

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 the Council that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. The Council 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

22 South St Mary's Gate, 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 installation of uPVC windows on the first floor of the property.

4. REASONS FOR ISSUING THIS NOTICE

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

The property is situated within a designated conservation area.

The retention of the uPVC windows detract from the character of the frontage of the property and other properties adjacent to the site and thus affect the visual amenity of the area.

The development is therefore contrary to saved Policies GEN1 and BH1 in the North East Lincolnshire Local Plan Adopted November 2003. The Council considers that the use of uPVC materials in this location is detrimental to the character and appearance of the Grimsby Central Area Conservation Area.

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 the uPVC windows installed on the first floor of the property and replace them with windows made up of materials of a type, which are conducive to the preservation and enhancement of the Grimsby Central Area Conservation Area. Works to replace the uPVC windows will adhere to the following requirement.

Requirement

All windows to the first floor front elevation are to consist of traditional timber vertical sliding box sash windows set in reveal with boxes recessed behind masonry. The sashes shall have an upper and lower sash having one pane of glass to each and the sashes shall have decorative horns. The cill shall be of traditional detail and will not form an additional cill over the extant projecting masonry cill. The new windows shall be single glazed and manufactured without trickle vents. The windows shall have a painted finish.

Prior to installation of appropriate windows consent must be obtained in the form of a suitably determined planning application.

6. TIME FOR COMPLIANCE

Three months after this Notice takes effect. (24th December 2010)

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on ... 24th September 2010 ... unless an appeal is made against it beforehand.

Dated: 24th August 2010

Signed: 

R. Walsh
Executive Director of Business 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 information sheet sets out your rights. Read it carefully.


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.

22 South St Marys Gate, Grimsby



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