

*the heart of Leicestershire*

Council Offices, Desford Road, Narborough, Leicester, LE19 2EP

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**BREACH OF CONDITION NOTICE**

**Served by Blaby District Council**

**To:**



1. This is a formal notice which is issued by Blaby District Council, under Section 187A of the above Act, because it is considered that a condition imposed on a grant of planning permission, relating to the land described below, has not been complied with. It is considered that you should be required to comply with the condition specified. The Annex at the end of this notice contains important additional information.

2. The land to which this notice relates

**Land at 90 High Street, Whetstone, Leicestershire, LE8 6LQ, now known as Cufflin Court (as shown edged red on the attached plan.)**

3. The relevant planning permission

The relevant planning permission to which this notice relates is **17/1452/VAR** dated **18<sup>th</sup> January 2018** for **Variation of Condition 2 (Approved Plans) imposed on planning permission 17/0409/FUL (amended gable fronts, new window configuration, reduced eaves and roof heights and amended car park layout).**

4. The breach of conditions

The following conditions have not been complied with:-

**Condition 2**

**The Development hereby approved shall be built in strict accordance with the following approved plans;  
Site Location Plan Drawing No. 3024 PL01 Rev A**

**Existing and Proposed Site Plan Drawing No. 3024 PL02 Rev F  
Proposed Block A Drawing No. 3024 PL03 Rev D  
Proposed B Drawing No. 3024 PL03 Rev E  
Street Scene Drawing No. 3024 PL06 Rev C  
Setting Out Plan Drawing No. 3024 PL07 Rev A**

**Condition 4**

**The approved landscaping scheme, discharged on the 21st December 2017 and as shown on Setting Out Plan 3024.PL07 rev A, shall be carried out within one year of completion of the development and any trees, hedges, shrubs or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.**

**Condition 9**

**Prior to any above ground development commencing, an acoustic survey in relation to the number of sources of noise adjacent to the development shall be submitted to and approved in writing by the District Planning Authority. The acoustic report shall be carried out by a competent person and the development shall be constructed in accordance with the approved details.**

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 condition by taking the following steps:-

**Condition 2**

**Install the 600mm high black powder coated metal railings at the front of all 10 properties as per drawings: Street Scene Drawing No. 3024 PL06 Rev C and Setting Out Plan Drawing No. 3024 PL07 Rev A**

**Condition 4**

**Complete the Landscaping works to the rear courtyard area (hatched blue) on the attached plan as per drawing ref Setting Out Plan Drawing No. 3024 PL07 Rev A.**

## **Condition 9**

**Install the acoustic fencing in position B as set out in drawing ref Acoustic Screening 3032.BR08, as approved under application 18/0326/DOC.**

The period for compliance: 60 days beginning with the day on which this notice is served on you.

6. When this notice takes effect

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

Dated: 8<sup>th</sup> October 2021

Signed:  
Jonathan Hodge  
Senior Enforcement Officer

on behalf of:  
Blaby District Council  
Council Offices  
Narborough  
Leicester  
LE19 2EP

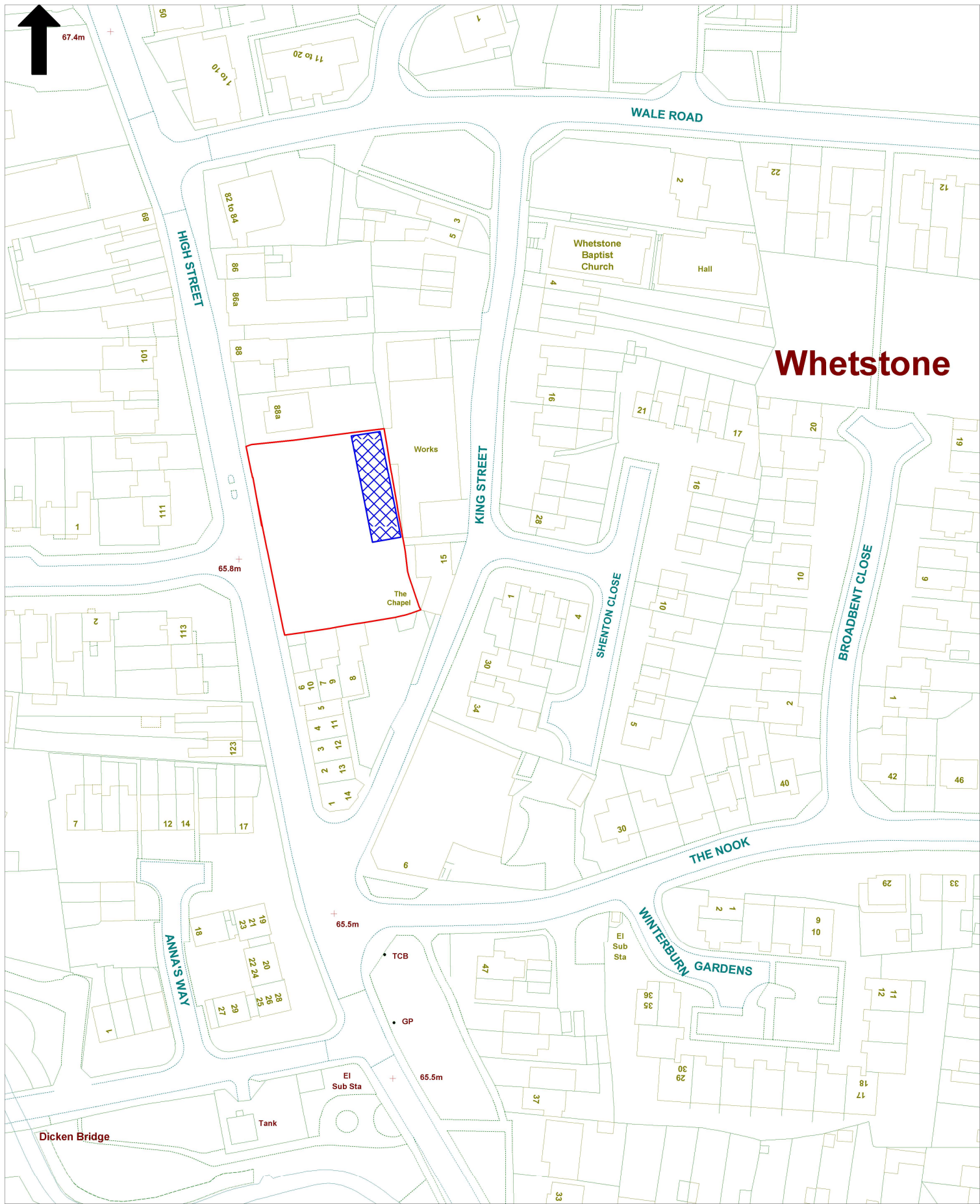
## **Warning**

### **There is no right of appeal 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 the Planning Enforcement Team at the Council Offices (Tel 0116 272 7521).

If you 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. A lawyer will advise you on what this procedure involves.

**Do not leave your response to the last minute.**



# Whetstone

Scale 1:1250  
 Map Ref: SP5597SE

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