

DD number: 01242 264118
Our ref: 19/00221/DCGNEQ
Ask for: Daniel Lewis
e-mail daniel.lewis@cheltenham.gov.uk

Date:

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Dear,

Re: 5 Corfe Close, Prestbury, Cheltenham, GL52 5BX.

Enclosed by way of service to you is a Breach of Condition Notice issued by Cheltenham Borough Council on 8 January 2020. The Notice concerns the failure to comply with one or more of the planning conditions attached to the planning permission 14/00550/FUL

The Notice will take effect on 8 January 2020

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

Daniel Lewis
Senior Enforcement and 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:

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 5 Corfe Close, Prestbury, Cheltenham, Gloucestershire, GL52 5BX
(As shown edged red on the attached plan for identification purposes)

3 THE RELEVANT PLANNING PERMISSION

14/00550/FUL - Proposed two storey kitchen/bedroom/bathroom rear extension, and single storey lounge extension

4. THE BREACH OF CONDITION

The following condition has not been complied with:

Condition 5 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that order) the first floor window facing 4 Corfe Close shall be glazed with obscure glass and shall incorporate a restricted opening mechanism, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The window shall be installed in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To safeguard the amenities of the adjoining properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

5. WHAT YOU ARE REQUIRED TO DO

As the person(s) 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 1 month from this notice taking effect, submit for approval to the LPA the proposed restricted opening mechanism. Should the first submission be unacceptable, re-submit a proposed restricted opening mechanism within 2 weeks from the LPA advising of the unacceptability; and
- Within 1 month from the LPA confirming acceptability of the proposed restricted opening mechanism to have it installed as per the submission and inspected by a representative of the LPA.

Mr Mike Redman
Director, Environment

Date: 8 January 2020

*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 COMMUNITIES AND LOCAL GOVERNMENT 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

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.