

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: TENDRING DISTRICT COUNCIL

To: Mr Ian Hunter
4A Colne Way
St Osyth
Clacton On Sea
Essex
CO16 8LL

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 the notice. The Annex at the end of this notice contains important additional information.
2. THE LAND TO WHICH THE NOTICE RELATES

Land at **4A Colne Way Point Clear Bay St Osyth Clacton On Sea** of 0.014 hectares, or thereabouts, shown edged red on the attached plan.
3. THE RELEVANT PLANNING PERMISSION

TEN/119/59 – Revised layout for 133 Chalets (Part of TEN/842/58 for 444 chalets) as amended by TEN/1401/88 – 'Residential occupation of bungalow for twelve months each year without complying with condition 2 of outline planning permission TEN/119/59 restricting winter habitation' Granted on appeal by the Secretary of State on the 3rd July 1990.
4. THE BREACH OF CONDITION

The following condition has not been complied with:
Condition 2 of Planning Permission TEN/119/59 as amended by TEN/1401/88 which states:

The chalet may be occupied for residential purposes only during the following periods:

- i. At any time from 1 March to 31 October
- ii. At weekends from noon on Friday until noon on Monday between 1 November in any year and the end of February in the following year.
- iii. During any period of 10 consecutive days which shall include both Christmas Day and New Years Day.

You have not complied with the said condition because the chalet has been occupied continually all year round.

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 step(s).

Cease the occupation of the chalet other than between the following times;


- i. At any time from 1 March to 31 October
- ii. At weekends from noon on Friday until noon on Monday between 1 November in any year and the end of February in the following year.
- iii. During any period of 10 consecutive days which shall include both Christmas Day and New Years Day.

6. PERIOD FOR COMPLIANCE

Before 1st November 2013

Dated: 28th June 2012

Signed:

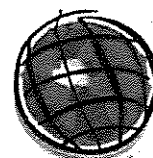


Sarah Stevens
TEMPORARY HEAD OF PLANNING SERVICES

On behalf of: Tendring District Council, Council Offices, Thorpe Road, Weeley,
CLACTON-ON-SEA, Essex. CO16 9AJ

10/00592/BRCHC3

4A Colne Way, Point Clear Bay, St Osyth, Essex



GIS by ESRI (UK)



Scale : 1:1250

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| Organisation | Tendring District Council |
| Department | Regeneration, Planning & Community Services |
| Comments | |
| Date | 19 June 2012 |
| SLA Number | 100018684, 2006 |

Produced using ESRI (UK)'s MapExplorer 2.0 - <http://www.esriuk.com>

ANNEX

WARNING

THIS NOTICE TAKES EFFECT IMMEDIATELY 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 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 £1000 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 Andy Knowles, the Planning Enforcement Manager at Council Offices, Thorpe Road, Weeley, telephone number: (01255) 686145. 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 this notice, you may only do so by application to the High Court for judicial review