IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

ENFORCEMENT NOTICE

To: The Owner/ Occupier
11 Edge Avenue, Grimsby, North East Lincolnshire DN32 2DD

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 11 Edge Avenue, Grimsby, North East Lincolnshire, DN32 2DD 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 erection of a boundary fence, in excess of one metre in height from ground level adjacent to the highway, on the Land (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 ten years.

The fence, by virtue of its height, prominence and proximity to the public highway is considered to be visually intrusive and harmful to the character and appearance of the street scene contrary to Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Chapter 14 of the National Planning Policy Framework (2026)

The Council do not consider that planning permission should be given because planning conditions could not overcome these objections to the development.

5. WHAT YOU ARE REQUIRED TO DO

You must either:

5.1 Remove the fence and posts from the land, or

5.2 Reduce the height of the fence and fence posts so that, when measured the height does not exceed one metre above ground level.

6 TIME FOR COMPLIANCE

3 months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 10th December 2026 unless an appeal is made against it beforehand.

Dated: 10th November 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.

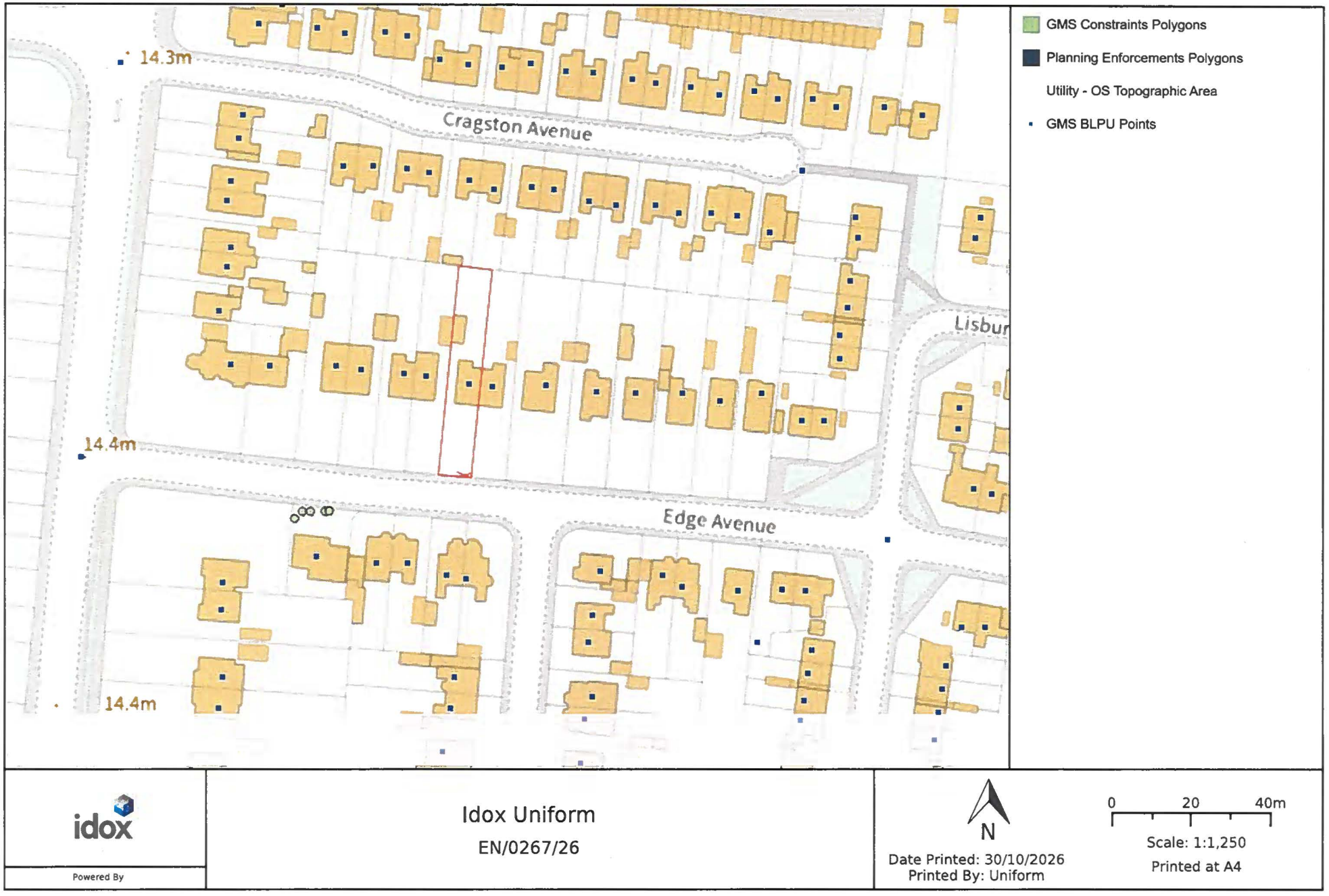
Any appeal must be received, or posted in time to be received, by the Planning Inspectorate acting on behalf of the Secretary of State before the date specified in paragraph 7 of the notice.

Further information regarding the appeals process can be found at:

http://www.planningportal.gov.uk/uploads/pins/enfinfosheet.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.



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ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this enforcement notice, but any appeal must be **received** by the Planning Inspectorate (PINS) (or be posted or electronically communicated at such time that, in the ordinary course of post or transmission, it would be delivered to the Planning Inspectorate) **before** the date specified in paragraph 7 of the notice.

If you want to appeal against this enforcement notice you can do it:

- Online at the Planning Casework Service area of the Planning Portal (*www.planningportal.gov.uk/pcs*).
- By getting enforcement appeal forms from the Planning Inspectorate on 0303 444 5000 or by e-mailing the Planning Inspectorate at *enquiries@pins.gsi.gov.uk*.

You MUST make sure that PINS receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:

- The name of the local planning authority.
- The site address.
- Your address.
- The effective date of the enforcement notice.

PINS MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

The Planning Inspectorate's address and contact details are as follows:

The Planning Inspectorate

CST Room 3/13

Temple Quay House

2 The Square

BRISTOL BS1 6PN

Direct line: 0303 444 5000

Fax number: 0117 372 8782

Under section 174 of the TCPA 1990 you may appeal on one or more of the following grounds that:

- In respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged.
- Those matters have not occurred.
- Those matters (if they have occurred) do not constitute a breach of planning control.
- At the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters.
- Copies of the enforcement notice were not served as required by section 172 of the TCPA 1990.
- The steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by such breach.
- Any period specified in the notice in accordance with section 173(9) of the TCPA 1990 falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under ground (a) of section 174(2) of the TCPA 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £544. You should pay the fee to North East Lincolnshire Council.

If you decide to appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the [Secretary of State **OR** National Assembly] will send you a notice requiring you to do so within 14 days.

A copy of sections 171A, 171B and 172 to 177 of the TCPA 1990 are attached for your information.

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PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE ARE AS FOLLOWS:

Mr Stuart Elvin, 11 Edge Avenue, Grimsby, North East Lincolnshire, DN33 2DD

Mrs Sarah Elvin, 11 Edge Avenue, Grimsby, North East Lincolnshire, DN33 2DD

The Directors, Nationwide Building Society, Nationwide House, Pipers Way, Swindon, SN38 1NW