

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/726/12/EMA 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 The Holly's, 22 Heneage Road, Grimsby, North East Lincolnshire DN 32 9AH (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 22nd November 2012 as per approved planning application no. DC/726/12/EMA (attached hereto).

4. **The breach of conditions**

The following conditions have not been complied with:-

Condition 3

Within one calendar month of this planning permission, a final specification of the gravel landscaping shall be submitted to and approved in writing by the local planning authority. The gravel shall be laid out in accordance with the approved specification. All landscaping works shall be completed within six calendar months of this planning permission in accordance with site plan RD:2720-02 Rev F, date stamped received by the local planning authority on 20th November, 2012 and the local planning authority shall be given formal notice of such completion. For five years following completion of the planting, any plant or shrub lost shall be replaced with the same species and standard.

Reason

To ensure the satisfactory completion of the development, to enhance the character and appearance of the area and to accord with saved Policies GEN1, GEN3, BH1 and BH5 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

Complete all landscaping works in accordance with site plan RD:2720-02 Rev F, date stamped received by the local planning authority on 20th November 2012 and approved gravel specification approved by letter dated 13th June 2013.

Time for Compliance:

Requirement No. 1

45 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:

2nd OCTOBER 2013

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

Location Map



 <p>NORTH EAST LINCOLNSHIRE COUNCIL www.nelincs.gov.uk</p>			Details Plotting in MapInfo made easier Drawn by walkek2 Scale 1:1000 Date 01/10/2013 File Pathname / Project / Drawing No.	Rev No.	This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of HMSO. © Crown copyright 2006. All rights reserved. Licence number 100020759 Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF	www.aligned-assets.co.uk
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NOTICE OF DECISION

Application Number: DC/726/12/EMA

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:

A & H Glover
(Mr Herby Glover)
96 Humberston Avenue
Grimsby
North East Lincolnshire
DN36 4SU

Agent's Name and Address:

Ross Davy Associates
(Mr Matt Deakins)
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

The following decision has been made upon your application received on **26th September 2012**

Application Site: 16 Eleanor Street / 22 Heneage Road Grimsby North East
Lincolnshire

Proposal: Variation of Condition 9 - Landscaping, of application DC/93/08/EMA -
Vary condition to reflect work carried out on site

Granted subject to:-

1 Condition

The approved plan is drawing number RD:2720-02 Rev F, date stamped received by the Local Planning Authority on 20th November, 2012.

Reason

To ensure satisfactory completion of the development to enhance the character and appearance of the area and to accord with saved Policies GEN1, GEN3, BH1 and BH5 of the North East Lincolnshire Local Plan 2003.

2 Condition

The development shall be carried out strictly in accordance with mitigation measures (e.g. finished floor levels set no lower than 3.7m AOD) set in the approved Flood Risk Assessment under planning permission DC/93/08/EMA. The applicant shall confirm completion of the scheme in writing within one calendar month of this permission.

Reason

To reduce the risk and impact of flooding and to accord with saved Policy GEN1 of the North East Lincolnshire Local Plan 2003.

3 Condition

Within one calendar month of this planning permission, a final specification of the gravel landscaping shall be submitted to and approved in writing by the local planning authority. The

gravel shall be laid out in accordance with the approved specification. All landscaping works shall be completed within six calendar months of this planning permission in accordance with site plan RD:2720-02 Rev F, date stamped received by the local planning authority on 20th November, 2012 and the local planning authority shall be given formal notice of such completion For five years following completion of the planting, any plant or shrub lost shall be replaced with the same species and standard.

Reason

To ensure the satisfactory completion of the development, to enhance the character and appearance of the area and to accord with saved Policies GEN1, GEN3, BH1 and BH5 of the North East Lincolnshire Local Plan 2003.

4 Condition

The car parking area shall be retained and available for parking in accordance with site plan RD:2720-02 Rev F, date stamped received by the local planning authority on 20th November, 2012.

Reason

To ensure adequate parking and turning facilities are provided on site for highways safety reasons and to accord with saved Policy T6 of the North East Lincolnshire Local Plan 2003.

5 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those set out in the North East Lincolnshire Local Plan 2003. The change to the landscaping would not harm the character of the conservation area, the setting of listed buildings or the amenity of local residents and is acceptable under all other planning considerations. It has been approved in accordance with the North East Lincolnshire Local Plan 2003 and in particular saved Policies GEN1, GEN3, BH1 and BH5.

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

Signed:



Dated: 22nd November 2012

Marc Cole

Official Capacity: Executive Director of Regeneration