

**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:**  
**Charnwood Borough Council**

**TO:** Gurdev Singh Mattu  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX

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 on the East side of Brand Hill, Woodhouse Eaves, Leicestershire, LE12 8SX shown edged red on the attached plan.

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

Change of use of existing vehicle access point and part of an agricultural and forestry track to a mixed use of agriculture, forestry and residential, and installation of an additional section of track for residential use, low-level lighting along the track and intercom system.

4. **REASONS FOR ISSUING THIS NOTICE**

1. It appears to the Council that the above breach of planning control has occurred within the last 10 years
2. The development and encroachment of a residential use in the countryside broadly conflicts with Policies CS11 and CS12 of the Charnwood Local Plan Core Strategy 2015 and saved Policies CT/1 and CT/2 of the 2004 Local Plan which seek to restrict development in the countryside unless specific circumstances apply. None of those circumstances apply to the development

and it is therefore unacceptable in principle. The development also conflicts with Policy H3 of the Woodhouse Eaves Parish Neighbourhood Plan and Policy C1 of the emerging Charnwood Local Plan 2021-2037. The development therefore constitutes an unwarranted intrusion into the countryside and location within the Charnwood Forest thus fails to protect or enhance its intrinsic character and beauty and also conflicts with policies CS2, CS11 and CS12 of the Core Strategy, Policy EV/1 of the saved Local Plan and Policies DS5, EV1 and EV4 of the emerging Local Plan.

3. As a result of the encroachment of the domestic curtilage into the countryside that forms part of the Conservation Area and the domestic activity through the comings and goings along the track, the development is not considered to preserve nor enhance the character and appearance of the Woodhouse Eaves Conservation Area as required by Section 72 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990. The development is therefore contrary to policy CS14 of the Charnwood Local Plan Core Strategy 2015 and Policy EV8 of the emerging Charnwood Local Plan 2021-2037 which seek appropriate forms of development that conserve and protect heritage assets and their settings. The harm identified is less than substantial and is not outweighed by the public benefits of the development and is therefore contrary to paragraph 208 of the NPPF.
4. The low-level lighting bollards and intercom system on the access gates are an integral part of the residential use. These would not be required for a forestry or agricultural use. The lighting and intercom system introduces a more domestic character, visible to highway users, where previously the domestic curtilage of the house was screened by existing boundary trees and hedges. This encroachment of the domestic curtilage is harmful to the existing character and appearance of the open countryside and contrary to policy H3 of the Woodhouse Eaves Parish Neighbourhood Plan and Policy C1 of the emerging Charnwood Local Plan 2021-2037.
5. There is no evidence before the Council to show that the development has not caused harm to the features of biodiversity, protected species or their habitats and that the appropriate mitigation can be provided. The development is therefore contrary to paragraph 186 of the NPPF which indicates that development should contribute to and enhance the local environment by minimising impacts on biodiversity. In addition, the development is contrary to policy CS13 of the Charnwood Local Plan Core Strategy 2015, policy EV6 of the emerging Charnwood Local Plan 2021-2037 and the Council's Biodiversity Planning Guidance document 2022.

6. Planning permission P/24/0258/2 for the installation of track and use of existing vehicular access point and the track for access to existing dwellinghouse with associated works (Retrospective) was refused permission on 08 November 2024. The refusal of permission indicates that the Council does not consider that planning conditions could overcome these objections.

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

1. Cease the residential use of the vehicular access, existing track and additional section of track. The additional section of track is hatched blue on the plan ref 101-925/(P)102D and attached as appendix 1.
2. Remove all hard surfacing, surface dressing, base material, sub-base material, and geotextile/textile matting from the additional section of track hatched blue on the plan ref 101-925/(P)102D and attached as appendix 1.
3. Place top soil to the same level as the neighbouring land on the area where the hard surfacing has been removed and reseed with a pasture grass mix.
4. Remove the low-level lighting bollards, disconnecting the electricity supply to the lighting bollards and remove any electrical servicing cables associated with the lighting bollards.
5. Remove the intercom system, disconnecting the electricity supply to the intercom system and remove any electrical servicing cables associated with the intercom system.
6. Remove from the land any plant, machinery, tools, debris, waste, and materials arising from undertaking steps 2 - 5.

**6. TIME FOR COMPLIANCE**

2 months from the date the Notice takes effect.

**7. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **Friday 3<sup>rd</sup> January 2025** unless an appeal is made against it beforehand.

Signed 

On behalf of Charnwood Borough Council

Dated: **XXXXXXXX** 19 November 2024

## **ANNEX**

### **YOUR RIGHT TO APPEAL**

You can appeal against this Notice in writing to the Secretary of State, but any appeal must be received, or posted in time to be **received** by the Secretary of State **before** the date this notice takes effect as specified in paragraph 7 of the notice. If you decide to appeal, you should follow the guidance provided in the attached note from the Planning Inspectorate.

### **FEE PAYABLE FOR THE DEEMED APPLICATION**

If your ground of appeal includes ground (a) that planning permission should be granted, you must include with your appeal a fee, which is double that payable for a normal planning application. The total fee payable is **£1156** and should be paid to Charnwood Borough Council.

The fee can be sent with your appeal forms to the Council.

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

If you do not appeal against this enforcement notice, it will take effect on the date the notice takes effect which is specified in paragraph 7 of the notice and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

### **PERSONS SERVED WITH A COPY OF THIS NOTICE:**

Gurdev Singh Mattu  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX

Kaljit Kaur Mattu  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX


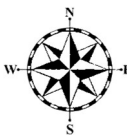
Makhan Singh Mattu  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX

Navneet Kaur Mattu  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX

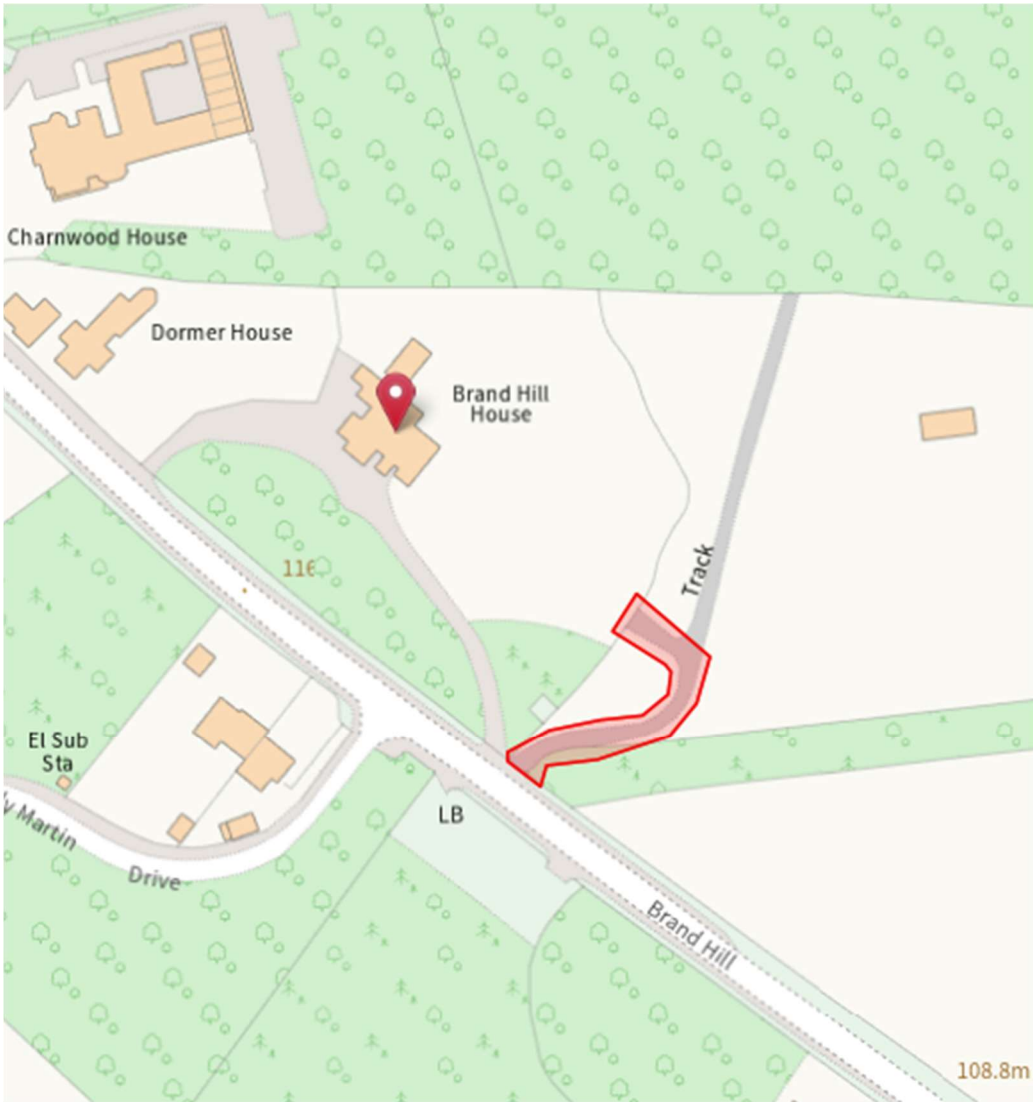
The Company Secretary  
Barclays Bank UK PLC  
1 Churchill Place  
London  
E14 5HP

The occupier  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX

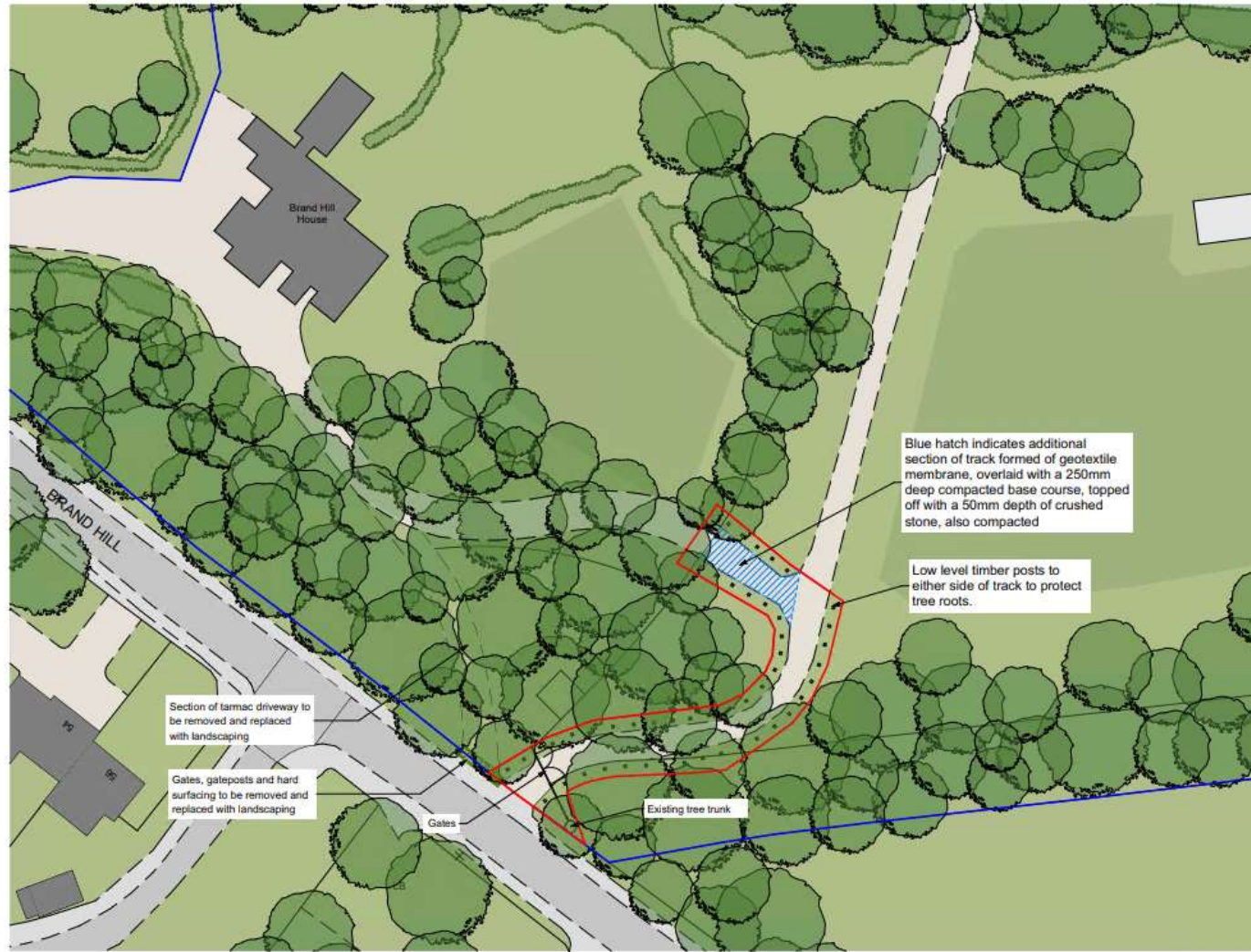
Site Notice  
Brand Hill House  
Brand Hill  
Woodhouse Eaves  
Loughborough  
LE12 8SX

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Reference No: E/21/0048  
 Location: Brand Hill House, Brand Hill, Woodhouse Eaves LE12 8SX  
 Scale: 1:1250



Appendix 2 – Plan detailing additional section of track installed.



Proposed Site Plan @ 1:500

Revision	Date	Drawn	Check
A	Notations added to drawing 07.02.24	GDW	GDW
	Blue hatch added to indicate additional track.		
B	Gate notation amended 09.02.24	GDW	GDW
C	Low level timber posts added 05.04.24	GDW	LBJ
	Vehicle access point removed and replaced with hedging. Notation added.		
D	Path track amended to reflect 29.07.24	GDW	LBJ
	the existing link to the proposed section of path connecting to Brand Hill House. Existing path section to south boundary omitted and replaced with landscaping. Notation amended.		

Please note: Drawing is subject to detailed site survey information.



Project	Brand Hill House, Woodhouse Eaves
Status	Planning
Client	Mr Mattu
Drawn by	Proposed Site Plan Track
Scale	1:500@A3
Date	01.02.2024
Drawn	ATP
Checked	GDW
Ref	101-925/(P)102D

Worthington House, 71 Princes Road, London, SE1 6PR. T 0114 204 1000  
 71 South Street, London, W1P 02P. T 020 7471 2845  
 RCP 2023 004 0001. www.rcp.co.uk. Designing a world  
 where...  
 All drawings are subject to the terms and conditions of our standard terms and conditions.  
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