

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 Borough Council**

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears 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**

Land south of Wilton Road Industrial Estate, Humberston, North East Lincolnshire and described as adjacent to 32 Wilton Road, Humberston. 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 unauthorised depositing of soil, waste material and building materials and the storage of machinery on the Land ("The Works").

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last ten years. The works consist of the storage on the Land of soil, waste materials, building materials and machinery.

Temporary planning approval was granted on the land for the retention of a temporary use of the land for recycling and skip hire. This approval expired on 17 February 2010 at which time the land should have been returned to its approved use for storage of oils, gases and fats in sealed containers.

The works undertaken without formal approval are seen to be contrary to national and local planning policy, particularly saved Policies E15 and GEN1, MW7 and MW8.

The use of the land for the storage of soil, waste materials, building materials and machinery has an adverse effect on the appearance of the area and the character of the Industrial Estate with potential for environmental pollution of the area including ground water.

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

- (1) Cease depositing soil, waste materials (other than that approved by planning application 08/91/0689 which allows the storage of oils, gases and fats in sealed containers), building materials and machinery on the Land.
- (2) Remove from the Land all waste materials and soil deposited on the Land without the benefit of planning permission, to a place suitably licensed to receive it.
- (3) Remove all machinery contained within the land,
- (4) Remove all building materials stored on the land,
- (5) Restore the Land to its condition prior to unauthorised waste materials being deposited i.e. natural ground level.

6. **TIME FOR COMPLIANCE**

Requirement no.1

28 days after this Notice takes effect.

Requirement nos. 2 to 5

3 months after this notice takes effect.

45306940

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 1st NOVEMBER 2010 unless an appeal is made against it beforehand.

Dated:

1st OCTOBER 2010

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 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 paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Wilton Road Industrial Estate

HS306940



Details Plotting in MapInfo made easier			Rev		This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of HMSO. © Crown Copyright 2010. All rights reserved. Licence number 100020759
Drawn by	Scale	Date	No.		
chaplm	1:1250	17/09/2010			Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF
File Pathname / Project / Drawing No.					www.aligned-assets.co.uk