

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

Issued by: North East Lincolnshire Borough Council

1. **This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because the Council considers that conditions imposed on a grant of planning permission DC/68/13/WOL relating to the land described below, have not been complied with. It considers that you should be required to secure compliance with the conditions specified in this notice.

2. **The land affected by the notice**

The land known as 148 Caistor Road, Laceby, North East Lincolnshire DN37 (edged red on the attached plan).

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on the 16th April 2013 as per approved planning application no .DC/68/13/WOL (attached hereto).

4. **The breach of conditions**

The following conditions have not been complied with:-

Condition 3

No Activities shall take place at the premises outside of the following hours:-
Monday to Friday 9am to 6pm or at any time on Saturdays, Sundays, Public and Bank Holidays.

Reason

Using the premises outside these hours would be detrimental to the residential amenity by virtue of noise or disturbance and to accord with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

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 conditions by taking the following steps:-

Requirement No. 1

Cease all activities at the premises before 9am and after 6pm on Monday to Friday

Cease all activities at the premises on Saturdays, Sundays, Public and Bank Holidays

6. **Time for Compliance:**

Requirement No. 1

28 Days from the date this notice takes effect.

7. **When this notice takes effect**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Signed: 

Dated: 16 JUNE 2015

On behalf of: North East Lincolnshire Borough Council

WARNING

There is no right of appeal against the 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 £2,500 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 Miss K Walker, Planning and Transportation Department, Origin One, Origin Way, Europarc, Grimsby DN37 9TZ. Tel. 01472 324998

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 the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

Do not leave your response to the last minute

NOTICE OF DECISION

Application Number: DC/68/13/WOL

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:

Electrolve Ltd
Mr Oliver Margaron
14 Old Chapel Lane
Laceby
North East Lincolnshire
DN37 7BQ

The following decision has been made upon your application received on **30th January 2013**

Application Site: 148 Caistor Road (Timberland Motorhomes) Laceby Grimsby

Proposal: Change of use from motorhome showroom to a warehouse & storage facility (Class B8)

Granted subject to:-

1 Condition

The change of use hereby permitted shall be begun within a period of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2 Condition

The development hereby permitted shall be carried out in accordance with the approved plans and information date stamped 15th & 20th February 2013 including the application form dated 30th January 2013.

Reason

For the avoidance of doubt and in the interests of proper planning.

3 Condition

No activities shall take place at the premises outside of the following hours:-
Monday to Friday 9am to 6pm or at any time on Saturdays, Sundays, Public and Bank Holidays.

Reason

Using the premises outside these hours would be detrimental to the residential amenity by virtue of noise or disturbance and to accord with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

4 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by providing pre-application advice and information on the merits of the scheme.

5 Reason for Approval

The Council as Local Planning Authority has had regard to the relevant policies of the development plan especially those as set out in the North East Lincolnshire Local Plan 2003. The proposal would not harm the character of the area or the amenity of local residents and would be acceptable in all other planning considerations. This proposal has been approved in accordance with the North East Lincolnshire Local Plan 2003 in particular saved Policy GEN1.

This Notice is issued on behalf of the Local Planning Authority.

Signed:



Dated: 16th April 2013

Marc Cole

Official Capacity: Executive Director of Regeneration

148 Caistor Road



Details

Plotting in MapInfo made easier

Rev
No.

Drawn by

walkek2

Scale

1:1000

Date

11/06/2015

File Pathname / Project / Drawing No.

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North East Lincolnshire Council
Civic Offices
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