

**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 COUNCIL

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to the Council that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. The Council 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

259 Yarborough Road, Grimsby, 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 boundary wall and gates at the front of the property and adjacent to the highway. Shown in blue on the attached plan ("the wall").

4. REASONS FOR ISSUING THIS NOTICE

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

Planning application no. DC/604/09/YAR, to apply for the retention of the wall was refused on 17<sup>th</sup> September 2009 and an appeal against the Local Planning Authority's decision has been dismissed by the Planning Inspectorate.

The Local Planning Authority feels that the retention of the wall is contrary to national Planning Policy Guidance, namely PPG13 and local saved planning policy GEN1. It is considered that the retention of the wall is harmful to the visual amenity of the area.

The Council also considers that the development obstructs necessary visibility sight lines along Yarborough Road, which could in turn create an unacceptable hazard to highway safety at this location.

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

Reduce all elements of the wall and the gates to a height of one metre or less within two metres of the back edge of the footpath.

6. TIME FOR COMPLIANCE

28 days after this Notice takes effect. (16th August 2010)

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 19th July 2010 unless an appeal is made against it beforehand.

Dated: 21st June 2010

Signed: [Signature]

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.



## 259 Yarborough Road



### Details

Plotting in MapInfo made easier

Drawn by

moslem

Scale

1:1250

Date

22/06/2010

Rev  
No.

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# 259 Yarborough Road



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