his drive just two did not belong to him. From the previous contravention at this address, legal allowed this number of vehicles to be on his drive as long as they were not being repaired. NFA case closed. Letter to complainant.

29/02/2012 CON OPP Letter to contravenor of NFA.

## ADDRESSES

Name	Type	Mail?	Address
[redacted]			

## NOTICES

Type	To Legal Date	Issued Date	Appeal Received	Compliance Date	Complied Date
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17 January 2012

352H

# CONTRAVENTIONS FILE SUMMARY SHEET

<b>Ref. No:</b>	<b>20124032C</b>	<b>Enf. Ref:</b>	
Address:	18 LUTTERWORTH ROAD		
Details:	USE OF PROPERTY		
Contravenor:	THE OCCUPIER		
Progress:	Investigating		
Next Action?			
Case Officer:	OPP	UPRN:	JUM2119
DC Area:	W	Ward:	Aylestone
Breach code:	CAR	Appeal Rec Date:	
Enf Authorised:		Appeal Decision:	
<b>CASE RESOLVED:</b>		Appeal Dec Date:	

## COMPLAINANTS

Name	Received	Acknowlg	Resolved
	17/01/2012	17/01/2012	

## ACTIONS

Date	Type	Officer	Details
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## ADDRESSES

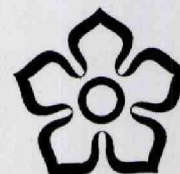
Name	Type	Mail?	Address
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## NOTICES

Type	To Legal Date	Issued Date	Appeal Received	Compliance Date	Complied Date
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SV made 28/12/12  
 photos taken. No answer at door. Calling  
 card left.  
 4 unbranded vehicle on front  
 drive

Please ask for: Oliver Pennington  
Telephone: (0116) 252 7246  
Fax no: (0116) 252 7273  
Email: [planning@leicester.gov.uk](mailto:planning@leicester.gov.uk)  
Our ref: PMD/OPP/20124032C  
Date: 29 February 2012



**Leicester**  
City Council

Planning & Economic  
Development  
New Walk Centre  
Welford Place  
Leicester LE1 6ZG  
[www.leicester.gov.uk/planning](http://www.leicester.gov.uk/planning)

Dear Sir/Madam

**ALLEGED BREACH OF PLANNING CONTROL:  
USE OF PROPERTY  
18 LUTTERWORTH ROAD**


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I refer to the above, which was brought to my attention and our recent telephone conversation.

The matter has now been investigated, and it has been established that no breach of planning control has taken place as there is no evidence of any vehicle repairs taking place at the property. There are numerous cars parked at the front of the property however the majority are in your ownership and there is sufficient off street parking to the property. Consequently, no further action will be taken under planning legislation.

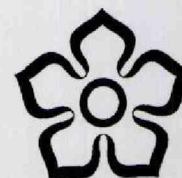
If you would like any further information or to discuss the matter, please do not hesitate to contact me.

Yours faithfully

  
Oliver Pennington  
Planning Management & Delivery



Please ask for: Oliver Pennington  
Telephone: (0116) 252 7246  
Fax no: (0116) 252 7273  
Email: [planning@leicester.gov.uk](mailto:planning@leicester.gov.uk)  
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Planning & Economic  
Development  
New Walk Centre  
Welford Place  
Leicester LE1 6ZG  
[www.leicester.gov.uk/planning](http://www.leicester.gov.uk/planning)

Dear [REDACTED]

**USE OF PROPERTY  
18 LUTTERWORTH ROAD**

I refer to the above which you have brought to my attention.

The matter has now been investigated, and it has been established that no breach of planning control has taken place as there is no material change of use to vehicle repairs taking place at the property. Consequently, no further action can be taken under planning legislation.

If you would like any further information or to discuss the matter, please do not hesitate to contact me.

Yours sincerely

[REDACTED]  
Oliver Pennington  
Compliance & Monitoring Team















50260

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
(as amended by the Planning and Compensation Act 1991)

**ENFORCEMENT NOTICE**  
(Material Change of Use)

ISSUED BY: LEICESTER CITY 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 provision of the development plan and to other material planning considerations.

2. THE LAND AFFECTED

Land and premises at 18, Lutterworth Road, Leicester, shown edged red on the attached plan.

3. THE BREACH OF PLANNING CONTROL ALLEGED

The unauthorised change of use of the premises from a house (Class C3) to a mixed use as a dwelling (Class C3) and for the repair and servicing of motor vehicles.

4. REASON FOR ISSUING THIS NOTICE

1. The use of the premises for motor vehicle maintenance and repair is detrimental to the amenity of neighbouring residential properties by reason of noise, fumes and disturbance.
2. The use of the site for motor vehicle repairs is contrary to Policy E19 of the City of Leicester Local Plan that states that vehicle repairs will not normally be acceptable close to residential uses due to noise and other disturbance caused.
3. The use of the site for motor vehicle maintenance and repair is contrary to Policy E19 of the City of Leicester Local Plan that states that planning permission will normally only be granted for vehicle repair garages on land in, or allocated for Class B2 - B8 employment uses.



5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the premises for the repair and servicing of motor vehicles.
2. Remove all materials, equipment and vehicles brought onto the land in connection with the unauthorised use.

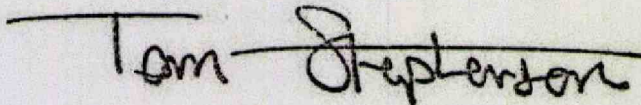
Time for compliance – two calendar months after this notice takes effect

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the 30<sup>th</sup> April 2003 unless an appeal is made against it beforehand.

Dated: 26<sup>th</sup> March 2003

Signed:



TOM STEPHENSON, TOWN CLERK

on behalf of:

Leicester City Council  
Legal Services Division  
New Walk Centre  
Welford Place  
Leicester  
LE1 6ZG

Ref: Legal/FM/EO45 E50260

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 30<sup>th</sup> April 2003. The enclosed booklet "Making your Enforcement Appeal" sets out your rights. Read it carefully. You must use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. You must also send a copy of the form to The Head of Legal Services, Leicester City Council at the address given on the covering letter. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.

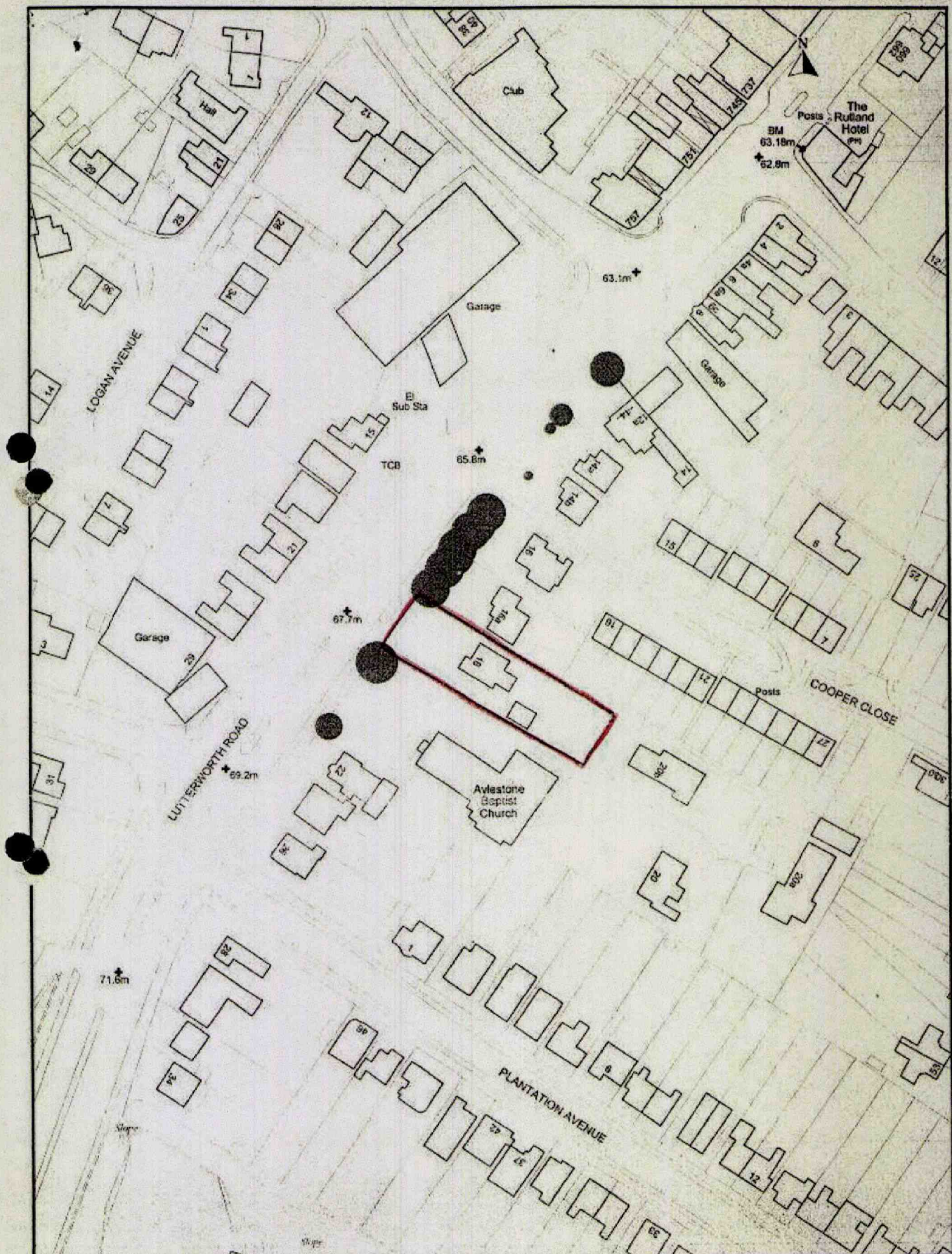


When you appeal you must send the appropriate fee to both the Council and to the Secretary of State (The Planning Inspectorate). The total fee payable in this case is £440. You must pay £220 to Leicester City Council (payable to Leicester City Council - please quote account number 120821 S192) and £220 to the Planning Inspectorate (payable to the "Office of the Deputy Prime Minister").

#### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on 30<sup>th</sup> April 2003 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 this notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.





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Scale 1:1250

Printed: 17/3/2003

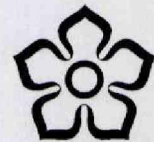
This copy has been produced specifically for Map Return Scheme purposes. No further copies must be made. Environment and Development Department.



**LEICESTER CITY PLANNING****"ALL HISTORY" LIST****17 January 2012**

UPRN APP.NO	RECEIVED DECISION DEC.DATE	"COMPLEX" APPEAL DECN	LOCATION DESCRIPTION
010937 JUM2119	CO 11/12/1964		<b>18 LUTTERWORTH ROAD</b> REPLACEMENT OF BURNT OUT GARAGE BY ONE OF CONCRETE
20021892 JUM2119	04/11/2002 CO 20/12/2002		<b>18 LUTTERWORTH ROAD</b> SINGLE STOREY EXTENSION AT REAR OF HOUSE
20040670 JUM2119	21/04/2004 CO 10/06/2004		<b>18 LUTTERWORTH ROAD</b> SINGLE STOREY EXTENSION AT REAR OF BUNGALOW (AMENDED PLANS 19/05/2004)
20070982 JUM2119	07/06/2007 RF 01/08/2007		<b>18 LUTTERWORTH ROAD</b> DETACHED TWO BEDROOM BUNGALOW AT REAR; DOUBLE GARAGE AT FRONT





Leicester  
City Council

## DEVELOPMENT CONTROL REQUEST FOR SERVICE

NB Before completing this form please check the following

- 1: It is an issue for this group to deal with. If not please refer the customer to the Customer Service Line (7000) or the Environment Service Line (7001)
- 2: Planning permission has been given or whether it may be "Permitted Development"
- 3: Whether we already have a case recorded

### CUSTOMER DETAILS

DATE: 10/01/2012		COMPLAINT RECEIVED BY: O. Pennington	
NAME: [REDACTED]		ADDRESS*: [REDACTED] [REDACTED]	
TELEPHONE HOME*:		TELEPHONE WORK*:	

\* We must have full address of customer including postcode, if the customer wishes to remain anonymous then we will not contact them by phone

### DETAILS OF ALLEGED CONTRAVENTION

ADDRESS: 18 Lutterworth Road	
DETAILS: Doing vehicle repairs	
UPRN: JUM2119 (IF KNOWN)	EXISTING CONTRA REF. NO: (IF APPLICABLE)



