

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 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 34 Lambert 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

1. Without planning permission the creation of a building which is a separate unit of living accommodation ("the building").

The development constitutes a material change of use of the land from an ancillary recreational room to a separate dwelling.

4. REASONS FOR ISSUING THIS NOTICE

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

The use of the property as a residential dwelling by reason of its means of access, location, design and orientation, provides an unacceptable level of residential amenity to the occupiers of the building and results in a detrimental impact on the amenities of occupants of nearby dwellings. No Flood Risk Assessment has been carried out to establish the suitability of the use.

The proposal is thus contrary to national planning policy set out in Planning Policy Statement 1 (Delivering Sustainable Development), Planning Policy Statement 3 (Housing) and Planning Policy Statement 25 (Flood Risk), as well as saved Policy GEN1 of the North East Lincolnshire Local Plan 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. Discontinue the use of the building as a separate residential dwelling.
2. Remove all shower fittings from within the building.
3. Remove all toilet fittings from within the building.
4. Remove all kitchen fittings from within the building.
5. Remove all associated plumbing running the length of the garden to the building.
6. Return the building to its authorised use as a recreational room.

6. TIME FOR COMPLIANCE

28 days after this notice takes effect. (21/6/10)

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 24/5/10 unless an appeal is made against it beforehand.

Dated: 21/4/10

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 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.

Location Map



Details
34 Lambert Road, Grimsby

Drawn by
MC

Scale
1:1000

Date
22/04/2010

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Aligned Assets Limited
Links One, Links Business Centre
Old Woking Road, Old Woking
Surrey, GU22 8BF

www.aligned-assets.co.uk

