

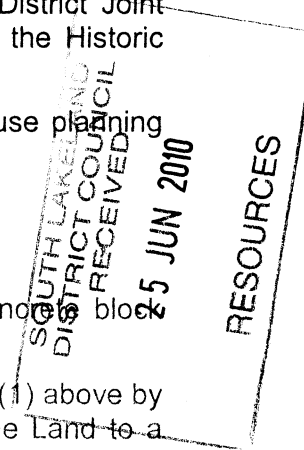
## **IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE  
PLANNING AND COMPENSATION ACT 1991)**

## **ENFORCEMENT NOTICE-OPERATIONAL DEVELOPMENT**

**ISSUED BY: SOUTH LAKELAND DISTRICT COUNCIL**

1. **THIS NOTICE** is issued by the South Lakeland District Council ("the Council") because it appears to them that there has been a breach of planning control, within paragraph (a) of Section 171A(1) 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 TO WHICH THE NOTICE RELATES:-**  
Land at Underwood, 1 Fernhill Road, Grange Over Sands, Cumbria, LA11 7DN as shown edged red on attached plan ("the Land").
3. **THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL**  
Without planning permission, operational development, within the area of the Land edged blue on the attached plan consisting of the erection of a sub-structure of concrete block piers and steel girders.
4. **REASONS FOR ISSUING THIS NOTICE**  
It appears to the Council that the above breach of planning control has occurred within the last four years.  
It is considered expedient to issue a notice because the sub-structure, by reason of its siting, scale and design has an adverse impact on this part of the Grange Conservation Area. The sub-structure is not appropriate or in keeping with the historic character of the Conservation Area.  
The unauthorised development is contrary to saved policies Policy C16 and S2 of the adopted South Lakeland Local Plan, Policy E38 of the Cumbria and Lake District Joint Structure Plan 2001-2016 and Planning Policy Statement 15: Planning and the Historic Environment.  
The Council do not consider that planning permission should be given because planning conditions could not overcome these objections.
5. **WHAT YOU ARE REQUIRED TO DO**
  - (1) Remove from the Land the whole of the sub-structure, including the concrete block piers, steel work and any foundations.
  - (2) Re-instate the areas of the Land affected by compliance with Paragraphs 5(1) above by the introduction of good quality top soil and restore the such areas of the Land to a grassed area in appearance.



6. **TIME FOR COMPLIANCE**

2 Months after this Notice takes effect.

7. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 12 August 2010 unless an appeal is made against it beforehand.

Dated 24 June 2010

Signed

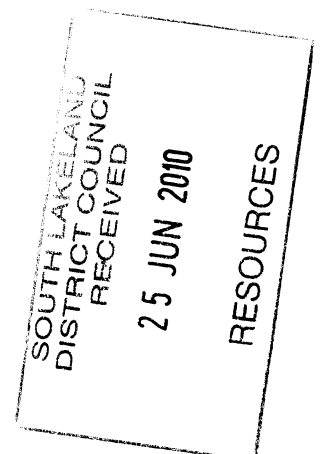


Matthew Neal

Solicitor to the Council

On behalf of:-

South Lakeland District Council  
South Lakeland House  
Lowther Street  
KENDAL  
Cumbria  
LA9 4UQ



## 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 the notice.

You must submit to the Secretary of State either when giving notice of appeal or within 14 days of the Secretary of State giving notice so requiring a written statement specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you are proposing to rely in support of each of those grounds.

### FEES PAYABLE ON APPEAL

Pursuant to Regulation 10 of the Town and Country Planning Act (Fees for Applications and Deemed Applications) Regulations 1989 the following fees must be paid to the local planning authority and the planning Inspectorate respectively upon submission of an appeal;

Local Planning Authority      £170.00

Planning Inspectorate          £170.00

### WHAT HAPPENS IF YOU DO NOT APPEAL

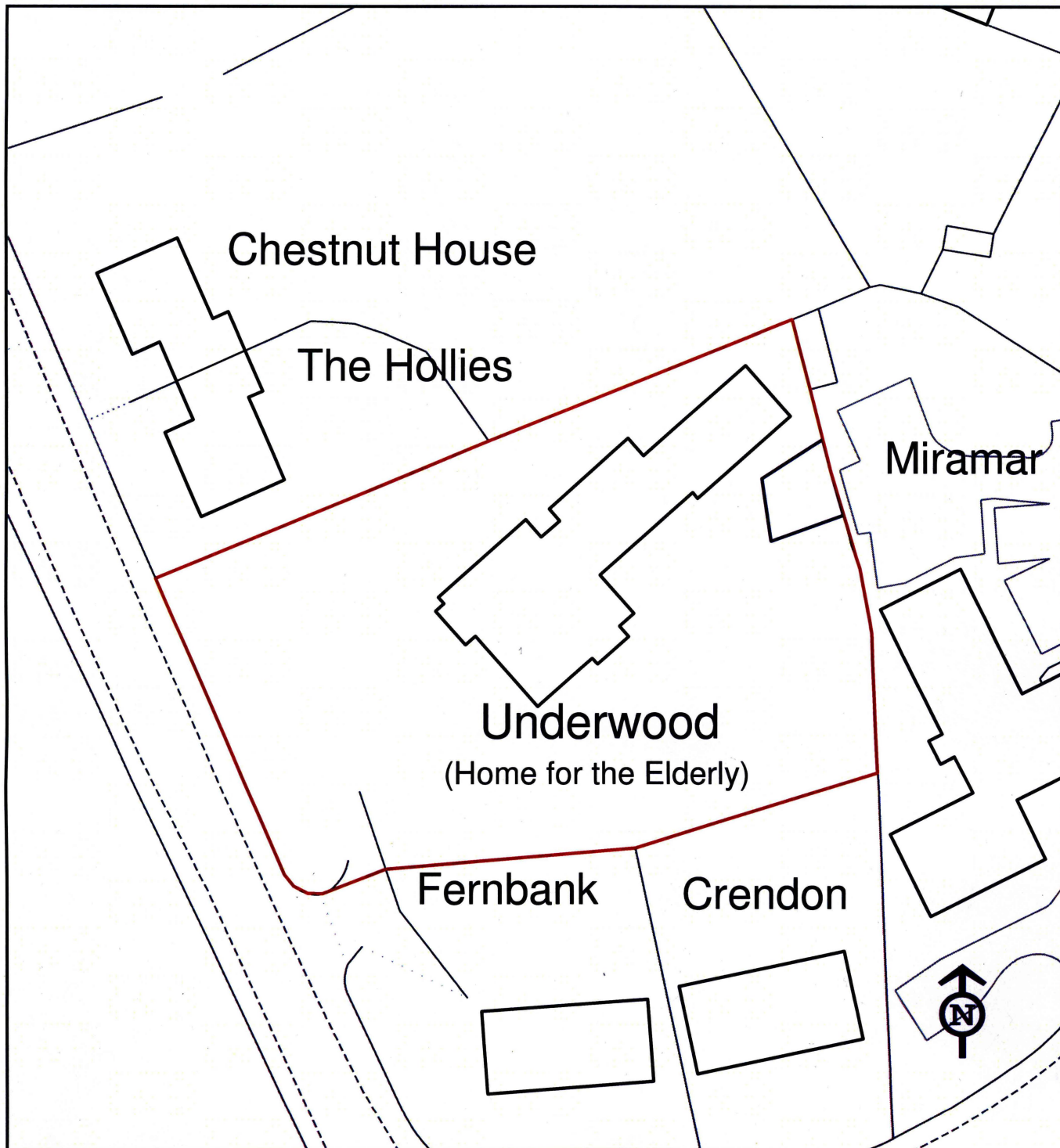
If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, and for which you may be held responsible are taken within the period specified in paragraph 6 of the notice. Failure to comply with an enforcement notice, which has taken effect, can result in prosecution and/or remedial action by the Council.

### PERSONS TO WHOM THIS ENFORCEMENT NOTICE HAS BEEN SERVED

In accordance with the legislation this enforcement notice has been served on the following individual;

1. Michael Grenville Keith, Underwood, 1 Fernhill Road, Grange Over Sands, Cumbria LA11 7DN
2. Nigel Bebbington, C/o the Insolvency Service, PO Box 10089, Birmingham, B2 4WH
3. Angela Elizabeth Mary Keith, Underwood, 1 Fernhill Road, Grange Over Sands, Cumbria LA11 7DN
4. Barclays Bank PLC (Co registration Number 1026167) 1, Churchill Place, London E14 5HP
5. Black Horse Ltd (Co registration Number 6612204), St Williams House, Tresillian Terrace, Cardiff, CF10 5BH





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Development Control Group  
South Lakeland District Council  
South Lakeland House  
Lowther Street  
KENDAL, Cumbria LA9 4DL

**PLAN REFERRED TO:**  
**Underwood, 1 Fernhill Road**  
**Grange-over-Sands**

**Site Geocode: E 340342**

Scale 1:500

