

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/1117/10/HUM 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 130 Humberston Fitties, Humberston, Grimsby, North East Lincolnshire DN36 4EZ (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 3rd February 2011 as per approved planning application no. DC/1117/10/HUM (attached hereto).

4. **The breach of condition**

The following condition has not been complied with:-

Condition 3

Notwithstanding the details shown on the approved plans, the eaves and barge boards should be finished externally in treated wood and any flashing shall be positioned behind the wooden finishes

Reason

To maintain the historic appearance of the area and accord with saved Policies GEN2 and BH1 of the North East Lincolnshire Local Plan.

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 condition by taking the following steps:-

Requirement No. 1

Permanently replace the UPVC eaves and barge boards on the Chalet with treated wood eaves and barge boards.

Time for Compliance:


Requirement No. 1

28 Days from the date this notice takes effect.

6. **When this notice takes effect**

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

Signed:



Dated: 18th JULY 2012

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/1117/10/HUM

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:

Mr Shaun Perry
2 St Michaels Close
Goldthorpe
Rotherham
S63 9BS

Agent's Name and Address:

Kennedy Design Ltd
Mr Kevin Kennedy
153 Cavanagrove House
Goldthorpe
Rotherham
South Yorkshire
S63 9JA

The following decision has been made upon your application received on **9th December 2010** relating to:-

Application Site: 130 Humberston Fitties Humberston Grimsby N E Lincolnshire

Proposal: Erection of canopy over decked area, replace the existing corrugated roof with a new corrugated roof and replace boundary fence

Granted subject to:-

- 1 Condition**
The development hereby permitted shall commence 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 external materials to be used in the construction of the development shall be as specified on the approved plan.

Reason
To ensure the proposed development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and accords with saved Policy GEN2 of the North East Lincolnshire Local Plan 2003.
- 3 Condition**
Notwithstanding the details shown on the approved plans, the eaves and barge boards should be finished externally in treated wood and any flashing shall be positioned behind the wooden finishes.

Reason
To maintain the historic appearance of the area and accord with saved Policies GEN2 and BH1 of the North East Lincolnshire Local Plan 2003.

- 4 Condition
Notwithstanding the approved plans, a scaled detail drawing of the construction of the veranda roof shall be submitted to and agreed in writing with the Local Planning Authority and thereafter completed in accordance with the approved detail.

Reason

To maintain the character of the area and to accord with saved Policies GEN2 and BH1 of the North East Lincolnshire Local Plan 2003.

- 5 Condition
The development hereby approved shall proceed in strict accordance with approved plans, including drawing no. H32 -01 rev H.

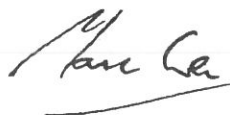
Reason

For the avoidance of doubt, in the interests of proper planning and to accord with saved Policies GEN2 and BH1 of the North East Lincolnshire Local Plan 2003.

- 6 Reason for approval
The proposed alterations and extension to 132 Humberston Fitties would not detract from the appearance and character of the property, the conservation area or neighbours' amenities, in accordance with the North East Lincolnshire Local Plan 2003, particularly saved Policies GEN2 and BH1.

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

Signed:




Dated: 3rd February 2011

Marc Cole

Official Capacity: Executive Director of Regeneration

Location Map



 <p>NORTH EAST LINCOLNSHIRE COUNCIL www.nelincs.gov.uk</p>	Details Plotting in MapInfo made easier			Rev No.		This product includes mapping data licensed from Ordnance Survey ©Crown Copyright 2009. Licence number 100020759	
	Drawn by walkek2	Scale 1:1250	Date 18/07/2012			Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF	
	File Pathname / Project / Drawing No.					www.aligned-assets.co.uk	