

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/488/11/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 (fronting) 91 Peaks Lane, New Waltham, North East Lincolnshire DN36 4LZ (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 24th August 2011 as per approved planning application no. DC/488/11/HUM (attached hereto).

4. **The breach of conditions**

The following conditions has not been complied with:-

Condition 2

The development shall not commence until details of all external materials to be used in the external construction of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and accords with Saved Policies GEN1, H10 and T6 of the North East Lincolnshire Local Plan

Condition 7

Development shall not begin until details showing the location, layout, design and method of construction of any new or altered vehicular access, including any necessary piping, culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and in accordance with Saved Policies GEN1, H10 & T6 of the North East Lincolnshire Local Plan

Condition 8

No development shall commence until a scheme of surface water drainage works, including attenuation, has been approved in writing by the Local Planning Authority. Such scheme shall be implemented to the satisfaction of the Local Planning Authority before the dwelling is first occupied.

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with Saved Policy GEN1 of the North East Lincolnshire Local Plan.

5. What you are required to do

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

Requirement No. 1

Submit details of all external materials to be used in the external construction of the proposed buildings to the Local Planning Authority for approval in writing.

Requirement No. 2

Submit details showing the location, layout, design and method of construction of any new or altered vehicular access, including any necessary piping, culverting of any ditch or watercourse, to the Local Planning Authority for approval in writing.

Requirement No. 3

Submit a scheme of surface water drainage works, including attenuation, to the Local Planning Authority for approval in writing.

Time for Compliance:

Requirement No.1 to 3 inclusive

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:

A handwritten signature in black ink, appearing to be 'J. M.', written over a horizontal line.

Dated: 21st December 2011

On behalf of: North East Lincolnshire Borough Council

WARNING

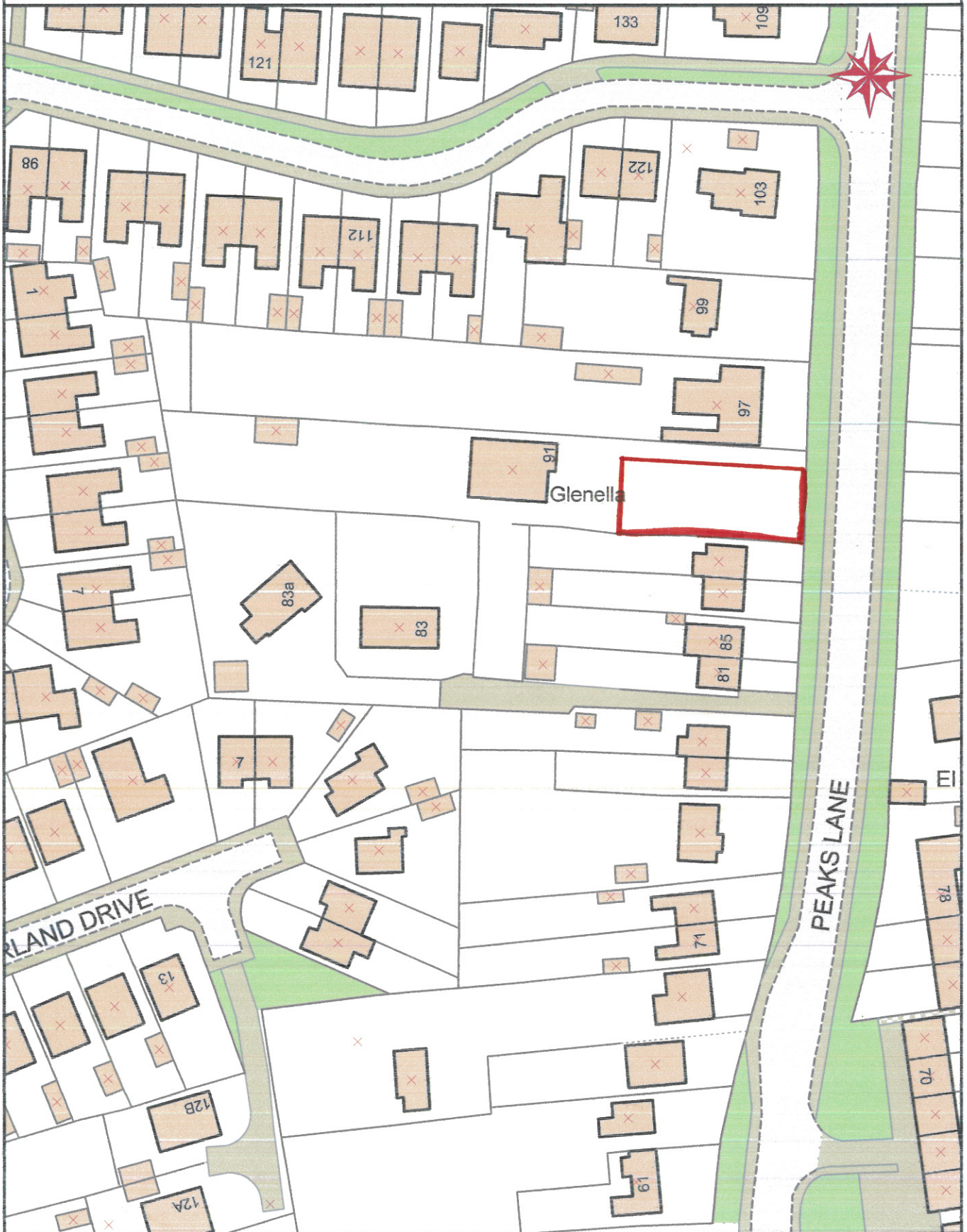
There is no right of appeal against the notice

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 £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 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



Details
Plotting in MapInfo made easier

Drawn by walkek2	Scale 1:1000	Date 15/12/2011
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File Pathname / Project / Drawing No.

Rev No.

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Aligned Assets Limited
Links One, Links Business Centre
Old Woking Road, Old Woking
Surrey, GU22 8BF

www.aligned-assets.co.uk

NOTICE OF DECISION

Application Number: DC/488/11/HUM

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:

Adda Design & Build
c/o 120 Chichester Road
Cleethorpes
North East Lincolnshire
DN35 0JJ

Agent's Name and Address:

Neville Burnett
Architectural and Planning Consultant
29 Priors Close
New Waltham
Grimsby
N E Lincolnshire
DN36 4QZ

The following decision has been made upon your application received on **13th June 2011** relating to:-

Application Site: 91 Peaks Lane New Waltham N E Lincolnshire

Proposal: Erect detached dwelling with associated access & parking

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 development shall not commence until details of all external materials to be used in the external construction of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority.

Reason
To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and accords with Saved Policies GEN1, H10 and T6 of the North East Lincolnshire Local Plan.
- 3 Condition
The windows shown cross hatched on the approved plans shall be glazed in obscure glass and permanently fixed shut prior to the development being occupied and shall be thereafter so retained.

Reason
To protect the residential amenity of nearby residents and in accordance with Saved Policy GEN1, H10 & T6 of the North East Lincolnshire Local Plan.

4 Condition

No machinery shall be operated, no process carried out and no deliveries taken in or dispatched from the site in connection with the construction of the development outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time, unless first agreed in writing with the Local Planning Authority.

Reason

To protect the amenities of nearby residents and in accordance with Saved Policies GEN1, H10 & T6 of the North East Lincolnshire Local Plan.

5 Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification) no development under Schedule 2, Part 1, Class A, B, C, D, E & H shall be permitted within the curtilage of the dwelling.

Reason

To protect residential amenity, the visual character of the area and to accord with Saved Policy GEN1, H10 & T6 of the North East Lincolnshire Local Plan.

6 Condition

Before the development is brought into use the vehicular access, parking space and manoeuvring space shall be constructed in accordance with the details approved to the written satisfaction of the Local Planning Authority and shall thereafter be so retained.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and in accordance with Saved Policy GEN1, H10 & T6 of the North East Lincolnshire Local Plan.

7 Condition

Development shall not begin until details showing the location, layout, design and method of construction of any new or altered vehicular access, including any necessary piping, culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and in accordance with Saved Policies GEN1, H10 & T6 of the North East Lincolnshire Local Plan.

8 Condition

No development shall commence until a scheme of surface water drainage works, including attenuation, has been approved in writing by the Local Planning Authority. Such scheme shall be implemented to the satisfaction of the Local Planning Authority before the dwelling is first occupied.

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with Saved Policy GEN1 of the North East Lincolnshire Local Plan.

9 Condition

The development shall be carried out in accordance with the following approved plans: NB/011/20/B rev B, NB/011/21/B rev B, NB/011/22, NB/011/23/B rev B and NB/011/43.

Reason

For the avoidance of doubt, in the interests of proper planning and to accord with Saved Policies GEN1, H10 and T6 of the North East Lincolnshire Local Plan.

10 Informative

The surface water drainage scheme required by condition 8 should be sufficient to maintain greenfield runoff rates from the site. Ground levels should not be increased and topographical data should be provided to support condition 8. No surface water runoff shall enter the highway.

11 Informative

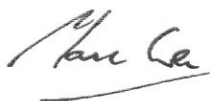
As works are required within the highway to enable the development to take place, please contact Highways Management well in advance of the commencement of works. (Tel:01472-324431)

12 Reason for approval

This proposal would not detract from the character of the area, neighbour amenities or highway safety and adequate drainage can be provided. It has been approved in accordance with the North East Lincolnshire Local Plan, particularly saved Policies GEN1, H10 & T6.

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

Signed:



Dated: 24th August 2011

Marc Cole

Official Capacity: Executive Director of Regeneration