



Planning and Regeneration Service

Mr Roy Coley
Sowden Group Ltd
Westbridge Court
5-6 Westbridge Close
Leicester
LE3 5DR
Sent via email and post

Development Management
Southfield Road
Loughborough
Leicestershire
LE11 2TN

Please Contact: Neal Chantrill
Direct Line: 01509 634722
Email: development.control@charnwood.gov.uk

02 January 2019

Dear Mr Coley

ENQUIRY REFERENCE: E/18/0476
ALLEGED BREACH: Alleged raising of ground levels
LOCATION: Land adj Moor Lane, Loughborough, Leicestershire

Charnwood Borough Council undertook a site visit on Friday 23 November 2018 to check ground levels in the North Eastern quadrant of the above site after receiving a number of complaints regarding land levels. When we arrived on site we were met by Mr Coley (Sowdens) and the owner of the site who I believe to be Mr Gallagher. During a discussion the owner informed Officers that the area had been cleared and debris had been distributed around the quadrant in 2015, the fact was not disputed.

The levels were checked against the topographical survey, drawing number 500.1 which was submitted as part of the flood risk assessment attached to planning application P/12/2130/2.

It appears from the information provided on the topographical survey submitted, and the measurements taken on site that the area south of the quadrant, adjacent to Moor Lane has been raised by approximately 327mm. The area to the North of the quadrant on the survey shows the original ground levels to be between 37.41m and 37.88m, a large part of this area has now been raised to around 39.61m. This would cause significant water displacement in an area which is designated as flood zone 2 & 3.

As such a breach of planning control has taken place, in order to regularise this you are required to either return the land to the original levels, or to submit an application for the retention of the changes to the land levels, however prior to any submission of an application you are advised you will need to overcome any issues with the Environment Agency as the Flood Authority.

I enclose a copy of a Notice served under Section 330 of the Town and Country Planning Act 1990. This Notice requires you to provide further information about the development. This information will help us decide what further action the Council may need to take.



Telephone: 01509 263151

Email: information@charnwood.gov.uk

Visit us at www.charnwood.gov.uk

You are required to return the Notice within 21 days. Failure to do so may result in prosecution in the Magistrates' Court.

Please include full names where applicable and note that other persons having an interest include any co-owners and anyone to whom a mortgage is owed.

If you require further information or need help to complete the form please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Neal Chantrill', written in a cursive style.

Neal Chantrill
Planning Compliance Technician

IMPORTANT

THIS COMMUNICATION AFFECTS YOUR PROPERTY

REQUEST FOR INFORMATION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) SECTION 330

In accordance with Section 330 of the Town and Country Planning Act 1990, you are required to state in writing the nature of your interest in the land or property shown on the plan attached and known as:-

Land adj Moor Lane, Loughborough, Leicestershire

You are also required to state in writing the full name and address of any other person known to you as having an interest in the land or property known as Land adj Moor Lane, Loughborough, Leicestershire, either as a freeholder, mortgagee, lessee or otherwise, the purposes for which the land or property is being used, the time when that use began, the name and address of any person known to you as having used the land or property for that purpose and the time when any activities being carried out began.

This information should be included on the attached form and return it to:

Head of Planning and Regeneration

Charnwood Borough Council

Southfields

Loughborough

LE11 2TN

not later than **21 days** from **02 January 2019**

Signed



Richard Bennett

Head of Planning and Regeneration

Dated **02 January 2019**

WARNING READ THIS BEFORE COMPLETING THE ATTACHED FORM

Section 330 of the Town and Country Planning Act 1990 provides that:-

- 1) For the purpose of enabling the Secretary of State or a local authority to make an order or issue or serve any notice or other document which, by any of the provisions of this Act he or they are authorised or required to make, or issue or serve, the Secretary of State or the local authority may by notice in writing require the occupier of any premises and any person, who either directly or indirectly, receives rent in respect of any premises to give in writing such information as to the matters mentioned in subsection (2) as may be so specified.
- 2) Those matters are:
 - a) the nature of the interest in the premises of the person on whom the notice is served;
 - b) the name and address of any other person known to him as having an interest in the premises;
 - c) the purpose for which the premises are being used;
 - d) the time when that use began;
 - e) the name and address of any person known to the person on whom the notice is served as having used the premises for that purpose;
 - f) the time when any activities being carried out on the premises began.
- 3) A notice under subsection (1) may require information to be given within 21 days after the date on which it is served, or such longer time as may be specified in it, or as the Secretary of State or, as the case may be, the local authority allow.
- 4) Any person who, without reasonable excuse, fails to comply with a notice served on him under subsection (1) of this section shall be liable on summary conviction to a fine not exceeding £1000.
- 5) Any person who, having been required by a notice under sub-section (1) to give any information, knowingly makes any misstatement in respect thereof shall be liable on summary conviction to a fine not exceeding £5,000 or, on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or both.

**BOROUGH OF CHARNWOOD
STATEMENT OF INFORMATION
REQUIRED BY THE COUNCIL**



To: Head of Planning and Regeneration
Charnwood Borough Council
Southfields
Loughborough
LE11 2TN

In reply to your Notice dated **02 January 2019** under the above Act, requiring me to give you certain information as to my interest and the interest of other persons in and the use of land or property known as Land adj Moor Lane, Loughborough, Leicestershire shown hatched in blue on the attached plan.

I HEREBY STATE that the answers to the questions set out in the Schedule below are a true and correct statement of all the information required by the Notice, so far as the same is within my knowledge.

Signature: _____

Name Printed: _____

Address: _____

Dated the _____ day of _____ 20____

SCHEDULE

1. Name and address of Occupier: _____

2. Name and address of Freeholder: _____

3. Name and address of Leaseholder: _____

4. Name and address of Mortgagee

5. Nature of your interest in the premises (if other than those interests above specified).

6. Name and address of any person other than those persons above specified) having an interest in the premises:

7. The purpose or purposes for which the premises are being used (including any purposes incidental to the main purpose):

8. The date when that use began:

9. Name and address of any person who has used the premises for the purpose described in 7 above:

10. The date when any activities being carried out on the premises began:

11. Registered Office of any company having an interest in the land:
