

DEVELOPMENT MANAGEMENT

APPEALS LIST - 28th May 2025

APPLICATION NUMBER & SITE ADDRESS	APPEAL REFERENCE & STATUS	OFFICER & PROCEDURE
DM/0046/22/TPO 24 Park Avenue Grimsby North East Lincolnshire DN32 0DQ	AP/020/22 INPROG	Paul Chaplin Fast Track
DM/1088/23/PAT Thorpe Park Holiday Camp Anthonys Bank Road Humberston North East Lincolnshire DN35 0PW	AP/015/24 INPROG	Bethany Loring Written Representation
DM/0431/24/FUL 10-30 Robinson Street East Grimsby North East Lincolnshire DN32 9AE	AP/001/25 INPROG	Becca Soulsby Written Representation
DM/0304/24/FUL Land Rear Of 205 - 207 Station Road New Waltham North East Lincolnshire	AP/002/25 INPROG	Owen Toop Written Representation
DM/0245/24/FUL 166 Weelsby Road Grimsby North East Lincolnshire DN32 8PJ	AP/003/25 INPROG	Bethany Loring Written Representation

DM/0568/23/OUT Land To The South Of Church Lane Humberston	AP/004/25 INPROG	Richard Limmer Written Representation
DM/0761/23/FUL Land Off Louth Road New Waltham North East Lincolnshire	AP/005/25 INPROG	Richard Limmer Informal Hearing
DM/0740/24/CEU 167 Hainton Avenue Grimsby North East Lincolnshire DN32 9LF	AP/006/25 INPROG	Bethany Loring Written Representation
DM/0943/23/FUL 22 The Curve Welholme Avenue Grimsby North East Lincolnshire DN32 0BE	AP/009/25 INPROG	Owen Toop Written Representation

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Appeal Decision

Site visit made on 12 May 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/B2002/D/25/3362781

Springfield, Main Road, Ashby-Cum-Fenby, North East Lincolnshire DN37 0QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Charles Slowikowsk against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0799/24/FULA.
 - The development proposed to erect a new boundary wall with access gates and post / parcel box with alterations to the existing highway access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is a contemporary property located within a village which has a rural setting in which boundary treatments vary and include walls, fencing and hedgerows/landscaping. The appeal site fronts onto a narrow road with the proposed boundary extending along the width of the plot.
4. The proposed wall would comprise a white coloured brickwork with powder coated grey metal panels without gaps, the gates would also comprise metal panels. The boundary would be of modern design to match the appeal property notwithstanding this the features of the boundary would be out of keeping with the setting of the appeal site. Despite the varying boundary treatments in the area, the appeal proposal fails to have regard to the local context and would introduce a stark urbanising form of development into the countryside.
5. The proposed boundary would be an incongruous feature impinging on the openness of the rural area. Whilst the appellant proposes to soften to a degree the appearance of the boundary by setting back the boundary and including roadside landscaping, the introduction of this urbanising development is in stark contrast to the countryside nature of the area.
6. I find that the development would harm the character and appearance of the area.

7. The proposed development would conflict with Policies 5 and 22 of the Planning for Growth, Local Plan 2013 to 2032 (2018) which amongst other things seeks to support the delivery of high-quality design.
8. There is also conflict with the National Planning Policy Framework (2024) which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings.

Conclusion

9. For the above reasons I conclude that this appeal should be dismissed.

Chris Pipe

INSPECTOR



Appeal Decision

Site visit made on 12 May 2025

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 May 2025

Appeal Ref: APP/B2002/Z/25/3363910

Jet, Scartho Road, Grimsby DN33 2BG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of an advertisement.
 - The appeal is made by Wildstone Estates Ltd against the decision of North East Lincolnshire Council.
 - The application Ref is DM/1049/24/ADV.
 - The development is described as proposal for a new D6 small-scale digital screen.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the advertisement on (i) public safety; and (ii) the amenity of the area.

Reasons

Public Safety

3. The appeal site is a Jet Petrol Filling Station (PFS) within a residential area. The PFS is located on the junction of Scartho Road and Sutcliffe Avenue, St Martin's Church a grade II listed building is located on the opposite side of the junction. Opposite the site is an area of open space leading onto Barretts Recreational Park. The proposed digital advertisement would comprise a freestanding totem 2,4m in height, with a static advertisement image (approximately 1.65m in height x 0.93m in width in size) which would change approximately every 10 seconds.
4. The National Planning Practice Guidance confirms that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards.
5. The proposed advertisement would be sited close to the onsite car wash and exit from the PFS, adjacent a signalised junction and pedestrian crossing, the changing static digital images would be obvious to road users.
6. Drivers of vehicles exiting the PFS would be looking to the right for a gap in traffic, drivers approaching the junction, northbound, would have a clear line of sight

towards the advertisement given the location of the screen within the freestanding totem which would be at eye level. The location of the proposed advertisement has the potential to distract drivers' attention away from oncoming traffic, vehicles exiting the PFS and pedestrians using the crossing which is within close proximity to the exit from PFS.

7. The appellant has provided accident data from the Council for a three year period (2022-2025) which specifies that a total of six accidents were recorded in the vicinity of the proposed sign location. One of these involved vehicles moving in a direction of travel towards the proposed sign location and resulted in slight injury.
8. Notwithstanding this I observed during my site visit, which whilst only a snapshot in time, that the junction was busy and that the pedestrian crossing near the location of the proposed advertisement was well used. I also noted that there are a few schools within the surrounding area which at certain times of the day would add to the use of the pedestrian crossing. This is confirmed by the Council in the documents before me in relation to Oasis Academy Wintringham to the east.
9. I am not persuaded that a prominent digital advertisement with changing images at this location would not constitute a source of distraction to motorists, to such a degree that there would not be a detriment effect on the safe flow of traffic and pedestrian safety. I conclude that the display of the proposed digital advertisement would harm public safety.
10. I have taken into account Policies 5 and 22 of the Planning for Growth, Local Plan 2013 to 2032 (2018) (the Local Plan) which seek to ensure that developments do not harm public safety and that developments have regard to access.
11. Given I have concluded that the proposal would harm public safety, the proposal conflicts with these policies.

Amenity

12. There are a significant number of advertisements at the PFS site, along with general PFS paraphernalia, whilst the application states that no existing advertisements are to be removed the appeal statement confirms that *the display will replace two existing freestanding advertisements in the same location*. I observed during my site visit that these freestanding advertisements (Costa Coffee and Londis) were low-level signs which are relatively unobtrusive when viewing the site from the wider area.
13. In assessing amenity, I have taking into account the advertisements on the PFS. The advertisement before me would be set against the backdrop of the PFS wall and fence boundary. Notwithstanding this the proposed advertisement would be of a scale which would be obvious in the streetscene. Whilst two advertisements would be removed due to the size, location and changing images the proposed advertisement would add to the visual clutter at the PFS which would detract from the amenity of the area.
14. I conclude that the display of the digital advertisement proposed would be detrimental to the amenity of the area.
15. I have taken into account Policies 5 and 22 of the Local Plan which amongst other things seeks advertisements to respect amenity taking into account the size, scale and impact upon neighbouring land uses and so is material in this case. Given I

have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Other Matters

16. The appellant has drawn my attention to other advertisements from various locations. I have not been provided with substantive details to compare these to the proposal before me. Notwithstanding this each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
17. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires decision makers, when considering whether to grant planning permission, to have special regard to the desirability of preserving the listed building or its setting or any feature of special architectural or historic interest which it possesses. The Council did not raise concern with regard to the proposed advertisement and the setting of the nearby listed building, St Martin's Church from the information before me I do not disagree.

Conclusion

18. The appeal is dismissed and express consent is refused for the new D6 small-scale digital screen as applied for.

Chris Pipe

INSPECTOR