

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT
1990

LISTED BUILDING ENFORCEMENT NOTICE

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 works have been carried out to the listed building at Flat 1, 6 Pelham Road, Grimsby, North East Lincolnshire in contravention of section 7 of the above Act. The Council considers that it is expedient to issue this notice, having regard to the effect of the Works on the character of the Building as being of special architectural or historic interest. The annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND AFFECTED**

Flat 1, 6 Pelham Road, Grimsby, North East Lincolnshire ("the Land")

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

The installation of scaffolding and the associated fixtures and fittings to the front of the Building on the Land ("the Works").

4. **REASONS FOR ISSUING THIS NOTICE**

The scaffolding by reason of its prominent position on the external front elevation of the Building, is out of character with, and detrimental to, the appearance of this grade II listed building. It is contrary to Saved Policies BH5 and BH8 of the North East Lincolnshire Local Plan and to National Planning Policy Statement 5. The scaffold is installed on the front elevation of the Building and is highly visible from the public highway known as Pelham Road, Grimsby. The Council considers that the installation of the scaffold is likely to result in damage to the underlying fabric of the listed building.

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

- (a) Remove the scaffold from the Building.
- (b) Remove all fixtures and fittings for the scaffold, including any wall plugs, in their entirety from the Building.

- (c) Following removal of the items specified in (a) and (b) above, repair any underlying damage to the brickwork and mortar. Where fixings have been introduced into bricks the damage shall be made good using a cement free lime mortar coloured to match the existing brickwork exactly using brick dust and / or mortar colourants. Where fixings have been introduced into mortar joints the damage shall be made good using a cement free lime mortar to match the original mortar in all respects (colour, texture and style).
- (d) The works specified in (c) above must be carried out by a person competent and experienced in this work such as a stone or brick mason.

ENSURING AT ALL TIMES that the building is properly supported so as not to present a danger or risk to any person, or cause unnecessary or unacceptable risk to the structural integrity of the Building.

6. TIME FOR COMPLIANCE

1 month after this notice takes effect. (17/10/11)

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 16/9/11 unless an appeal is made against it beforehand.

Dated:

17th August 2011

Signed:

R. Walsh

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 Planning Inspectorate information sheet, which is included with this Notice, will give you the information needed to enable you to submit your Appeal. Please read it carefully.

Please note, you **MUST** make sure that the Planning Inspectorate receives your appeal before the effective date on the Enforcement Notice.

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.

Flat 1, 6 Pelham Road, Grimsby



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Drawn by chapin	Scale 1:1250	Date 10/08/2011			Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU24 0EF	www.aligned-assets.co.uk
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