

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 Borough 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. 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**

The land at 20, Humber Street, Cleethorpes, North East Lincolnshire shown edged red on the attached Plan 1 ("the Land").

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

Without planning permission the erection of wrought iron railings and a gate to the front boundary of the Land.

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 wrought iron railings and gate are approximately 2.80 metres in height when measured with the brick wall upon which the railings sit. The retention of the iron railings and gate by reason of their height and prominence creates a discordant feature in the street scene with consequent detriment to the visual amenities of the area, contrary to policies GEN1 and H10 of the North East Lincolnshire Local Plan (deposit draft) Revised March 2001. Their retention would create a precedent for similar proposals which the Council would find difficult to resist.

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

EITHER

- (A) Remove the wrought iron railings and gate from the Land, OR
- (B) (1) Reduce the wrought iron railings and gate to a height of no more than 0.7 metres in height when measured from the brick wall along the front elevation and the north east elevation of the Land in accordance with the dotted red line on attached Plan 2 ,
AND
- (2) Remove the wrought iron railings from the south west elevation of the Land.

6. TIME FOR COMPLIANCE

30 days after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1 April 2003 unless an appeal is made against it beforehand.

Dated: 18 February 2003

Signed:

M. J. Walters
Head of Legal 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.

- (a) One is for you to send to the Secretary of State if you decide to appeal, together with a copy of the enforcement notice.

(b) The second copy of the appeal form and the notice should be sent to the Council

(c) The third copy is 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 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.

PLAN 1

Scale 1:1250

Scale %
Ordnance Survey LA09061L
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Gistix (Northern) Limited, 2001
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■ **DN35 8NN - Crof Baker**

