

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

To: Owner/Occupier 47 Seymour Avenue, Burton upon Trent, Staffordshire DE14 2AQ

Served by: East Staffordshire Borough Council, The Maltsters, Wetmore Road, Burton upon Trent, Staffordshire, DE14 1LS

1. **This is a formal notice** which is served by the Council, under Section 187A of the above Act, because it considers 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 considers that you should be required to secure compliance with the conditions specified in this notice. The Annex at the end of this notice contains important additional information.

2. The land to which this notice relates

The land known as 47 Seymour Avenue, Burton upon Trent, Staffordshire shown edged in red on the attached plan ("the Land").

3. The relevant planning permission

The relevant planning permission to which this Notice relates is the permission granted by the Council on 19th July 2012 for the continued use of shed for dog grooming (Sui Generis) under Planning Permission Number P/2012/00486.

4. The breach of condition

The following conditions have not been complied with:

- (1) Within one month of the date of this decision notice a scheme of insulation of the building to provide noise attenuation shall be submitted to and approved in writing by the Local Planning Authority. The attenuation measures shall thereafter be installed within three months of the date of this decision and thereafter retained for the life of the development.
- (2) Within one month of the date of this decision a scheme for the disposal of foul and surface waters from the shed (which shall include details for the disposal of waste matter and waste water) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be only carried out in accordance with the approved details.

in that no details of a scheme of insulation of the building to provide noise attenuation or a scheme for the disposal of foul and surface waters from the shed have been submitted to the Local Planning Authority for approval in writing.

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 secure compliance with the stated conditions by taking the following steps:

- (1) Submit a scheme of insulation of the building to provide noise attenuation through the formal process to the Local Planning Authority for approval.
- (2) Submit a scheme for the disposal of foul and surface waters from the shed (which shall include details for the disposal of waste matter and waste water) through the formal process to the Local Planning Authority for approval.
- (3) Install the approved attenuation measures and retain them for the life of the development
- (4) Implement the approved scheme for the disposal of foul and surface waters from the shed

6. Time for compliance

Items 1 and 2 30 days beginning with the day on which this notice is served on you.

Items 3 and 4 within 30 days following the date of approval by the Local Planning Authority of the details required under Item 1 and 2.

7. When this notice takes effect

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Annex

This notice takes effect IMMEDIATELY it is served on you in person or on the day you received it by post.

There is no right of appeal to the First Secretary of State 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 get in touch immediately with:

Planning Delivery
The Maltsters
Wetmore Road
Burton upon Trent
Staffordshire
DE14 1LS

If you do need independent advice about this notice, you are advised to contact urgently 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. Your professional adviser will advise you on what this procedure involves.

Do not leave your response until the last minute.

Dated: 11th January 2013

Signed:



Legal Services Manager (Solicitor)
(the Council's authorised officer)

on behalf of: East Staffordshire Borough Council, The Maltsters, Wetmore Road,
Burton upon Trent, Staffordshire, DE14 1LS



Eaton Park Junior School

P/12/00486

RECEIVED
23 APR 2012



1:10000 Scale, 1:1000 Scale, 1:500 Scale, 1:250 Scale, 1:100 Scale, 1:50 Scale, 1:25 Scale, 1:10 Scale, 1:5 Scale, 1:2 Scale, 1:1 Scale