

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the PLANNING
AND COMPENSATION ACT 1991)

BREACH OF CONDITION NOTICE

Served by: North East Lincolnshire Borough Council

**To: Mr Philip Pearce, Willow Farm, Everill Gate Lane, Broomhill,
Barnsley, South Yorkshire S73 0YG**

1. **This is a formal notice**, which is issued by the Council, under Section 187A of the above Act, because the Council considers that conditions imposed on a grant of planning permission DM/1331/14/FUL relating to the land described below, have not been complied with. The Council consider that you should be required to comply with the conditions specified in this notice.

2. **The land affected by the notice**

The land known as 2 Humberston Fitties, Humberston, Grimsby, North East Lincolnshire (edged red on the attached plan).

3. **The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on the 24th March 2015 as per approved planning application no DM/1331/14/FUL (attached hereto).

4. **The breach of conditions**

The following conditions have not been complied with:-

Condition 8

The development shall be carried out in accordance with the following plans: Location Plan, Existing floor plans and elevations, received on 16th January 2015 and Block Plan and Proposed Floor Plans and elevations received by the Local Planning Authority on 9th March 2015

Reason

For the avoidance of doubt in the interests of proper planning and to accord with the North East Lincolnshire Local Plan Policies GEN2, LTC9 and BH1

5. **What you are required to do**

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated conditions by taking the following steps:-

Requirement No. 1

Replace upvc windows and door with white painted timber windows and door as per the approved plan (attached)

Time for Compliance:

Requirement No. 1

6 months from the date this notice takes effect.

6. **When this notice takes effect**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Signed:



Clive Tritton
Interim Director for Economy and Growth
Municipal Offices
Town Hall Square
North East Lincolnshire
DN31 1HU

Dated:

13/11/19

On behalf of: North East Lincolnshire Borough Council

WARNING

There is no right of appeal to The Secretary Of State for The Environment against the notice

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £2,500 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Miss K Walker, Planning Department, New Oxford House, George Street, Grimsby DN31 1HB. Tel. 01472 324998

If you need independent advice about this notice, you are advised to urgently contact a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

Do not leave your response to the last minute

20 m
100 ft



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TECHNOLOGY

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Town and Country Planning Acts

NOTICE OF DECISION

Application Number: DM/1331/14/FUL

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:	Agent's Name and Address:
Mr Philip Pearce Willow Farm Everill Gate Lane Broomhill Barnsley South Yorkshire S73 0YG	

Proposal: Demolition of existing chalet & replace with new chalet

Application Site: 2 Humberston Fitties Humberston Grimsby North East Lincolnshire

The following decision has been made upon your application received on 29th December 2014.

Granted subject to: -

- 1 Condition:
The chalet shall be removed in its entirety and the land reinstated to its former condition, as a cleared site, on or before the 19th March 2025.

Reason:
To enable the Local Planning Authority to monitor the risk to human life and property from flooding and in accordance with Saved Policy GEN2.
- 2 Condition:
The chalet shall be firmly secured to the ground and the finished floor level set no lower than 300mm above ground level.

Reason
To reduce the impact of flooding on the proposed chalet and future occupants.
- 3 Condition:
The chalet shall not be occupied from 16:00 hours and 09:30 hours the following day between the 1st November in any one year and the 15th March in the following year.

Reason:

To ensure the property is not occupied at a time when flood risk from the sea is at its highest and to reduce the risk of life during a flood event.

4

Condition:

Prior to commencement of the development hereby approved a Flood Warning and Evacuation Plan shall be submitted to the Local Planning Authority for its written agreement by the Local Planning Authority. The occupiers of the chalet shall sign up to and remain with the Environment Agency Flood Warning Direct alert scheme (or approved successor schemes)

Reason:

To maintain the safety of occupiers and property during a flood event and in accordance with Saved Policy GEN2 of the North East Lincolnshire Local Plan.

5

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The chalet shall not be occupied until the approved scheme has been implemented.

Reason:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal

6

Condition:

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason:

To protect the amenities of nearby residents

7

Condition:

Prior to the commencement of demolition works a method statement outlining measures to identify and remove asbestos if present shall be submitted in writing to the local authority for approval. The development shall, only thereafter be carried out in accordance with the approved details.

Reason:

In the interests of public safety and to protect the amenities of nearby residents.

8

Condition:

The development shall be carried out in accordance with the following plans: Location Plan, Existing floor plans and elevations, received on the 16th January 2015 and the Block Plan and Proposed Floor Plans and Elevations received by the Local Planning Authority on 9th March 2015.

Reason:

For the avoidance of doubt, in the interests of proper planning and to accord with the North East Lincolnshire Local Plan Policies GEN2, LTC9 and BH1.

Informatives:-

9 Informative

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan 2003. The proposal would not harm the area character or residential amenity, flood risk and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2003 and in particular saved Policies GEN2, LTC9 and BH1.

10 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating amendments with the applicant to improve design.

This Notice is issued on behalf of North East Lincolnshire Planning Authority.


Signed:

Angela Blake

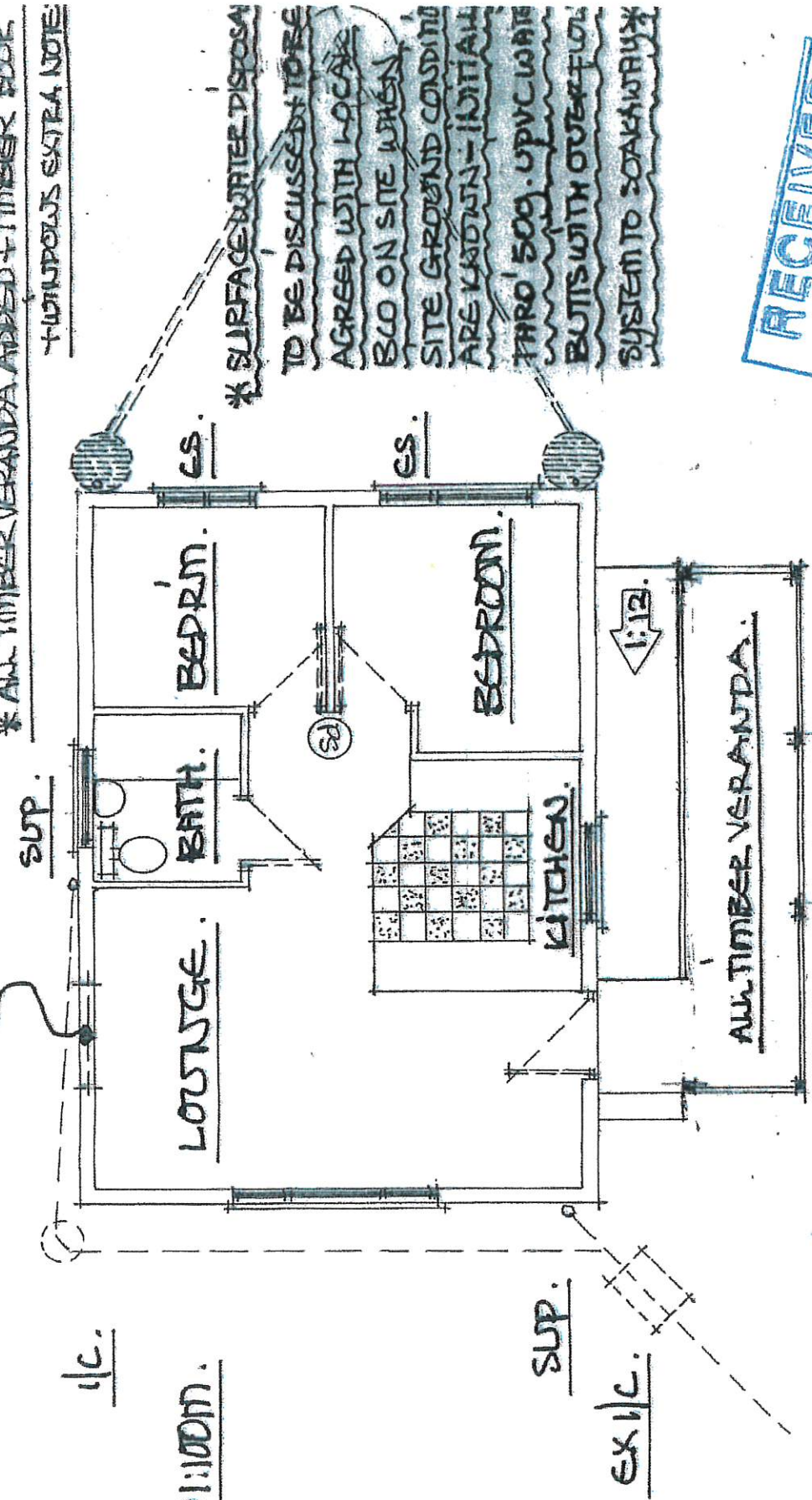
Official Capacity: Director of Economy and Growth - Place

Date: 24th March 2015

OPTIONAL WINDOWS

* ALL TIMBER VERANDA ADDED + TIMBER DOOR + WINDOWS EXTRA NOTE

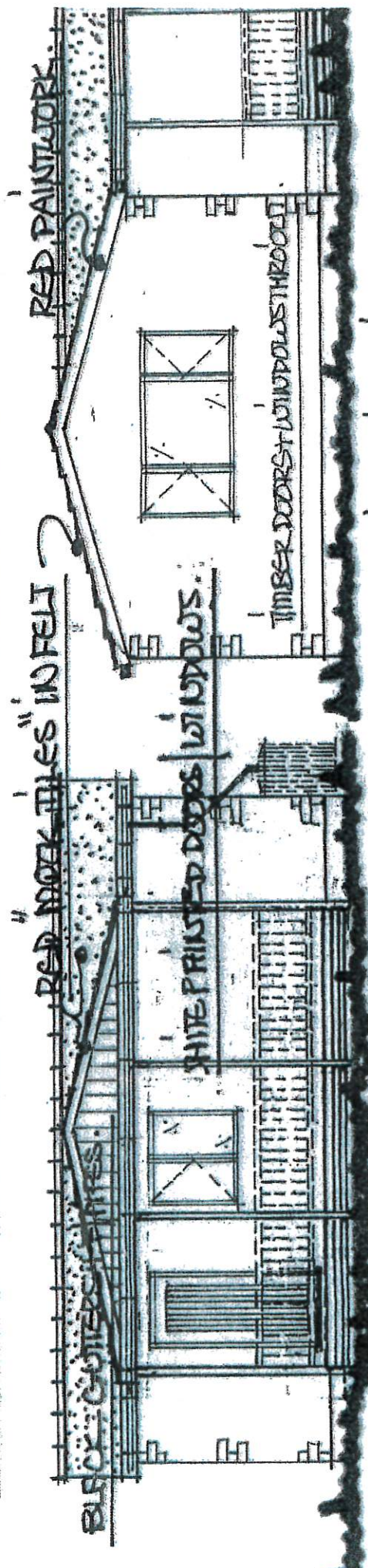
SCALE 2:1100M



RECEIVED
06 MAR 2015

PROPOSED FRONT VIEW.

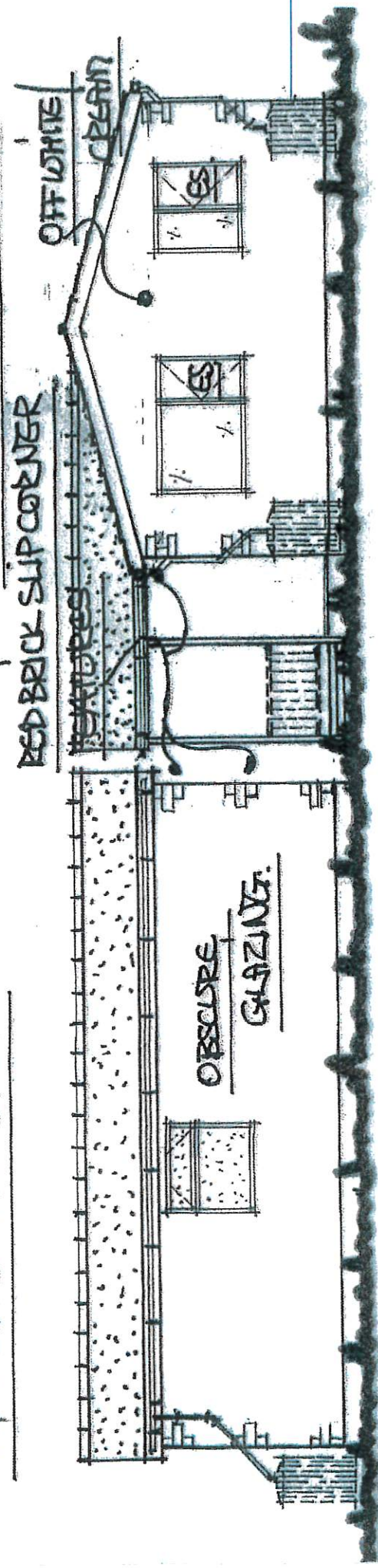
PROP. SIDE VIEW.



RAMP + BALUSTERS FORMED THRO' TREATED TIMBER DECKING WITH TIMBER VERANDA COVER.

PROPOSED REAR VIEW.

PROPOSED SIDE VIEW.



ES SHOWS FIRE SAFETY ESCAPE SPACE

SD SHOWS CEILING MOUNTED SMOKE DETECTOR

* TIMBER DOORS + WINDOWS
* EXTERNAL GRADE PLYWOOD CLADDING TO EXTERIOR WALLS.