

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

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

ENFORCEMENT NOTICE

To: Sarah Michelle Miall
Company Secretary
Atlantic Ocean Seafood Limited
2 Prince Albert Gardens, Grimsby, North East Lincolnshire DN31 3AG

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**

The land at Prince Albert Gardens and known as land on the South Side of Cleethorpes Road, Grimsby, shown edged in red on the attached plan. (“the land”)

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

The placing of a refrigerated container on the land without planning permission, in the approximate position marked with the cross on the attached plan.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The unauthorised installation of the unit is contrary to paragraph 174 of the National Planning Policy Framework and Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted in 2018) in that it constitutes a loss of amenity for surrounding businesses by virtue of its appearance and the noise and disturbance caused during its operation.

The Council does not consider that planning permission should be given as planning conditions, screening or any other measures could not overcome these objections.

5. WHAT YOU ARE REQUIRED TO DO

Remove the refrigerated container from the land

6. TIME FOR COMPLIANCE

3 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 19th June 2022 unless an appeal is made against it beforehand.

Dated: 19th May 2022

Signed



On behalf of North East Lincolnshire Council

Mark Nearney

Assistant Director of Housing, Highways and Planning
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.