

**IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**(AS AMENDED BY THE PLANNING AND COMPENSATION**  
**ACT 1991)**

**ENFORCEMENT NOTICE – OPERATIONAL DEVELOPMENT**

**ISSUED BY:**      **NORTH EAST LINCOLNSHIRE COUNCIL**

1.      THIS IS A FORMAL NOTICE which is issued by the Council because it appears to it that there has been a breach of planning control, under section 171A(1)(a) of the above act, at the land described below. It considers that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The annex at the end of the notice and the enclosures to which it refers contain important additional information.

2.      **THE LAND AFFECTED**

141 Grimsby Road, Waltham, North East Lincolnshire, DN37 0PU shown edged red on the attached plan (“the land”)

3.      **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**

Without planning permission erection of a wooden and iron enclosure to create a balcony (“the balcony”) on an existing flat roof extension to the rear elevation, shown in blue on the attached plan.

4.      **REASONS FOR ISSUING THIS NOTICE**

It appears that the breach of the above planning control has occurred within the last four years.

The balcony requires planning permission. The retention of the balcony would allow persons using this outdoor area to look from the balcony directly into the rear bedroom window of 143 Grimsby Road and to look down into the private rear gardens of neighbouring properties. This would be unacceptably detrimental to the privacy and amenity which the occupiers of these houses could reasonably expect to enjoy in their own homes. The balcony is as such contrary to saved Policy GEN 1 of the North East Lincolnshire Local Plan Adopted November 2003.

The Council does not consider that planning permission should be given because planning conditions could not overcome these objections.

5. WHAT YOU ARE REQUIRED TO DO

Remove completely the balcony including the wooden supports, iron railings and wooden floor and remove all resultant materials and fixings.


6. TIME FOR COMPLIANCE

28 days after this notice takes effect. (14/2/12)

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on ~~17/01/2012~~ unless an appeal is made against it beforehand.

Dated: 19th December 2011

Signed: 

R. Walsh  
Strategic Director Governance and Transformation  
North East Lincolnshire Borough Council  
Municipal Offices  
Town Hall Square  
Grimsby  
DN31 1HU

## **ANNEX**

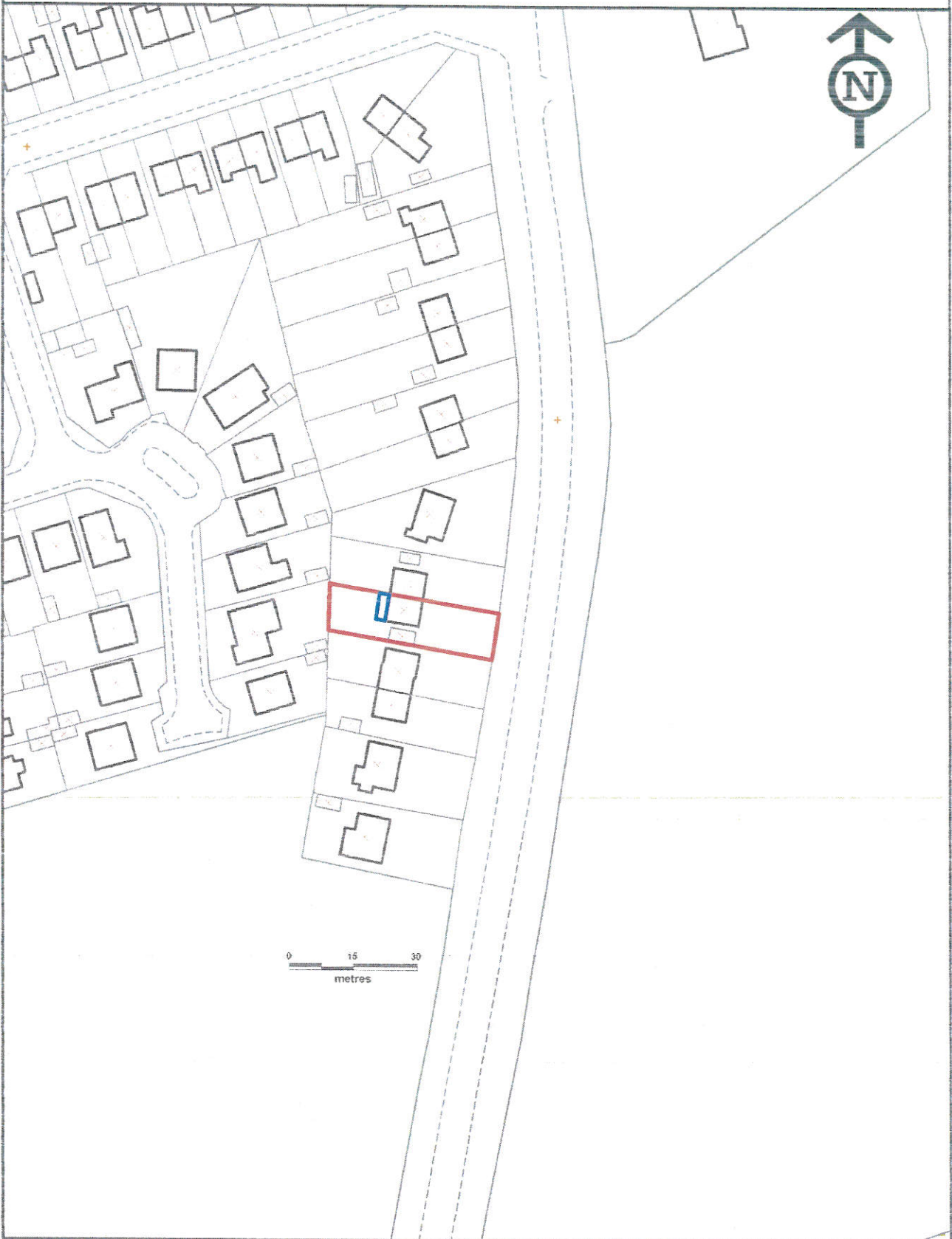
### **YOUR RIGHT OF APPEAL**

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of this notice. The enclosed booklet "Enforcement Appeals – A Guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. If you decide to appeal, one copy of the form is for you to send to the Secretary of State, together with a copy of the enforcement notice. A spare copy is enclosed for this purpose. The second copy of the appeal form and the notice should be sent to the Council. The other is for you to keep as a duplicate for your own records.

### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of this notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

141 Grimsby Road, Waltham, Grimsby, North East Lincolnshire



Details  
Plotting in MapInfo made easier

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Drawn by  
chapim

Scale  
1:1250

Date  
24/11/2011

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