

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

Issued by Stafford Borough Council ('the Council'), reference WKS3/00173/EN24

To: Lee Thomas Instone, 79 Baswich Crest, Stafford, ST17 0HJ

1. THIS NOTICE is served by the Council under Section 187A of the above Act, because they consider that a condition imposed on a grant of planning permission, relating to the land described in paragraph 2 below, has not been complied with. The Council consider that you should be required to comply with the condition 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 79 Baswich Crest, Stafford, ST17 0HJ ('the Land') shown edged red on the attached plan (formerly known as Land adjacent to 2 Tavistock Avenue).

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this Notice relates is:

- Appeal reference APP/Y3425/A/08/2082776, Land adjacent to 2 Tavistock Avenue, Baswich, Stafford, ST17 0HJ, dated 17 February 2009.
A copy of the decision letter and location plan are enclosed with this Notice.

4. THE BREACH OF CONDITION

Condition (f) of APP/Y3425/A/08/2082776 has not been complied with:

(f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows, dormer windows or doors other than those expressly authorised by this permission shall be created on the external surfaces of the dwelling hereby permitted.

Planning permission for the rear dormer extension was refused by Stafford Borough Council under reference 24/39797/HOU (dated 2 December 2024) and the subsequent appeal dismissed under reference APP/Y3425/D/25/3358416 (dated 14 March 2025).

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.

- (i) Remove from the south facing roof slope, the rear dormer extension indicated in the approximate position by the blue line on the attached plan.
- (ii) Reinststate the south facing roof using roof tiles to match the remainder of the existing roof
- (iii) Remove from the Land all waste materials and equipment as a result of completion of steps (i) and (ii).

The compliance period for completion of steps (i)-(iii) above ends on 7 January 2026

Dated: 7 May 2025

Signed: *FA Whitley*

On behalf of: Stafford Borough Council

Nominated Officer: Frank Whitley

Telephone Number: 07977 635985

ANNEX

WARNING

THIS NOTICE TAKES EFFECT IMMEDIATELY AFTER THE TIME IT IS SERVED ON YOU IN PERSON, OR ON THE DAY YOU RECEIVE IT BY POST.

THERE IS NO RIGHT OF APPEAL TO THE SECRETARY OF STATE AGAINST THIS NOTICE

It is an offence to contravene the requirements 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 penalty is unlimited for the 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 Council's nominated Officer.

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 this Notice, you may only do so by an application to the High Court for judicial review.