



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: REF - 473963

Served By: London Borough of Waltham Forest

To: ALPESHABEN PRAGNESHKUMAR PATEL of 8 Garnett Way, London E17 5PE

1. NOTICE

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, 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 8 Garnett Way, Walthamstow, London, E17 5PE ("the Land") shown edged in red on attached Plan.

3. THE RELEVANT PLANNING PERMISSION

The relevant planning permission to which this notice relates is the permission granted by the Council on 22nd January 2013 for the '*Single storey rear extension*' (Council's Reference: 2012/1675).

4. THE BREACH OF CONDITION

In contravention of Condition 4 attached to planning permission dated 22nd January 2013 (Ref: 2012/1675), mainly the installation of air conditioning units on the roof of the single storey rear extension (as shown in Appendix A).

Condition 4 reads:-

Condition 4

No plant or machinery shall be placed on the roof of the proposed extension unless planning permission has been obtained from them.

Reason: *To protect the appearance of the area and the amenity of the maisonettes above the proposed development in accordance with policies CS13 and 15 of the adopted Waltham Forest Local Development Framework Core Strategy (2012) and DM30 of 33 of the Waltham forest Local Plan – Proposed Submission (2012).*

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breach of condition specified in Section 4 of this Notice, you are required to secure compliance with the stated condition (Condition 4) by removing the unauthorised air conditioning units from the roof of the extension as conditioned in the approved by planning permission dated 22nd January 2013 (Ref: 2012/1675) and attached to this Breach of Condition Notice.

6. TIME FOR COMPLIANCE

Within 1 month after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect **immediately** as it is served on you.

Dated: 3rd September 2021

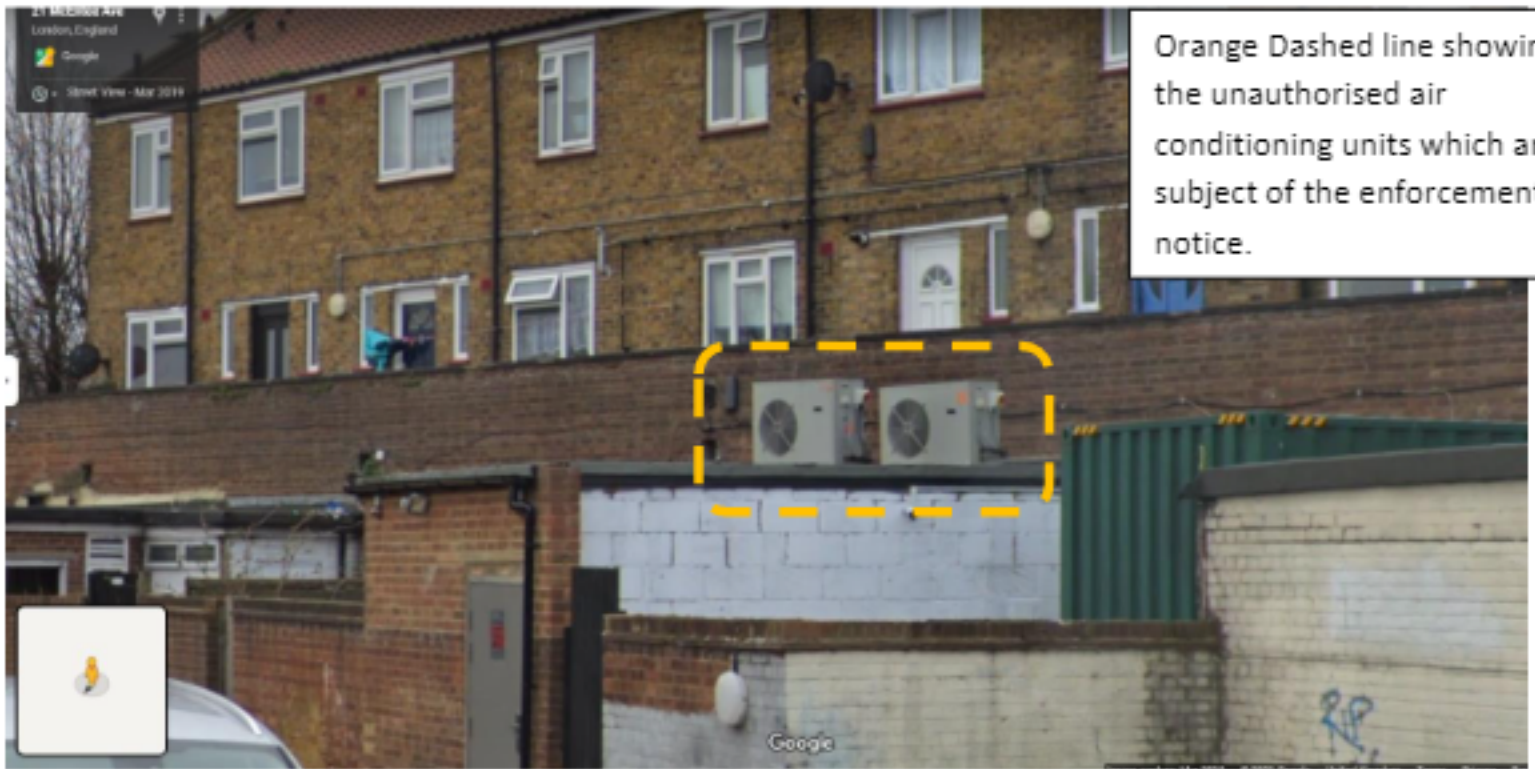
Signed:



Director of Regulatory Services
on behalf of London Borough of Waltham Forest, 3 The Square, London E10 5NR

Nominated Officer: Mr James McDermott
Telephone Number: 07341 548512

Appendix A



Orange Dashed line showing the unauthorised air conditioning units which are subject of the enforcement notice.

Warning

There is no right of appeal against this Notice.

It is an offence to contravene the requirements of this Notice, as stated in Paragraph 5 above, pursuant to s187A of the Town and Country Planning Act 1990 (as amended). You may be at risk of **immediate prosecution** in the Magistrate's Court if you fail to comply with the requirements of this Breach of Condition Notice, for which the maximum fine is £2,500 for a first offence and £2,500 for any subsequent offences.

If you need independent advice about this Notice, you are advised to urgently contact an independent solicitor, planning consultant or other professional advisor qualified to advise you 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 and an independent solicitor will be able to advise you further in this respect.

PERSONS SERVED WITH A COPY OF THIS BREACH OF CONDITION NOTICE

In accordance with the legislation, this Breach of Condition Notice has been served on the following individuals/organisations:

