P558/ 359

Cambridge City Council

ENFORCEMENT NOTICE - FAILURE TO COMPLY WITH A CONDITION

(Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991)

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. THE LAND AFFECTED

27 Babraham Road, Cambridge CB2 0RB, otherwise known as "the Land"

(shown edged red on the attached plan)

3. THE BREACH OF PLANNING CONTROL ALLEGED

Breach of condition 1 of C/97/0695: The number of ice-cream vans stored at the premises shall not exceed two vehicles, more than two vehicles have been stored on the premises.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control, namely the failure to comply with a planning condition, has occurred within the last ten years.

The increased number of ice cream vans stored on the Land has given rise to noise and disturbance to neighbours resulting in an unacceptably adverse impact upon their amenities.

The failure to comply with the condition has resulted in unauthorised development which is contrary to development plan policies 3/4 Responding to context, 3/10 Sub-division of existing plots, 4/13 Pollution and Amenity and 7/2 Selective Management of the Economy because the change of use is detrimental to the residential amenity of neighbouring occupiers and poorly integrated into the locality. Mindful of these Development Plan policies and all other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control.

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5. WHAT YOU ARE REQUIRED TO DO

Reduce the number of ice cream vans stored on the Land to the two ice cream vans permitted by condition 1 of planning permission reference C/97/0695.

6. PERIOD FOR COMPLIANCE

28 days after this notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on the **08 April 2013** unless an appeal is made against it beforehand.

Signed .....
Council's Authorised Officer

Dated: **08 March 2013**

Cambridge City Council
The Guildhall
Cambridge
CB2 3QJ

Annex

YOUR RIGHT OF APPEAL

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State, before the date the notice takes effect. "Enforcement Appeals - a Guide to Procedure" can be downloaded from the Planning Portal web site. The closed appeal forms will enable you to make your appeal. Please sent one copy, together with a copy of the enforcement notice attached) to the Planning Inspectorate. The second copy should be sent to the Council at the above address. The third copy is for your own records.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the date specified in paragraph 7 above. You must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 above. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.