

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

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To: The Owner/ Occupier
Land at 261 Heneage Road, Grimsby, DN32 9NR

ISSUED BY: NORTH EAST LINCOLNSHIRE BOROUGH 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 TO WHICH THIS NOTICE RELATES**

Land at 261 Heneage Road, Grimsby, DN32 9NR 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 installation of an external refrigeration/air conditioning unit on the side of the premises overhanging the highway on Granville Street.

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 installation of an external refrigeration/air conditioning unit on the side of the premises overhanging the highway on Granville Street is contrary to advice in the National Planning Policy Framework and Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) as the unit is detrimental to the visual amenity of the building and street scene.

The Highways Officer is also concerned that unit also presents a potential risk to the public using the highway as there has been no indication of the limitations of the brackets currently supporting the unit. This is a highway safety concern under Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

The Council does not consider that planning permission should be given as planning conditions, screening or other measures could overcome these objections. No sufficient special reason has been given to justify the siting of the works in this location.

5. WHAT YOU ARE REQUIRED TO DO

Remove the external refrigeration/air conditioning unit from the side elevation of the building.

6. TIME FOR COMPLIANCE

28 days after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 19th March 2026 unless an appeal is made against it beforehand.

Dated: 19th March 2026

Signed:



Damien Jaines-White
Assistant Director Regeneration
North East Lincolnshire Council
Municipal Offices
Town Hall Square
Grimsby
DN31 1HU
ANNEX

YOUR RIGHT OF APPEAL

There is a right of appeal for anyone who has an interest in the land to which the enforcement notice relates, or who is a relevant occupier, whether or not they have been served with a copy of the notice. Anyone occupying the land by virtue of a licence is a relevant occupier.

Any appeal must be received, or posted in time to be received, by the Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

Further information regarding the appeals process can be found at:
<http://www.planningportal.gov.uk/uploads/pins/eninfosheet.pdf>

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.



261 Heneage Road

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