

**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: 106 Fairview Road Cheltenham Gloucestershire GL52 2ER**

**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 106 Fairview Road Cheltenham Gloucestershire GL52 2ER  
*(As shown edged red on the attached plan for identification purposes)*

**3 THE RELEVANT PLANNING PERMISSION / CONSENT**

17/02121/LBC for the Excavation of ground to front of property and installation of stairs, replace existing front elevation basement window with door, removal of existing pebble dash render front of property and replace with smooth render, installation of traditional iron railings/plinth and hand rail at front of property (retrospective). This consent was granted on 5<sup>th</sup> February 2018.

**4. THE BREACH OF CONDITION**

The following conditions have not been complied with:

The unauthorised external door that has been installed shall be removed and replaced with a new timber door in accordance with details which shall have been previously approved, and the side panel shall be blocked up and rendered, within 6 months of the date of this decision.

**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:-

- Within 5 days of this notice, beginning with the day the notice is served on you, you must acknowledge receipt of this letter;
- Within 28 days of this notice, beginning with the day the notice is served on you, you must submit satisfactory information to support discharge of condition application 18/01805/DISCON as per the requirements of condition 2 of Listed Building Consent 17/02121/LBC;

- Within 5 months of this notice, beginning with the day the notice is served on you, you must remove the unauthorised door located at basement level of the front elevation of the property including the side panel, block up the side panel and render over using appropriate materials and install the door approved by application 18/01805/DISCON.

**Mike Redman**  
**Director, Environment**

Date: 6th March 2019

*on behalf of: Cheltenham Borough Council, Enforcement, Environment, 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:

- **Daniel Lewis - Senior Enforcement & Compliance Officer**  
Tel: 01242 264118  
Email: [daniel.lewis@cheltenham.gov.uk](mailto:daniel.lewis@cheltenham.gov.uk)

If you do need independent advice about this Notice, you are advised to urgently contact a solicitor, 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.