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16 AUG 2010
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The Planning Inspectorate

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Date received

HOUSEHOLDER PLANNING APPEAL FORM

If you need this document in large print, in audio format, or in Braille, please contact our helpline on 0117 372 6372. **To help you fill in this form correctly please refer to the enclosed guidance leaflet "How to complete your householder planning appeal form".**

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within 12 weeks of the date shown on the Local Planning Authority's decision notice. **If your appeal and essential supporting documents are not received in time we will not accept the appeal.**

PLEASE PRINT CLEARLY IN CAPITALS USING **BLACK** INK

A. APPELLANT DETAILS

See section A of the guidance leaflet. The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name: GARY DULON

Organisation name (if applicable):

Address: 1 WOODLAND CLOSE, MARKFIELD, MELCS

Postcode: LE67 9QW

Daytime phone: 07835 234755

Fax:

I prefer to be contacted by Post ☐ Email ☑ *

* Email address: GARYDULON@AOL.COM

B. AGENT DETAILS (IF ANY) FOR THE APPEAL

See section B of the guidance leaflet.

Name:

Organisation name (if applicable):

Address:

Postcode:

Your reference:

Daytime phone:

Fax:

I prefer to be contacted by Post ☐ Email ☐ *

* Email address:

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

See section C of the guidance leaflet.

Name of the LPA: HINCKLEY & BOSWORTH

LPA's application reference number: 10/00256/FUL

Date of the application: 06 04 10

Date of the LPA's decision notice: 09 07 10

D. APPEAL SITE ADDRESS

See section D of the guidance leaflet.

Address 1 WOODLANDS CLOSE, MARKFIELD,

LEICS

Postcode LE67 9QH

Note: Failure to provide the full postcode may delay the processing of your appeal.

Please answer the questions below:

1 Is the appeal site within a Green Belt? Yes ☐ No ☑

2 Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes ☑ No ☐

3 Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? If yes, please describe them on a separate sheet. Yes ☐ No ☑

E. DESCRIPTION OF THE DEVELOPMENT

See section E of the guidance leaflet.

Has the description of the development changed from that on the application form? Yes ☐ No ☑

Area of floor space of proposed development in square metres 0.00

F. REASON FOR THE APPEAL

See section F of the guidance leaflet.

The reason for this appeal is that the LPA has (please tick which applies):

1 Refused planning permission 1 ☑

2 Refused permission to vary a condition(s). 2 ☐

G. GROUNDS OF APPEAL

See section G of the guidance leaflet to help you decide what to include in your appeal

SEE ATTACHED SHEET

Please continue on a separate sheet if necessary.

H. (part one) SITE OWNERSHIP CERTIFICATES

This must be completed for all appeals. See section H of the guidance leaflet.

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s) and be sure that you have told them that you have made an appeal.

You must tick below which of the "certificates" applies.

*Please tick **ONE** box only* ✓

If you are the **sole** owner of the **whole** appeal site, certificate A will apply:

CERTIFICATE A A ☑

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner of any part of the land to which the appeal relates:

OR

CERTIFICATE B B ☐

I certify that the appellant (or the agent) has given the requisite notice (see *Guidance Notes*) to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served (this must be within the last 21 days)
		D D M M Y Y
		D D M M Y Y
		D D M M Y Y
		D D M M Y Y

OR

CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D in the guidance leaflet and attach it to the appeal form. C/D ☐

H. (part two) AGRICULTURAL HOLDINGS CERTIFICATE

This must be completed for all appeals. See section H of the guidance leaflet.

We need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b).

*Please tick **ONE** box only* ✓

a) None of the land to which the appeal relates is, or is part of, an agricultural holding: A ☑

OR

b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below: B ☐

Please note: If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under "Tenant's name".

Tenant's name	Address at which the notice was served	Date the notice was served (this must be within the last 21 days)
		D D M M Y Y
		D D M M Y Y
		D D M M Y Y

I. ESSENTIAL SUPPORTING DOCUMENTS

See section I of the guidance leaflet.

If we do not receive both your appeal documents by the end of the 12 week appeal period we will not accept your appeal.

You must send the documents listed below with your appeal form. Please tick the boxes to confirm the documents are enclosed.

1 A copy of the original **planning application form** sent to the LPA. 1 ☑

2 A copy of the **LPA's decision notice**. 2 ☑

J. OTHER APPEALS

See section J of the guidance leaflet.

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

K. CHECK SIGN AND DATE

See section K of the guidance leaflet.

Please tick the boxes to confirm that the following actions have been carried out.

1 I have completed all sections of the form and the details of the ownership (sections H, parts one and two) are correct to the best of my knowledge. ☑

2 I have enclosed **both** the essential supporting documents listed in section I. ☑

3 I have enclosed my grounds of appeal (if not given in section G). ☑

4 I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not we will not normally accept your appeal).* ☑

5 I have signed and dated the form *(unsigned forms will be returned to you).* ☑

Signature ..... Date 13/08/2008

Name (in capitals) GARY DULON On behalf of (if applicable)

.....

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the guidance leaflet.

L. NOW SEND

See section L of the guidance leaflet.

1 COPY to us at:

The Planning Inspectorate
Scanning Team (Householder Appeals)
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Helpline: 0117 372 6372

1 COPY to the LPA

1 COPY for you to keep

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

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Norwich
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Our grounds of appeal are.

1. The hedge next to the pillar is the same height as the pillar so reducing the pillars will have absolutely no effect in improving visibility.
2. The public footpath leads to a quiet cul-de-sac where cars cannot and do not travel at any speed. In fact my drive is often used by teenagers on bikes to sweep round at speed, this I call dangerous to the pedestrians as the teenagers have the opportunity on my wide open drive to gather speed onto the pathway. By deterring them from using the drive will encourage them to push the bike up the footpath as this is narrower and uphill, therefore making it safer for all concerned.
3. The owner of the house below also would like the pillars to remain due to the teenagers cutting into his drive, proving a danger to his family as well as mine.
4. Traffic approaching into the close from the pillar side will be decelerating from an all ready slow speed to even slower speed as they will be approaching and pulling onto their drives.

Perhaps this is one of the occasions where rules should be used as guidelines and not set in stone, and common sense and cost should come into play at these difficult times of cut backs, by reducing red tape and paperwork could in the long term save waste and valuable resource time.

I am a responsible member of the public who works hard, pays my taxes and would no more have built these pillars if I believed there would be any danger to the public or if there was any possibility of them causing an accident or injury to man, woman or child.

Hinckley & Bosworth Borough Council
A Borough to be proud of
planning@hinckley-bosworth.gov.uk
01455 238141
Council Offices
Argents Mead
Hinckley
Leicestershire
LE10 1BZ

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Householder Application for Planning Permission for works or extension to a dwelling.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.
Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title: Mr | First name: Gary | Surname: Dulon

Company name:

Street address: Woodland Close

Town/City: Markfield

County: Leicestershire

Country: United Kingdom

Postcode: LE67 9QH

	Country Code	National Number	Extension Number
Telephone number:	01530	244985	
Mobile number:	07830	234755	
Fax number:			

Email address: garydulon@aol.com

Are you an agent acting on behalf of the applicant? ( ) Yes (•) No

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Description of Proposed Works

Please describe the proposed works:

Erection of pillars over 1m high at front of drive

Has the work already been started without planning permission? (•) Yes ( ) No — If Yes, please state when the works were started: 02/11/2009

Has the work already been completed without planning permission? (•) Yes ( ) No — If Yes, please state the date when the works were completed: 03/11/2009

4. Site Address Details

Full postal address of the site (including full postcode where available)

House: 1 | Suffix:

House name:

Street address: WOODLAND CLOSE

Town/City: MARKFIELD

County: LEICESTERSHIRE

Postcode: LE67 9QH

Description of location or a grid reference
(must be completed if postcode is not known):

Easting: 449454

Northing: 309767

Description:

5. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? ○ Yes ◉ No

Is a new or altered pedestrian access proposed to or from the public highway? ○ Yes ◉ No

Do the proposals require any diversions, extinguishment and/or creation of public rights of way? ○ Yes ◉ No

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ◉ No

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7. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development? ○ Yes ◉ No

Will any trees or hedges need to be removed or pruned in order to carry out your proposal? ○ Yes ◉ No

8. Parking

Will the proposed works affect existing car parking arrangements? ○ Yes ◉ No

9. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you? ○ Yes ◉ No

10. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ◉ Yes ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

○ The agent ◉ The applicant ○ Other person

11. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Walls - description:

Description of *existing* materials and finishes:

Standard red brick

Description of *proposed* materials and finishes:

standard red brick

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? ○ Yes ◉ No

12. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Title: Mr First name: Gary Surname: Dulon

Person role: Applicant Declaration date: 22/03/2010 ☒ Declaration made

12. Certificates (Agricultural Land Declaration)

Agricultural Land Declaration

Town and Country Planning (General Development Procedure) Order 1995 Certificate under Article 7

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of an agricultural holding. ◉

(B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below: ○

If any part of the land is an agricultural holding, of which the applicant is the sole tenant, the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

12. Certificates (Agricultural Land Declaration - continued)

Title: Mr | First Name: Gary | Surname: Dulon

Person role: Applicant | Declaration date: 06/04/2010 | ☒ Declaration Made

13. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. ☒

Date 22/03/2010

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Hinckley & Bosworth Borough Council

A Borough to be proud of

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Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

Name and Address of Applicant
Mr Gary Dulon
Woodland Close
Markfield
Leicestershire
LE67 9QH
United Kingdom

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application

6 April 2010

Application No.

10/00256/FUL

Particulars and location of development:

ERECTION OF PILLARS TO FRONT OF DRIVE

1 Woodland Close Markfield Leicestershire LE67 9QH

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s) :-

1. The brick pillars that are in-situ and being applied for retrospectively cause an obstruction to pedestrian visibility splays on either side of each access. To permit the development would not be in the interests of pedestrian safety especially when considering the most vulnerable highway users in terms of the young and the elderly.

NOTES TO APPLICANT :-

1. Your attention is drawn to the response of Leicestershire County Council Director of Environment and Transport.
You are advised that the pillars are in breach of planning controls and should be reduced to 1 metre or less in height , in order to progress this matter you should contact the Planning Enforcement Team to discuss a timetable of action.

Date :9 July 2010

BILL CULLEN
PROPER OFFICER OF THE COUNCIL

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT