

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE - CHANGE OF USE

ISSUED BY: North East Lincolnshire Borough Council

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears 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**

The ground floor of the property at 94 Gilbey Road, 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 change of use of the ground floor of the property from a shop to residential accommodation.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The property lies within an area that has been identified as being at high risk of flooding (Flood zones 2 &3) and therefore the development is considered unacceptable, as no flood risk assessment has been submitted or considered.

The proposal is thus considered as contrary to Planning Policy Statement 25 (PPS25) – Development and Flood Risk and saved Policy GEN1 of the North East Lincolnshire Local Plan Adopted November 2003.

A planning application has been submitted but to date is not valid. The Local Planning Authority believes that the present unauthorised use, if allowed, cannot be governed without the aid of planning conditions in relation to matters of flood risk to ensure the safety of residents and occupants.

5. **WHAT YOU ARE REQUIRED TO DO**

Cease using the ground floor of the property for residential purposes

6. **TIME FOR COMPLIANCE**

Six months after this Notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 22ND JULY 2009 unless an appeal is made against it beforehand.

Dated: 24TH JUNE 2009

Signed: 

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

ANNEX

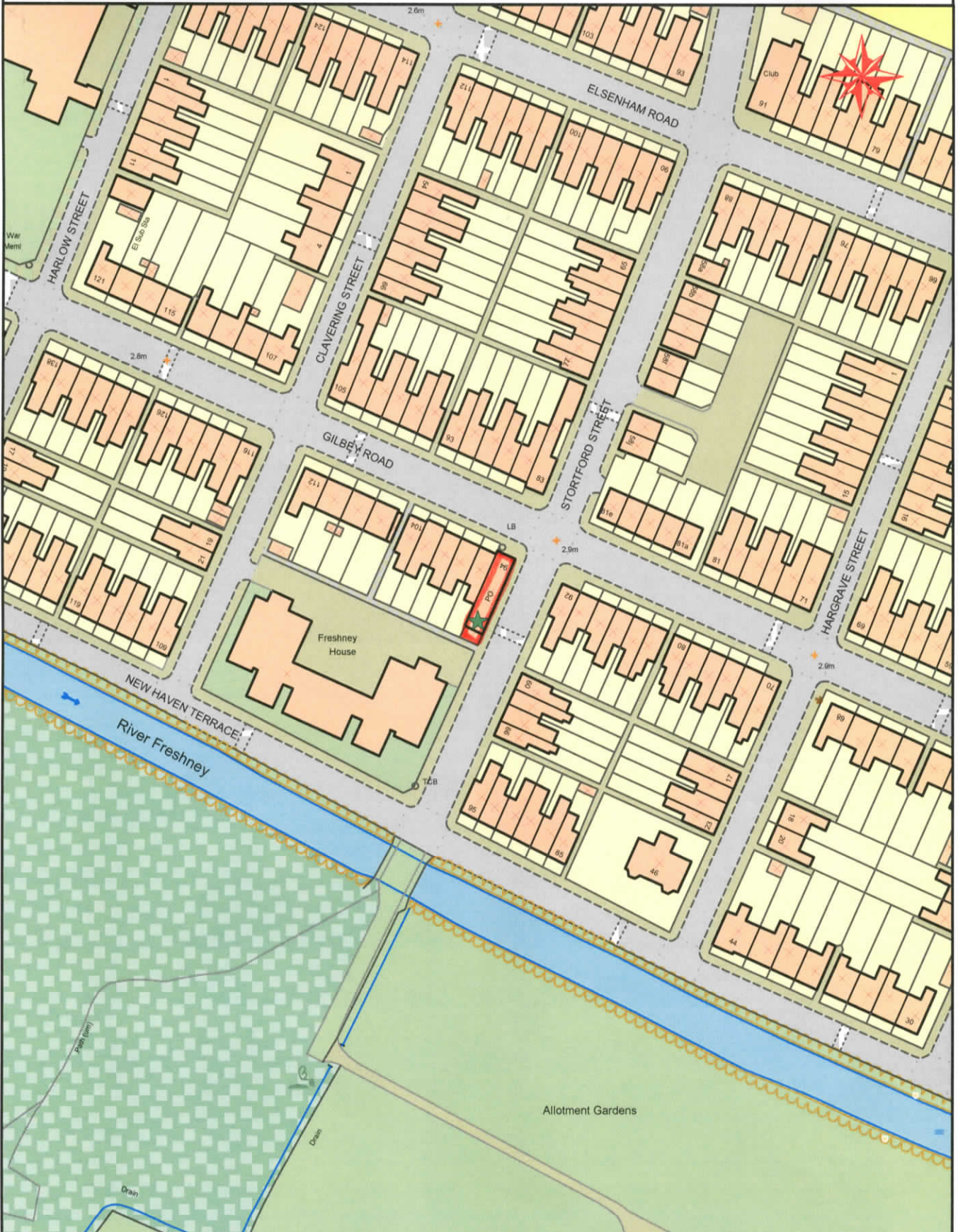
YOUR RIGHT OF APPEAL


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 paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

94 Gilbey Rd, Grimsby



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	Drawn by moslem	Scale 1:1250		
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