

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

Land at 2 Wheatfield Drive, Waltham, North East Lincolnshire shown edged red on the attached plan ("the land") and adjacent highway, known as Wheatfield Drive, Waltham, shown hatched in red on the attached plan ("the land").

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

1. Without planning permission the operation of an ice cream sales business,
2. Without planning permission the operation of furniture removal business,
3. Without planning permission the storage of commercial vehicles.

These matters constitute a change of use of the land from a domestic dwelling to domestic dwelling and use of domestic dwelling for commercial use and storage.

4. REASONS FOR ISSUING THIS NOTICE

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

The continued operation of the above mentioned business operations detract from the residential character of the property and thus affects the visual amenity of the area and the amenities of the area that neighbours should reasonably be expected to enjoy. The proposal is

thus contrary to Policy E21 of the North East Lincolnshire Local Plan Adopted November 2003.

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

1. Stop the operation of an ice cream sales business on the land,
2. Stop the storage of any vehicles associated with the pursuit of the ice cream business on the land,
3. Stop the operation of a furniture removal business on the land,
4. Stop the storage of any vehicles associated with the pursuit of the furniture removal business on the land,
5. Stop the storage of other commercial vehicles parked on the driveway of the land,
6. Stop the storage of commercial vehicles associated with pursuit of business interests at 2 Wheatfield Drive, Waltham, on the public highway,
7. Return the land to its approved use as a residential dwelling.

6. TIME FOR COMPLIANCE

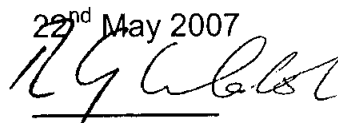
One week from when this Notice takes effect (27th June 2007)

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 20th June 2007 unless an appeal is made against it beforehand.

Dated: 22nd May 2007

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.