



CHELTENHAM

BOROUGH COUNCIL

DD number: 01242 774987
Our ref: 15/00267/DCBPC
Ask for: Daniel Lewis
e-mail: daniel.lewis@cheltenham.gov.uk
Date: 20 July 2015

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

Re: 96 Leckhampton Road, Cheltenham

Enclosed by way of service to you is a Breach of Condition Notice issued by Cheltenham Borough Council on 20 July 2015. The Notice concerns the failure to comply with one or more of the planning conditions attached to the planning approval for the above site.

The Notice will take effect on 20 July 2015

Once the Notice has taken effect, you must ensure that the steps required for compliance, specified in paragraph 5 of the Notice are taken within the time frames allowed for compliance. Failure to comply with the requirements of a Breach of Condition Notice can result in prosecution.

Yours sincerely

Mark Nelson
Enforcement Manager



INVESTOR IN PEOPLE

ENFORCEMENT • ENVIRONMENTAL AND REGULATORY SERVICES
CHELTENHAM BOROUGH COUNCIL • MUNICIPAL OFFICES • PROMENADE • CHELTENHAM • GLOS • GL50 9SA
TELEPHONE 01242 262626 • FACSIMILE 01242 264210 • www.cheltenham.gov.uk



IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended by the Planning and Compensation Act 1991)**

BREACH OF CONDITION NOTICE

SERVED BY: Cheltenham Borough Council ('the Council')

To

1. **THIS NOTICE** is served by the Council, under section 187A of the above Act, because they consider that conditions imposed on a grant of planning permission, relating to the land described in paragraph 2 below, have not been complied with. The Council consider that you should be required to comply with the conditions specified in this Notice. The Annex at the end of this notice contains important additional information.

2. **THE LAND TO WHICH THE NOTICE RELATES**

Land at 96 Leckhampton Road, Cheltenham, Gloucestershire
(As shown edged red on the attached plan for identification purposes)

3. **THE RELEVANT PLANNING PERMISSION**

12/01487/FUL & 14/01709/AMEND & 15/00893/AMEND

4. **THE BREACH OF CONDITION**

Condition 5 of the planning permission has not been complied with:

- *"No construction work at the site is to take place outside the hours of 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays."*

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

As the person responsible for the breach of condition specified in paragraph 4 of this Notice, you are required to comply with the stated conditions by taking the following steps:-

- To ensure that construction works are only undertaken within the specified working hours.

Mike Redman
Director – Environmental & Regulatory Services

Date: 20 July 2015

on behalf of: Cheltenham Borough Council, Built Environment Enforcement, Municipal Offices, Promenade, Cheltenham, Gloucestershire GL50 9SA

ANNEX

WARNING

THIS NOTICE TAKES IMMEDIATE EFFECT ONCE IT IS SERVED ON YOU IN PERSON OR ON THE DAY YOU RECEIVED IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE FOR THE ENVIRONMENT AGAINST THIS NOTICE.

It is an offence to contravene the requirements stated in paragraph 5 of this Notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this Notice requires you to do, you should immediately contact:

- **Daniel Lewis**
Enforcement & Compliance Officer

Tel: 01242 774987

Email: Daniel.lewis@cheltenham.gov.uk

If you do need independent advice about this Notice, you are advised to urgently contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the Notice, you may only do so by an application to the High Court for judicial review.