

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
11 Queen’s Road Immingham, North East Lincolnshire, DN40 1QR.

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 11 Queen’s Road Immingham, North East Lincolnshire, DN40 1QR, 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 land from vehicular parking to a mixed use of vehicular parking, open storage and scrap storage including, but not limited to, the storage of metal containers, plastic containers, bins, vehicles awaiting scrapping/ repair, vehicle parts and trailers.

4. **REASONS FOR ISSUING THIS NOTICE**

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

The unauthorised change of use of land from vehicular parking to a mixed use of vehicular parking, open storage and scrap storage including, but not limited to, the storage of metal containers, plastic containers, bins, vehicles awaiting scrapping/ repair, vehicle parts and trailers is contrary to policies 5, 22 and 47 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the provisions of the National Planning Policy Framework 2023). The location and

size of the premises results in an unacceptable loss in the amenity nearby residential properties should reasonably be expected to enjoy by virtue of loss of residential amenity, noise and disturbance and has an adverse impact on the character of the location.

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

1. Stop using the land for open storage and scrap storage including, but not limited to, the storage of metal containers, plastic containers, bins, vehicles awaiting scrapping/ repair, vehicle parts and trailers.

2. Permanently remove all metal containers, plastic containers, bins, vehicles awaiting scrapping/ repair, vehicle parts and trailers.

6 TIME FOR COMPLIANCE

2 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 5th April 2024 unless an appeal is made against it beforehand.

Dated: 5th March 2024

Signed:



On behalf of North East Lincolnshire Council

Paul Evans

Assistant Director – Infrastructure - Housing Highways and Transport
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.

