

Mr C White  
54 Woodland Drive  
Leicester  
LE3 3EB

Please Contact: Mr James Hicks

Direct Line: 01509 634736

Your Ref:

20th January 2004

Dear Mr White

**COMPLAINT NO:** E/03/134  
**DEVELOPMENT:** Without the necessary consents, the alteration of a vehicular access, the creation of a culvert and vehicular crossing, the raising of land levels, the removal of a section of an embankment and the removal of trees from within the Swithland Conservation Area.  
**LOCATION:** Land at Main Street, Swithland.

I am in receipt of your email of 20<sup>th</sup> January 2004.

I ask you to consider the following points in respect to this development:

- The Council, in its capacity as the Local Planning Authority has a duty to investigate and to take the necessary action in respect to any authorised development, where it is considered expedient to do so. At present the Council has an open investigation at the above-mentioned site.
- The Council has served upon you a Planning Contravention Notice to try to better understand the development that has taken place.
- You have completed and returned the notice within the stipulated time period.
- On the basis of findings from site visits and the information contained in the completed Planning Contravention Notice, the Council considers the works as detailed above as 'development' to constitute breaches of planning control. The Council has asked that these developments be considered for retention by way of an application for retrospective planning permission.
- To date no planning application has been submitted, as you consider the developments to be Agricultural Permitted Development. **Note: The Statutory Instrument No.1813 of 1988 to which you refer has been superseded by Instrument No.418 of 1995.**
- I have advised you that if the development met the requirements of Agricultural Permitted Development for the size of holding, the necessity for planning permission remains as you have failed to submit to the Council, the appropriate certificate and plans for consideration under the Prior Notification procedure.
- In your recent emails you have advised of further works that you intend to carry out on the site. You consider these works to be Agricultural Permitted Development and you believe you have carried out the appropriate duties required under the prior notification procedure.
- To date you have not submitted any certificate under the prior notification procedure. The earlier emails to which you refer do not constitute any commencement of the procedure and thus should further works commence, they will also constitute unauthorised development.

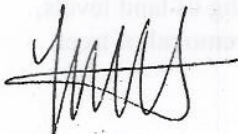
I remain that the development that has been carried out on the site is unauthorised and must advise that the development may be liable to further enforcement action. No application for prior notification of Agricultural Permitted Development has been received with regard to the proposed works.

I invite you to meet with me at this office to formally discuss this investigation to date. Should you wish to meet I ask that you contact me to arrange a mutually date and time.

I enclose with this letter two sets of application forms:

- For an application for full planning permission for the first phase of unauthorised development already carried out.
- For an application for prior notification of Agricultural Development for the second phase of proposed works.

Yours sincerely



Mr J Hicks  
Planning Enforcement Officer