

**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/592/09/HEN 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 152 Clee Road, Grimsby, North East Lincolnshire DN32 8NL (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> October 2009 as per approved planning application no. DC/592/09/HEN (attached hereto).

- 4. The breach of conditions**

The following conditions have not been complied with:-

**Condition 5**

Notwithstanding the details shown on the approved plans the roof of the covered area on the approved patio shall be reduced in height by 0.6m as agreed by the applicant in his latter date stamped 1<sup>st</sup> October 2009. This reduction in height must be completed within two months from the date of this consent.

- 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**

Reduce the roof height of the covered area on the approved patio by 0.6m.

**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:**

16 Feb 2010

**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**

## NOTICE OF DECISION

**Application Number:** DC/592/09/HEN

**Issuing Authority:** North East Lincolnshire Council

**Applicant's Name and Address:**

Mr David Watt  
152 Clee Road  
Grimsby  
N E Lincolnshire  
DN32 8NL

The following decision has been made upon your application received on **13th July 2009**

**Application Site:** 152 Clee Road Grimsby N E Lincolnshire

**Proposal:** Erect extension to side, retain 2.1m high fence to side and decked area in rear garden

**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**  
The development hereby permitted shall not commence until details and/or a sample of the facing brick to be used has been submitted to, and approved in writing by the Local Planning Authority.

Reason  
To ensure that the proposed development has an acceptable external appearance and is in keeping with the visual amenity and character of the area.
- 3 Condition**  
The development hereby permitted shall not commence until details and/or a sample of the roofing materials to be used has been submitted to and approved in writing by the Local Planning Authority.

Reason  
To ensure that the proposed development has an acceptable external appearance and is in keeping with the visual amenity and character of the area.

**4 Condition**

The external render to be used in the construction of the development hereby permitted shall match the existing building in colour, type and texture.

**Reason**

To ensure that the proposed development has an acceptable external appearance and is in keeping with the visual amenity and character of the area.

**5 Condition**

Notwithstanding the details shown on the approved plans the roof of the covered area on the approved patio shall be reduced in height by 0.6m as agreed by the applicant in his letter dated stamped 1st October 2009. This reduction in height must be completed within two months from the date of this consent.

**Reason**

To reduce the impact of the proposal and for the avoidance of doubt.

**6 Condition**

The development hereby approved shall be completed in strict accordance with the plans/documents provided by the applicant Mr D Watt with the North East Lincolnshire Council date stamp of the 13th July and 14th September 2009 and includes drawing nos./titles; Proposed Floor and Roof Plans, Existing Floor Plan and Elevations, Site/Location Plan and Section, Proposed Elevations and Flood Risk Assessment.

**Reason**

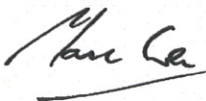
For the avoidance of doubt and to ensure the development proceeds in a satisfactory manner in accordance with the approved plans and specifications.

**7 Reason for Approval**

The proposed extension and patio area will not have any significant adverse effect on the neighbouring properties and is considered to be appropriate in terms of its size, design and location. This application has been approved in accordance with the North East Lincolnshire Local Plan 2003, particularly saved Policy GEN1.

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

**Signed:**



**Dated: 1st October 2009**

**Marc Cole**

**Official Capacity: Executive Director of Regeneration**



# Location Map



Details  
Cleethorpes Town Centre

Drawn by  
JB

Scale  
Not to Scale

Date  
26th Jan 10

Rev  
No.

File Pathname / Project / Drawing No.

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