

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 ('the Council')

To: Mr Ray Crome, 124 Humberston Fitties, Humberston, North East Lincolnshire, DN36 4EZ

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/0274/23/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 124 Humberston Fitties, Humberston, Grimsby DN36 4EZ (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 14th July 2023 as per approved planning application no DM/0274/23/FUL (attached hereto).

4. **The breach of conditions**

The following conditions have not been complied with:-

Condition 2

The development shall be carried out in accordance with the following plans:
Site Location Plan - RD5389-03
Proposed Block Plan, Site Plan, Floor Plan and Elevations - RD5389-02A
Proposed Site Plan, Existing and Proposed Street Scene Elevations, Outbuilding
Floor Plans and Elevations - RD5389-04D
Proposed Foundation Details and Elevations - RD5389-05

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 33 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Condition 3

The chalet hereby permitted shall not be occupied between the 1st November in any year and the 14th March in the following year.

Reason

To ensure the holiday use of the chalet and that the property is not occupied at a time when flood risk from the sea is at its highest so as to reduce the risk to life during a flood event to accord to Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and advice in the National Planning Policy Framework.

Condition 4

The proposed development shall be constructed using materials specified within the application form received on the 27th March 2023 and as stated on drawing nos. RD5389-02A and RD5389-04D unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with Policies 5 and 39 of the North East Lincolnshire Local Plan.

Condition 7

Prior to occupation of the chalet hereby approved, a final flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the flood warning and evacuation plan shall be adhered to at all times following first occupation.

Reason

In the interests of flood risk and safety and to accord with policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

5. What you are required to do

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

Requirement No. 1

Carry out alterations to the chalet so that the external appearance matches that approved further to planning application DM/0274/23/FUL and the plans and details submitted with them and approved under that reference, a copy of the critical plans being attached in appendix A. Ensure any such works are carried out using materials specified within the application form received on the 27th March 2023 and as stated on drawing nos. RD5389-02A and RD5389-04D.

Requirement No. 2

Do not occupy the chalet between the 1st November in any year and the 14th March in the following year.

Requirement No. 3

Submit the Flood warning and evacuation plan as per Condition 7 of DM/0274/23/FUL

Time for Compliance:

Requirement No. 1

3 Months from the date this notice takes effect.

Requirement No. 2

1 month from the date this notice takes effect

Requirement No. 3

1 Month 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:



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

Dated: 19th March 2026

On behalf of: North East Lincolnshire Council

WARNING

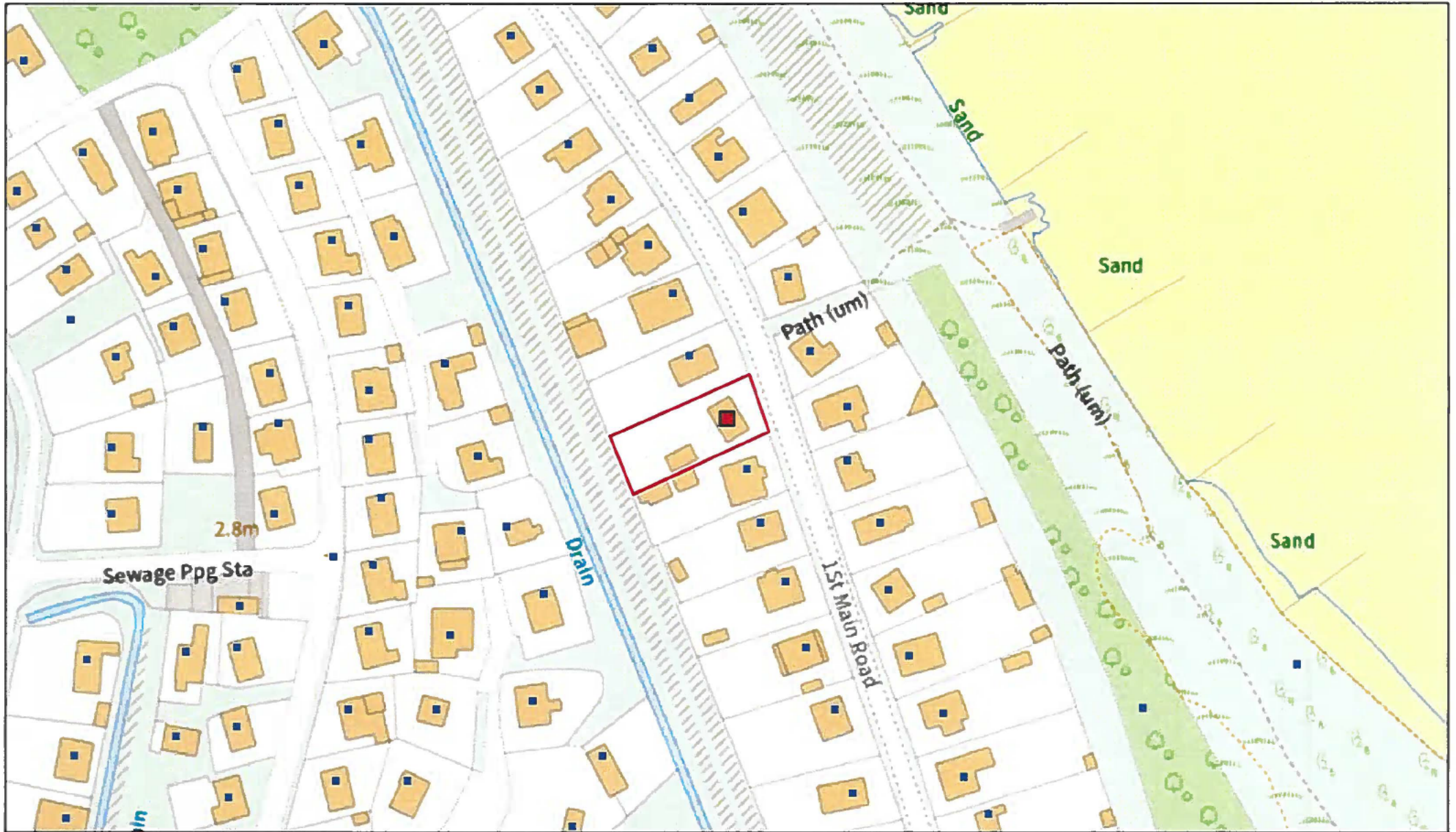
There is no right of appeal to The Secretary Of State for The Environment against the notice

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 Kiera Hammond Planning and Highways Enforcement, North East Lincolnshire Council, Municipal Offices, Town Hall Square, Grimsby DN31 1HU. Tel. 01472 324082.

If you need independent advice about this notice, you are advised to contact urgently 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.

124 Humberston Fitties



11/11/2025, 11:10:26 AM

 Override 1

 GMS BLPU Points

