



PLANNING COMMITTEE

25th March 2026 at 9.30 a.m.

Present:

Councillor Hasthorpe (in the Chair)
Councillors Bright, Cairns (substitute for Parkinson), Emmerson, Hudson, Humphrey, Kaczmarek, Lindley, Mickleburgh, Pettigrew and Shutt

Officers in attendance:

- Martin Dixon (Planning Manager)
- Cheryl Jarvis (Principal Planner)
- Richard Limmer (Senior Town Planner)
- Martin Ambler (Civil Enforcement Officer Supervisor)
- Lara Hattle (Senior Highway Development Control Officer)
- Adam Brockbank (Highway Development Control Officer)
- Tracy Lovejoy (Locum Lawyer)
- Charlotte Trench (Trainee Solicitor)
- Sophie Pickerden (Committee Support Officer)

Others in attendance:

There were fifteen members of the public and one member of the press present.

P.79 APOLOGIES FOR ABSENCE

Apologies for absence were received for this meeting from Councillor Parkinson.

P.80 DECLARATIONS OF INTEREST

Councillor Humphrey declared a pecuniary interest in P.82 Item 4 DM/0749/25/OUT as his spouse worked for the agent.

Councillor Pettigrew declared a non-registerable interest in P.82 Item 4 DM/0749/25/OUT as he knew the applicant.

Councillor Emmerson declared a pecuniary interest in P.82 Item 8 DM/0385/25/CND as his sister owned a competitive business.

P.81 MINUTES

RESOLVED – That the minutes of the Planning Committee meeting held on 25th February 2026 be approved as a correct record.

P.82 DEPOSITED PLANS AND APPLICATIONS

Item 1 - DM/0329/24/FUL – Land Off Southern Way, Immingham Docks, Immingham

Ms Lovejoy explained that, as the application had received no objections from statutory consultees and two objections from neighbours, it would normally be decided by officers under delegated powers. However, officers had sought to refer the decision to the Planning Committee. She read out the reasons for this, as detailed in the officer's report. Ms Lovejoy explained that officers had taken legal advice as detailed in their report, and asked committee members if they agreed to amend the scheme of delegation for the limited purpose of determining the application.

The committee unanimously voted to approve amending the scheme of delegation for this application.

Mr Limmer introduced the application and outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. He stated that the application was recommended for approval with conditions.

Mr Thompson spoke on behalf of the applicant. He said that whilst the application being considered was for one wind turbine, it was part of a portfolio of other applications submitted for across the Humber region, with another turbine being approved by North Lincolnshire Council a few weeks ago. Mr Thompson said that these individual projects played an important role in ABP's ambition of being a net zero business by 2040. He said that ABP's existing and potential new customers were increasingly asking for directly carbonised power for their own sustainability requirements and this was therefore a differentiating factor that helped keep ABP ports competitive in the regional and global environment. Mr Thompson said that a substantial number of photovoltaic panels had already been installed in Immingham and Hull. He said, however, that solar power could only partially assist the port, and a combination of wind power and solar power was optimal when trying to deliver on-site renewable energy. Mr Thompson said that another vital benefit to the proposed development was energy security as a provision of on-site renewable energy would provide cost control for ABP and ABP's customers, thereby helping to safeguard existing jobs and providing a foundation for growth. He said that having on-shore wind

at the port would help insulate from price shocks as we had all seen the impact on our domestic energy prices, which were capped by Ofgem whereas industrial energy prices were not capped and therefore exposed to volatile markets, with recent events in Iran emphasising that point. Mr Thompson said that by ABP reducing their electricity this reduced their demand on the grid and freed up capacity for future projects. He said that he was not going to repeat the detail of the officer's report, but it did conclude that what was proposed was an acceptable renewable energy development and accorded with national and local planning policy. Mr Thompson said that extensive consultation had taken place with their environmental regulator, including workshops with Natural England, RSPB, North East Lincolnshire ecologists and the local wildlife trusts. He stated that site visits had also taken place with the environmental regulators across all the Humber sites and the result of this was that there were no objections from any statutory consultees. Mr Thompson said that the application was before the Planning Committee as the application was the first of its kind and it was thought that the application would benefit from an open and transparent determination process. He said that ABP were aware of this and consultation events were held, with the result being that only two neighbour objections were submitted. Mr Thompson said that their experience was that their neighbours were broadly supportive of port related development as they recognised the benefits those developments brought to the region. He said that post construction, a community fund would be created. Mr Thompson said that he hoped committee members would support the application.

Councillor Mickleburgh said that although the applicant had said the wind turbine was part of a portfolio of wind turbines, the committee was only discussing one for North East Lincolnshire and it was proposed to be located in an industrial area, where the nearest place people resided was 700 metres away. He said that it would be the tallest structure in North East Lincolnshire and would therefore have an environmental impact, but as the applicant had referred to, we were living in strange times when it came to energy. Councillor Mickleburgh said that some people agreed with net zero and some didn't, but we should as a country try to be as dependent on our own energy supplies and not rely on supplies from other countries. He proposed that the application be approved with conditions.

Councillor Cairns sought clarification that the wind turbine would be located in an active coal storage area.

Mr Limmer confirmed that was correct.

Councillor Cairns asked if fire risk had been considered.

Mr Limmer stated that there had been no objections raised from the Humberside Fire Services.

Councillor Bright said that he agreed with Councillor Mickleburgh. He said that not everyone favoured wind turbines and the proposed wind

turbine would be the tallest structure in North East Lincolnshire by a good margin, but we were moving towards net zero whether people agreed or not. Councillor Bright stated that all the statutory consultees were happy with the application. He seconded the proposal to approve the application with conditions.

Councillor Lindley said that the council was always striving to promote the green agenda. He said that no objections had been received other than the objections from the two properties. Councillor Lindley said that the Lincolnshire Wildlife Trust had raised no objections to the application. He said that noise had also been mentioned but he thought that more noise was generated from the A180 in the residential areas. Councillor Lindley thought that, generally, these sorts of initiatives should be supported.

Councillor Emmerson also agreed with what Councillor Mickleburgh. He said that he had seen the same scheme on Liverpool docks where there were half a dozen wind turbines and that worked well, but with this application there was just the one turbine. Councillor Emmerson said that he would support the proposal to approve the application.

Councillor Shutt stated that he was fully supportive of the application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted unanimously for the application to be approved with conditions.)

Item 2 - DM/0415/20/OUT – South Of Diana Princess Of Wales Hospital, Kings Park, Williams Way, Grimsby

The Chair sought clarification that committee members had read the supplementary agenda. The committee responded that they had.

Ms Jarvis introduced the application and explained that it had been brought before the Planning Committee as it was seeking to remove a policy requirement relating to affordable housing. She outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Ms Jarvis stated that the application was recommended for approval with conditions, subject to the Section 106 agreement being signed.

Mr O'Reilly spoke on behalf of the developer. He said that he wanted to talk about some of the positives of the development. Mr O'Reilly stated that the development was of large scale and was a multi-unit development. He said that they had wanted to work more closely with the Trust next door, but unfortunately, they couldn't get to a point where they could sign a lease with us, so that wasn't viable. Mr O'Reilly said that they had demolished the poor-quality nurse accommodation, removed some asbestos and had improved the access to the hospital. He said that unfortunately as Ms Jarvis had outlined, the building contract was

signed prior to the pandemic and coming out of that, there was huge inflation rise in material costs and the contractor felt that it was no longer viable. Mr O'Reilly said that in Summer 2023, they had approached the local authority with the price increases and that was where the process had started get to where we are now with this application. He said that the overall costs were nearly £14 million and not £9.2 million so there had been a major impact. Mr O'Reilly stated that the remediation costs had acceded more than they had allowed for. He said that although there was a slight boom in sales value after covid, that petered off at about twelve months, and they now had forty-six units built and couldn't sell them for the asking price, so they were having to reduce the price by 10-20%. Mr O'Reilly said that it was a very difficult project to take forward in relation to viability. He said that they felt committed to finish the scheme but were needing some assistance and support.

Councillor Bright said that he was not too happy with losing the affordable housing on the site. He said that we knew the housing needs for the borough and if we allowed this site to not have affordable housing and potentially allow others, how would we ever fix our affordable housing needs. Councillor Bright said that it seemed like we were protecting the developers profit margin. He said that whilst the developer's report says the site was not viable, the report commissioned by the council stated that "any affordable housing payment will make the scheme less viable" but didn't say that it would be unviable. Councillor Bright said that we seemed to be giving everything away and the developer would still make their profit. He said that he didn't want to see the site left, but he was not happy with what was proposed.

Councillor Mickleburgh said that he shared the concerns raised by Councillor Bright. In the supplementary agenda, it was outlined that the developer's estimated profit would be £3.1 million pounds and that was a sizeable some of money and you could build quite a few houses with that. Councillor Mickleburgh asked whether we could really be expected to abandon the section 106 agreement when the developer's profit would be £3.1 million pounds. He said that surely something needed to be put back into the economy to benefit people.

Councillor Lindley said that the scheme had been delayed by various factors through no fault of the developer. He said that he was concerned about how the scheme was progressing. Councillor Lindley said that it was clear that there were many properties that were not yet sold and if the affordable housing contribution was removed, how would that impact sales. He said that he was frequently asked about the pedestrian access from Matthew Telford Park through to the Hospital and there were many people who lived at the top of Matthew Telford Park who worked at the hospital but used their cars to get there as it was quite a distance. Councillor Lindley said that were the pedestrian access to be completed it would attract people to walk there. He said that he was pleased to see the scheme moving forward but it was a shame about the affordable housing being removed from the site. Councillor Lindley proposed that the application be approved with conditions.

Councillor Shutt said that there had clearly been some challenges and he took on board the concerns about affordable housing as it was needed. He said that we had to consider the application on its own merit and he didn't want the project to fail. Councillor Shutt said that he wanted the applicant to make some money. He said that he was unsure about the application and he would normally be concerned about there not being affordable housing as it was needed, but on the other hand, officers were concerned about the long-term issues of the site. Councillor Shutt said that he would listen to the debate.

Councillor Hudson said that he agreed with Councillor Shutt. He said that there was a need for affordable housing, but if we didn't approve the application, we might not get any housing and be stuck with an unfinished site. Councillor Hudson said that it was a shame that there was not some affordable housing left as part of the application, but he understood the financial constraints.

Ms Jarvis said that the developer had looked at all sorts of way they could bring the site forward. She said that the reality was that the report outlined that there was a deficit without affordable housing, so would be a deficit on top of a deficit with affordable housing. Ms Jarvis said that there was never going to be affordable housing on this specific site, but it was going to be delivered elsewhere. She said that the development had provided benefits as when first approved, it was agreed that major improvements be made to the hospital access. Ms Jarvis said that the developers were committed to carrying out the works to the junction and making education contributions.

Mr Dixon said that valuation was determined by a set standard. He said that developers had to expect profit, and if they didn't make a profit, they wouldn't develop. Mr Dixon stated that without profit we wouldn't get developments.

Councillor Bright said that the lack of sales on the development, could be due to the price but could also be due to lack of demand.

Councillor Humphrey said that he didn't want the development to be left abandoned, but this was a good opportunity to deal with the issue of the access raised by Councillor Lindley. He asked whether we could look at the issue of access.

Ms Jarvis responded that there was still an intent from the developer to provide pedestrian access. She said that they could look at an earlier trigger. Ms Jarvis said that there were three plots left to be built in the first phase and we could amend condition two so that the pedestrian access be completed prior to the completion of the three remaining plots in the first phase.

Councillor Humphrey said that he would second Councillor Lindley's proposal with the amended condition.

Councillor Lindley agreed to that.

Councillor Lindley said that double yellow lines might be needed as a continuation from Matthew Telford Park as the pedestrian access might lead to people parking along that area instead of parking within the hospital site.

Councillor Kaczmarek sought clarification on what we would be losing, either in terms of houses provided or the financial aspects of it.

Ms Jarvis stated that it would be the financial contributions to the affordable housing we would be losing.

Mr Dixon referred committee members to the officer's report which outlined a figure of £1,247,600.

Councillor Kaczmarek said that he wanted the scheme to work and it was a brownfield site. He said that committee members were essentially being asked if we as a Council wanted to lose £1,247,600 for the development of the brownfield site. Councillor Kaczmarek said that he was unsure how he would vote.

Ms Jarvis outlined the suggested wording of condition two.

Councillor Lindley and Councillor Humphrey agreed to the amended condition.

RESOLVED – That the application be approved with conditions, subject to the amendment of condition two and the signing of a Section 106 Agreement.

(Note - the committee voted 7 for and 4 against for the application to be approved with conditions.)

Item 3 - DM/0245/22/FUL – South Of Diana Princess Of Wales Hospital, Kings Park, Williams Way, Grimsby

Ms Jarvis introduced the application and explained that the application had been brought before the Planning Committee as the original Section 106 agreement was never signed due to viability concerns and on the basis that the application was seeking to remove a policy requirement relating to affordable housing and the original number of objections received. She outlined to the committee the key matters regarding the application, as detailed in the officer's report within the agenda papers. Ms Jarvis stated that the application was recommended for approval with conditions subject to a Section 106 agreement being signed.

Mr O'Reilly spoke on behalf of the developer. Mr O'Reilly referred to major challenges that developers faced nationally, noting that building costs were going up but sales values were going down. There were also

remediation costs and interest to factor in. Mr O'Reilly said that it was extremely difficult to develop at the moment. He said that the viability report might say £3 million for phase one, but the only way he could pay for phase one was to build out the next phase and phase two to offset the £3 million pound loss on phase one.

Councillor Bright said that he had given reasons as to why he was not happy with losing the affordable housing, but he was fine with everything else. He said that he was unsure if demand was the reason for the lack of sales and not just price. Councillor Bright said that he was happy to support the application as the previous, related item was now decided.

Councillor Hudson proposed that the application be approved with conditions.

Councillor Lindley said that when the development was finished it would be a desirable area and that would hopefully encourage sales. He seconded the proposal to approve the application with conditions.

Councillor Shutt said that he was happy to support the proposal.

Councillor Mickleburgh said that it was a desirable area but that depended on if you had the money or not and a lot of people didn't. That was why he was concerned about the loss of affordable housing. He stated that he would not be supporting the proposal.

Councillor Emmerson said that nobody had raised the issue of the cricket pitch and the height of the fencing. He said that it was outlined in the officer's report that it hadn't been used since 2015 so he wasn't sure why we were developing it. Councillor Emmerson asked if Sports England were going to open it up and use it.

Ms Jarvis said that it was always intended as part of the original scheme, subject to there being a need for it. She said that should there be a demand for it, there would be a requirement to build it out.

Councillor Humphrey asked if there would be two separate education contributions for both primary and secondary education.

Ms Jarvis confirmed that was correct.

Councillor Kaczmarek sought clarification that the houses could be built, sold and occupied before the junction works were done as it stated that it didn't need to be done until the 55th house was built but that didn't include these specific houses.

Ms Jarvis said that the junction works were inherently linked to the outline application. She said that the traffic generated from this element was factored in when the junction's assessments were undertaken originally and there was more development proposed on this part of the site when the junction triggers were considered. Ms Jarvis said that the

trip generation and highway impacts were now inherently less than when it was first approved.

Councillor Kaczmarek sought clarification that the developer could sell over eighty houses before having to develop the junction.

Mr Dixon confirmed that was correct.

Councillor Kaczmarek said that he was not a fan of that, and whilst he appreciated that it was a different development, the two developments were in tandem. He asked whether there could be a condition to limit development until the junction improvements were completed.

Mr Dixon said that the Planning Committee approved this in April 2023, so we would be introducing a new issue that should have been raised in April 2023.

Councillor Kaczmarek said that he appreciated that, but in recent years, accident rates over Scartho Road had increased, and he thought that as part of removing the Section 106 agreement, the junction could be improved at an earlier stage, and that would be the applicant meeting us halfway.

Ms Hattle said that there was no evidence of more road safety issues at the junction. She said that this was approved in April 2023 and this particular application reduced the trip numbers, and it was deemed acceptable that the trigger be the 56th house on the other application for when the junction improvement needed doing.

RESOLVED - That the application be approved with conditions and subject to the signing of a Section 106 Agreement.

(Note - the committee voted 8 for 3 against for the application to be approved.)

Councillor Humphrey and Councillor Pettigrew left the meeting at this point.

Item 4 - DM/0749/25/OUT – Land Off Mushroom Lane, Brigsley

Mr Dixon introduced the application and explained that it had been brought before the Planning Committee due to an objection from Waltham Parish Council and that the site was a departure from the Council's Local Plan. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Dixon stated that the application was recommended for approval with conditions.

Mr Snowden spoke as the agent for the application. He said that the application was an outline application for nine dwellings. Mr Snowden

said that the application site was previously developed by the applicant with the previous development being a success and the applicant wanted to continue that. He said that the site was located to the edge of Waltham village and there would be significant landscaping. Mr Snowden said that ecology reports had been provided and the bio-diversity net gain would be in excess of ten percent, with the introduction of trees, hedgerows, swales and a pond. He said that the site would be accessed from Mushroom Lane and the roads were to be adopted by North East Lincolnshire Council. Mr Snowden said that it was an outline application, but the layout plan showed that the proposed development would not be detrimental to residents. He said that a drainage strategy had been prepared and surface water would be managed by sustainable methods. Mr Snowden said that a sustainability statement had been provided outlining that the site was within cycle and walking distance to the local centre. He said that the council could not demonstrate a five-year supply of deliverable housing land and the authority therefore needed to look at sites like this. Mr Snowden said that the application had received support from Brigsley Parish Council and a number of residents. Mr Snowden asked committee members to approve the application.

Councillor Hudson said that a previous application for this site for eight dwellings had been refused and the Planning Inspectorate agreed, citing sustainability concerns and adverse impact. He said that this application was only before the Planning Committee due to housing supply and we had a five-year housing supply until the government changed the figures. Councillor Hudson said it was only last month we had an application for development in Waltham and Councillor Pettigrew spoke of the roads being gridlocked. He said that it looked to be a good design, but you could say that about any bit of green area. Councillor Hudson said that he was struggling with the application, as if we said no, we risked the Planning Inspectorate overruling us. He said that he would listen to the debate.

Councillor Lindley said that he agreed with Councillor Hudson. He said that he was quite clear about applications outside of the Local Plan. Councillor Lindley said that the previous application was refused on appeal in July 2017 due to issues of sustainability and the impact on character of the area and nothing had changed since then. He said that in 2017, the site wasn't in the local plan, and we also weren't able to demonstrate a five-year housing supply. Councillor Lindley said that if the application went to the Planning Inspectorate for determination, then that was part of the planning process. He said that he judged every application on its own merit. Councillor Lindley couldn't see that anything had changed, and he didn't think the Planning Committee should be frightened of making big decisions.

Councillor Bright said that he shared some of the same concerns. He said that the application was refused in 2017 by the Planning Committee and the Planning Inspectorate, who concluded that the "proposal would represent built development projecting into the countryside and would be detrimental to the character and appearance of the area" and "would also

conflict with the Framework in relation to recognising the intrinsic character of the countryside and protecting the natural and built environment.” Councillor Bright said that whilst the titled balance needed to be considered, that didn’t mean we shouldn’t look at other policies such as policy 5d and policy 5i. He said that he agreed with Councillor Hudson and Councillor Lindley that nothing had changed, so why would we allow the proposed development now. Councillor Bright said that he was leaning towards supporting refusal.

Councillor Mickleburgh agreed with Councillor Lindley that we owe it to the people of the borough to consider every application on its own merit and what we thought as elected members, not whether there would be an appeal. He said that nothing had changed and whilst we were supposed to provide more homes, nine dwellings in a more affluent area of the borough wasn’t going to do much. Councillor Mickleburgh felt that the application remained against the Local Plan. Councillor Mickleburgh proposed that the application be refused.

Councillor Shutt said that it was frustrating to be making a decision today that was made for the right reasons many years ago. He said that we had a more elderly population that needed to be around services and yet all we tended to be looking at was developments that were out in rural locations. Councillor Shutt said that we had to also start thinking about what less affluent people needed. He was frustrated with the building of homes we didn’t really need. Councillor Shutt said that he was definitely against the application.

Councillor Lindley seconded the proposal to refuse the application.

Mr Dixon sought clarification that the reasons for the proposal to refuse the application was due to the impact on the character of the area, impact on countryside location and sustainability concerns.

Councillor Mickleburgh and Councillor Lindley agreed to those reasons.

RESOLVED – That the application be refused.

(Note - the committee voted unanimously for the application to be refused.)

Councillor Humphrey returned to the meeting at this point.

Item 5 - DM/0015/26/FULA – 22 South Marsh Road, Stallingborough

Mr Limmer introduced the application and explained that the application had been brought before the Planning Committee due to a call in from a ward councillor, Councillor Crofts. Mr Limmer outlined to the committee the key matters regarding the application as detailed in the officer’s report within the agenda papers. He said that the proposal represented a detrimental impact to the amenity of the neighbour by reason of

dominance and massing. He stated that the application was recommended for refusal.

Miss Pickerden read out a statement on behalf of Ms Wiseman objecting to the application.

Ms Wiseman apologised for being unable to attend the meeting. She stood by her objection to the proposed immense extensions to the property. Ms Wiseman felt that even though the plans had been slightly adjusted by the removal of an insignificant intersection on the original plans, it would still result, if approved, in a hefty, mammoth of a building that would overshadow her home and the new structure would be 'detrimental to her residential amenities and contrary to the Local Plan by over massing and dominance. She wrote that those were the very grounds the plans were understandably first refused for back in October 2024, and were now being recommended to be refused permission for a second time. Ms Wiseman wrote that increasing the building by around 2.5 metres was a huge expansion and would restrict her home immensely. She wrote that because of the enormity of the over development of the bungalow restricting the amenities, the use of her window as it would be completely obstructed, restriction of 'uninterrupted light' where a window that has been unobstructed for 20 years or more is protected (part of the Prescription Act 1832) would be completely blocked due to a massive wall. Ms Wiseman wrote that they had bought their house as a forever home over twenty years ago, taking into account its surroundings and having a bungalow as a neighbouring property. They never imagined that one day that bungalow would be constructed into a house of multiple occupancy if these plans were passed. She wrote that her side window would become redundant due to a humongous wall obstructing only a few feet away. Ms Wiseman thanked the Planning Committee for allowing her the time to be heard and to voice her very reasonable concerns regarding how the over massing and dominance of the property next door would be detrimental to her home's amenities.

Mr Singh spoke as the applicant. He said that this application was a resubmission of the previously refused application which was refused on the grounds of dominance and massing. Mr Singh said that they had redesigned the proposal and reduced the extension on the neighbouring side by almost eight feet. He said that this provided greater separation. Mr Singh said that the first floor had been remodelled so that there were no habitual rooms on the neighbour's side, only obscured glass bathroom windows. He said that he had submitted a shading and lighting test which had passed. Mr Singh said that there had been no objection from the parish council, highways officers, heritage officers or Anglian Water. He said that there was only one objection from their neighbour and the other objections were from people who didn't live near the property. Mr Singh said that one neighbour had written in support of their application saying their house was dwarfed by neighbouring properties. He said that the proposed extension would give them presence in the street which they didn't currently have. Mr Singh said that he desperately

needed space for his child and for his father to visit them. He asked committee members to support the application.

Councillor Crofts spoke as a ward councillor for the Immingham ward. He said that he was speaking on behalf of the application. Councillor Crofts said that a previous application was refused due to massing and dominance. He said those issues had been taken into consideration with this application. Councillor Crofts said that the gabled wall which was previously causing the application to be refused had been redesigned to a dutch gabled style roof line, so the side of the house looking onto the neighbour went further back. He stated that the actual structure of the roof was cut back and was a whole design change to stop dominance and massing. Councillor Crofts said that the issue of massing and dominance could be seen unfortunately on the new building on the right-hand side of the officer's photo. He said that no objections were received at the time from Number 22 as no one lived there, so the new builds went ahead setting a precedent in his eyes in what could be allowed to be built next to the bungalow. Unfortunately, Number 24 was now in the same situation. Councillor Crofts said that if someone had lived at Number 22 and had objected, would the Planning Department have allowed Number 20 to be built. He said that he understood the neighbour's concerns but felt that the Planning Department had already passed a dominant house and should reconsider this application and approve it as that would be a consistent process. Councillor Crofts wanted there to be a fair and consistent approach with the planning process. Councillor Crofts said that with a new design of the house and in keeping with the character of the village, he asked the committee to reconsider.

Councillor Hudson said that he thought the Planning Committee was right to refuse the application previously. He said that he liked what the applicant had done to the rear of the property and had stopped light blocking the objecting neighbours window. Councillor Hudson said that he thought the compromise worked and would make the bungalow look more in keeping with the area as it looked out of place at present and the design had been altered to solve the light issues. He thought he would support the application.

Councillor Bright said that he was in favour of the application previously and whilst he appreciated there were potential issues of overshadowing and dominating the property on the left, when you considered the property on the right that had been approved, we should be consistent in our decisions, particularly for neighbouring properties. Councillor Bright stated that he would support the application.

Councillor Lindley said that some work had been done to the application and the applicant's house was dwarfed on both sides and looked like an afterthought. He said that he thought the proposal would enhance the street scene. Councillor Lindley said that there was no shadowing on neighbouring properties. He said that he was happy to support the application.

Councillor Shutt said that he remembered the application well and whilst it was refused last time, he did think the applicant had thought about the application, understood the concerns of their neighbour and he liked the dutch style roof. He thought the proposed development would affect the neighbour as the applicant's house was affected by the property on the right, but he didn't think the applicant could go any further. Councillor Shutt said that he would support the application.

Mr Dixon stated that there had been references to the bungalow's surroundings, but two wrongs did not make a right, and the committee had to have regard to the neighbouring property and the issue of massing.

Councillor Mickleburgh said that he wasn't on the Planning Committee when it was considered previously but after listening to what people had said it seemed like an example of an application being refused and the applicant has gone away and come back with a much more sympathetic scheme. He proposed that the application be approved with conditions.

Councillor Lindley seconded the proposal to approve the application with conditions.

Mr Dixon asked for the reasons for the proposal.

Councillor Mickleburgh said that the proposal was not out of character with the area, and he didn't think it affected the wider character of the area. He said that there was also only one objection and whilst he understood their concerns, other people hadn't found it necessary to object and neither had the parish council, so they seemed to think the proposal didn't affect neighbouring amenity either.

Councillor Lindley said that the alterations were sympathetic to the street scene and the proposed height was comparable to the next-door property and there was no degree of overshadowing.

Mr Dixon sought clarification from Councillor Mickleburgh and Councillor Lindley that they didn't feel that there would be an adverse impact on the neighbouring property in terms of massing.

Councillor Mickleburgh and Councillor Lindley said they didn't.

Mr Limmer outlined proposed conditions.

Councillor Mickleburgh and Councillor Lindley agreed to the proposed conditions.

RESOLVED - That the application be approved with conditions.

(Note - the committee voted 9 for 1 against the application to be approved.)

Item 6 - DM/0617/25/CEA – 323 Wellington Street, Grimsby

Mr Dixon explained that the application had been brought before the Planning Committee due to a call in from the ward councillors, Councillor Aisthorpe and Councillor Beasant. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Dixon said that sufficient evidence had not been provided by the applicant to satisfy the Local Planning Authority, that on the balance of probabilities, the proposed use would be lawful. He stated that the application was therefore recommended for refusal.

Councillor Aisthorpe spoke as a ward councillor for the East Marsh ward. She said that herself and Councillor Beasant had called this application in on behalf of residents and the concerns they had raised as the matters produced in the officer's report were not clear at the time. Councillor Aisthorpe said that Wellington Street was a narrow busy terraced road, and parking was under pressure and even where limited parking was allowed, that didn't solve the problem. She said that there was simply not enough space, with vehicles forced to weave in and out creating conflict and making the road more difficult to navigate safely and even with parking controls in place, the street was under strain. Councillor Aisthorpe said that there was already a number of houses of multiple occupancy on the street with more emerging, that brought more occupants, more visitors and more demand on a street struggling to cope. She said that residents were also dealing with ongoing issues with some houses of multiple occupancy, such as poor waste management. Councillor Aisthorpe said that from a local perspective the concern was very clear, Wellington Street was already under pressure. She said that the current application came down to a legal test and as set out in the officer's report, the evidence had not been provided and if the evidence was not there, the case had not been made. Councillor Aisthorpe said that on that basis, she urged committee members to support the officer's recommendation.

Councillor Beasant spoke as a ward councillor for the East Marsh Ward. He said that when they had called in the application, they fully expected the application to be approved, but he had been proven wrong. Councillor Beasant welcomed the news that this property was not going to have a Certificate of Lawfulness in place.

Councillor Bright said that the applicant had to provide proof to prove history of the property and they hadn't. He proposed that the application be refused.

Councillor Kaczmarek seconded the proposal to refuse the application.

Councillor Mickleburgh said that this application was not about the rights and wrongs of houses of multiple occupancy but about whether the applicant had provided evidence to meet the legal requirement and they hadn't done so.

Councillor Cairns said that the lack of co-operation from the applicant was a worrying concern.

Councillor Emmerson referred to the agenda papers and the reference made to “best of his knowledge and belief” which he found concerning, as it should be confident knowledge and accurate. He said that it was an out of region developer with no knowledge of the area, no engagement with officers and they shouldn’t be allowed to rush the application through. Councillor Emmerson said that committee members should have all the evidence in front of them and the whole application was incompetent and incomplete.

RESOLVED – That the application be refused.

(Note - the committee voted unanimously for the application to be refused.)

Item 7 - DM/0679/25/CEA – 203 Stanley Street Grimsby

Mr Dixon introduced the application and explained that it had been brought before the Planning Committee due to a call in from the Ward Councillors, Councillor Aisthorpe and Councillor Beasant. He outlined to the committee the key matters regarding the application as detailed in the officer’s report within the agenda papers. Mr Dixon said that sufficient evidence had not been provided by the applicant to satisfy the Local Planning Authority, that on the balance of probabilities, the proposed use would be lawful. He stated that the application was therefore recommended for refusal.

Councillor Mickleburgh proposed that the application be refused. This was seconded by Councillor Bright.

RESOLVED – That the application be refused.

(Note - the committee voted unanimously for the application to be refused.)

Councillor Emmerson left the meeting at this point.

Item 8 - DM/0385/25/CND – Summerfields Louth Road Waltham

Ms Jarvis introduced the application and explained that the application had been brought before the Planning Committee due to the number of objections received. She outlined to the committee the key matters regarding the application as detailed in the officer’s report within the agenda papers. Ms Jarvis stated that the application was recommended for approval with conditions.

Councillor Cairns asked if the applicant had a license for dog breeding.

Mr Ambler responded that they had a licence.

Councillor Mickleburgh proposed that the application be approved.

Councillor Bright said that there appears to have been a lot of consultation and whilst he tended to be concerned when construction management plan conditions were changed, this seemed clear. He seconded the proposal to approve the application.

Councillor Shutt said that he was happy to support the application.

RESOLVED - That the application be approved with conditions.

(Note - the committee voted unanimously for the application to be approved.)

Councillor Emmerson returned to the meeting at this point.

P.83 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy, Environment and Infrastructure under delegated powers during the period 12th February – 12th March 2026.

RESOLVED – That the report be noted.

P.84 PLANNING APPEALS

The committee received a report from the Director of Economy, Environment and Infrastructure regarding outstanding planning appeals.

RESOLVED – That the report be noted.

P.85 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be excluded for the following business on the grounds that its discussion was likely to disclose exempt information within paragraph 6 of Schedule 12A of the Local Government Act 1972 (as amended).

P.86 ENFORCEMENT ISSUES

The committee considered any requests from any member of the committee to discuss any enforcement issues.

RESOLVED – That the enforcement issues raised by the committee be investigated further.

There being no further business, the Chair closed the meeting at 12.20pm.

Minute of the Planning Committee

Item: 1

Application Number: DM/0329/24/FUL

Application Type: Full Application

Application Site: Land Off Southern Way Immingham Docks Immingham

Proposal: Erection of one wind turbine (T2), measuring up to 149.9m to blade tip height. Associated ancillary infrastructure to include access tracks, hardstanding areas for the turbine location, electrical infrastructure, drainage works, temporary laydown areas, temporary construction compound and associated works 'amended Habitats Regulations Assessment (HRA) November 2024'

Applicant's Name and Address: Associated British Ports (ABP) 25 Bedford Street London WC2E9ES	Agent's Name and Address: Rob Collin Green Cat Renewables Ltd Midlothian Innovation Centre Roslin EH25 9RE
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Deposited: 28th March 2024

Accepted: 16th April 2024

Expiry Date: 6th August 2024

Agreed Extension of Time Date: 27th March 2024

Case Officer: Richard Limmer

Decision: Approved with Conditions

- 1 Condition
The development hereby permitted shall begin within three years of the date of this permission.

Reason
To comply with S.91 of the Town and Country Planning Act 1990.

2 Condition

The development shall be carried out in accordance with the following plans:

- C4933 (1) 100 - Immingham - Site Location
- C4933 (1) 101 - Immingham - Site Layout
- C4933 (1) 102 - Immingham - Cranepad Insets
- C4933 (1) 103 - Immingham - Cable Layout
- C4933 (1) 104 - Immingham - Turbine Elevation
- C4933 (1) 105 - Immingham - Foundation Details
- C4946 (1) 107 - Immingham - T2 Foundation Section
- C4933 (1) 106 - Immingham - Foundation Section
- C4933 (1) 108 - Immingham - Hardstanding Detail
- C4946 (1) 109 - Immingham - Access Sections
- C4933 (1) 110 - Immingham - Cable Details
- C4933 (1) 111 - Immingham - Drainage Details
- C4933 (1) 112 - Immingham - Fence and Gate Detail

Reason

For the avoidance of doubt and in the interests of proper planning.

3 Condition

The development hereby approved shall be temporary, for a period of 35 years from the date of first exportation of electricity from the site. The applicant, or their successor in title, shall notify the local planning authority in writing of the date of first exportation of electricity from the site.

Reason

To confirm the proposed 35-year temporary period of the permission for the avoidance of doubt and in the interests of proper planning.

4 Condition

Within a period of 34 years and 6 months following the date of first exportation of electricity from the site, a scheme for the decommissioning of the wind turbine and its ancillary equipment shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of how the land is to be restored, and shall include a programme for the completion of the decommissioning and restoration works. It shall make provision for the removal from the land of the wind turbine and associated above-ground works approved under this permission, as well as details of the management and timing of any works, a traffic management plan to address any likely traffic issues during the decommissioning period, and an environmental management plan to include details to be taken during the decommissioning period to protect wildlife and habitats. Thereafter, the decommissioning of the wind turbine shall be undertaken in accordance with the approved details and timings.

Reason

To ensure the decommissioning of the wind turbine and associated equipment, and restoration of the land, upon expiry of the temporary permission to accord with Policy 5 and 31 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

5 Condition

Prior to development commencing final details of the size, make, model, colour, type of finish and final finish of the wind turbine to be installed shall be submitted to and approved in writing by the Local Planning Authority. This shall include an assessment to ensure that the proposed turbine accords with the submitted Environmental Statement for this application.

Reason

In the interests of residential amenity, health and safety and ecological protection in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6 Condition

The development shall be carried out in accordance with the submitted flood risk assessment (dated August 2025, referenced C4946-1307 Version 4.0, compiled by Greencat Renewables) and the following mitigation measures it details:

- The turbine shall be sited on a raised foundation set no lower than 2.50m above the existing ground level.
- All critical equipment shall be set no lower than 4.30m above the existing ground level, as detailed in 'Response to EA' letter dated 28 August 2025.

These mitigation measures shall be fully implemented prior to operation of the turbine, and subsequently retained and maintained thereafter, throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and ensure that the development remains operational in accordance with policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

7 Condition

The development hereby permitted shall not be brought in to use until a flood warning and evacuation plan (FWEP) has been submitted to and approved in writing by the local planning authority. The details submitted shall include (but not be limited to) proposals for flood warnings and associated site-specific actions, signage and emergency access/egress. The plan shall be implemented in accordance with the approved details before the development is first brought into use and thereafter for the lifetime of the development.

Reason

To ensure the occupiers of the development are safe in a flood event in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

8 Condition

Upon North East Lincolnshire Council receiving any justified complaint in respect of shadow flicker from any receptor identified within chapter 11 Shadow Flicker of the Environmental Statement or from any other property, the council will inform the developer who will investigate the complaint and report the findings to the council within one month of the complaint being received. If shadow flicker mitigation is required, the developer will submit a shadow flicker mitigation scheme within two months of the complaint being received by the council. The shadow mitigation scheme shall be agreed in writing by the local planning authority and, once agreed, the scheme shall be installed on/in the turbine within one month of the shadow flicker mitigation scheme being agreed by the local planning authority.

Reason

To mitigate shadow flicker impacts on adjacent properties to safeguard amenity and health in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

9 Condition

Prior to commencing construction of any wind turbine generators, or deploying any construction equipment or temporal structure(s) 50 metres or more in height (above ground level) the undertaker must submit an aviation lighting scheme for the approval of the North East Lincolnshire Council in conjunction with the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as determined necessary for aviation safety by the Ministry of Defence.

This should set out:

- a) details of any construction equipment and temporal structures with a total height of 50 metres or greater (above ground level) that will be deployed during the construction of wind turbine generators and details of any aviation warning lighting that they will be fitted with; and
- b) the locations and heights of all wind turbine generators and any anemometry mast featured in the development identifying those that will be fitted with aviation warning lighting identifying the position of the lights on the wind turbine generators; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason

To maintain aviation safety in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

10 Condition

The undertaker must notify the Ministry of Defence and Local Planning Authority, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of wind turbine generators;
- b) the maximum height of any construction equipment to be used in the erection of the wind turbines;
- c) the date any wind turbine generators are brought into use;
- d) the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).

The Ministry of Defence and Local Planning Authority must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason

To maintain aviation safety in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

11 Condition

No development shall commence until a scheme for the sustainable provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and thereafter maintained and retained.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

12 Condition

Prior to the commencement of construction works on site detailed specifications of the type of piling/ground improvement/foundations to be used to support the buildings/structures shall be submitted to the Local Planning Authority for approval. Included shall be a scheme to mitigate the effects of the design with particular regard to noise and vibration to the surrounding premises and pollution to the underlying chalk aquifer. The foundations shall be carried out/constructed in accordance with the approved details unless variations are approved in writing by the Local Planning Authority.

Reason

To ensure that the proposed piling does not harm groundwater resources in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032

(adopted 2018).

13 Condition

No stage of the development hereby permitted shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

Noise and vibration - the CEMP shall set out the particulars of:

- (a) the works, and the method by which they are to be carried out;
- (b) the noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- (c) a scheme for monitoring the noise and vibration during the works to ensure compliance with the noise limits and the effectiveness of the attenuation measures.
- (d) working hours

Light - the CEMP shall set out the particulars of:

- (a) specified locations for contractors' compounds and materials storage areas;
- (b) areas where lighting will be required for health and safety purposes;
- (c) the location of potential temporary floodlights;
- (d) the identification of sensitive receptors likely to be impacted upon by light nuisance;
- (e) proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust - the CEMP shall set out the particulars of:

- (a) site dust monitoring, recording and complaint investigation procedures;
- (b) the identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied;
- (c) the provision of water to the site;
- (d) dust mitigation techniques at all stages of development;
- (e) the prevention of dust trackout;
- (f) communication with residents and other receptors;
- (g) a commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the local authority;
- (h) a 'no burning of waste' policy.

Reason

In the interest of ecological protection and to safeguard residential amenity in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

14 Condition

No part of the hereby approved wind turbine shall be erected above ground until a Primary Radar Mitigation Scheme has been agreed between the Airport

Operator and ABP, and has been submitted to, and approved in writing by the Local Planning Authority.

No blades shall be fitted to any Turbine until the approved Primary Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.

Reason

To protect the interests Primary Radar of the Airport Operator located at Humberside International Airport, and the associated air traffic management operations in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

15 Condition

Following the assessment methodology contained within Section 7.5 of the report entitled ES Chapter 7: Noise - Port of Immingham Wind Turbines, reference: C4946 1307 version 1, of this planning application, the noise emission from the wind turbine shall not exceed the limits detailed in Tables 7.10 and 7.11 of the aforementioned report at the identified dwellings.

Reason

In the interests of local amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

16 Condition

The rating level of noise emissions from the combined effects of the wind turbines (including the application of any penalties for tonal and/or amplitude modulation components), when determined in accordance with the Template Planning Condition on Amplitude Modulation Noise Guidance Notes dated December 2013, produced by Renewables UK (Guidance 2013), shall not exceed the values for the relevant integer wind speeds set out in, or derived from tables 1 to 3 of Guidance 2013 at any dwelling which is lawfully existing or has planning permission at the date of this permission and

a) The wind turbine operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance 2013, Guidance Note 1(d). These data shall be retained for a period of not less than 24 months. The wind turbine operator shall provide this information in the format set out in Guidance 2013, Guidance Note 1(e) to the Local Planning Authority on its request, within 14 days of receipt in writing of such a request.

b) No electricity shall be exported until the wind turbine operator has submitted to the Local Planning Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Planning Authority.

c) Within 21 days from receipt of a written request from the Local Planning Authority following a complaint to it from an occupant of a dwelling alleging noise

disturbance at that dwelling, the wind turbine operator shall, at its expense, employ a consultant approved by the Local Planning Authority to assess the level of noise emissions from the wind turbine at the complainants property in accordance with the procedures described in Guidance 2013. The written request from the Local Planning Authority shall set out at least the date, time and location that the complaint relates to and any identified atmospheric conditions, including wind direction, and include a statement as to whether, in the opinion of the Local Planning Authority, the noise giving rise to the complaint contains or is likely to contain a tonal component or an amplitude modulation component which may attract a penalty under these conditions.

d) The assessment of the rating level of noise emissions shall be undertaken in accordance with an assessment protocol that shall previously have been submitted to and approved in writing by the Local Planning Authority. The protocol shall include the proposed measurement location identified in accordance with the Guidance 2013, Guidance Notes where measurements for compliance checking purposes shall be undertaken, whether noise giving rise to the complaint contains or is likely to contain a tonal component or an amplitude modulation component, which may attract a penalty under these conditions, and also the range of meteorological and operational conditions (which shall include the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise emissions. The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Local Planning Authority under paragraph (c), and such others as the independent consultant considers likely to result in a breach of the noise limits.

e) Where a dwelling to which a complaint is related is not listed in the tables attached to these conditions, the wind turbine operator shall submit to the Local Planning Authority for written approval proposed noise limits selected from those listed in the Tables to be adopted at the complainants dwelling for compliance checking purposes. The proposed noise limits are to be those limits selected from the Tables specified for a listed location which the independent consultant considers as being likely to experience the most similar background noise environment to that experienced at the complainants dwelling. The rating level of noise emissions resulting from the combined effects of the wind turbines when determined in accordance with the attached Guidance Notes shall not exceed the noise limits approved in writing by the Local Planning Authority for the complainants dwelling.

f) The wind turbine operator shall provide to the Local Planning Authority the independent consultants assessment of the rating level of noise emissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Planning Authority for compliance measurements to be made under paragraph (c), unless the time limit is extended in writing by the Local Planning Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e) of Guidance 2013. The instrumentation used to undertake the measurements shall be calibrated in accordance with Guidance Note 1(a) and certificates of calibration

shall be submitted to the Local Planning Authority with the independent consultants assessment of the rating level of noise emissions.

Reason

In the interests of general and residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

17 Condition

If during development contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately, and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. Remediation shall take place in accordance with the details approved.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

18 Condition

No works related to the development hereby approved shall begin until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should include, but not be limited to the following:

- Contact details of the person with responsibility for the implementation of the CTMP;
- The expected number, types and size of vehicles during the entire construction period;
- The proposed daily hours of operation during the construction period;
- Details of on-site parking provision for construction related vehicles;
- Details of on-site storage areas for materials, if required;
- Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and
- Details of wheel washing facilities (locations, types etc.)

Once approved, the CTMP shall be adhered to at all times during construction.

Reason

To ensure adequate access facilities are provided during construction, and for highway safety reasons in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

19 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act

1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be North East Lincolnshire Council, or the Secretary of State (where they have determined under sections 62A, 76A or 77 of the Town and Country Planning Act 1990 (as amended) that such applications must be made to them) or the Planning Inspectorate or Secretary of state where they have so specified in determining an appeal under s 78 of the Town and Country Planning Act 1990 (as amended).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. It is the applicant or developers responsibility to make sure that they are complying with the requirements of this legislation.

Where this permission has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.2 applies.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition can be found at <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would support the decarbonisation of the port and support economic development and would not harm the area character or residential or general amenity and is acceptable under all other planning considerations including ecological considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 7, 22, 31, 39, 41 and 42 .

2 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 working with the applicant to overcome issues as they arose through the planning process..

3 Informative

The applicant's attention is drawn to the comments made by Network Rail, Cadent, National Gas and National Grid in regard to working in proximity to their assets.

4 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

Minute of the Planning Committee 25th March 2026

Item: 2

Application Number: DM/0415/20/OUT

Application Type: Outline Application

Application Site: South Of Diana Princess Of Wales Hospital Kings Park,
Williams Way Grimsby North East Lincolnshire

Proposal: Amended description - Variation of Condition 18 (Junction Improvement Works) as granted on DM/0937/15/OUT (Outline application for residential development for up to 131 dwellings with Step Down Care Unit (approximately 40 bedrooms), Assisted Living Unit (approximately 80 bedrooms), Retirement Living Unit (approximately 59 apartments), NHS Trust Accommodation (approximately 125 apartments & 96 student bedrooms) and club house, with means of access to be considered) to enable the occupation of 56 dwellings prior to junction improvement works being commenced at Scartho Top with supporting verification information (condition 14) and additional information to support the removal of the affordable housing contribution

<p>Applicant's Name and Address: Mr Kevin Stevens E5 Living (Grimsby) Ltd The Coach House Oldberrow Manor Ullenhall Lane Ullenhall Warwickshire B95 5PF</p>	<p>Agent's Name and Address: Mr Benjamin Gath Hodson Architects The Old Post Office Yarra Road Cleethorpes North East Lincolnshire DN35 8LS</p>
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Deposited: 4th June 2020

Accepted: 17th July 2025

Expiry Date: 16th October 2025

Agreed Extension of Time Date:

Case Officer: Cheryl Jarvis

Decision: Approved Conditions and signing of S106

1 Condition

A final scheme for the disposal of foul and surface water drainage, including an implementation plan, shall be submitted to and approved in writing by the Local Planning Authority before development above base course level occurs in Zone 6. Once approved, the drainage shall be installed in strict accordance with the approved details.

In relation to Zone 1, the drainage shall be retained in accordance with DM/0440/17/CND.

In relation to Zones 3A and 3B, the drainage shall be completed and retained in accordance with DM/0316/19/CND.

Reason

To ensure appropriate provisions for the disposal of surface and foul water for the lifetime of the development and to reduce the risk and impact of flooding, to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

2 Condition

The access segregation between Williams Way and the junction with the hospital within the site shall be completed in accordance with the details approved under DM/0417/21/CND before the final plot in Zones 3A and 3B is occupied (Either plot 1, 2 or 3 whichever is the later). It shall be retained as approved thereafter.

Reason

In the interests of highway safety and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

3 Condition

Prior to the occupation of any dwelling in Zone 6, a Parking Management Strategy for it; including a schedule for implementation, shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the strategy shall be implemented as specified and approved and adhered to thereafter.

The Parking Management Plan approved under DM/0417/21/CND for Zones 3A and 3B shall be adhered to at all times.

Reason

In the interests of highway safety and to accord with Policy 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4 Condition

Development in Zone 6 shall not progress above base course level until the following details for it have been submitted to and approved in writing by the Local Planning Authority:-

(i) Detailed plans to a scale of at least 1/500 showing:-

- (a) the proposed layout of the access road and footways to the entrance of the development;
- (b) the wearing course materials proposed for the access road and footways;
- (c) cross sections;
- (d) the highway drainage system;
- (e) the proposed locations of street lighting columns, all services and ducts for services, within the access road and footways;
- (f) a schedule for implementation;

Once approved, the development shall only be carried out in accordance with the approved details.

Zones 3A and 3B shall be completed in accordance with details submitted and approved under DM/0316/19/CND.

Reason

To ensure safe and appropriate access into the development and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

5 Condition

Prior to development commencing above base course level in Zone 6 a Construction Management Plan for it shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall contain details of the following:

- Contractor and visitor parking;
- Contractors compound;
- Area for deliveries;
- Wheel cleaning;
- The routing of construction traffic;
- Phasing of construction/demolition;
- Noise reduction methods;
- Dust suppression techniques;
- Hours of construction.

Once approved, the development shall proceed in strict accordance with the approved details and be adhered to at all times during construction works.

Zones 3A and 3B shall be completed in strict accordance with the Construction Management Plan approved under DM/0316/19/CND.

Reason

To protect the amenities of neighbouring land uses and for highway safety reasons, to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

6 Condition

Insofar as ecology matters are concerned, Zone 1 shall be retained as approved DM/0631/17/CND, Zones 3A and 3B shall be completed and retained as approved under DM/0417/21/CND and Zone 6 shall be completed and retained under DM/0739/22/CND.

Reason

To protect existing species and to promote biodiversity to accord with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

7 Condition

Before occupation of any dwelling within Zone 6, a Travel Plan for it shall be submitted to and approved in writing by the Local Planning Authority. Once approved, it shall be implemented and adhered to at all times following first occupation.

Zone 1 shall be occupied in accordance with the Travel Plan submitted and approved under DM/0857/18/CND and adhered to at all times.

Zones 3A and 3B shall be occupied in accordance with the Travel Plan submitted and approved under DM/0417/21/CND and adhered to at all times.

Reason

In the interests of sustainable development and to accord with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

8 Condition

A detailed remediation scheme to bring Zone 6 to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

For Zones 3A and 3B development shall be completed in accordance with the Jem Build Remediation Method Statement and Verification strategy dated 12th February 2020 and the TLP Ground Investigations Supplementary Ground Investigation dated 16th September 2019 approved under DM/0316/19/CND.

Reason

To ensure that contamination is dealt with appropriately and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

9 Condition

Following completion of measures identified in the approved remediation scheme, a verification report for Zone 6 that demonstrates the effectiveness of the remediation carried out within that zone must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that contamination is dealt with appropriately and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

10 Condition

In the event that contamination is found at any time when carrying out the approved development within Zones 3A, 3B or Zone 6 that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure any unsuspected contamination is dealt with appropriately and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

11 Condition

Any piling, foundations and ground improvement for Zones 3A and 3B shall be completed in accordance with the details submitted to and approved under DM/0316/19/CND and Zone 6 shall be completed in accordance with the details submitted to and approved under DM/0739/22/CND unless, otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the amenities of nearby residents and to ensure the integrity of the underlying aquifer is not compromised and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

- 12 Condition
Development shall be completed in strict accordance with the revised Zoning Plan approved under DM/0405/19/REM.
- Reason
In the interests of amenity and safety and to ensure the operational efficiency of the hospital is not compromised, to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).
- 13 Condition
The improvements to the Matthew Telford Park/Scartho Road junction shall be completed, in accordance with the details approved under DM/0316/19/CND, prior to the occupation of the 56th dwelling within Zones 3A and 3B.
- Reason
To mitigate the impacts of development on the local highway network and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).
- 14 Condition
No dwelling within Zones 3A, 3B or Zone 6 shall be occupied, until the parking associated to that dwelling has been completed in full and made available for use.
- Reason
To ensure satisfactory parking provision for the development and to accord with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).
- 15 Condition
The development shall be carried out in accordance with the following plans:

Masterplan - 9221 (pp) 14 Rev C
Location Plan - PP01B
Topographical Survey - 10436-137
Utilities Plan - 6221- PP06A
- Reason
For the avoidance of doubt and in the interests of proper planning.
- 16 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be North East Lincolnshire Council, or the Secretary of State (where they have determined under sections 62A, 76A or 77 of the Town and Country Planning Act 1990 (as amended) that such applications must be made to them) or the Planning Inspectorate or Secretary of state where they have so specified in determining an appeal under s 78 of the Town and Country Planning Act 1990 (as amended).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. It is the applicant or developers responsibility to make sure that they are complying with the requirements of this legislation.

Where this permission has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 1 applies.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition can be found at <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006);
and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain

Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990
If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Informatives

- 1 Reason for Approval
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The amendments to the application have been considered in detail and following further information and justification are considered to be acceptable. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 6, 13, 15, 16, 17, 18, 22, 33, 34, 36, 37, 38, 39, 41, 42 and 43.
- 2 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 securing amended and additional information to support the decision making process.

- 3 Informative
Please note the comments of Humberside Fire and Rescue with regards to access and water supplies for firefighting and the Council's Waste Team regarding bin collections.
- 4 Informative
This application should be read in conjunction with the Section 106 Agreement.
- 5 Informative
This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.
- 6 Informative
Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).
- 7 Informative
As works are required within the existing Highway, you are required to contact the Highways Management Section at least three months in advance of the commencement of works (Tel: 01472 324431).

Separately, a section 278 agreement will be required for the proposed junction improvements.
- 8 Informative
Please be advised that there is a public right of way (Grimsby FP4) running adjacent to the southern boundary of this site and crossing the site entrance road. At no time should public use of this path be prevented or the surface damaged both during and after development takes place.
- 9 Informative
The site is within the sewerage catchment of Pyewipe (Grimsby) WRC, so would be expected to connect to it. Previously the WRC had permitted headroom to accommodate the proposed number of houses. However, headroom may now have been taken by other developments which have had planning permission granted. In the light of this, the developer should contact Anglian Water Services (AWS) at their earliest convenience to ascertain whether any upgrades to the

treatment and/or collection facilities would be needed to accommodate the proposed number of houses.

Minute of the Planning Committee 25th March 2026

Item: 3

Application Number: DM/0245/22/FUL

Application Type: Full Application

Application Site: South Of Diana Princess Of Wales Hospital Kings Park, Off Williams Way Grimsby North East Lincolnshire

Proposal: AMENDED DESCRIPTION - Erect 29 dwellings with associated highways and landscape works, cricket ball stop netting and supports to the south side of the cricket pitch between 9-15m in height and information to support the removal of the affordable housing contribution

Applicant's Name and Address: Stevens E5 Living Grimsby The Coach House Oldberrow Manor Warwickshire B95 5PF	Agent's Name and Address: Adam Fulton Hodson Architects The Old Post Office Cleethorpes DN35 8LS
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Deposited: 21st March 2022

Accepted: 7th November 2022

Expiry Date: 6th February 2023

Agreed Extension of Time Date: 28th April 2023

Case Officer: Cheryl Jarvis

Decision: Approved Conditions and signing of S106

- 1 Condition
The development shall be carried out in accordance with the following plans:

Site Location Plan - 2427.E3-001B

Proposed Block Plan - 2427.P3-002 Rev D

Proposed Block Plan - Swift Boxes - 2427.T004 Rev A

Proposed Block Plan - Boundary Treatments - 2427.T005 Rev A
Proposed Block Plan - Materials - 2427.T006 Rev A
House Type 4 - 2427-HA-A8-ZZ-DR-A-T4100 Rev P01
House Type 4 (H) - E5-HA-A04-ZZ-DR-A-4100 Rev P01
House Type 6 - E5-HA-A1-ZZ-DR-A-6100 Rev P01
House Type 6 (H) - E5-HA-A1-ZZ-DR-A-6100 Rev P01
House Type 6C - E5-HA-A1-ZZ-DR-A-6100 Rev P01
House Type 6C (H) - E5-HA-A1-ZZ-DR-A-6100 Rev P01
House Type 07A - E5-HA-A1-ZZ-DR-A-7A100 Rev P01
House Type 07A (H) - E5-HA-A1-ZZ-DR-A-7A100 Rev P01
House Type 07A.2 - E5-HA-A1-ZZ-DR-A-7A200 Rev P01
House Type 7C.2 - E5-HA-A7C-ZZ-DR-A-7C200 Rev P01

Reason

For the avoidance of doubt and in the interests of proper planning and in accordance with Policies set out in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

2 Condition

The external materials to be used in the construction of the dwellings shall be as specified on drawing 2427.T006 Rev A. All other materials to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority before they are utilised. Once approved, development shall proceed in accordance with the approved details unless otherwise submitted to and agreed in writing by the Local Planning Authority.

Reason

In the interests of good design and character and in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

3 Condition

No development above base course level shall commence until a final scheme for the provision of surface water drainage including a management and maintenance plan have been submitted to and approved in writing by the Local Planning Authority. All drainage shall be installed before the first house is occupied in accordance with the approved details unless, an alternative scheme or timeframe is subsequently submitted to and approved in writing by the Local Planning Authority. Management and maintenance following installation shall be in strict accordance with the approved details.

Reason

In the interests of ensuring a satisfactory means of surface water disposal and in the interests of flood risk in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4 Condition

No development above base course level shall commence until:

- (a) A final scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees and shrubs to be planted;
- (b) A plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;
- (c) Measures for the protection of trees and hedges during construction work;
- (d) An Arboricultural Implications Assessment (AIA) and Arboricultural Method Statement (AMS)

have been submitted to and approved in writing by the Local Planning Authority. All tree protection shall be installed as approved before any further works on site commence. It shall be retained on site for the duration of all construction works.

The scheme of landscaping approved through a) and b) shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season. Development shall accord with the approved specifications and Method Statements.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

5 Condition

Each dwelling shall be completed in accordance with the Water Efficiency Statement received 8th June 2023 and the measures retained thereafter.

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

6 Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be taken in or dispatched from the site in connection with the demolition and construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time.

Reason

To protect the amenities of nearby residents and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

7 Condition
No further development shall commence until a Construction Management and Traffic Plan (CMTP) has been submitted to and approved in writing by the Local Planning Authority. The CMTP shall include:

- Details of the control measures that will be employed to control the impact of noise, vibration and dust during the construction phase. The noise assessment must comply with the requirements of British Standard 5228.
- Contact details of the person with responsibility for the implementation of the Plan;
- The expected number, types and size of vehicles during the entire construction period;
- Details of on-site parking provision for construction related vehicles;
- Details of on-site storage areas for materials and temporary fencing to the site;
- Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), and
- Details of wheel washing facilities (locations, types etc.).

The approved Plan and control measures it contains shall be implemented throughout the construction phase. There shall be no burning of construction waste material on site.

Reason

In the interests of public health, to protect the amenities of nearby residents, to ensure adequate access facilities are provided during construction and for highway safety reasons to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

8 Condition
The development shall be constructed in accordance with the working practises outlined in the Ecological Appraisal and its subsequent appendices.

The scheme of Ecological enhancement stated in the Ecological Appraisal and as shown on drawing 2427.T004 Rev A shall be implemented for each dwelling it relates to before that individual dwelling is occupied. The measures shall be retained thereafter.

Reason

In the interests of ecological preservation, mitigation and enhancement and to accord with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

9 Condition
The development hereby approved shall not be occupied until full details of the final design, layout and specification of the ball stop mitigation, including details of its management and maintenance responsibilities, as set out in the Labosport Technical Report titled: 'Boundary Strike Assessment: - Scartho Road - Cricket Pitch', dated 09 February 2023, have been submitted to and approved

in writing by the Local Planning Authority, after consultation with Sport England. Included, shall be a scheme for implementation. The approved details shall be installed in full and maintained and managed thereafter as approved.

Reason

To provide protection for the occupants of the development from potential ball strikes from the adjacent cricket pitch and to accord with Policy 43 of the North East Lincolnshire Local Plan 2023-2032 (Adopted 2018).

10 Condition

No highway or access works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority.

(i) Detailed plans to a scale of at least 1/500 showing:-

- (a) the proposed layout of the carriageways and footways on the development;
- (b) the wearing course materials proposed for the carriageways and footways;
- (c) cross sections;
- (d) the highway drainage system;
- (e) the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
- (f) the number, location and layout of the vehicle garaging and/or parking facilities within the site to serve the proposed development;
- (g) management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;
- (h) swept path analysis demonstrating turning manoeuvres for emergency vehicles on all carriageways (adopted and private), and refuse vehicles on all adopted carriageways;

Once approved, development shall proceed in strict accordance with the approved details.

Reason

To ensure that the proposed access roads are made up as soon as possible and in the interests of public safety and in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

11 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission, would be North East Lincolnshire Council, or the Secretary of State (where they have

determined under sections 62A, 76A or 77 of the Town and Country Planning Act 1990 (as amended) that such applications must be made to them) or the Planning Inspectorate or Secretary of state where they have so specified in determining an appeal under s 78 of the Town and Country Planning Act 1990 (as amended).

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. It is the applicant or developers responsibility to make sure that they are complying with the requirements of this legislation.

Where this permission has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 1 applies.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition can be found at <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:
i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990
If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Informatives

- 1 Reason for Approval
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. This residential development represents a good form of development that would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 6, 13, 15, 17, 18, 22, 33, 34, 36, 38, 39, 41, 42 and 43.
- 2 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 securing amended plans and information to respond to consultee comments and matters arising.
- 3 Informative

Please note the informative advice provided by:

Humberside Fire and Rescue (3rd November 2025)
Northern Powergrid (3rd November 2025)
Public Rights of Way Officer (3rd November 2025)
Anglian Water (7th November 2025 and 2nd May 2023)
Crime Reduction Officer (20th January 2023)
Cadent Gas (20th June 2022)

which can be viewed on the council's website.

4 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

5 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

6 Informative

In accordance with Approved Document S of the Building Regulations you will be required to install electric vehicle charging points as part of the development.

7 Informative

If the highways within the site are to be adopted by the Council, in accordance with Section 38 of the Highways Act 1980, please contact the Highway Management Team six months in advance of the commencement of works. (Tel: 01472 324505).

If the footway or carriageway is damaged as a consequence of any excavation or any other operations relating to the development, the Highway Authority may make good the damage and recover expenses reasonably incurred. You are required to contact the Highway Management Team at least 4 weeks prior to commencement of works to arrange for a highway pre-condition inspection (Tel: 01472 324431).

As works are required within the existing highway, in accordance with Section 278, Highways Act 1980, in order to enable the development to take place, please contact the Highway Management Team at least 6 months in advance of the commencement of works (Tel: 01472 324505).

Minute of the Planning Committee 25th March 2026

Item: 4

Application Number: DM/0749/25/OUT

Application Type: Outline Application

Application Site: Land Off Mushroom Lane Brigsley North East Lincolnshire
DN37 0BJ

Proposal: Outline application for nine dwellings and garages with access to be considered and all other matters reserved (AMENDED PLANS AND DESCRIPTION - ALTERATIONS TO ACCESS)

Applicant's Name and Address: Mr & Mrs P Hansen 6 Mushroom Lane Brigsley North East Lincolnshire DN37 0BJ	Agent's Name and Address: Mr Daniel Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby North East Lincolnshire DN32 0QH
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Deposited: 27th August 2025

Accepted: 27th August 2025

Expiry Date: 22nd October 2025

Agreed Extension of Time Date: 27th March 2026

Case Officer: Lauren Birkwood

Decision: Refused

- 1 The site is located outside of the development boundary as established through the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and shown upon the proposals map as within open countryside. Due to the sites rural location, the proposed development for nine dwellings would extend into the open countryside and the built form would harm the visual appearance and character of the area and result in in an unsustainable residential environment due to the sites distance from main services and facilities. The development

would be contrary to policies 3 and 5 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and advice in the National Planning Policy Framework.

Minute of the Planning Committee 25th March 2026

Item: 5

Application Number: DM/0015/26/FULA

Application Type: Accredited Agent - Homeholder application

Application Site: 22 South Marsh Road Stallingborough North East
Lincolnshire DN41 8AN

Proposal: Raise roof height to create first floor accommodation. Erect extensions to front and rear with front and rear dormers. Demolish existing garage and erect new detached garage to rear, associated internal and external alterations and retrospective permission for new boundary wall/pillars and gates to front.

Applicant's Name and Address: Mrs K Kaur 22 South Marsh Road Stallingborough North East Lincolnshire DN41 8AN	Agent's Name and Address: Mr Byron Smith By Design 47 The Avenue Healing Grimsby North East Lincolnshire DN41 7NA
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Deposited: 7th January 2026

Accepted: 21st January 2026

Expiry Date: 18th March 2026

Agreed Extension of Time Date:

Case Officer: Abigail Hattersley

Decision: Approved with Conditions

- 1 Condition
The development hereby permitted shall begin within three years of the date of this permission.

Reason

To comply with S.91 of the Town and Country Planning Act 1990.

2 Condition

The development shall be carried out in accordance with the following plans:

3809-011 Site Location and block plans

3809-02 Existing plans and elevations

3809-04 Existing and proposed garage and boundary plans

3809-06 Proposed plans and elevations

3809-07 Proposed elevations

Reason

For the avoidance of doubt and in the interests of proper planning.

3 Condition

The development shall be built out in accordance with the surface water drainage scheme as detailed on plan ref: 3809-011, the detailed drainage scheme shall be fully installed prior to the development first coming into use and thereafter maintained.

Reason

In the interests of reducing flood risk in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

4 Condition

The development shall be built out in accordance with the external construction materials as detailed on plan ref: 3809-06 and 3809-07 and the application forms, unless otherwise first approved in writing by the Local Planning Authority.

Reason

In the interests of visual amenity in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

5 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 in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6 Condition

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Construction Method Statement shall provide details for:-

- Wheel washing facilities;
- Dust and noise control;
- Location of site cabins and storage of construction materials;
- Contractor parking;

The development shall then be constructed in accordance with the approved details.

Reason

To protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The development is considered to be acceptable in regard to design, appearance, drainage and the impact on neighbouring properties amenities with specific regard to dominance and adverse massing.

**Minute of the Planning Committee
25th March 2026**

Item: 6

Application Number: DM/0617/25/CEA

Application Type: Cert of Lawful Use/Operation - Proposed

Application Site: 323 Wellington Street Grimsby North East Lincolnshire
DN32 7JU

Proposal: Certificate of Lawfulness for a Proposed Use as a 5 bed house in multiple occupation (HMO) for up to 6 people

Applicant's Name and Address: Subhajit Sengupta 97 Parkhall Road Walsall WS5 3HS	Agent's Name and Address: Ms Cerys Atchison Planning by Design 167-169 Great Portland Street London W1W 5PF
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Deposited: 17th July 2025

Accepted: 17th July 2025

Expiry Date: 11th September 2025

Agreed Extension of Time Date:

Case Officer: Mark Danforth

Decision: Refused

Minute of the Planning Committee 25th March 2026

Item: 7

Application Number: DM/0679/25/CEA

Application Type: Cert of Lawful Use/Operation - Proposed

Application Site: 203 Stanley Street Grimsby North East Lincolnshire DN32 7LH

Proposal: Certificate of Lawfulness for a Proposed Use as a 4 bed house in multiple occupation (HMO) for up to 6 people with alterations

Applicant's Name and Address: Mr Subhajit Sengupta 97 Parkhill Road Walsall WS5 3HS	Agent's Name and Address: Ms Cerys Atchison Planning by Design 167-169 Great Portland Street London W1W 5PF
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Deposited: 31st July 2025

Accepted: 7th August 2025

Expiry Date: 2nd October 2025

Agreed Extension of Time Date:

Case Officer: Mark Danforth

Decision: Refused

**Minute of the Planning Committee
25th March 2026**

Item: 8

Application Number: DM/0385/25/CND

Application Type: Discharge Condition

Application Site: Summerfields Louth Road Waltham North East Lincolnshire

Proposal: Details in Discharge of Condition 11 (Dog Park Management Plan) pursuant to Appeal APP/B2002/W/24/3352579 (Our Ref: AP/018/24) of DM/0220/24/FUL (AMENDED MANAGEMENT PLAN REC 02-JAN-2026)

Applicant's Name and Address: Mrs Nicola North In The Dog House Summerfields Louth Road Waltham North East Lincolnshire DN36 4RY	Agent's Name and Address:
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Deposited: 7th May 2025

Accepted: 17th March 2026

Expiry Date: 12th May 2026

Agreed Extension of Time Date:

Case Officer: Lauren Birkwood

Decision: Conditions Complied With