

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 it is considered that conditions imposed on the approval of planning permission no. DC/589/08/EMA, relating to "the land" described below, has not been complied with. The Council considers that you should be required to secure compliance with the condition specified in this notice.

2. **The land affected by the notice**

The land and premises situated at 196 Oxford Street, Grimsby, N.E. Lincolnshire, DN32 7NX (edged red on the attached plan)

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the planning permission approved by the Council on the 30th July 2008 (attached hereto).

4. **The breach of condition**

The following conditions have not been complied with: -

Condition 5

Within 56 days of the date of this permission the site shall be investigated for ground conditions, soil and groundwater contamination in accordance with details to be submitted and approved by the Local Planning Authority. The investigation shall be undertaken to the satisfaction of the Local Planning Authority and details of all results, assessment and measures needed to render the site safe shall be submitted to and approved in writing by the Local Planning Authority in accordance with a timetable for decontamination to be agreed with the Local Planning Authority.

Reason

The application site is suspected to contain contaminated material and measures may be required to deal with this matter in accordance with Policy GEN8 of the North East Lincolnshire Local Plan 2003.

5. What you are required to do

As the lessee of the land and the person responsible for the breaches 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

Undertake the required investigation into the ground conditions, soil and ground water contamination.

Requirement no.2

Submit to the Local Planning Authority the details of all results, assessment and measures needed to render the site safe, as per the requirements of Condition 5 of planning application no. DC/589/08/EMA.

Time for Compliance:

Requirement No. 1

Within 28 days of the date of this Notice taking effect.

Requirement no.2

Within 6 weeks of the date of this Notice taking effect.

6. When this notice takes effect

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

Dated: 1st December 2008

Signed: 

On behalf of: North East Lincolnshire Borough Council

WARNING

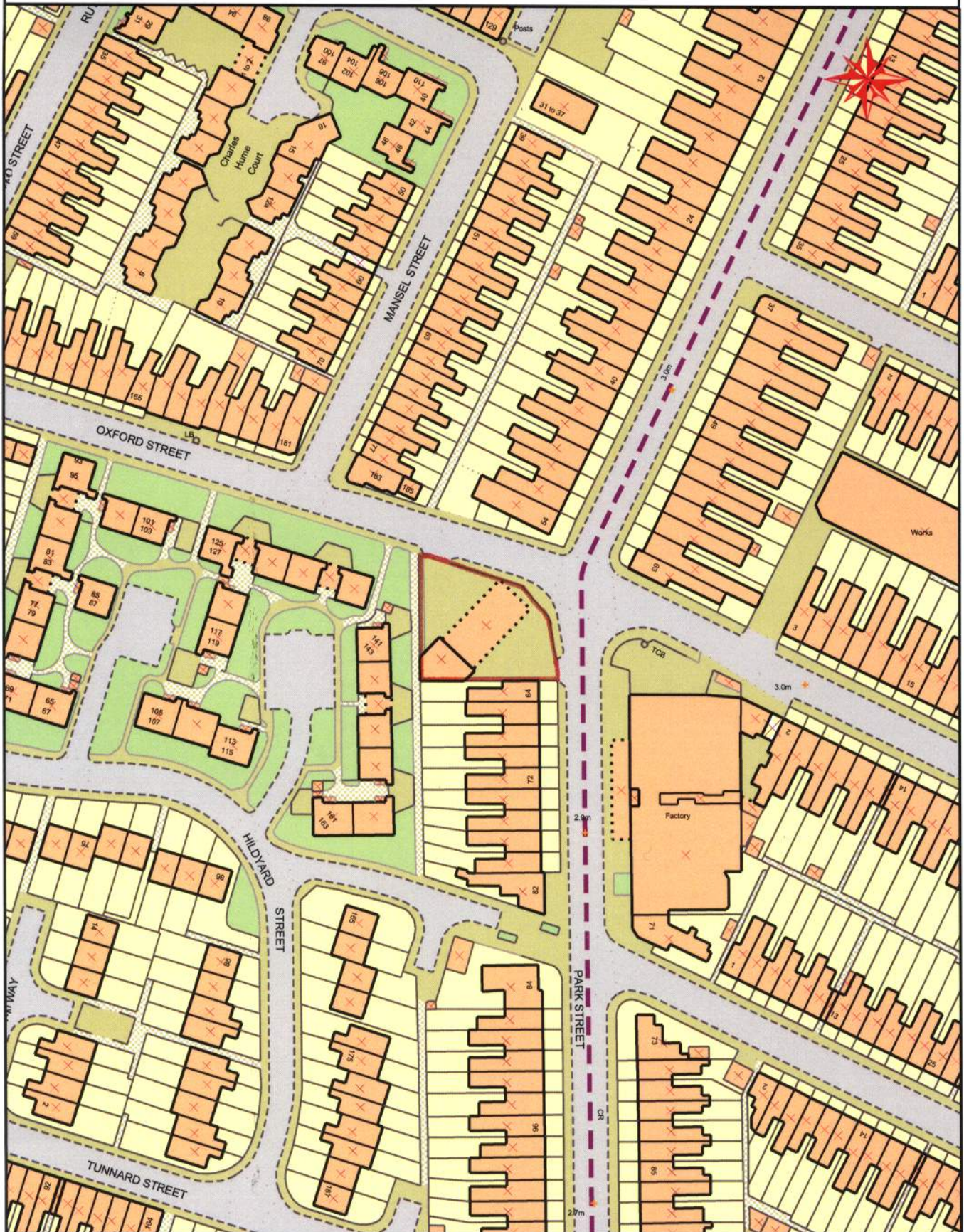
There is no right of appeal against the notice

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 Mr M Mosley, Development Management Services department, Origin Two, Origin Way, Europarc, Grimsby, N.E. Lincolnshire. Tel. 01472 324520

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			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.
Drawn by moslem	Scale 1:1250	Date 01/12/2008		
File Pathname / Project / Drawing No.			Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF	www.aligned-assets.co.uk

