

LEGAL AND DEMOCRATIC SERVICES  
MARK HEATH, LLB Solicitor, Dip.LG  
Solicitor to the Council  
Southampton City Council  
4-8 Millbrook Road East  
Southampton  
SO15 1YG

PLANNING &  
COUNCIL  
SOUTHAMPTON

Direct dial: 023 8083 4513  
Please ask for: Bob Lee  
Email: bob.lee@southampton.gov.uk  
Our ref: BL/EP05/05/0024  
Your ref:

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

Mr M Holmes  
141 Burgess Road  
Southampton  
SO16 7AA

20 February 2007

Dear Mr Holmes

Re: **Town & Country Planning Act 1990 – Planning Contravention Notice**  
**Property: Land at 141 Burgess Road, Southampton**

The Council has issued a Planning Contravention Notice under the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991. I now serve on you a copy of that Notice in view of your interest in the above land.

Please note that information required by this notice should be provided within 21 days, beginning with the day on which this notice is served on you (i.e. 13 March 2007).

Yours sincerely



For Solicitor to the Council

Enc



PLANNING

22 FEB 2007

SHEPHERD

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**  
**SOUTHAMPTON CITY COUNCIL**  
**TOWN AND COUNTY PLANNING ACT 1990**  
**(AS AMENDED BY THE PLANNING AND COMPENSATION ACT 1991)**

**Served by:** Southampton City Council

**To:** Mr M Holmes, 141 Burgess Road, Southampton SO16 7AA

**1 THIS NOTICE** is served by the Council because it appears to them that there may have been a breach of planning control, within section 171A(1) of the above Act, at the land described below. It is served on you as a person who appears to be the owner or occupier of the land or has another interest in it, or who is carrying out operations in, on, over or under the land or is using it for any purpose. The Council require you, in exercise of their powers under section 171C(2) and (3), so far as you are able, to provide certain information about interest in, and activities on, the land.

**2 THE LAND TO WHICH THE NOTICE RELATES**

Land at 141 Burgess Road, Southampton SO16 7AA, shown edged red on the attached plan.

**3 THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission the use of the land appears to have changed from residential use (Use Class C3) to a mixed use of residential and business use (Use Classes C3 / B1).

**4 WHAT YOU ARE REQUIRED TO DO**

Provide in writing, the following information:-

- 1) Your full name;
- 2) The nature of your interest in the land;
- 3) The full name and address, where applicable of:
  - (a) The freeholder of the premises;
  - (b) The lessee of the premises;
  - (c) The mortgagee of the premises; and
  - (d) Any other person with an interest in the premises, and the nature of that interest;
- 4) The purpose for which the land is being used;
- 5) The date when that use began;
- 6) Confirmation of the number of visitors that attend the site each week;
- 7) Confirmation of the number of employees that attend the site each week;
- 8) The number of days each week that the site is in use (including weekends);
- 9) Confirmation of the hours of business operation of the site;
- 10) The number of employees' cars using the site each week,
- 11) The number of visitors' cars using the site each week;

- 12) Details of the provision for business rubbish/waste collection;
- 13) Confirmation of the total number of rooms on the ground floor;
- 14) Confirmation of the number of those rooms used for:
  - (a) Business use; and
  - (b) Residential use;
- 15) Confirmation of the total number of rooms on the first floor; and
- 16) Confirmation of the number of those rooms used for:
  - (a) Business use; and
  - (b) Residential use.

The time within which the information must be provided: twenty-one (21) days, beginning with the day on which this notice is served on you

#### 5 OPPORTUNITY TO MAKE REPRESENTATIONS IN RESPONSE TO NOTICE

If you wish to make an offer to apply for planning permission, or to refrain from carrying out any operations or activities, or to undertake remedial works; or to make any representations about this notice, the Council, or representatives of the Council, will consider them at a mutually agreed date, time and place, where you will be able to make any such offer or representations in person at that time and place.

#### 6 WARNING

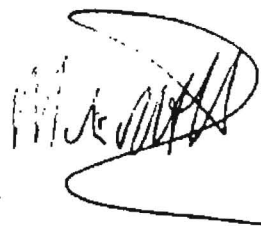
It is an offence to fail, without reasonable excuse, to comply with any requirements of this notice within twenty-one days beginning with the day on which it was served on you. The maximum penalty on conviction of this offence is a fine of £1,000. Continuing failure to comply following conviction will constitute a further offence. It is also an offence knowingly or recklessly to give information, in response to this notice, which is false or misleading in a material particular. The maximum penalty on conviction of this offence is a fine of £5,000.

#### 7 ADDITIONAL INFORMATION

If you fail to respond to this notice, the Council may take further action in respect of the suspected breach of planning control. In particular, they may issue an enforcement notice, under section 172 of the 1990 Act, requiring the breach, or any injury to amenity caused by it, to be remedied.

If the Council serve a stop notice under section 183 of the 1990 Act, section 186(5)(b) of the 1990 Act provides that, should you otherwise become entitled (under section 186) to compensation for loss or damage attributable to that notice, no such compensation will be payable in respect of any loss or damage which could have been avoided, had you given the Council the information required by this notice, or had you otherwise co-operated with the Council when responding to it.

Dated: 19 February 2007



Mark Heath, Solicitor to the Council  
 Southampton City Council  
 Southbrook Rise  
 4-8 Millbrook Road East  
 Southampton SO15 1YG

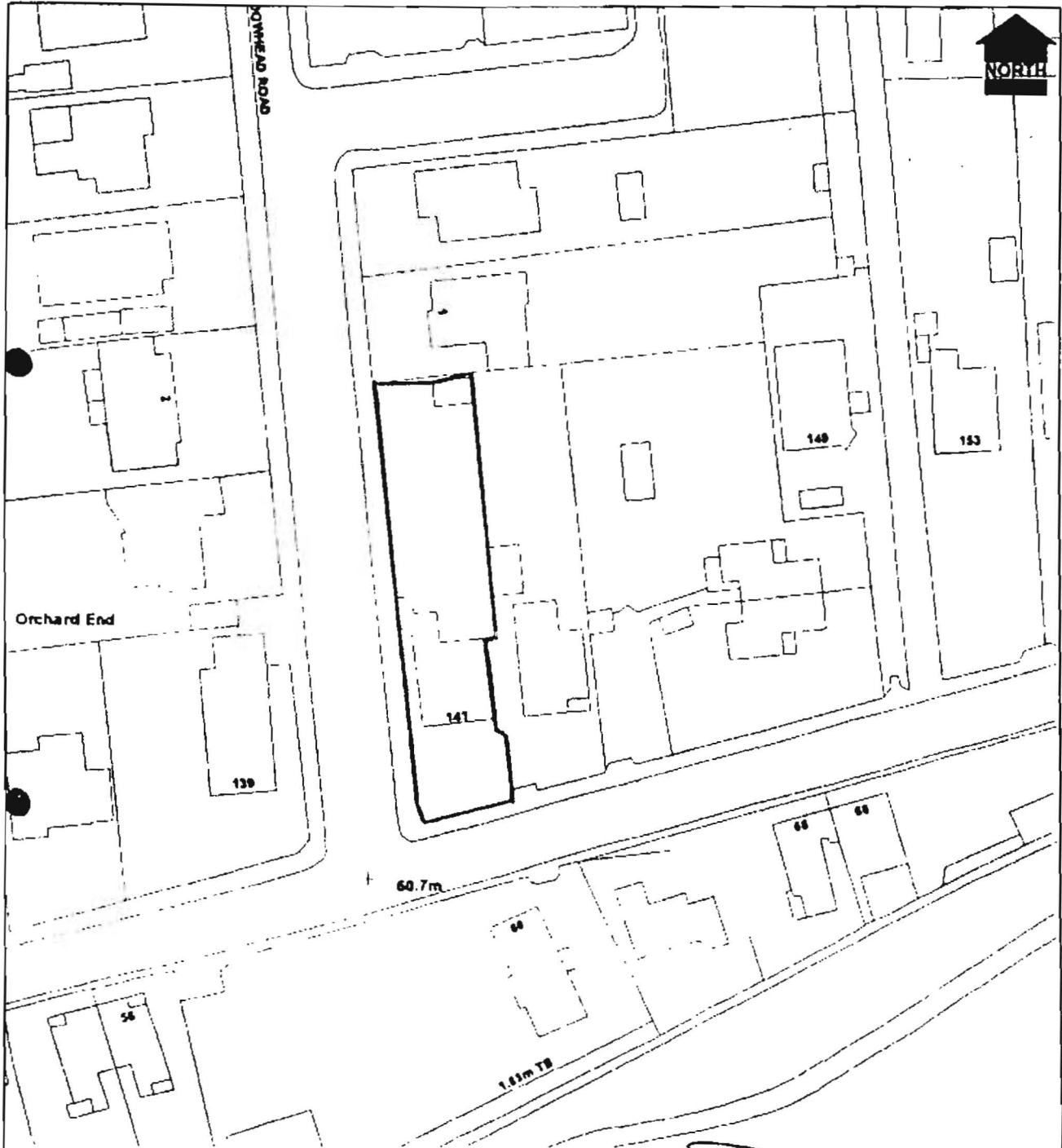
Signed.....



Land at 141 Burgess Road  
06/00075/UDEV

Department: Development Control

Date: 09 February 2007



Comments

GG

Scale: 1:625

A large, stylized handwritten signature in black ink, located below the scale and to the right of the comments.