

**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)

To: John Moody Jnr  
Barn House  
East Farm Court  
Streetgate  
Sunniside  
Newcastle upon Tyne  
NE16 5HD

**BREACH OF CONDITION NOTICE**

Issued by Gateshead Council

**1. This is a formal notice which is issued by the Council under Section 187A of the above Act, because they consider that a condition or conditions imposed on a grant of planning permission relating to the land described below has not been complied with. They consider that you should be required to comply or secure compliance with the conditions specified in this notice.**

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

The land at Whickham Industrial Estate, Swalwell shown edged in 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 Planning Inspectorate on 19 November 2001 for the change of use from a builder's yard to use for the sale, fitting and storage of tyres.

#### **4. The breach of condition.**

The following conditions have not been complied with.

##### Condition 3

Within 2 months of the date of this letter there shall have been submitted for the approval of the LPA full details of a scheme for the provision of staff and customer parking and vehicular servicing arrangements, details of palisade fencing and gates for the perimeter of the site and details of a scheme for the landscaping of the road frontage of the site.

##### Condition 4

Within 3 months of the local planning authority's approval the approved detailed schemes shall be implemented.

Reference to 'this letter' in the above condition refers to the Decision Notice issued by the Planning Inspectorate 19 November 2001.

A copy of the letter is attached in Annex 1 to this notice.

#### **5. What you are required to do.**

You are required to comply or secure compliance with the stated condition by taking the following steps.

In order to comply with Condition 3 you should submit for the approval of the LPA full details of a scheme for the provision of staff and customer parking and vehicular servicing arrangements, details of palisade fencing and gates for the perimeter of the site and details of a scheme for the landscaping of the road frontage of the site.

Time for compliance 6 weeks beginning with the day this notice is served on you.

In order to comply with Condition 4 within 3 months of the Council's approval of the submitted details of a scheme for the provision of staff and customer parking and vehicular servicing arrangements, details of palisade fencing and gates for the perimeter of the site and details of a scheme for the landscaping of the road frontage of the site you should implement the approved detailed schemes.

Time for compliance within 3 months of the Council's approval of the detailed schemes.

**6. When this notice takes effect.**

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

Dated 9 October 2002

Signed R. Mr. Kelly

Strategic Director Legal & Corporate Services

On behalf of Gateshead Council  
Civic Centre, Regent Street  
Gateshead  
NE8 1HH

Warning:

There is no right of appeal against this 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 the Officer named in the covering letter to this Notice in the Legal and Corporate Services at Gateshead Civic Centre (telephone 0191 4333000).

If you need independent advice about this notice, you are advised to contact urgently a solicitor, 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 solicitor will advise you on what this procedure involves.

**Do not leave your response to the last minute.**

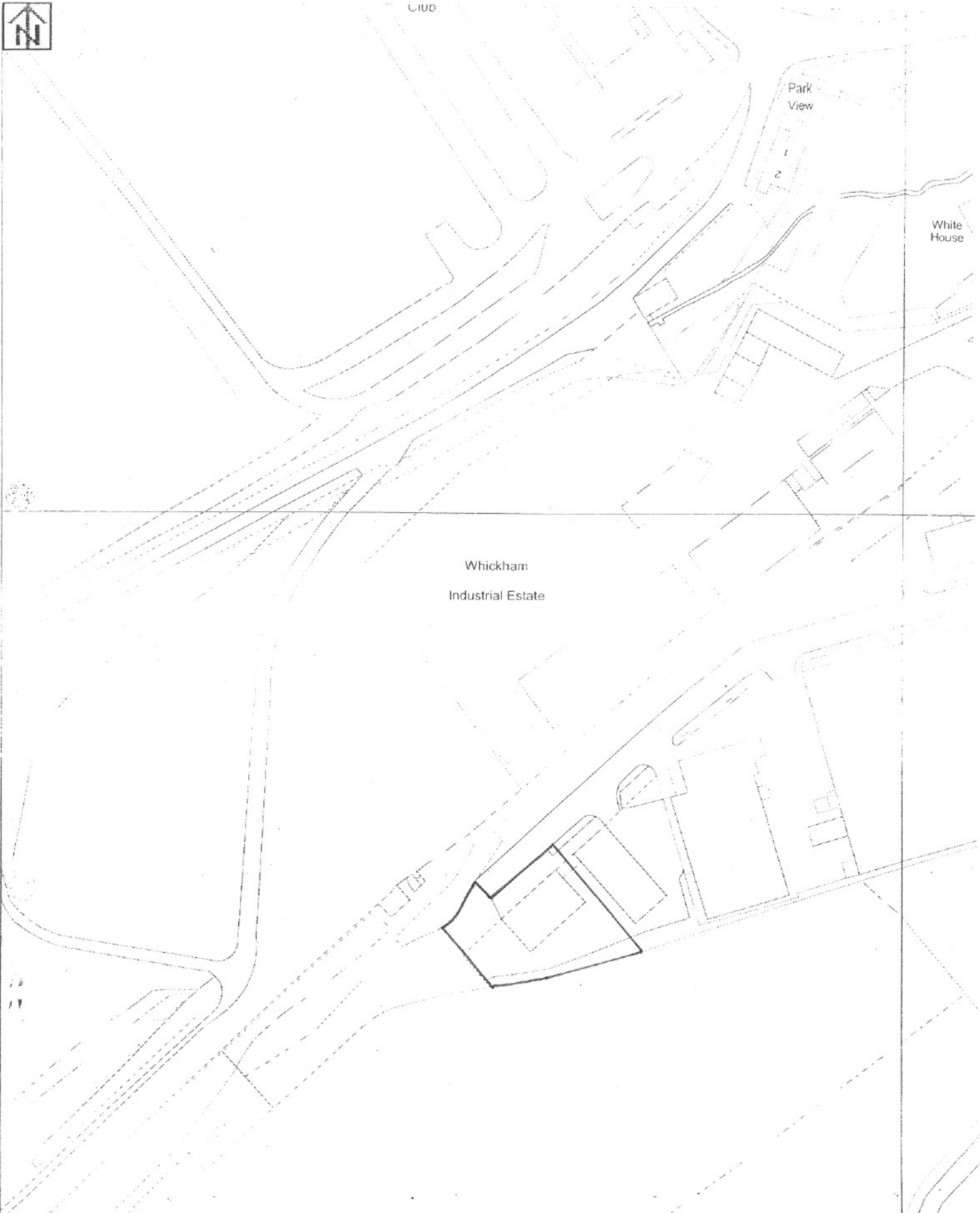


CIUD

Park  
View

White  
House

Whickham  
Industrial Estate



**SWALWELL TYRES, WHICKHAM INDUSTRIAL ESTATE**

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