

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/897/04/IMM 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 The Former Coal Yard, Brocklesby Road, Habrough, North East Lincolnshire (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 20th October 2004 as per approved planning application no. DC/897/04/IMM (attached hereto).

- 4. The breach of conditions**

The following conditions have not been complied with:-

Condition 4

The use hereby approved shall be restricted to the storage and repair of heavy goods vehicles only and shall not be used for any other purpose.

Reason

To safeguard the rights of control by the Local Planning Authority and in the interests of general amenity.

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

Remove from the site all items that are not related to the storage and repair of heavy goods vehicles, in particular shipping containers, cars, agricultural waste, boxes of batteries and general waste and scrap all of which is unacceptable.

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: 28 May 2008

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 S. Latchford, Planning and Transportation Department, Civic Offices, Knoll Street, Cleethorpes. Tel. 01472 324530

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

Issuing Authority	North-East Lincolnshire Borough Council
Applicant's Name and Address	P Glossop Ltd Bowrie Marsh Royd Moor Lane Hemsworth West Yorkshire WF9 5LR
Agent's Name and Address	P Glossop Ltd Bowrie Marsh Royd Moor Lane Hemsworth West Yorkshire WF9 5LR
Application Site	The following decision has been made upon your application received on 23rd June 2004 relating to:- Brocklesby Road (Haulage Yard) Habrough
Proposed Development	Retention of extension to workshop & change of use of former coalyard for private HGV maintenance & storage

PERMISSION IS HEREBY:-

Granted subject to:-

1 Condition

Permission is hereby granted for a limited period expiring on 20 October 2009 and unless application is made and permission granted for the continuation of the use, the use shall be discontinued and the land restored to its former condition at or before the expiration of the period granted by this permission.

Reason

In order that the Local Planning Authority has control over the future use of the site given the allocation for Class B1 use in the North East Lincolnshire Local Plan.

2 Condition

No materials, containers, or machinery of any kind shall be stored outside the workshop building other than waste materials to be stored in bins for periodic removal.

Reason

To protect the visual amenities of the area.

3 Condition

Vehicle parking within the site shall be restricted to the areas as shown hatched in purple on the approved plan unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect the visual amenities of the area.

4 Condition

The use hereby approved shall be restricted to the storage and repair of heavy goods vehicles only and shall not be used for any other purpose.

Reason

To safeguard the rights of control by the Local Planning Authority and in the interests of general amenity.

5 Condition

The hours of operation shall be restricted to between 0800 hours and 2000 hours only and the use shall not operate at any other time.

Reason

To protect the amenities of nearby residential properties.

6 Condition

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications unless otherwise specified in the foregoing conditions.

Reason

To ensure that no departure is made from the approved details and that the whole of the development is carried out.

7 Informative

All new and altered drainage systems must be designed to flow away from the railway.

8 Informative

Site illumination must not conflict with railway signalling or cast glare onto the railway.

9 Informative

This application has been approved in accordance with the North East Lincolnshire Local Plan, particularly Policies GEN1 and E1 and all other relevant national and regional planning policies.

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

Signed:




Ray Oxby

20th October 2004

Official Capacity: Executive Director of Environmental Services

The Former Coal Yard, Habrough



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	Drawn by	Scale	Date		
	latches 1:1000 29/05/2008				Development Services Civic Offices Knoll Street Cleethorpes
File Pathname / Project / Drawing No.					