

**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 them that there has been a breach of planning control, under section 171A(1)(a) of the above act, at the land described below. They consider 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

149 Nelson Way, Grimsby, North East Lincolnshire shown edged red on the attached plan ("the land")

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

Without planning permission the erection of a wall, shown in blue on the attached plan ("the wall").

4.    REASONS FOR ISSUING THIS NOTICE

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

The development is on an open plan estate where the erection of hard boundary frontage is resisted by the Local Planning Authority. As such the wall forms a discordant feature in the street scene, to the detriment of the visual amenity of the character and appearance of the area. Approving the wall would set a precedent which would make it difficult for the Local Planning Authority to resist such boundaries in the future and lead to the further erosion of the open plan character of the area.

Planning application no. DC/796/07/YAR to apply for the retention of the wall was refused on 18<sup>th</sup> September 2007 and an appeal against the Local Planning Authority's decision has been dismissed by the Planning Inspectorate.

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

5. WHAT YOU ARE REQUIRED TO DO

Remove the wall from the front of the above property, known as 149 Nelson Way, Grimsby.

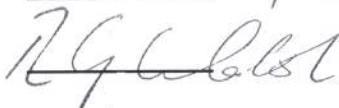
6. TIME FOR COMPLIANCE

28 days after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on .....<sup>3RD MARCH 2009</sup>..... unless an appeal is made against it beforehand.

Dated: 3RD FEBRUARY 2009

Signed: 

R. Walsh  
Director of Law and Democratic Services  
North East Lincolnshire Borough Council  
Municipal Offices  
Town Hall Square  
Grimsby  
DN31 1HU

**ANNEX**

**YOUR RIGHT OF APPEAL**

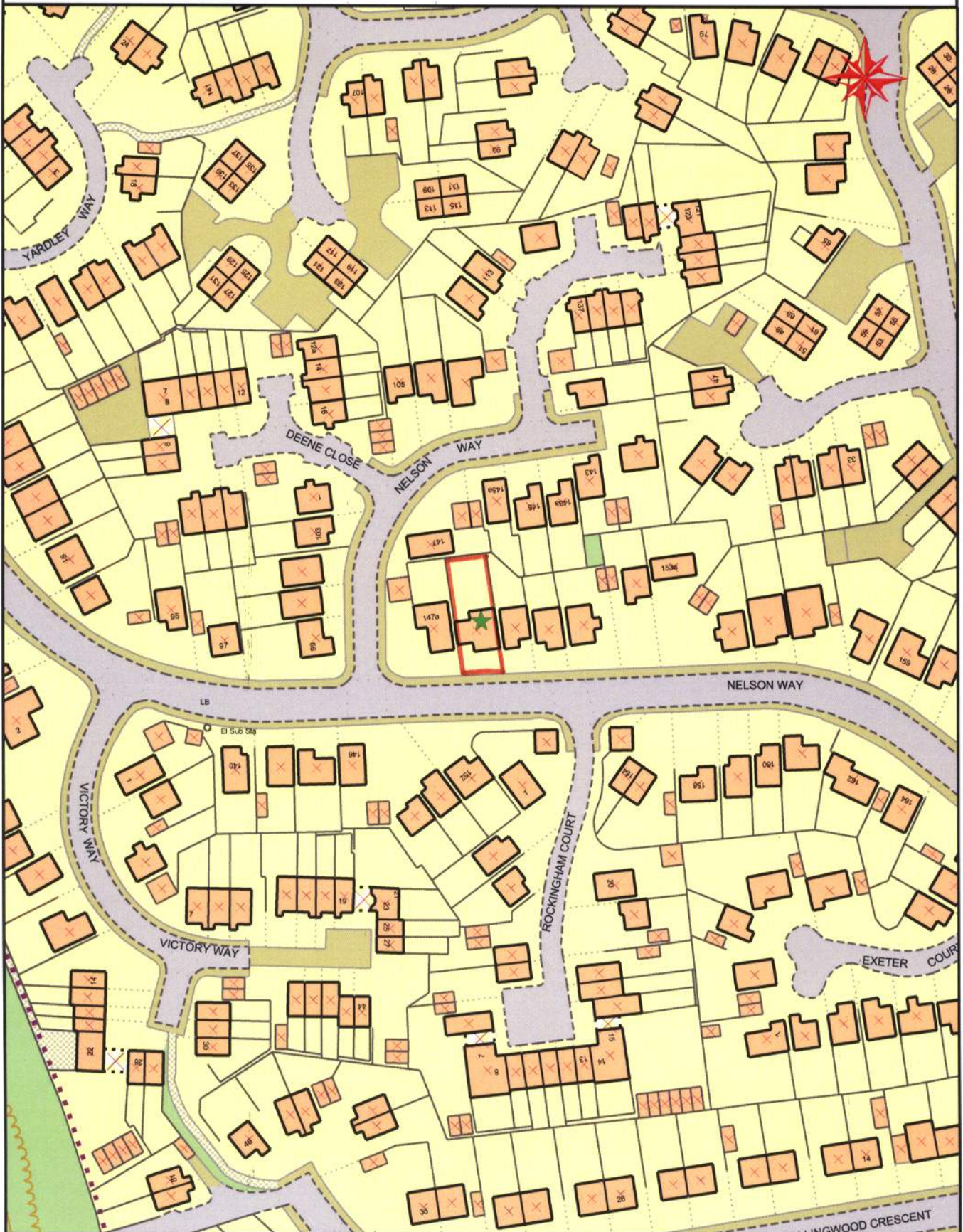
You can appeal against this notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 7 of this notice. The enclosed booklet "Enforcement Appeals – A Guide to Procedure" sets out your rights. Read it carefully. You may 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.



# 149 Nelson Way, Grimsby

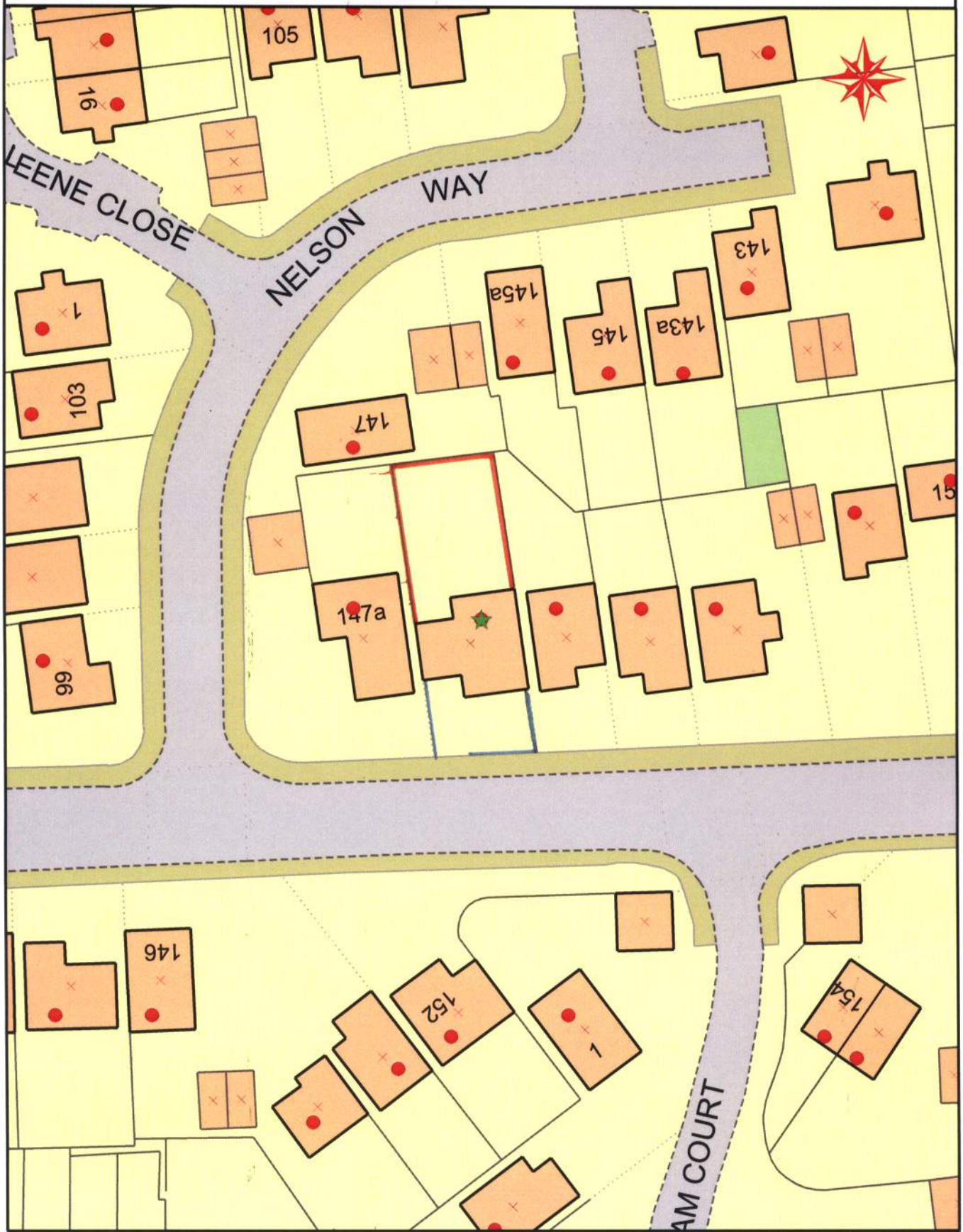



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149 Nelson Way, Grimsby



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