

Ddi number: 01242 774986
Our ref: 16/00070/DCUCOU
Ask for: Mr Martin Levick
e-mail: martin.levick@cheltenham.gov.uk
Date: 5th April 2016

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear

Re: 14 Windermere Road, Hatherley, Cheltenham

Enclosed by way of service to you is a copy of a Breach of Condition Notice issued by Cheltenham Borough Council on **5th April 2016**. 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 takes effect immediately.

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

Martin Levick
Senior Enforcement & Compliance Officer

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**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: 14 Windermere Road Hatherley Cheltenham Gloucestershire

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 **14 Windermere Road Hatherley Cheltenham Gloucestershire**
(As shown edged red on the attached plan for identification purposes)

3 THE RELEVANT PLANNING PERMISSION

Application no: 14/01119/FUL Alterations to planning permission ref: 13/00317/FUL (Proposed erection on new garage and wall) to incorporate window instead of garage door.

4. THE BREACH OF CONDITION

The following conditions have not been complied with:

- Condition 2 -The development hereby permitted shall be carried out in accordance with drawing numbers 1119:03A and 1301/02A received 9th July 2014.
- Condition 4 - The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 14 Windermere Road.

5. WHAT YOU ARE REQUIRED TO DO

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

- **Condition 2 – To secure compliance with the approved drawing numbers 1119:03A and 1301/02A.**
- **Cease the use of the building as a self-contained unit of living accommodation.**

Period for Compliance: 30 days beginning with the day on which this notice is served on you.

Mike Redman
Director, Environmental and Regulatory Services

Date: 5th April 2016

on behalf of: Cheltenham Borough Council, Enforcement, Environmental and Regulatory Services, 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 £2,500 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:

**Martin Levick
Senior Enforcement & Compliance Officer**

**Tel: 01242 774986
Email: martin.levick@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.