

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 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

Property known as 6 Main Road, Aylesby, 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 wooden enclosure to create a balcony on an existing roof, shown in blue on the attached plan ("The Enclosure")

4. REASONS FOR ISSUING THIS NOTICE

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

A planning application DC/391/05/WOL for the installation of a metal fence on an existing flat roof was refused on the grounds of "loss of privacy for nearby occupiers". A subsequent appeal to the Planning Inspectorate upheld this decision.

Following this it was brought to the attention of the Local Planning Authority that an enclosure had been erected on the roof and it was found that, the enclosure exceeded 2 metres above the ground level. Several requests have been made to the occupiers of the property requesting that they remove the enclosure. To date this request has not been complied with.

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 from the existing flat roof the wooden boxes which form the roof top enclosure.

6. TIME FOR COMPLIANCE

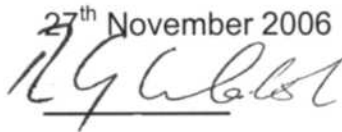
28 days after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 1st January 2007 unless an appeal is made against it beforehand.

Dated: 27th November 2006

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.

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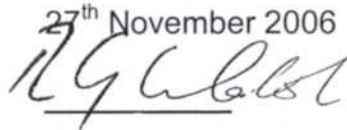
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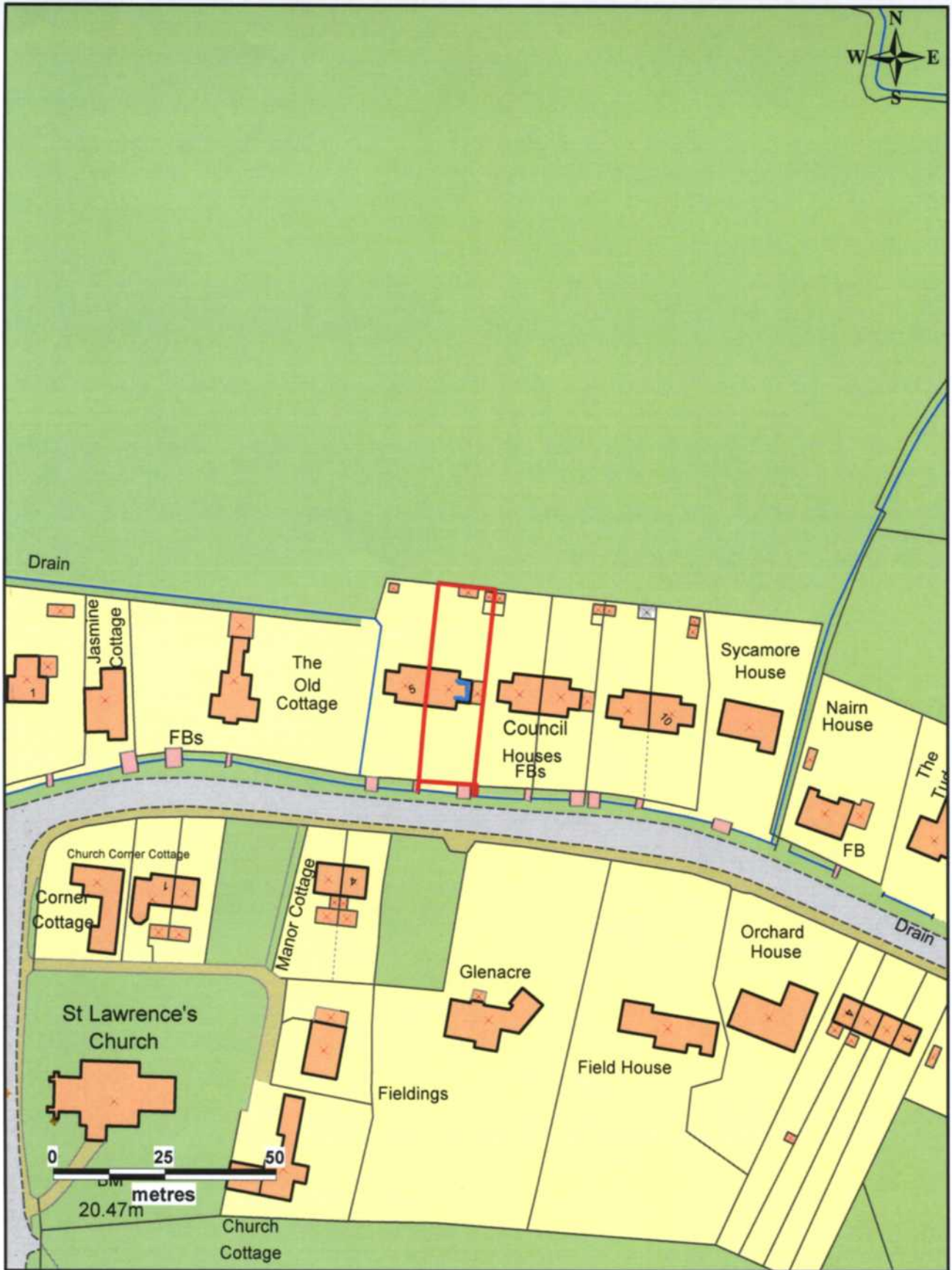
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Title: 6 Main Road
 Aylesby
 Date: 04/12/2006
 Scale: 1:1250

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Title: 6 Main Road
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Date: 04/12/2006
Scale: 1:500

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