

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

To: The Owner/ Occupier
Summerfields, Waltham House Farm, New Waltham, Grimsby, North
East Lincolnshire. DN36 4RY

ISSUED BY: **NORTH EAST LINCOLNSHIRE COUNCIL ("the Council")**

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears to it that there has been a breach of planning control, under section 171A(1)(a) of the above act, at the land described below. It 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 at Summerfields, Waltham House Farm, New Waltham, Grimsby, North East Lincolnshire. DN36 4RY shown edged in red on the attached plan. ("the land")

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

Without planning permission, the change of use of the land from a residential dwelling to a mixed use site consisting of residential, dog grooming, dog breeding, dog day care, dog boarding and a dog fun park.

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 use of the land for dog grooming, dog breeding, dog day care, dog boarding and a dog fun park results in a detrimental impact on the amenities that neighbours should reasonably be expected to enjoy by reason of noise and disturbance. The use is thus contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted

2018) and the provisions of the National Planning Policy Framework 2023).

The Council does not consider planning permission should be given as planning conditions could not overcome these objections. Application DM/0220/24/FUL for the retrospective change of use to create a mixed use site consisting of residential, dog grooming, dog breeding, dog day care, dog boarding and a dog park within an existing paddock was refused by the Local Planning Authority on 14th June 2024.

5. WHAT YOU ARE REQUIRED TO DO

1. Stop using the land for dog grooming, dog breeding, dog day care, dog boarding and as a dog fun park and remove all paraphernalia associated with these uses from the land.

2. Ensure no more than 6 dogs are present on the land at any time.

6. TIME FOR COMPLIANCE

3 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 30th September 2024 unless an appeal is made against it beforehand.

Dated: 29th August 2024

Signed:



On behalf of North East Lincolnshire Council

Damien Jaines-White

Assistant Director Regeneration
North East Lincolnshire Borough Council
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
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 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.

