

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 a condition imposed on a grant of planning permission 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 premises and land at 117 Barnoldby Road, Waltham, North East Lincolnshire.

3. **The relevant planning permission**

The relevant planning permission to which this Notice relates is the permission granted by the Council on the 7th December 2001 (attached hereto).

4. **The breach of condition**

The following conditions have not been complied with:-

Condition 6 of planning application no. DC/1073/01/WOL, which states:

Condition

Development shall not begin on the site, unless otherwise agreed in writing with the Local Planning Authority, until the within highway works to Barnoldby Road footpath extension have been laid out in accordance with Drawing No RD.1284.02A and completed to the satisfaction of the Local Planning Authority in accordance with comprehensive engineering details to be submitted and approved by the Local Planning Authority before such works are commenced.

5. What you are required to do

As the owner of the property specified in paragraph 2 of this Notice, you are required to comply with the stated conditions by taking the following steps:-

Requirement No. 1

Submit comprehensive engineering details of the footpath that is to be constructed at the front of your property.

Requirement No.2

Complete the footpath at the front of the property, named in paragraph 2 of this Notice, to join up with the existing footpath on Barnoldby Road, Waltham, and in the position as outlined in the approved plans of application no. DC/1073/01/WOL. The footpath should be to the specifications as outlined in the engineering report submitted to and approved by the Local Planning Authority.

Time for Compliance:

Requirement No. 1

One month after this Notice takes effect

Requirement No. 2

Three months after 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.

Dated: 20th August 2010

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 immediately get in touch with Miss Walker, Compliance Officer, Development Management Services, Origin Two, Origin Way, Europarc, Grimsby. Tel. 01472 324520 or the Council's Legal Services department.

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

117 Barnoldby Road, Waltham



Details
Plotting in MapInfo made easier

Drawn by
moslem

Scale
1:1250

Date
20/08/2010

File Pathname / Project / Drawing No.

Rev
No.

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