

## **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:** South Lakeland District Council ('the Council')

**To:** Mrs Hilary Waterhouse, Willowsway Country Estate, Stainton, KENDAL, LA8 0LE

#### **1. BREACH OF CONDITION NOTICE**

**1.1 THIS IS A FORMAL NOTICE** served by the Council, under section 187A of the Town and Country Planning Act 1990, because the Council considers that conditions 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 THIS NOTICE RELATES**

**2.1** Land at Willowsway Lodge, Willowsway Country Estate, Stainton, Kendal, LA8 0LE ('the Land') shown edged red on the attached plan.

#### **3. THE RELEVANT PLANNING PERMISSION**

**3.1** The relevant planning permission to which this notice relates is the permission granted by the Council on 10<sup>th</sup> December 2020 for 'Variation of Condition 1 attached to SL/2018/037' under reference number SL/2020/0673.

#### **4. THE BREACH OF CONDITION**

**4.1** The following conditions have not been complied with:

##### Condition (1)

No later than 30 September 2021, the temporary accommodation and any associated works hereby permitted shall be removed from the land within the area edged in blue and red as identified on Site Location Plan - Drawing No. KL2704 620 received 2 May 2018 (SL/2018/0379 ). The land shall be restored to grazing land within the first planting season and in any event no later than 1 November 2021.

Reason: To ensure that the development is compatible with the objectives of Policies CS1.1, CS1.2, CS8.2 and CS8.6 of the South Lakeland Core Strategy and Policies DM1, DM2 and DM3 of the Development Management Policies Development Plan Document.

## **5. WHAT YOU ARE REQUIRED TO DO IN RELATION TO THE BREACHES OF CONDITIONS**

**5.1** As the person responsible for the breaches of conditions specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps:

A) *Permanently remove the lodge/cabin from the land.*

## **6. PERIOD FOR COMPLIANCE**

**6.1** 60 days beginning with the date on which this notice is served on you.

## **7. WHEN THIS NOTICE TAKES EFFECT**

7.1 This notice takes effect:

- Immediately, if served on you in person
- On the day you received it by post

Dated: 23<sup>rd</sup> December 2021

Signed: *Nick Howard*

On behalf of:- South Lakeland District Council  
South Lakeland House  
Lowther Street  
KENDAL  
Cumbria  
LA9 4UQ

Nominated officer: Ronan Kelly (Enforcement Officer)

Telephone number: 01539 793569

## **Annex**

### **Warning**

**This Notice Takes Effect Immediately It Is Served On You In Person Or On The Day You Received It By Post.**

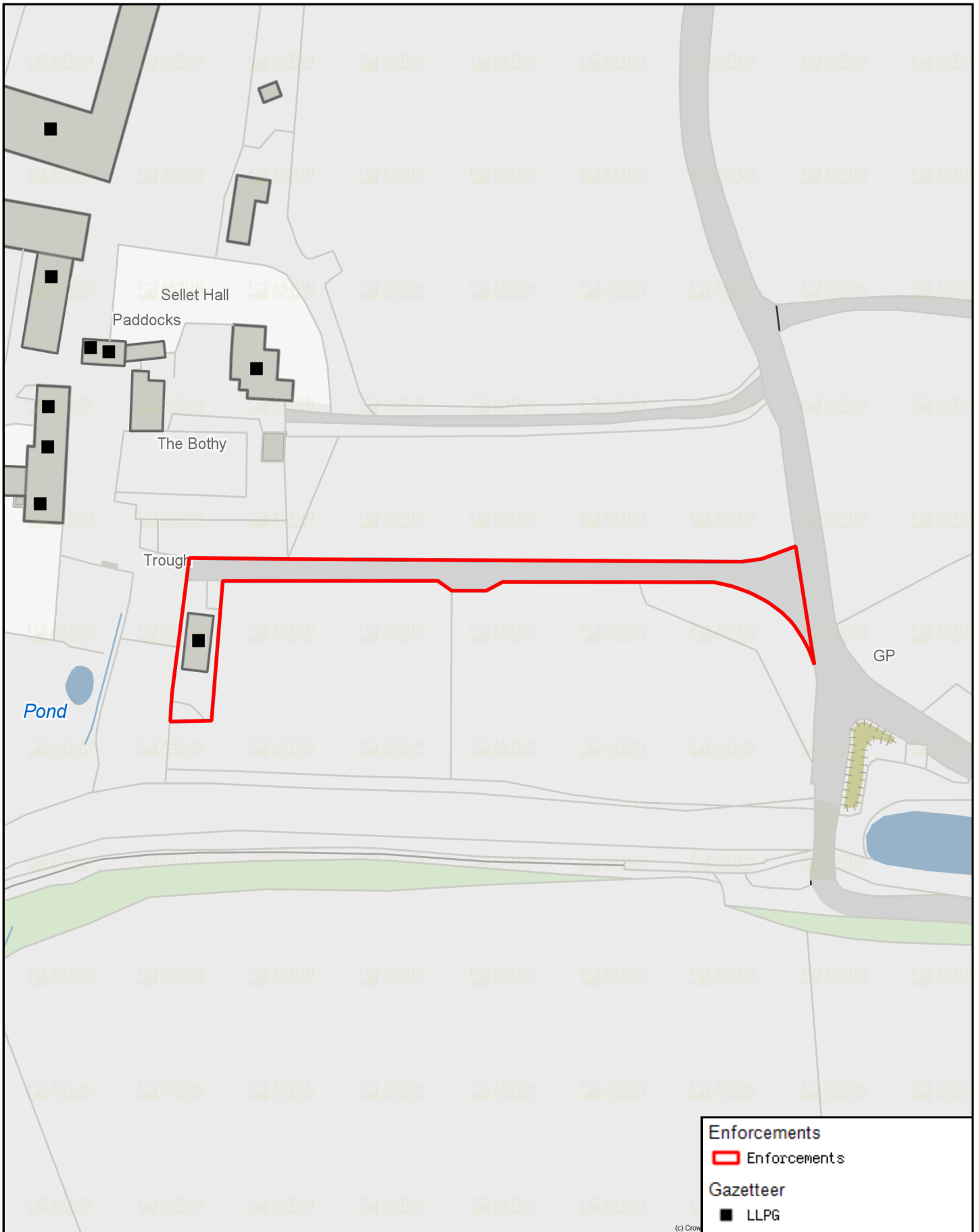
**There Is No Right Of Appeal To The Secretary Of State For The Environment Against This Notice.**

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 £1,000 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 South Lakeland District Council's planning department either by email [planning@southlakeland.gov.uk](mailto:planning@southlakeland.gov.uk) or telephone 01539 733333.

If you do need independent advice about this notice, you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters urgently.

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.



**Plan 1**

Willowway Lodge, Willowway Country Estate, Stainton, KENDAL, LA8 0LE



Scale: 1:1250

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Printed on: 2021-12-21 16:03:18 by josh.sheridan@SLDC