

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE – MATERIAL 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 it that there has been a breach of planning control, under section 171A(1)(a) of the above act, at the land described below. It 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**

Land to the rear of 45 Alvingham Avenue, Cleethorpes, 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 incorporation of open space into domestic garden.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The development is an undesirable extension of the residential curtilage.

The development involves non essential development into the open space to the rear of the property. The development has a harmful effect on the character and appearance of the area. Further, the development, if allowed to remain would set an unacceptable precedent, encouraging further proposals to extend residential curtilages into the open space which would further degrade the character and appearance of the area.

The Council do 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 fence (shown marked in blue on the attached plan) and cease using the land as an extension to the garden and reinstate the land to its original condition as open space.

6. TIME FOR COMPLIANCE

28 days after this notice takes effect.

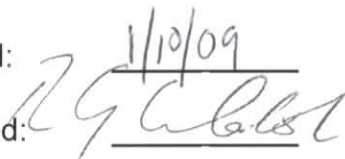
7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 2/11/09 unless an appeal is made against it beforehand.

Dated:

1/10/09

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.

Location Map



 <p>NORTH EAST LINCOLNSHIRE COUNCIL www.nelincs.gov.uk</p>	Details Plotting in MapInfo made easier		Rev No.	This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of HMSO. © Crown Copyright 2006. All rights reserved. Licence number 100020759
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