



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 Willowmead 5 Hollands Lane Twyford Leicestershire LE14 2HP 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 excavation and formation of a pond on land at Willowmead 5 Hollands Lane Twyford Leicestershire LE14 2HP was carried out without the required planning permission. Subsequent Lawful Development Certificate for a natural pond created to encourage wildlife and associated landscaping was refused on **3rd July 2025** (25/00489/CL), in the approximate position marked with a cross on the attached plan.

4. REASONS FOR ISSUING THIS NOTICE

The Local Planning Authority considers it expedient to issue this notice for the following reasons:

- The excavation and formation of the pond has materially altered the character and appearance of the land.
- The works have been undertaken without the necessary planning permission and are not permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015.

- The unauthorised excavation may have altered the natural drainage of the land, potentially increasing the risk of surface water flooding to adjacent land and properties.
- The unauthorised development is contrary to the following policies of the Melton Local Plan (2018):
 - Policy EN1 – Landscape: The development fails to protect and enhance the character of the local landscape.
 - Policy EN2 – Biodiversity and Geodiversity: The excavation may have adverse impacts on local biodiversity and geodiversity.
 - Policy EN6 – Settlement Character: The works are inconsistent with the character and setting of the settlement and surrounding countryside.
 - Policy EN11 – Minimising the Risk of Flooding: The development fails to demonstrate that it does not increase flood risk elsewhere or adequately manage surface water.
 - Policy D1 – Raising the Standard of Design: The development does not meet the required standards of design and environmental integration.

The development took place without the necessary planning permission. A subsequent Lawful Development Certificate to demonstrate the development as permitted development (25/00489/CL) was refused on **3rd July 2025**

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

- 1) Cease all use of the land in connection with the unauthorised pond.
- 2) Remove all materials, structures, and equipment associated with the excavation and formation of the pond.
- 3) Reinstall the land to its condition prior to the unauthorised works, including:
 - Backfilling the excavation with appropriate material.
 - Re-seeding or re-turfing the area to match the surrounding land.
 - Ensuring the land is level and stable.

6. TIME FOR COMPLIANCE

No later than Monday 4th August 2025

Cease all use of the land in connection with the unauthorised pond.

No Later than Friday 26th September 2025

Remove all materials, structures, and equipment associated with the excavation and formation of the pond.

No Later than Friday 26th September 2025

Reinstate the land to its condition prior to the unauthorised works, including:

Backfilling the excavation with appropriate material.

Re-seeding or re-turfing the area to match the surrounding land.

Ensuring the land is level and stable.

7. WHEN THIS NOTICE TAKES EFFECT

This notice **takes effect at 12:01 hours on Friday 1st August 2025**, unless an appeal is made against it beforehand.

Dated: 3th July 2025

Assistant Director for Planning
Place and Prosperity

Signed:

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

Nominated Officer:

Signed

Contact;

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.

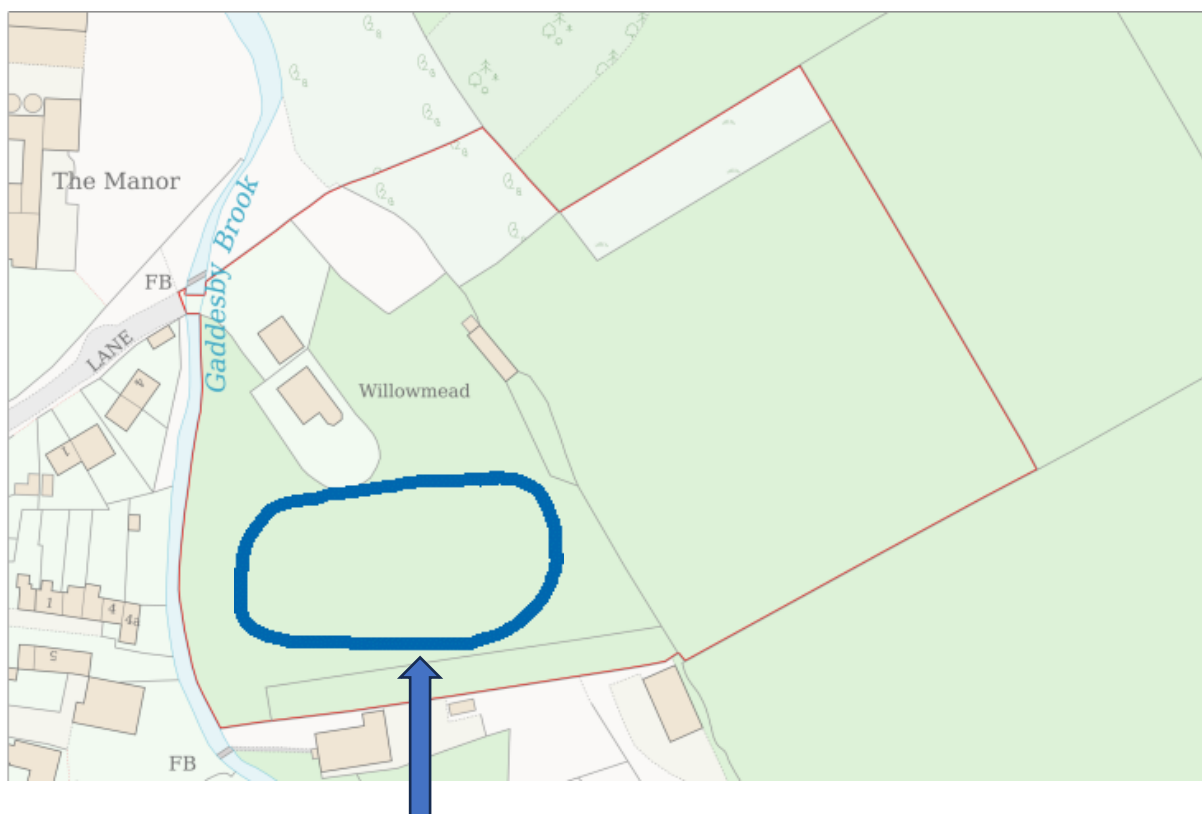
Any appeal must be received, or posted in time to be **received**, by the Planning Inspectorate acting on behalf of the Secretary of State **before** the date specified in paragraph 7 of the notice.

The enclosed link published by the Planning Inspectorate gives details of how to make an appeal <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)



Pond Located within the blue line curtilage

