

**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/618/07/WMA 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 120 Victoria Street, Grimsby North East Lincolnshire DN31 1NT (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 1<sup>st</sup> August 2007 as per approved planning application no. DC/618/07/WMA (attached hereto).

4. **The breach of conditions**

The following conditions have not been complied with:-

**Condition 3**

The use of the premises hereby permitted shall not be open for trading outside the hours specified below:-

Monday to Saturday 8am to 11pm

Sundays, Public bank Holidays 10am to 6pm.

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 trading outside the hours specified in Condition 3

**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:**

3-08-09

**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 Two, 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><b>NORTH EAST LINCOLNSHIRE COUNCIL</b> www.nelincs.gov.uk</p>	<b>Details</b>		<b>Rev</b>		<p>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</p>	
	Plotting in MapInfo made easier		<b>No.</b>			
	<b>Drawn by</b>	<b>Scale</b>	<b>Date</b>		<p>Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF</p>	
	walkek2	1:1250	03/08/2009		<p><a href="http://www.aligned-assets.co.uk">www.aligned-assets.co.uk</a></p>	
	<b>File Pathname / Project / Drawing No.</b>					



## TOWN AND COUNTRY PLANNING ACTS

### NOTICE OF DECISION

**Application Number:** DC/618/07/WMA

**Issuing Authority:** North East Lincolnshire Borough Council

**Applicant's Name and Address:**

Mr G Yilmaz  
23 Matlock Drive  
Grimsby  
N E Lincolnshire  
DN37 9LU

**Agent's Name and Address:**

Hodson Architects Ltd.  
28 Chantry Lane  
Grimsby  
N E Lincolnshire  
DN33 2LJ

The following decision has been made upon your application received on **22nd May 2007** relating to:-

**Application Site:** 120 Victoria Street Grimsby

**Proposal:** Change of use from shop to hot food take away

**Granted subject to:-**

- 1 Condition**  
The development 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**  
Prior to the use hereby permitted commencing details shall be submitted to and approved in writing by the Local Planning Authority of all external ventilation and extraction equipment including their acoustic performance and, where applicable, the method of odour control. Such a scheme as approved shall be implemented in its entirety prior to the use commencing to the satisfaction of the Local Planning Authority and shall thereafter be so retained.

**Reason**

In the interest of amenity.

- 3 Condition**  
The use of the premises hereby permitted shall not be open for trading outside of the hours specified below:-  
Monday to Saturday 8am to 11pm  
Sundays, Public and Bank Holidays 10am to 6pm

**Reason**

In the interest of amenity

**4** Informative

The Use is appropriate in this location and in accordance with National and Local Planning Policies, specifically Policies GEN1, S2 and BH1 of the North East Lincolnshire Local Plan 2003.

**5** Informative

This decision relates to plans and details received by the Local Planning Authority on 22nd May 2007 and 13th June 2007.

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

**Signed:**

**Dated: 1st August 2007**

**Derek McKenzie**

**Official Capacity: Head of Planning Environmental Services**