

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 08/09/0211 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 395 Pelham Road, Immingham, North East Lincolnshire DN40 1NJ (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 21st June 1989 as per approved planning application no. 08/89/0211 (attached hereto).

4. **The breach of conditions**

The following conditions have not been complied with:-

Condition 2

The Premises shall be permitted to open only between 0900 hours and 2300 hours on Mondays to Saturdays inclusive and between 1800 hours and 2300 hours on Sundays.

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 opening outside the hours stated above.

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: 5 January 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



Town & Country Planning Act 1971

APPLICATION No.

08/89/0211

TO BE QUOTED IN ALL CORRESPONDENCE

CLEETHORPES BOROUGH COUNCIL

FULL PLANNING PERMISSION

THE CLEETHORPES BOROUGH COUNCIL hereby give notice to:

Bashir Miah
7/9 Seaview Street
Cleethorpes
South Humberside

through D Watts
Unit 12 Enterprise Centre
Wilton Road Ind Estate
Humberston South Humberside

that the application received on 16/ 3/89 for permission to undertake development at :- 395 Pelham Road, Immingham, South Humberside

Namely:- Change of use from retail shop to restaurant

Has been considered and that permission for this development in accordance with the plans and written particulars submitted has been GRANTED subject to the following conditions:-

- 1). The development for which permission is hereby granted shall be begun within a period of five years from the date of this permission.
- 2). The premises shall be permitted to open only between 0900 hours and 2300 hours on Mondays to Saturdays inclusive and between 1800 hours and 2300 hours on Sundays.
- 3). A scheme of soundproofing of the premises shall have been submitted and approved in writing and upon such approval, shall be carried out to the satisfaction of the Local Planning Authority before the proposed restaurant is brought into use.

The reason for the above condition(s) are:-

- 1). In order to comply with the provisions of Section 41 of the Town and Country Planning Act 1971.
- 2). In the interests of residential amenity.
- 3). In the interests of residential amenity.

Signed
Chief Executive

Dated 21st June 1989

It is IMPORTANT that you should read the notes concerning appeals etc. attached to this form.

filmed images to save space.

CLEETHORPES BOROUGH COUNCIL

Location Map



Details

Plotting in MapInfo made easier

Drawn by

walkek2

Scale

1:1250

Date

05/01/2010

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