

Planning Committee Dated: 25th February 2026

Summary List of Detailed Plans and Applications

	Recommendation: Approved with Conditions
Item:	1
Application No:	DM/0443/25/FUL
Application Type:	Variation of condition
Application Site:	Waltham Gateway Academy Sunningdale Waltham North East Lincolnshire
Proposal:	Variation of Conditions 1 (Approved Plans) and 7 (Landscaping) following DM/0302/25/FUL including alterations to the nursery canopy to rear from solid roof projection to a freestanding structure, installation of additional classroom louvre and external chiller to front, installation of PV panels to front and side, alterations to ventilation plant to rear, erection of detached single storey sports store, sprinkler tank and pumphouse to side, minor alterations and planting of landscaping (AMENDED PLANS - ACCOUSTIC FENCING/LANDSCAPING)
Applicant:	Hobson & Porter
Case Officer:	Lauren Birkwood

	Recommendation: Approved with Conditions
Item:	2
Application No:	DM/0451/25/FUL
Application Type:	Full Application
Application Site:	Land North Of Energy Park Way Grimsby North East Lincolnshire
Proposal:	Construction of a waste treatment facility (hazardous waste treated by high temperature thermal processing and energy recovery) to include 47m (approximately) high flue with ancillary related development including associated access, infrastructure, landscaping and raising of ground levels. Amended Habitat Regulations Assessment received 9th December 2025
Applicant:	Humber Resources Group Limited
Case Officer:	Jonathan Cadd

	Recommendation: Approved with Conditions
Item:	3
Application No:	DM/0756/25/FUL
Application Type:	Full Application
Application Site:	21 High Street Cleethorpes North East Lincolnshire DN35 8LA
Proposal:	Change of use from shop to hot food takeaway and restaurant to include installation of extractor flue at the rear and associated works
Applicant:	Mr Arun
Case Officer:	Becca Soulsby

	Recommendation: Approved with Conditions
Item:	4
Application No:	DM/0155/25/FUL
Application Type:	Full Application
Application Site:	Church Farm 7 Station Road Great Coates North East Lincolnshire
Proposal:	Demolish existing brick and portal framed barns, conversion of barns and erect new to create nine residential dwellings including associated parking, private gardens, access roads and associated works - AMENDED PLANS AND TRANSPORT STATEMENT (RECEIVED 29TH JANUARY 2026)
Applicant:	Mr James Ingestre
Case Officer:	Lauren Birkwood

Recommendation: Approved with Conditions

Item: 5

Application No: DM/0916/25/FULA

Application Type: Accredited Agent - Homeholder application

Application Site: 15 Humberston Fitties Humberston North East Lincolnshire DN36 4EU

Proposal: Remove existing workshop and part of pergola, erect single storey extension to rear with alterations to include roof lights. Alterations to the existing shed to form a bin store, increase the height of the existing chimney stack, renew all existing cladding with mixed horizontal and vertical cladding and replace all existing uPVC windows and doors with new timber framed units, introduce several ships porthole windows and alterations to existing fences and associated works - Amended Plans and Description December 2025

Applicant: Ms Andrea Warnock

Case Officer: Abigail Hattersley

PLANNING COMMITTEE - 25th February 2026

ITEM: 1 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0443/25/FUL

APPLICATION TYPE: Variation of condition

APPLICATION SITE: Waltham Gateway Academy, Sunningdale, Waltham, North East Lincolnshire,

PROPOSAL: Variation of Conditions 1 (Approved Plans) and 7 (Landscaping) following DM/0302/25/FUL including alterations to the nursery canopy to rear from solid roof projection to a freestanding structure, installation of additional classroom louvre and external chiller to front, installation of PV panels to front and side, alterations to ventilation plant to rear, erection of detached single storey sports store, sprinkler tank and pumphouse to side, minor alterations and planting of landscaping (AMENDED PLANS - ACCOUSTIC FENCING/LANDSCAPING)

APPLICANT:

Hobson & Porter
Clifford House
Malmo Road
Sutton Fields Industrial Estate
Kingston Upon Hull
HU7 0YF

AGENT:

Watson Batty Architects Ltd (MB)
Shires House
Shires Road
Guiseley
Leeds
LS20 8EU

DEPOSITED: 27th May 2025

ACCEPTED: 25th June 2025

TARGET DATE: 3rd September 2025

PUBLICITY EXPIRY: 26th January 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 25th July 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

This proposal is for the variation of condition 1 (Approved Plans) and 7 (Landscaping) of planning permission DM/0302/25/FUL.

The amendments relate to the following:

- Alterations to the nursery canopy to the rear from a solid roof projection to a freestanding structure;
- Installation of additional classroom louvre and external chiller to front of the building;
- Installation of solar panels to front and side of the building on the roof;
- Alterations to the ventilation plant to rear of the building;
- Erection of a detached single storey sports store, sprinkler tank and pumphouse to the side with associated acoustic fencing; and
- Minor alterations and planting of landscaping within the site.

The application is presented to planning committee as the application was deferred for a site visit at planning committee on the 28th January 2026.

SITE

The school building and associated infrastructure has been built and the school is operating. The surrounding area is established as residential in nature. To the north are properties at Lindrick Walk and Woodhall Drive, to the west are properties at Lindrick Walk, Ashbourne and Sunningdale, to the south are properties at Sunningdale and to the east is the main school building and playing field that have been developed.

RELEVANT PLANNING HISTORY

DM/0776/25/CND - Details in Discharge of Condition 13 (Community Use) and Condition 15 (Travel Plan) pursuant to DM/0448/23/FUL - Pending Consideration.

DM/0517/25/CND - Details in Discharge of Condition 17 (External Ventilation/Extraction) pursuant to DM/0302/25/FUL - Pending Consideration.

DM/0302/25/FUL - Variation of Condition 5 (Hours of Construction) following DM/0448/23/FUL to amend working hours - Approved with Conditions 14th July 2025.

DM/0221/25/FUL - Erect temporary self-contained, relocatable mobile units for use as single storey, educational accommodation, for the use of a maximum of 75 school children (early years, KS1 and KS2) with 5 school staff members - Approved with Conditions 12th June 2025.

DM/0051/25/CND - Details in Discharge of Conditions 4 (Drainage) pursuant to DM/0448/23/FUL - Conditions Discharged 27th March 2025.

DM/0631/24/CND - Details in discharge of Condition 7 (Highway Access) and 18 (Traffic Regulation Order) pursuant to DM/0448/23/FUL- Conditions Discharged 16th August 2024.

DM/0618/24/CND - Details in Discharge of Conditions 3 (External Materials), 6 (CTMP), 10 (Piling) and 11 (Ecology) pursuant to DM/0448/23/FUL - Conditions Discharged 15th August 2024.

DM/0448/23/FUL - Provision of new Primary School, including erection of main school building, installation of ventilation system, erection of fencing/gates and associated landscaping. Creation of staff car parking, vehicular and pedestrian accesses from Sunningdale, pedestrian access from Archer Road, creation of playgrounds and playing pitch, athletics track, habitat area, cycle storage and associated works - Approved with Conditions 5th January 2024.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

NPPF8 - Promoting healthy and safe communities
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO5 - Development boundaries
PO6 - Infrastructure
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Council's Environmental Health Officer - No comments.

Council's Highways Officer - No objections.

Council's Heritage Officer - No objections.

Council's Ecology Officer - No comments.

Council's Drainage Officer - No objections.

Council's Tree Officer - No objections. Condition recommended.

Sport England - No objections.

Humberside Fire and Rescue - No objections. Informative recommended.

Environment Agency - No comments.

Anglian Water - No comments.

Waltham Parish Council - Supports the proposal.

Neighbour Representations

41 Woodhall Drive, Waltham

1 Wray Close, Waltham

20, 21, 23, 25, 27, 46 Sunningdale, Waltham

3 and 6 Ashbourne, Waltham

5, 11 and 16 Turnberry Approach, Waltham

53 and 55 Archer Road, Waltham

Objects with regards to the following:

- Noise issues
- Loss of amenity and green space
- Sprinkler tank and air source heat pumps out of keeping in area and dominant
- Highways safety and parking issues
- Flooding issues
- Ecology and landscaping concerns
- Infrastructure installed without planning permission
- Conflicts with planning policy
- Affects value of properties

APPRAISAL

Appraisal

The key planning material considerations are:

- Principle of Development
- Revisions and Visual Impact
- Neighbouring Amenity
- Landscaping
- Other Matters

Principle of Development

The principle of development on this site has been well established through previous approvals on the site, namely DM/0448/23/FUL and DM/0302/25/FUL. This proposal seeks to vary the previously approved plans and landscaping. It is therefore considered, in principle, to be acceptable provided that the proposal does not give rise to significant issues in terms of visual and residential amenity, and landscaping impacts in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

S.73 of the Town and Country Planning Act 1990 allows for applications for amendments to be made to an existing planning permission, and the application is then considered against the relevant Policies of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Revisions and Visual Impact

The amendments to the previous permission include:

Alterations to the nursery canopy to the rear of the school building from a solid roof projection to a freestanding structure. The structure is timber framed and simulates a pergola and has been completed. It is not directly viewable from the street scene due to the structures position to the rear of the building and there are no adverse visual impacts

Installation of additional classroom louvre and external chiller to front of the building. The louvre provides further ventilation for the specialist teaching space, and the additional chiller is for the server room. Works have been completed. This is minor in scale and visually acceptable.

Installation of solar panels to front and side of the building on the roof. These have been installed. Solar panels are common installations on community buildings and are acceptable in this case in relation to the design of the building.

Alterations to the ventilation plant to rear of the building. The location of the ventilation plant has remained unchanged. This now includes pipework and 2.4-metre-high mesh fencing has been erected around the plant for security purposes and has been completed. Due to the position of the ventilation plant and fencing, to the rear of the school building, it is considered that the impact on the character and visual amenity of the area would be minimal.

The sprinkler tank and pumphouse to the side. The sprinkler tank is approximately 5 metres in height with an associated pumphouse. The works have been completed. The applicants have confirmed that the sprinkler tank is to store water in case of a fire and is to meet safety requirements for the site. Surrounding the structures would be a 3-metre-high closed boarded acoustic fence. In terms of the sprinkler tank and associated pump

house, it is noted that concerns have been raised from neighbouring properties in terms of character and appearance within the residential area. The structures have been installed to the side of the school building. Significant consultation has been undertaken with the applicant to provide visual mitigation of these structures. This includes the erection of a 3-metre-high closed boarded acoustic fence and further landscaping to the side adjacent to properties on Sunningdale. When implemented it is considered that this will provide sufficient visual mitigation to ensure the character and appearance of the area is maintained. For a school building such plant and equipment is considered to be usual and when assimilated into the site in the manner proposed it would not be visually harmful.

Erection of a detached single storey sports store which has not yet been constructed and would be approximately 2 metres in height and built in brickwork. This would be situated to the side of the school building and would be detached. It is considered that the sports store would be minor in nature and is also a typical structure for a site such as this. Although it would be viewable from the street scene, it would not impact visually.

Minor alterations and planting of landscaping within the site. Further planting would be to all boundaries, particularly to boundaries of neighbouring properties on Sunningdale and Woodhall Drive. Further planting would also be proposed to the side of the sprinkler tank as noted. The landscaping is discussed further below.

In overall terms, it is considered that the amendments would not adversely impact on the character and visual amenity of the area, and therefore the proposal is considered to be acceptable in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Neighbouring Amenity

It is necessary to give due regard on neighbouring land uses, particularly for the immediate neighbours of the site. It is noted that concerns have been raised by neighbours with particular regard to noise, loss of amenity and dominance.

The development is located within an established residential area. The site is bounded by residential properties on all sides; there are residential properties to the east at Archer Road, to the north at Woodhall Drive, to the south at Sunningdale and Turnberry Approach and to the west at Lindrick Walk.

In terms of the physical alterations to the building including the installation of the freestanding wooden structure to the nursery, the additional louvre and chiller, the installation of the solar panels and the alterations to the ventilation plant with associated fencing, it is considered these are separated from neighbouring properties and are relatively minor works in relation to the overall development. It is therefore considered that there are no adverse impacts on residential amenity in terms of massing, overshadowing or noise issues.

With regard to the proposed sports store, this would be located to the southern end of the site, adjacent to the boundary shared with 24 Sunningdale. However, due to the single storey nature of the store, and the presence of proposed landscaping, it is considered that issues in terms of dominance and overshadowing would not be adverse.

In terms of the sprinkler tank and pumphouse, this is also situated to the southern end of the site. As the sprinkler tank is approximately 5 metres in height, adjacent to the front entrance of the site on Sunningdale, the structures are viewable to neighbours. Again, significant consultation has been undertaken with the applicant to provide visual mitigation of these structures. This includes the erection of a 3-metre-high closed boarded acoustic fence and further landscaping to the side adjacent to properties on Sunningdale. Having regard to the separation from neighbours it is not considered that the structure causes adverse massing or dominance and in terms of outlook from neighbouring property its assimilation into the site as works progress will further mitigate its impact.

The 3-metre-high closed boarded fencing is also proposed to mitigate noise issues arising from the air source heat pumps (pump house). It is considered that this is typical of fencing for schools and fencing at this height and will not be detrimental to neighbouring residential amenity. The Environmental Health Officer raises no objections to the proposed amendments.

Subject to safeguarding conditions, it is therefore considered that the proposed amendments would not have an unacceptable impact on neighbouring amenity and the development accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Landscaping

The proposal includes amendments to the previously approved landscaping scheme. There would be minor alterations and planting of landscaping within the site. Further planting would be to all boundaries, particularly to boundaries of neighbouring properties on Sunningdale and Woodhall Drive. Further planting is also be proposed to the side of the sprinkler tank. The species and types of planting have also been included along with details of planting, aftercare and maintenance. The Council's Tree Officer has reviewed the details and has confirmed that the associated details are acceptable. It is therefore considered that the proposal accords with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Other Matters

The Council's Highways Officer, Ecology Officer and Drainage Officers have confirmed they have no objections to the amendments.

All relevant conditions are reiterated when their requirements still apply.

CONCLUSION

The proposal is for the variation of condition 1 (Approved Plans) and 7 (Landscaping) following DM/0302/25/FUL at Waltham Gateway Academy in Waltham. This proposal does not give rise to adverse issues in terms of visual and neighbour amenity, and landscaping impacts. As such, the proposal accords with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), and Sections 12 and 15 of the NPPF, subject to safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Proposed Floor Plan - TD034-22-WBA-XX-F00-D-A-PL_501 P4

Proposed Elevations and Roof Plan - TD034-22-WBA-XX-XX-D-A-PL_500 P4

Landscaping Plan - 20909 SFH XX XX DR L 0001 REV N

Combined External Services - TD034-22-RID-XX-F00-DR-ME-12001 C04

Sprinkler Tank Plan and Elevations - TD034-22-AP-XX-F00-D-X-00007 C4

Sports Store Floor Plans and Elevations - K16X09-1

And as approved under DM/0302/25/FUL:

Proposed Fences and Gates - TD034-22 A012 B

Proposed Site Plan Drainage Strategy - TD034-22 A007 A

Exterior Lighting - ASD-DN-MR-0523-030 R00

Site Location Plan - TD034 - A001 A

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

All external materials to be used in construction of the buildings shall be constructed in accordance with the approved details under application DM/0618/24/CND and drawings:

K16X09-1 (Sports Store Floor Plans and Elevations).

TD034-22-AP-XX-F00-D-X-00007 C4 (Sprinkler Tank Plan and Elevations)

TD034-22-WBA-XX-XX-D-A-PL_500 P4 (Proposed Elevations and Roof Plan)

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

All drainage of the development shall be constructed in accordance with the approved details under application DM/0051/25/CND and all drainage of the development shall be retained as approved unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface and foul water disposal in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

Construction work shall only be carried out between the following hours and as stated:

Monday to Friday - 08:00 - 18:00

Saturday - 08:00 - 16:30 (No external works permitted after 13:00).

Sundays and Bank Holidays - No construction work permitted.

Reason

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

(5) Condition

Notwithstanding condition 4 of this application, the development shall be built out as per the approved details under application: DM/0618/24/CND in respect of construction traffic management. The approved details shall be adhered to at all times during construction.

Reason

To ensure adequate access facilities are provided during construction, and for highway safety reasons and in order to protect residential amenity to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

The access for the development shall be built out per the approved details under application: DM/0631/24/CND and retained once completed.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

The landscaping shall be carried out in strict accordance with the details on drawing 20909 SFH XX XX DR L 0001 REV N (Landscaping Plan). All planting shall be carried out in accordance with the approved details within 6 months of the date of commencement of the use of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

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

(8) 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 be carried out in accordance with the details agreed.

Reason

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

(9) Condition

The development shall proceed in strict accordance with the recommendations set out in the Preliminary Ecological Appraisal dated 30th November 2022, as approved under DM/0448/23/FUL, and occupied as per the approved details under application: DM/0618/24/CND for swift boxes, bat boxes and the future habitat area.

Reason

In the interests of ecology and to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

The development hereby permitted shall operate in accordance with the submitted Ball Strike Assessment dated 20/07/2023, as approved under DM/0448/23/FUL, unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

(11) Condition

Within 6 months of the date of this permission, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review, all of which shall follow the hazard controls stated within the submitted Ball Strike Risk Assessment. The approved scheme once implemented shall be retained throughout the lifetime of the development.

Reason

In the interest of providing a community use in accordance with Policies 5 and 43 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

Within one month of this approval, the acoustic fencing shown on drawings TD034-22-WBA-XX-XX-D-A-PL_500 P4 (Proposed Elevations and Roof Plan) shall be installed unless otherwise agreed in writing by the Local Planning Authority. Once installed, the fencing shall be retained throughout the lifetime of the development.

Reason

In the interest of protecting neighbouring residential in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

Within 6 months of the date of this permission, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The school hereby permitted shall then be used in accordance with the measures approved.

Reason

In the interest of promoting sustainable transport in accordance with Policy 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(14) Condition

The hours of operation of the outdoor sports pitches shall be restricted to:

08:00hrs to 16:30hrs - Monday to Friday

10:00hrs to 16:00hrs - Saturday and Sunday

Reason

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

(15) Condition

Within 6 months of the date of this permission, a scheme for Closed-circuit television (CCTV), shall be submitted to and agreed in writing by the Local Planning Authority. The CCTV agreed shall be implemented in accordance with the details approved prior to any part of the school being used.

Reason

In the interest of the designing out crime in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Condition

Within one month of this approval, the Traffic Regulation Order shall be implemented in accordance with the details approved under application: DM/0631/24/CND.

Reason

In the interests of highway safety reasons and in accordance with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(17) Condition

Within one month of this approval, final details shall be submitted to and approved in writing by the Local Planning Authority of all external ventilation and extraction equipment and air source heat pumps including their acoustic performance. Such a scheme as approved shall be implemented in accordance with the details approved within 3 months of said approval and shall thereafter be so retained.

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).

(18) 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 4.1 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 proposal would not harm the area

character or residential amenity and is acceptable under all other planning considerations including landscaping. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), in particular Policies 5, 6, 22, 33, 34, 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 requesting additional information to overcome concerns.

3 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).

4 Informative

The applicant's attention is drawn to the comments made by Northern Powergrid received and Humberside Fire & Rescue received on the application and the original applications.

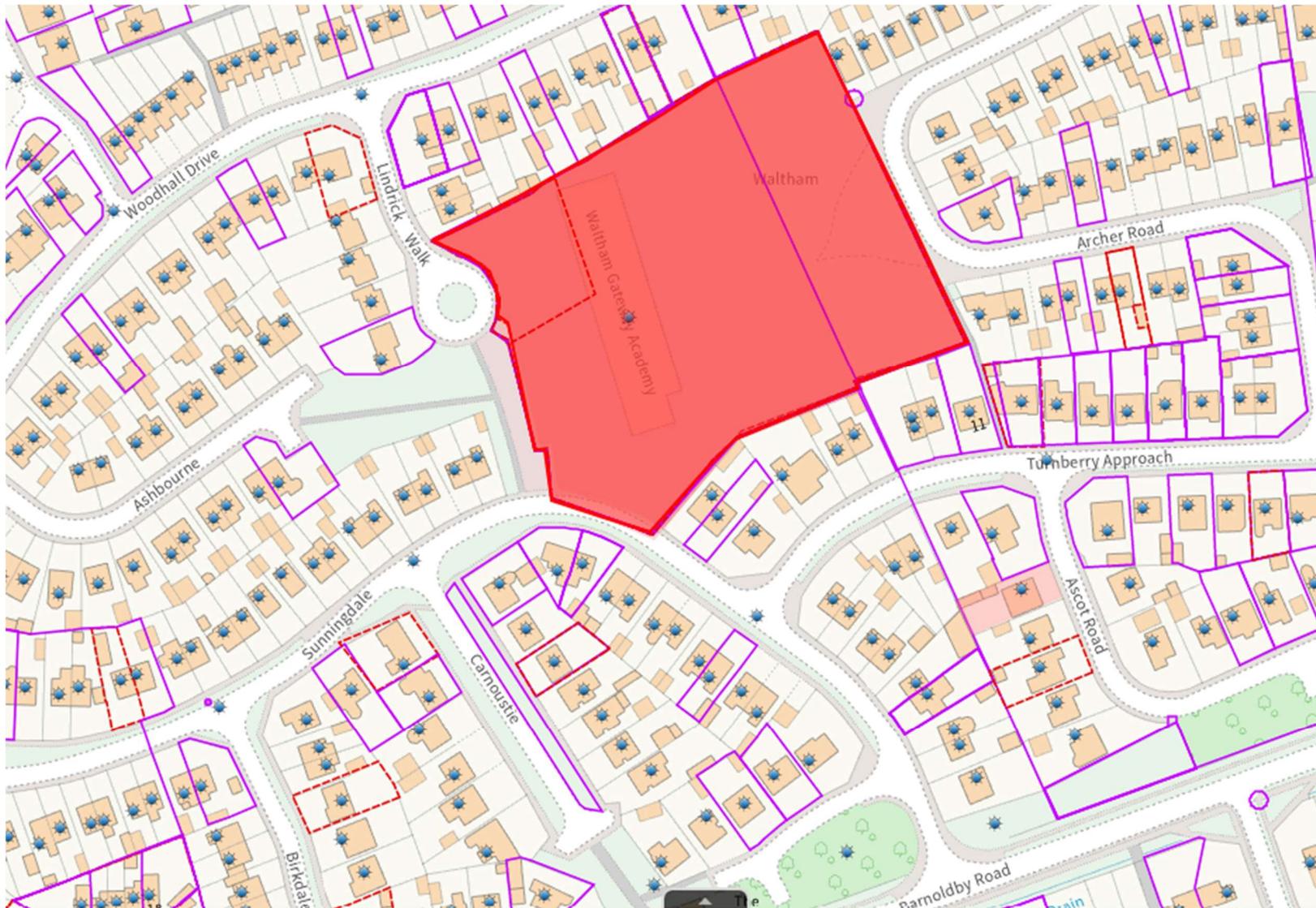
5 Informative

The applicant's attention is drawn to the comments made by Sport England on the original applications.

6 Informative

The applicant's attention is drawn to the following guidance [New_Schools_2014.pdf](#) (securedbydesign.com)
https://www.securedbydesign.com/images/SBD_New_Schools_Application_Form_V2.docx relating to secured by design.

DM/0443/25/FUL – WALTHAM GATEWAY ACADEMY, SUNNINGDALE, WALTHAM



DM/0443/25/FUL – WALTHAM GATEWAY ACADEMY, SUNNINGDALE, WALTHAM



PLANNING COMMITTEE - 25th February 2026

ITEM: 2 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0451/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land North Of, Energy Park Way, Grimsby, North East Lincolnshire,

PROPOSAL: Construction of a waste treatment facility (hazardous waste treated by high temperature thermal processing and energy recovery) to include 47m (approximately) high flue with ancillary related development including associated access, infrastructure, landscaping and raising of ground levels.

APPLICANT:

Humber Resources Group Limited
Great Coates Business Park
Grimsby
DN31 2TT

AGENT:

Miss Maureen Darrie
GP Planning Ltd
ICon Innovation Centre
Eastern Way
Daventry
NN11 0QB

DEPOSITED: 30th May 2025

ACCEPTED: 16th June 2025

TARGET DATE: 6th October 2025

PUBLICITY EXPIRY: 15th January 2026

AGREED EXTENSION OF TIME DATE: 12th December 2025

CONSULTATION EXPIRY: 26th July 2025

CASE OFFICER: Jonathan Cadd

PROPOSAL

This Environmental Impact Assessment (EIA) application seeks permission to erect a waste treatment facility for specialist commercial, industrial and medical waste classified as hazardous waste. The facility would treat waste through high temperature (1000+ degrees) thermal treatment and would process around 25,000 tonnes per annum. There would be an element of transfer where imported wastes would be emptied from small packages into tanks and then bulk loads removed from the site. Waste would arrive at the site by Heavy and Light Goods vehicles for sorting and treatment with a small quantity of ash being removed from the site at the end of the process. Waste would come from

within and outside of NE Lincolnshire for processing and treatment and the proposal should be considered as a local/regional centre for waste treatment, although some streams could be generated on a national basis due to the limited number of such plants in the UK. In total the facility would generate around 40 permanent jobs and represents over £50 million in investment.

The development site would be split into two specific zones notably a smaller reception site (Plot C) incorporating a security cabin, weighbridge reception, main office, parking and access area which would be linked (via a new bridge) to the larger site (Plot I) that would accommodate waste storage and sorting areas, main treatment building, further offices, laboratories, attenuation ponds. Both sites would have extensive landscaped BNG/ecology areas.

The smaller reception site (Plot C) to the south east would be the site entrance/ access to the facility with a weighbridge, car parking (37 spaces), with a single storey reception/ security building including drivers' welfare facilities and cafe. In addition to this, however, there would be a three-storey high office building (albeit with only a small ground floor entrance giving access to the reception on the upper floors). This would be 30.4m by 12.4m with an overall height of 12m.

To the north west would be the main part of the site (Plot I) which would accommodate the waste treatment facility with the main waste treatment building being the largest structure. This would be 75.6m by 56m in length/ width, with a maximum height of 28.8m and with an associated 47m high chimney. Other structures on the main site would be numerous and would form open and closed structures to allow the safe storage and segregation of different types of waste within the site. These structures would be relatively low level in height, but the site would also include a number of tank farms with tanks rising to approximate height of 11m. 6 HGV parking spaces would be provided close to the proposed sorting area. Raised pipe work on pipe bridges would assist to move liquids around the site into the facility and to potentially remove steam as a by-product from the site. The land on the Plot I would also be built up (by a maximum of 2.26m) to create an artificial platform above potential flood water levels in a breach event. This area would have an approximate ground level of 4.26m AOD. This would be graded down to the sides with a 5m buffer to existing ditches.

In addition to this, both plots would accommodate considerable areas of land set aside for Biodiversity Net Gain (BNG) and landscaping. Plot I would also include an area to be set aside for future potential carbon capture connections.

The bridge to be erected over the existing effluent pipeline and ditch between the two plots would be 8.5m wide and be suitable for two HGVs to pass.

Construction of the proposed development is expected to take around 36 months given the necessary groundworks and infrastructure required.

The operation of the development would bring an anticipated 96 (in and out) HGV

movements to the site each day (based on a 5.5-day week). This would be broken down to 38 HGV loads and 10 LGV loads (all two-way) per day or 12 (two-ways loads) per hour on the basis of an eight-hour day. Staff would work shifts with a maximum of 43 two-way movements occurring over each week days with less at the weekend. The scheme would draw waste materials from a regional area and possibly nationally. Deliveries would take place 06:00 to 22:00 each day apart from medical waste which would be delivered at any time. The site would, however, operate 24 hours a day 7 days a week.

The development is presented to the planning committee due to this being an application which has not been proposed before within North East Lincolnshire.

SITE

The application site, located on part of the former Courtaulds (Accordis) site off Energy Park Way and has an area of 8.8ha. As noted above the site is divided into two parts, the larger part, known as Plot I, is 7.05ha whilst the smaller part, Plot C, is 1.68ha. The site is divided in two by the existing waste water pipeline out into the Humber Estuary which is located within a bunded ditch which flows back to the effluent ponds in case of leakage from the pipe and landfills. This is presently bridged by a single-track concrete structure. Access to the site is gained from Energy Park Way, through the main Humber Gate estate entrance and onto internal estate roads.

Both sites appear relatively flat, albeit with undulation to Plot I and waste piles and some former plant and equipment on the smaller Plot C. Plot I is largely undeveloped, apart from a former industrial rail line which crosses the site at certain points. It is largely left to scrub and rough grassland albeit with some dense formal planting in blocks and to the site boundary. A small number of informal access tracks also exist to one side. Plot C is previously developed land and has been cleared at some point with gravel tracks remaining within it. The south eastern corner of the plot C, however, remains of more substantial plant and structures along with a pipe bridge.

Old Fleet Drain forms the northern boundary to the site at Plot I, and beyond this is an agricultural field. Part of this field is allocated within the NELLP as Managed Mitigation land and part Employment land. The field is known to be functionally linked (land) with the estuary through its use by protected bird species particularly at high tide. To the north east of Plot I, the land appears as raised open scrub land but is actually a former landfill site. Leachate ditches surround this site. Previously developed land also adjoins the Plot C to the north east although part of this has recently gained planning permission for a tyre pyrolysis plant, whilst another part is used as an HGV tanker storage and distribution operation. To the west of Plot I is the Lenzing Fibres factory whilst further development of smaller industrial units and the Humber Energy Power Station are located to the west of Plot C. Immediately to the west almost between both sites and leading to two open ponds is an effluent treatment plant and the afore mentioned pipeline that extends out to the River Humber.

The private access road from the site to the adopted highway extends south and

westward through the Humber Gate industrial estate which serves a large number of industrial and commercial uses of differing scales. The main road from the estate is approximately 8m wide for the main part and has pavements demarcated for part of its length. Vehicle heights are restricted to 4.5m in height due to pipe bridges. The secondary road off this main road is of a similar width (7.5m) but is in a poorer condition and has no pavements.

The site is within the South Humber Bank Mitigation Area being within 330m of the Humber Estuary SSSI, SPA, SAC and RAMSAR site. The site is also within 2 Outer HSE hazard zones and 2 middle zones. A small corner of the Plot I, to be utilised for BNG/landscaping, is also located with an inner hazard zone. The site is wholly located within Flood Zone 3.

The nearest residential area receptors are about 1.9km to the south and 2.2km to the southwest.

RELEVANT PLANNING HISTORY

The application site and wider estate has an extensive planning history. Of these the following are deemed the most relevant.

Application site

DM/0130/23/FUL Proposed new extension to estate road and access bridge serving IGE development site (Amended red edge received 5th May 2023). Approved 2023.

DM/0455/14/OUT Outline approval for the creation of multiple business units of class B1 (Business), B2 (Industry) & B8 (Storage/Distribution), with the modification of the existing private site access to link Hobson Way with Moody Lane to be considered. Approved 2015 (with s106 legal agreement). Now Lapsed.

Adjoining sites

DM/0579/24/FUL Hybrid application seeking full planning permission for demolition of existing buildings on site, erection of a carbon fibre manufacturing facility with associated offices, storage facilities, warehousing, car parking and landscaping (Phase 1) and outline planning permission for a second carbon fibre manufacturing facility and car parking with access, landscaping, layout and scale to be considered (Phase 2) (Amended Site Location Plan red edge (in response to Drainage Connection Plan received on 9th December 2024) and updated Flood Risk Assessment received 19th December 2024) Approved January 2025.

DM/0574/24/FUL Variation of Conditions 2 (Approved Plans) and 11 (Materials) attached to planning permission DM/0667/20/FUL to change the design of the proposed Energy from Waste Plant including increase in the overall height of the building, reconfiguration of the building to create a space for storage and separation of waste and relocation of the

vehicular entrance, and a change to the way in which the new operator will work - Drainage Strategy. Approved April 2025.

DM/1189/23/FUL Use of Land for Open Storage of ISO Tank Containers, Erection of Boiler House and a Driver's Rest Room Prefabricated Building (Amended Site Area HRA) Approved Sept 2024.

DM/1103/22/FUL Proposed tyre pyrolysis plant including 33m high flue, associated buildings, treatment and storage plant and tanks, conveyors, chillers, silo, ground mounted solar array, emergency flare, car parking, security fencing and landscaping - (Additional Noise Assessment - February 2023) (Additional Landscape Assessment February 2024) (Amended Habitat Regulations Assessment Feb 24) (Amended stack height to 33m - March 24) Approved April 2024.

DM/0850/21/FUL Erect waste water treatment plant with associated access, plant and equipment, install site office, car parking and temporary access with parking and contractors compound, Lenzing Energy Park Way, Grimsby as amended by DM/0258/24/NMA. Approved August 2023.

DM/0667/20/FUL Variation of Condition 22 (approved plans) attached to planning permission DM/0329/18/FUL (Erection of industrial building and adjoined two storey office/control room to create power plant (18MW Energy From Waste) including construction of associated access, hard surfacing, erection of 65m chimney stack and installation of necessary plant and machinery) - for alterations to main building including increase width of gasification train hall, increase width and height of mechanical polishing plant hall, ash silos to be moved 5m to west of turbine hall, dry air coolers to be moved behind turbine hall, length of air cooled condensers increased by 5m, erection of new gas kiosk, increase throughput of refused derived fuel (RDF) to 226,000 tonnes per annum and associated works.

DM/0329/18/FUL Erection of industrial building and adjoined two storey office/control room to create power plant (18MW Energy From Waste) including construction of associated access, hard surfacing, erection of 65m chimney stack and installation of necessary plant and machinery. Approved January 2019.

DM/1095/17/FUL - Erection of industrial building and adjoined two storey office/control room to create power plant (18MW Energy From Waste) including construction of associated access, hard surfacing, erection of 55m chimney stack and installation of necessary plant and machinery. Approved 1st August 2017.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

NPPF6 - Building a strong, competitive economy

NPPF9 - Promoting sustainable transport

NPPF11 - Making effective use of land
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

National Planning Policy for Waste (2014)

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

PO47 - Future requirements for waste facilities
PO9 - Habitat Mitigation - South Humber Bank
PO1 - Employment land supply
PO5 - Development boundaries
PO7 - Employment allocations
PO10 - Office development
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO36 - Promoting sustainable transport
PO38 - Parking
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Stallingborough Parish Council: No objection.

Healing Parish Council: No objection.

Great Coates Village Council: Supports the development in principle and recognises the investment along the Humber Bank which is welcomed. However, raises on-going concerns re the increase in volumes of commuter and HGV traffic travelling through the village as a result of development on the Humber bank. The Parish Council therefore seek traffic reductions and mitigation measures to be explored in relation to this application and the Humber Bank as a whole.

Economy and Funding: Supports the proposed development. The site is within an industrial area away from residential areas but would be accessible for employment. The scheme would be an asset to the industrial sectors in the area and provide jobs through construction and on a permanent basis.

Network Rail: Following submission of additional information and confirmation that the applicant will agree a strategy with the Asset Protection team on transport related matters and how the development will impact on rail infrastructure particularly level crossings, no objection.

National Highways: No objection but seeks a condition re a Travel Plan. Also note that the Construction Traffic Management Plan is acceptable but there may be issues for local road and so if a condition is imposed, they will comment on that.

Highways: Having considered original Transport Statement and addendum. Request construction traffic management plan condition and details of new access road and informative.

Humberside Airport: Does not conflict with safeguarding aspects and criteria. No safeguarding objection.

MOD: No objection to application subject to the flue tower being charted on aviation maps. Should changes occur to the design reconsultation would be required. Condition proposed.

Natural England: Following initial concerns over the impact on adjacent functionally linked land (FLL) in terms of noise and openness, water quality concerns and mitigation along with in-combination impacts and the mitigation strategy proposed, the submission of further information and negotiations have lead Natural England to conclude they are content for NELC adopt the Habitat Regulations Assessment and Appropriate Assessment which concludes that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Ecology Officer: Following inclusion of Old Fleet Drain as part of the BNG metric and report, the BNG approach is acceptable in principle. In terms of protected species general advice is provided by the ecology team as to the requirement for future protection and any habitat mitigation. There is a requirement for a construction ecological management plan to be devised and implemented. Adoption of Habitat Regulations Assessment /Appropriate Assessment is agreed.

Lincolnshire Wildlife Trust: Originally raised concerns over the change in management of areas of scrub land and the exclusion of Old Fleet Drain from the BNG assessment. Following provision of additional information, the objection has been removed.

Trees & Woodlands: No principle objection to the proposal. Noted that BNG is the prime driver but would still like to see some structural planting. Detailed species types are

required. Conditions required.

Historic England: Provides general advice and recommends the views of the authority's specialist officer are sought.

Heritage Officer: No input required.

UK Health Security Agency: Is not a statutory consultee, and do not normally comment on this type of planning application unless there are specific chemical & environmental hazard concerns which have the potential to impact on the health of local communities. Impacts on public health from local air quality, noise and contaminated land fall under the remit of the local authority. If the application involves a Part A(1) Environmental Permit and depending on the nature of the permit, UKHSA may be consulted by the Environment Agency at this stage to identify any public health concerns.

Environment Agency: Originally raised a number of concerns with respect to the scheme, in particular the specific contaminants, contamination of water course, stability of the landfill, surface water drainage, piling, landfill gas and controlled waters assessment. Following the submission of additional information, conditions are recommended and no further objections raised with respect to the drainage strategy. Noted that Controlled Waters Assessment and assessment for PFAS, carbon disulphide and Sodium Thiocyanate will be sampled.

Also request advice notes re the need for an Environmental Permit and the potential for Hazardous Substance Consent to be required.

Environmental Protection: Do not object and note that the Environmental Permit process would be suitable to ensure the impacts on the environment and human health are adequately assessed and protected. Require conditions into relation to construction hours, construction management, contamination assessment, remediation (including long term monitoring of remediation).

Anglian Water: There are no Anglian Water, water mains on the site but two localised mains can be extended to meet the needs of the site. 12m³/d of potable water can be supplied. Originally raised concerns re non-potable water use but following engagement with the applicant it was agreed that a non-potable water supply of 100m³/day can be supplied. Condition requested re strategic non-domestic/non welfare water supply strategy. They also require that the use of Klargester treatment plant for foul water disposal and its connection to the waste water recycling system is included in approved plans and agreed with the Environment Agency. Equally the surface water drainage should also be approved in writing with the Environment Agency and Internal Drainage Board.

North East Lindsey Drainage Board: No objection. Is content with the surface water drainage scheme and surface water discharge flows. Also notes the acceptability of the flood mitigation proposals, ground raising, but NELC must be satisfied that there will be

no 3rd party impacts as a result. Finally, permanent undeveloped strip of land of sufficient width at the side of water courses should be left to ensure suitable access for maintenance.

Drainage: Drainage strategy is deemed acceptable in principle but require further detail - a surface water drainage condition is requested.

Humberside Fire & Rescue: Provide general advice on water supplies and access.

Air Products: Will not affect Air Products apparatus.

Cadent: No objection subject to advice note.

National Gas Transmission: Will not affect National Gas apparatus.

National Grid Electricity Transmission: Will not affect National Grid Electricity apparatus.

Northern Power Grid: Has apparatus within the application site and provides advice on the developing around such services.

Waste Team Services: No comments to make.

Publicity/ Site Notice and neighbours:

RWE: Supports the waste treatment facility in principle but RWE seeks any decision and conditions to protect its interests on the adjoining site and any future development of that area. The potential disturbance to the landfill needs to be managed to ensure no leaching into Old Fleet Drain occurs. Also notes no 'in combination assessment' with the RWE project in terms of emissions. Enhancements to Old Fleet Drain may conflict with the internal drainage board management and dredging of the proposal. The combined construction, operation and demolition phases may have impacts on the RWE site and this needs to be managed. This includes major accident and disaster planning, transportation and road access, potential fugitive emissions and other such potential impacts on the RWE's main plant, personnel, and flood risk interactions etc.

APPRAISAL

Main issues

- 1) Principle of development
- 2) Ecology, BNG and landscaping
- 3) Amenity, health and safety
- 4) Flood risk and drainage
- 5) Contamination
- 6) Highway safety and parking
- 7) Design, character and heritage

Appraisal

1) Principle of development

The development is for a waste treatment facility, where waste streams are dealt with through thermal treatment at very high temperatures. The high temperatures used in this process are key to the safe disposal of the types of wastes proposed to be treated. There is also a small element of waste transfer. The waste treated and transferred would be a mixture of specialist commercial and industrial wastes which fall into United Nations hazardous waste classification as noted within the description above, and include paints, resins, adhesives, solvents, medical waste and industrial wastes.

It is key to note that this proposal is not a waste to energy scheme but, rather a waste treatment facility that provides the potential to utilise by-products in a sustainable way. The waste treatment process produces steam which, as a by-product, which has the potential to be used within neighbouring industrial processes unrelated to the application site for heating or industrial processes, or for the generation of electricity. The applicant has indicated the plant would be configured to in such a way to allow this to occur if opportunities prevail and it should therefore be considered as waste treatment with recovery facilities.

The National Planning Policy for Waste 2014 (NPPW) outlines the need for a sustainable and efficient approach to resource use and management. This includes, amongst other requirements: (para 1)

- delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities, and wider climate change benefits, by driving waste management up the waste hierarchy; and
- helping to secure the re-use, recovery, or disposal of waste without endangering human health and without harming the environment....

The NPPW also seeks Local Plan policies to identify the need for additional waste management capacity of more than local significance and reflect any requirement for waste management facilities identified nationally. Finally, it notes that consideration of a broad range of locations including industrial sites, should be undertaken to allow opportunities to co-locate waste management facilities together with complementary activities. Where a low carbon energy recovery facility is considered as an appropriate type of development, waste planning authorities should consider the suitable siting of such facilities to enable the utilisation of the heat produced as an energy source near suitable potential heat customers.

The North East Lincolnshire Local Plan outlines that the application site falls within the defined development area (Policy 5) where sustainable development is promoted in principle. The site is also allocated within the NELLP as a defined employment site (Policy 7) ref no. ELR0015a. This supports general industrial development in particular

the chemicals and process industries. Policy 47, future requirements for waste facilities, also establishes the application site and allocation ELR005 (a and b) as a being suitable for waste treatment and recovery facilities. The policy recognises the linkages but also the similar characteristics of general industrial (use class B2) areas with waste treatment facilities. In this instance, the proposed development is located on a site which adjoins or is close to a number of industrial uses such as Lenzing Fibres, South Humber Bank Power Station, and Humber Energy Power Station and the approved tyre pyrolysis plant, carbon fibre plant, Alpha Grimsby (Waste to Power Plant) and further north the proposed South Humber Bank Energy Centre (Waste to Power Plant) and the sustainable fuels plant. These operations/permissions generate (or will generate) emissions to air and water and some use hazardous materials/ chemicals within their processes. As such the creation of a waste treatment facility in this location would not be out of character with the area and would have clear linkages to existing development.

As a waste treatment plant, the proposal in this location would accord with Policy 47 allocation. This is further supported by the potential for steam reuse / electricity generation facilities which could be classified as a form of waste treatment and recovery facility, raising the proposal up the waste hierarchy in accordance with the NPPW but also Policy 47 of the NELLP, in this respect.

Within the supporting text of Policy 47, it notes that commercial and industrial waste within NE Lincolnshire will grow by 9% over the plan period but that no additional waste management capacity is required. This changes when hazardous waste streams are included and it is noted that there is a shortfall of capacity within the borough. This shortfall in NE Lincolnshire's hazardous waste streams was not deemed sufficiently large to support a commercially viable facility to be brought forward at the time the plan was adopted. However, the Council accepted the need to work with other regional authorities to identify how the shortfall would be met. This proposal would treat hazardous waste from the across the region and across the UK, as well as providing a facility where waste from the local area could be treated preventing it from being exported elsewhere for processing. This accords with Policy 47 of the NELLP but also the NPPW in terms of dealing with waste as close as possible to where it is generated (Para. 4 (2)The Waste (England and Wales) Regulations 2011).

It should be noted that although the site would treat hazardous waste, the applicant has confirmed that the operation would not require Hazardous Substances Consent as the quantity of materials stored on site would be maintained below thresholds due to the continual processing of materials.

Although flood risk will be dealt with in detail below, it is worth noting that although the site falls within Flood Zone 3, the majority of the Plot I would be built up so that the main waste treatment facility and storage areas would be positioned above predicted flood water levels, even in a catastrophic breach event. This indicates that the site should be considered safe. Similarly, as the site is allocated in the Local Plan for the employment uses (Policy 7) and waste treatment facilities (Policy 47) the proposed use is deemed suitable, in this instance, and does not require a sequential or exception test to be

completed in accordance with guidance with the NPPF paragraph 180.

As such, subject to more detailed considerations below, the proposed development and its nature is deemed to accord with the National Planning Policy for Waste and the NELLP subject to detailed consideration of the development's impacts through Policies 5, 22, 33, 38, 41 and 47 and other relevant policies.

2) Ecology, BNG and landscaping

Policy 5 (i) indicates: 'All development proposals located within or outside of the defined boundaries will be considered with regard to suitability and sustainability, having regard to: impact on areas of ... landscape, biodiversity and geodiversity value,...'. Further to this Policy 41 requires that developments have regard to biodiversity and geodiversity, in particular this includes the establishment of long-term mitigation areas within Estuary Employment Zone, to protect the integrity of the internationally important biodiversity site (the River Humber). In addition, the policy requires that other protected biological and geological sites are considered along with habitats and protected species. Any development which would, either individually or cumulatively, result in significant harm to biodiversity which cannot be avoided, adequately mitigated or as a last resort compensated for, will be refused. This is supported by Policy 47 2. M. which requires development to be located, designed and operated to minimise the impact on nature conservation.

The application site is not a designated site of ecological importance, but it is located within 330m (at its closest) of the River Humber, which is classified as an SAC, SPA, SSSI and RAMSAR site. It is important to assess the impact of the development on this area and the species that rely on it. In addition, land adjoining the estuary is often utilised by protected species during periods of high tide when the mud flats are covered. These areas are classified as functionally linked land and the impact on these areas should also be considered. A Habitat Regulations Assessment (HRA) including Appropriate Assessment (AA) has been submitted with the application to assess the impacts on all these areas.

If it is shown that a development would adversely affect the integrity of the Humber Estuary SPA/RAMSAR site due to the loss of adjoining functionally linked land, Policy 9 of the NELLP provides a mechanism to offset this impact through the establishment and maintenance of a long-term mitigation site. The application site falls within the Estuary Employment Zone which allows for a potential contribution towards the mitigation sites established. Through the HRA/AA and ecological assessments, the application site has been assessed and has been shown to be made up of areas of rough grass and scrub land with dense blocks of trees or bare previously developed land. Such areas are not deemed suitable for SPA and RAMSAR bird species and over wintering bird surveys undertaken (over 2 years) have not established protected estuary species within the application site. Even where suitable habitats have been identified, these are of such a small scale that they would be unlikely to provide a significant area for SPA and RAMSAR bird species. As such the application site is not considered to be functionally

linked land and no contribution towards the mitigation area is required in accordance with Policy 9.

Through the overwintering bird surveys undertaken within the wider study area, the adjoining field to the north west of the site has been identified as being utilised by protected species linked to the estuary and this can be identified as functionally linked land. This together with the estuary itself is a significant consideration in assessing the acceptability of any impact on ecology of the area.

The assessment of impacts can be split into two: the construction phase and operational phase. Impacts include the noise generation (including vibration), emissions (air and water), contamination, activity and nuisance, and visual impacts (particularly through construction).

The HRA/AA has identified that despite the distance to the adjoining field to the north, where over wintering birds have been identified, and the intervening scale and position of the raised landfill and sea defence between the site and the estuary to the east, there remain concerns over noise, vibration and visual disturbance to these areas and species using them. The greatest of these would occur during the construction of the facility. Construction works would include ground works, the creation of a raised aggregate platform, piling and the construction of the buildings, in particular the main waste treatment building and the general operation of construction plant and machinery and vehicles. The applicant has outlined various measures to mitigate these impacts such as the use of CFA augered piles, where possible, and if this is not possible the avoidance of piling during the over wintering bird season and the avoidance of certain construction works during most sensitive periods of the day. In addition to this, it is also proposed to construct a 3.5m high boundary bund/ hoardings to the site edge, use movable acoustic screens around piling equipment and other noisy equipment/ works, the management of traffic movements and again the cessation of any steel work which requires percussive elements during over wintering bird season. Details of temporary construction lighting proposed will also be required to ensure the impacts on protected species can be mitigated as far as is practical. Identification of exact working methods and therefore mitigation is not possible at this stage due to the final detailed design for the facility not being available, but the approach outlined is deemed acceptable in principle, subject to conditions requiring these matters to be agreed through the submission of a Demolition Construction & Environmental Management Plan (DCEMP)/Construction Ecology Management Plan (CEMP), based on the recommendations outlined within the HRA. Such an approach is agreeable to Natural England and the Council's ecology officer. The DCEMP/CEMP would also allow other measures to be instigated including hours of construction, measures to control surface water drainage during construction and to reduce dust and nuisance to ensure that the water environment, amongst other areas, are not detrimentally impacted upon during works.

Due to the presence of the former landfill site immediately to the north east of the Plot I, construction activities are also an important consideration along this boundary. This raised former landfill has partially slipped in the north western corner close to Old Fleet

Drain. This has led to some release of leachate and ponding which at times has leached into Old Fleet Drain. Whilst this area has been assessed in detail by the Local Authority and the Environment Agency and is deemed to be stable, concerns exist that the development of Plot I could lead to further destabilisation and potential for contaminated water traversing to the Humber. The applicant has responded positively to this by stating that a 5m exclusion zone would be enforced from the proposed platform to the drainage channel in between Plot I and the landfill. The development is also located approximately 32m away from the area of the landfill that has slipped. This together with the use of augered piles close to the northern boundary of the platform is considered sufficient to reduce concerns over vibration and therefore the chance of further slippage affecting the integrity of the landfill. To support this, further measures including monitoring of the landfill, ponded leachate, the drainage ditch and other gas monitoring during construction is also proposed. This approach has not raised an objection from the Council's Environmental Protection team or from the Environment Agency in their responses. It is recommended therefore that a condition is imposed to require the submission of this additional construction details before construction commences.

Once complete the facility would operate on a 24-hour basis, albeit deliveries would be limited, in general, to 06:00 - 22:00, apart from medical waste which would be accepted at any time of the day. The noise assessment submitted is based on predicted noise levels generated from operational data from similar plants. This has then been compared to baseline levels on site and assessed in combination with committed development within the area. This report indicates that the operation of the facility would not generate significant noise and nuisance over and above current background noise levels. Such conclusions rely on the development being constructed in accordance with the approved plans and reports which require insulation of plant, equipment and buildings to acceptable levels. Similarly, the limitation of the majority of vehicle deliveries to 06:00 to 22:00 would further assist to reduce impacts during the night, albeit again on the understanding that medical waste would be accepted at any time. The nature of the layout is such that the majority of vehicle movements would be focused to the centre, north west and north east of the site, assisting such activity to be partially screened from sensitive areas .

The operation of the facility will lead to emissions into the air from the 47m high chimney proposed to the main building. An assessment of air quality impacts has been undertaken through detailed dispersion modelling. This takes account of predicted emissions, 5 years' worth of wind modelling, intervening buildings and cumulative impacts from committed development. The results of this indicate that impacts on ecological receptors would in general be 'insignificant' or 'not significant' with only a small area the upper saltmarsh, part of the SSSI, SAC and RAMSAR designated Humber Estuary, exceeding critical cumulative loadings for nitrogen. It is acknowledged, however, that this area is limited in size (0.01% of the total area of saltmarsh within the SAC) and critically is found in a location which, overtime, will change naturally into neutral grassland with limited importance due to it not being covered by high tides on a regular basis. As such due to the limited size of this area and the naturally occurring alteration to the state of this area, it is not considered that emissions from this development would individually or cumulatively have a detrimental impact on the Humber Estuary SSSI, SPA, SAC and

RAMSAR and functionally linked land. It is noted that Natural England has reviewed the data on air quality in a transitional period in advance of moving to a standing advice-based system. It was determined at that time that the consultation was not high-risk for air quality impacts, based on the information provided in the HRA appropriate assessment and Natural England has raised no objection.

In terms of the assessment of air quality impacts, the operation of a waste treatment facility for hazardous waste will require an Environmental Permit from the Environment Agency granted through the Environmental Permitting Regulations 2016. This regime is separate from the planning application process. It involves the production of a bespoke application which include full consideration and assessment of air and water quality impacts, amongst other matters, and their impact on habitat sites and indeed human health. This includes meeting strict emission limit values and a system of continuous monitoring once the development is operational. The permit will control all operational activities within the application boundary including the waste treatment process itself and the storage of waste. The Agency will not issue an environmental permit for a plant if it could have a significant impact on the environment or human health (irrespective of whether it already has planning permission). This approach is supported by para 201 of the NPPF (2025) which states: 'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Environmental Protection colleagues have stated that they are content that the Environmental Permitting process, administered by the Environment Agency under the Environmental Permitting Regulations 2016, will fully consider and ensure that air quality impacts on human health and the environment are acceptable. On that basis, they require no further assessment under this planning application.

The applicant has submitted a detailed Biodiversity Net Gain proposal which has been considered in detail by the Ecology officer. This includes the provision of the required biodiversity uplift on site through retention, enhancement and creation of habitat to meet the requirements. Following submission of amended details, the draft BNG plan and metric is found to be acceptable. BNG Mitigation Plans are submitted with the application which introduce trees, native scrub mix, native hedge, meadow mix, scrape seeded wet meadow mix and ponds with emergent vegetation creating a range of biodiversity features and enhancements. Despite the detail provided mandated conditions are still required for the formal submission and agreement of a full BNG plan and 30 year Habitat Management Plan.

The site has also been assessed for protected species and general wildlife and the Ecology Officer has sought a number of measures to limit the impacts on species and provide mitigation to compensate for the loss of existing habitat through development. Such matters would be dealt with through the conditioning and therefore implementation of a Construction Ecology Management Plan (CEMP), and a Landscape Ecology Management Plan (LEMP). This is deemed acceptable to the Council's Ecology Officer.

It is noted that the Council's Trees and Woodlands Officer is broadly supportive of the BNG plan but seeks some opportunities for additional tree planting to provide a greater screen to the buildings and activity on site. Whilst not shown on plans, this approach can be dealt with through the imposition of conditions. The provision of additional trees would also have the benefit of assisting to partially screen lighting and development proposals in general.

As such it is considered that the proposal would, subject to conditions, accord with Policies 5, 9, 41 and 47 of the NELLP.

3) Amenity, health and safety

Located within the designated employment area (Policy 7) on the south Humber bank, the area, by its nature, is industrial in character with large and smaller industrial operations found within the immediate area along with a small number of commercial operations. Such operations, to a greater or lesser degree, all contribute to emissions and impacts on the surrounding area due to their character. The NELLP designation promotes further general industry (class B2 development) with a specific focus on chemicals and process industries which again provides direction as to the suitability of this area for these types of development. By the nature of these industries and the use classes promoted these are not operations that are suitable for being located within or close to residential areas due to their potential emission and impacts. Policy 47 also outlines that waste treatment and recovery facilities are also deemed appropriate on this site again recognising the nature and character of the area and the position of the site away from the main residential areas within NE Lincolnshire. As such the proposed use would accord with the allocation and the nature of the existing area and would not, in principle, have an unreasonable impact on the amenity, health and safety.

The application site is located in excess of 1.9km away from the main residential areas of Grimsby, Great Coates, Healing and Stallingborough, although a small number of isolated properties are closer, with further industrial areas/ operations and/or open fields in between. This assists to reduce the potential impacts from noise, nuisance and emissions due to its position away from such areas.

The site is well located for the main highway network including Energy Park Way, Kiln Lane and the A180 and these roads are likely to be used by traffic generated by the proposal. These highways are, in general, located away from residential areas reducing the potential for noise, nuisance and pollution maintaining amenity. Construction traffic would also be directed to use specific main traffic routes to avoid residential areas and avoiding travel in peak periods. This would be the subject of a condition. A travel plan condition is also proposed to reduce employee car travel as far as possible.

The applicant has provided, through the Environmental Statement (ES), a Dispersion Modelling Assessment (air quality assessment) and this outlines the impact on human receptors within the area. The assessment is predicated on a baseline assessment of air quality, individual impacts from the proposal and a cumulative assessment including

existing operations and extant permissions for future development. The assessment concludes that there would be no significant impact on human receptors. It is noted that the Environmental Protection Team has not objected to the scheme and as noted above are content that issues of air quality and safety would be fully assessed under the Environmental Permitting system, maintaining amenity of occupants and workers within this area. This has been confirmed by the Environment Agency who also state that the permit will ensure the proposed operation meets all the legal requirements, including the use of the best available techniques to prevent or minimise emissions, and use strict emission limit values which are regularly monitored. In more general terms, the Agency also note that the treatment of hazardous waste through thermal treatment requires emissions to meet the same emission limit values to air as non - hazardous thermal treatment plants and have tighter controls on their inputs and higher temperatures to ensure the destruction of wastes being treated. As tonnages of waste are much smaller than non-hazardous thermal treatment plants, they also have lower mass emission of pollution. Similarly, as noted above, the NPPF (para 201) is clear that the planning system should not seek to replicate controls through other policy regimes, and it should be assumed that they operate effectively.

The site will treat a variety of industrial and commercial wastes which require specialist treatment and are classified as hazardous. Whilst this is the case, the site will, with the exception of periods of maintenance and/or cleansing, operate continuously. As such it has been confirmed that levels of waste on site, at any one time, would not, individually or cumulatively, reach levels where a Hazardous Substance Consent would be required reducing concerns. In addition to this, the Environment Agency has stated that through the permit system controls over the storage of waste would also occur and the site would be regularly audited and inspected. This would also ensure that the operation of the site would not have a significant impact on the environment and human health, irrespective of whether it already has planning permission.

It is noted that road vehicles bringing waste to the site would operate on public roads. As has already been outlined, conditions are recommended to ensure that vehicles use the main arterial routes from outside the NE Lincolnshire to limit the impact on amenity and the safety of residential areas. A routeing condition would ensure such routes can be maintained. Clearly some waste will be generated from within NE Lincolnshire which could lead to vehicles using more localised roads to reach the site. Whilst noted, this waste is already being generated and has to be transported to outside of NE Lincolnshire for treatment. As such the impact on local roads, over and above existing movements of localised generated waste would be limited. In addition to this, the nature of a number of industries on the Humber Bank is such that the carriage of hazardous substances used in processes and production of goods is not an unusual occurrence and operate in a safe manner.

The safe operation of vehicles carrying hazardous waste substances, with limited exceptions, are controlled through international and national regulations outside of the planning system. These regulate the types of waste, dictate how they must be packaged, labelled and carried. Other regulations define the training and qualifications that

dangerous goods drivers and safety advisors must hold and when they are required. As with the permitting system, the guidance within the NPPF (para 201) is clear that the planning system should not seek to replicate controls through other policy regimes, and it should be assumed that they operate effectively...'.

Taken together it is considered that the proposal, would not have unacceptable impacts on the amenity and health and safety in accordance with Policies: 5, 7, 36 and 47 of the NELLP.

4) Flood risk, and drainage

The site is located within flood zone 3 and is at high risk of flooding in the lifetime of the development and/or in the event of a catastrophic breach in the flood defence could lead to flooding of up to 1.52m above ground levels. The development is also classified as more vulnerable within the NPPG (Annexe 3 Flood) and has a design life time of approximately 75 years.

As an allocated site within the NELLP (Policies 8 and 47), a sequential assessment of locations of lesser flood risk vulnerability and Part A exceptions test is not required and the proposal is deemed acceptable in principle subject to being able to show that the development would be safe for its life time nor place adjoining land at greater risk of flooding (Part B of the exceptions test).

The nature of the use, and the materials being disposed of, is such that it would be classified as 'more vulnerable' and the development should be designed to be flood free. As a result of this the main site (Plot I) would be raised to a maximum of 4.26m AOD to create a flood free platform with 600mm free board. Site C would not be raised as this area is simply a reception for the waste carrying vehicles but nonetheless the office building proposed would incorporate flood resilience measures with all of the permanent offices being placed at first floor or above. In addition, the applicant has indicated that a flood warning and evacuation plan would be submitted based on the premise that evacuation would be the form of protection for staff and visitors but that in the worst case scenario anyone on the premises would seek refuge on the main site, which would be above flood waters. A condition is recommended to ensure this plan is fully fit for purpose.

The building up of a significant part of the site could displace flood water onto adjoining sites in the event of a catastrophic flood. This is a significant consideration as paragraph 170 of the NPPF states: 'the development should be made safe for its lifetime without increasing flood risk elsewhere.' The applicant has undertaken hydraulic testing of the site and has identified that the impact of additional flood water on the adjoining sites as a result of the scheme would be limited. The assessment shows that in general the increase in water during a catastrophic breach flood event would increase water levels on the adjoining sites by around 30 - 50mm with a maximum of 110mm in one isolated area. It also notes the flood water extent would not increase and the areas affected would, in the event of a breach already be flooded with water levels varying from 600mm - 1200m

(60cm - 120cm). Such increases in flood levels predicted would therefore represent a marginal increase in offsite flood risk only and such land, buildings and operations would already be non-operational. It is noted that the site to the south east would be most impacted with flood water noted to be rising on part of that site by 50mm - 100mm with a small area above 100mm. The proposed pyrolysis plant approved on this site (ref. no. DM/1103/22/FUL), has not been designed to be wholly raised above flood water and would already be non-operational at the time of a flood. The main areas which would experience greatest additional flooding appear to be car parking and landscape areas along with a tyre storage building and a canteen. The main operational plant would be located to the north east corner of the site which would suffer the least in terms of additional water expected. Again, however, this compares with an approximate 2115-year breach flood water level of around 600mm - 1200mm on the immediately adjoining sites. The impact of the additional water therefore found on this site as a result of the current proposed development would marginal. As such the impact on these adjoining areas is not deemed to be significant. It is also noted that the proposal has not received a flood risk objection from the Environment Agency.

In terms of drainage, the plant seeks to capture and re-use surface water within the waste treatment facility. The processing treatment and cleaning of the facility requires a water supply. To limit water use, the applicant proposes to capture the majority of rain water from the whole built area of the site (Plots I and C), each building roof will be connected to a localised tank which will then be pumped into a clean water lagoon or tanks of 3500m³ capacity. Similarly, general surface water will also be captured, passed through interceptors to a dirty water lagoon. Both clean and waste water would then be processed and used within the waste treatment processing plant. In general, this would lead to no off-site discharge. In addition to this, foul water from toilets and other personal sanitation facilities on site would be captured within a Klargestor type arrangement and then be treated before being directed into the main dirty water treatment lagoon. In exceptional circumstances, the applicant has provided evidence to show they have permission to link the drainage system to the effluent pipeline which runs through the site. Evidence has been provided that confirms that the pipeline has a capacity of 68594m³ per day with current Humber Gate usage being 25240m³. An Environmental Permit will be required to discharge water through the pipeline as it discharges into the River Humber. No objections to this approach have been received from Anglian Water and the Environment Agency. As such it is considered that proposals for foul and surface water drainage would accord with Policies 5, 33 and 47 of the NELLP.

5) Contamination

As part of the former Courtauld site, contamination is known to be an issue on the wider site area. In addition to this, the application site is adjoined by a landfill site. This landfill site is known in places to be in a poor condition. The applicant has assessed the site, through Phase I and II ground surveys and this indicates that in general, the development area of Plot I is largely unaffected by contamination except for the potential for significant methane gas (either naturally occurring from underground peat or venting from the adjoining landfill site). Further assessments are required with respect to this gas and

measures to limit its impact. Ground water is also known to be present in the area including close to the surface and lower levels indicating links to the tidal levels which could establish pollution pathways. Similarly, areas where landscaping only is proposed, requires further assessment due to the factory railway line. On Plot C, the site is clearly previously developed land and a number of contaminants have been identified including asbestos and Polycyclic Aromatic Hydrocarbons (PAH). Mitigation measures will be required to deal with these matters. The applicant has responded to these points and is content to accept the conditions requested by the Environment Agency. The Environmental Protection team is also content to rely on conditions to investigate, assess and agree mitigation works to protect the environment and human receptors.

The development is also located above a principal aquifer and the potential for contamination is a significant concern. Nevertheless, ground conditions indicate that a thick layer of clay exists above the aquifer at the site. Following the submission of additional information and liaison with the Environment Agency it is considered that sufficient control can be achieved through the imposition of conditions to mitigate potential impact.

Finally, to limit concerns over the impact of development on the adjoining landfill, the applicant has provided a brief Demolition Construction and Environmental Management Plan. It notes that the closest the development platform would be to the leachate drainage channel around the landfill site would be 5m, this would protect the integrity of the channel. Similarly, the platform would also be 32m from where the landfill wall previously slipped and ponding of leachate has occurred. It is also proposed to use CFA augered piles closest to the landfill to limit the potential for vibration and movement. To allay further concerns the applicant is also proposing a scheme of on-going assessment and monitoring of the landfill and contaminate levels with the ditch and Old Fleet Drain during construction. A detailed Demolition Construction and Environmental Management Plan and piling details are required, however, and this would be the subject of a pre-commencement condition. Such an approach has not led to an objection from either the Environmental Protection team or the Environment Agency.

On the basis of the information provided, and the imposition of conditions it is considered that the development would accord with Policies 5, 34 and 47 of the NELLP.

6) Highway safety and parking

The development of the site requires an assessment of the impacts on highway safety and capacity as outlined in Policies 5 and 47 of the NELLP. The application site is allocated as employment land (Policy 7) within the NELLP as part of an overall allocation of land know under ref. ELR015 a and b for chemicals and process industries. As an allocation, and assessment through the local plan process, it has been established the impact of future development on the operation and safety of the highway network would be acceptable. As has been outlined above, Policy 47 also indicates the site would be acceptable for waste uses.

The applicant outlined a route which indicated that from Energy Park Way, the two main points of access to the wider highway network would be Westgate Roundabout and Kiln Lane. Such routes would be direct onto the A180 in one direction or other and indeed the wider highway networks without the need for HGV's to utilise the urban highway network in Grimsby unless their point origin was located within this area.

The applicant has assessed the proposal on the basis of a comparison between a single outline redevelopment approval DM/0455/14/OUT for B1 (Business), B2 (Industry) and B8 (Storage and Distribution) for a wider part of Humber Gate. Whilst this approval expired some years ago it provides a comparison of the potential greater impacts on the highway if a comprehensive redevelopment of this site (pro rata) were to take place have through the development allocations. This comparison indicates that the proposal would generate significantly less traffic than if the allocated sites were to be developed as per the now expired application. Given this permission has expired some time ago, the applicant has supported this assessment with a further updated statement using TRICs data to assess potential traffic levels from the allocation and used this as a comparison to the proposed traffic generated from the waste treatment facility.

The application proposal suggests that the completed scheme would generate some 96 HGV movements per day (in and out) over an 8-hour period (i.e. 12 out and back movements per hour) with similar peak hour movements. Staffing is predicted to be a maximum of 43 employees working per day generating 86 (in and out) movements on site. The shift patterns, however, would mean that the majority of these movements would be outside of peak periods. As noted above the applicant has also assessed traffic flows using a TRICS model for industrial/ employment uses in line with the Local Plan allocations. Such modelling again outlines that the proposal's impacts on the local and national highway network would be significantly less than if alternative uses were generated. Cumulatively, movements taken together with other committed development indicates that the impact on highway safety and network capacity would not be detrimentally impacted upon.

Construction traffic is also outlined with ground works expected to generate the greatest levels of traffic, due to the need to import 131,963 tonnes of earth to create the platform. Assuming the use of 20 tonne HGV vehicles this would amount to 147 movements per week over 45 weeks or 54 x HGV two way) movements per day but critically the applicant has confirmed that construction traffic would avoid peak hours.

Staff transport would be limited with a maximum of 43 members of staff being on site at any one time. National Highways have sought a Travel Plan for staff which would assist to limit transportation by car as far as possible.

The Highway Authority and National Highways have considered the scheme and neither have raised an objection subject to conditions requiring a construction management plan to be agreed. This would include the routing agreement.

Subject to conditions, it is considered that development would accord with Policies 5, 36,

38 and 47 of the NELLP.

7) Design, character and heritage

Policy 5 of the North East Lincolnshire Local Plan indicates that all development proposals will be considered with regard to suitability and sustainability, having regard to: The size, scale and density of the proposed development, d. Impact upon neighbouring land uses by reason of visual intrusion and i) impact on areas of heritage, landscape... including open land that contributes to settlement character. Policy 5 (2.) states further that development proposals located within but adjacent to the defined boundaries will be permitted where schemes respond to:

- A. the nature and form of the settlement edge.
- B. relationship between countryside and the settlement-built form.
- C. opportunities to contribute to the network of green infrastructure.

Policy 22 provides more detailed advice to achieve a high standard of sustainable design for all development including taking account of the site's context (built and natural environment and social and physical characteristics). Policy 42 outlines the importance of assessing landscape character within a development. Finally, Policy 47 (2.) A., B. and I. require waste developments to be design located and operated in a manner to limit the developments impact on visual intrusion, landscape character and conserving the natural environment.

In this instance, the application site is located on land which previously was either directly used as industrial land as part of Courtauld's/ Accordis factory or was land used ancillary to it. It is presently over grown grass and scrub land or partially cleared vacant land. Ground levels are roughly the same as land to the west and south and to the north east but to the east and south east they are significantly lower due to the landfill sites and the sea defence. The land adjoining the site is predominantly industrial in character with large scale structures along with plant and chimneys characterising the Lenzing factory and the Humber Power plant. In addition to this, extant planning permissions for a pyrolysis plant (with a 33m high chimney) and the Lenzing carbon fibre factory exist to south east which if constructed would add to the industrial character of the site. This character contrasts with the low lying flat open fields to the north west and 'large open sky' which surround the site and divide this cluster of large industrial development from the next block of factories to north west including the South Humber Bank Power Station (which itself has a large extant waste to energy plant DCO granted to the rear of that complex). To the north and east across the estuary this developed character contrasts with the open views across the estuary. This contrasting character is recognised within the National Character Profiles (NCA no. 41 - Humber Estuary) but also the North East Lincolnshire Landscape Character Assessment, Sensitivity and Capacity Study.

The applicants have assessed the scheme with a detailed Landscape Visual Impact Assessment (LVIA). The assessment shows that whilst a large development, the immediate character of this area is one of large industrial factory complexes and from

most viewpoints where the development proposed could be accommodated within this character without significant detriment to the overall appearance and character of the area. This includes longer distance views from adjoining character areas: the large low lying coastal plain of NCA no. 42 and the Lincolnshire Wolds (National Landscape - AONB) NCA no. 43. The LVIA has assessed the scheme from an accepted representative visual receptor such as housing, heritage features and public vantage points within the wider area and the development has been found maintain the character of the area. It is noted that all residential properties and designated heritage assets are a significant distance from the application site. It is considered that the representative viewpoints established within these areas are acceptable and would be seen within the context of existing south bank industrial complexes whereby maintaining the character and appearance of the area. In stating this, it is noted that the heritage officer has not sought raise issue with the scheme, no detrimental character comments have been received through publicity and site notices and Stallingborough, Healing and Great Coates Parish/Village Councils have not sought to raise any character issues.

The greatest change, as a result of the proposal, would be to the public right of way/bridleway no. 36 running along the top of the sea defence. From this elevated position the scale of the development would be seen almost to its full extent. Whilst accepting this, the development would remain in relative close proximity to the other large scale industrial development. Although strengthening the developed character of this cluster, it would not change the character of the area or how it is experienced. Lower buildings on the site would also, in part, be screened by the landfill and over time the additional landscaped proposed to the north and north west of the main building would further assist. The design and materials proposed for the structures would also be of a similar appearance and character to the existing industrial buildings further assisting to assimilate the development into its surroundings. Whilst recognising this, it must be noted that a slightly adverse impact on views would be experienced of users of the right of way. The views from pathway, however, are shared with the wide-open extent and long-distance views of the estuary which form the main attraction for users. In this way the impacts whilst noted would not be so great as to lead to an objection to this scheme.

Conditions are required, however, to ensure the development is constructed in strict accordance with the details provided.

Together these points outlined underline that the impact would not be such that the proposal should be considered to be out of keeping with appearance and character of the area and would accord with Policies: 5, 22, 39, 42 and 47 of the NELLP.

CONCLUSION

This proposal is a waste treatment facility which will treat hazardous waste by high temperature thermal treatment at Humber Gate off Energy Park Way. The application is a thorough and detailed submission which is supported by a considerable number of

Statements, Surveys and Assessments which have been reviewed by the relevant statutory and non-statutory consultees whose responses have been given full consideration. There have been no objections from any neighbours and there are no outstanding objections from consultees through two rounds of consultation.

The proposal is EIA development and the application, including an Environmental Statement, adequately assesses the likely impacts and the Local Authority agree with its findings and conclusions. The proposal accords with all relevant NELLP policies as set out in the report. It is not considered the proposal would either in isolation, or cumulatively, significantly affect the character of the area, neighbouring land uses, ecology, the highway network or the environment subject to the conditions set out below. The proposal would provide socio-economic benefits for the area including around 40 full time equivalent jobs and there are no material considerations that weigh in the planning balance against granting permission.

As such the scheme would accord with Policies: 5, 7, 9, 22, 33, 34, 36, 39, 41, 42 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

RECOMMENDATION

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 not be carried out except in complete accordance with the approved plans and specifications. The approved plans and reports are as follows:

Plans

G026-01 V11A Humber Gate Grimsby - 1:2500 Site Location Plan

24003-HL-ZZ-ZZ-DR-A-1002-S2-P05 Proposed Site Location Plan

24003-HL-ZZ-ZZ-DR-A-1003-S2-P01 Site Plan - Existing showing Top and OS Data

24003-HL-ZZ-ZZ-DR-A-1610-S2-P02 Site Plan - Proposed Showing Roofs Orientated True North

24003-HL-ZZ-ZZ-DR-A-1611-S2-P02 Site Plan - Proposed Showing Ground Level

Orientated True North

24003-HL-ZZ-ZZ-DR-A-1612-S2-P03 Site Plan - Proposed Showing Roofs Orientated Project North

24003-HL-ZZ-ZZ-DR-A-1613-S2-P03 Site Plan - Proposed Showing Ground Level Orientated Project North

24003-HL-ZZ-ZZ-DR-A-1614-S2-P01 Site Plan - Proposed Showing Fence Line

24003-HL-ZZ-ZZ-DR-A-2120-S2-P01 Site Ele-Sections A to D

24003-HL-ZZ-ZZ-DR-A-2121-S2-P01 Site Ele-Sections E to J

24003-HL-02-ZZ-DR-A-2000-S2-P04 Water Treatment Building - Plan Roof Plan and 3D Views

24003-HL-02-ZZ-DR-A-2100-S2-P04 Water Treatment Building - Elevations and Section

24003-HL-04-ZZ-DR-A-2000-S2-P03 Substation - Sections and 3D views

24003-HL-05-ZZ-DR-A-2000-S2-P03 Air Cooled Condenser Platform - Plans Elevations, Section and 3D Views

24003-HL-06-ZZ-DR-A-2000-S2-P02 Tank farm Control Room - Plan, Elevations and 3D Views

24003-HL-08-ZZ-DR-A-2000-S2-P04 Tanker Offload - Plans Elevations, Section and 3D Views

24003-HL-09-ZZ-DR-A-2000-S2-P01 Liquid Nitrogen Tank - Plan, Elevation, Section and 3D View

24003-HL-10-ZZ-DR-A-2000-S2-P03 Nitrogen Generator - Floor Plan, Elevations, Sections and 3D Views

24003-HL-11-ZZ-DR-A-2000-S2-P04 Tank Farm East - Floor Plans

24003-HL-11-ZZ-DR-A-2100-S2-P04 Tank Farm East - Elevations

24003-HL-11-ZZ-DR-A-2200-S2-P04 Tank Farm East - Sections and 3D Views

24003-HL-12-00-DR-A-2000-S2-P03 Waste Treatment Facility (WT) Level 00 - Plan

24003-HL-12-01-DR-A-2001-S2-P03 Waste Treatment Facility (WT) Level 01 - Plan

24003-HL-12-02-DR-A-2002-S2-P03 Waste Treatment Facility (WT) Level 02 - Plan

24003-HL-12-03-DR-A-2003-S2-P03 Waste Treatment Facility (WT) Level 03 - Plan

24003-HL-12-RF-DR-A-2004-S2-P03 Waste Treatment Facility (WT) - Roof Plan

24003-HL-12-ZZ-DR-A-2100-S2-P05 Waste Treatment Facility (WT) - North and South Elevations

24003-HL-12-ZZ-DR-A-2102-S2-P04 Waste Treatment Facility (WT) - 3D Views

24003-HL-12-ZZ-DR-A-2101-S2-P04 Waste Treatment Facility (WT) - East and West Elevations

24003-HL-12-ZZ-DR-A-2200-S2-P03 Waste Treatment Facility (WT) - Building Sections

24003-HL-15-ZZ-DR-A-2000-S2-P04 Class 5.1 Storage - Plans, Elevations, Section and 3D Views

24003-HL-16-ZZ-DR-A-2000-S2-P04 Class 5.2 Storage - Elevations, Section and 3D Views

24003-HL-18-ZZ-DR-A-2000-S2-P04 Class 6.1 Storage - Plans Elevations, Section and 3D Views

24003-HL-19-ZZ-DR-A-2000-S2-P04 Class 9 and Class 6.2/NDW Storage - Plans Elevations, Section and 3D Views

24003-HL-21-ZZ-DR-A-2000-S2-P04 Class 8 Storage (21) & (22) - Plans Elevations, Section and 3D Views
24003-HL-23-ZZ-DR-A-2000-S2-P04 Class 4.2/4.3 Storage - Plans, Elevations, Section and 3D Views
24003-HL-24-ZZ-DR-A-2000-S2-P04 Class 3 Storage - Plans, Elevations, Section and 3D Views
24003-HL-25-ZZ-DR-A-2000-S2-P04 Class 4.1 Storage - Plans, Elevations, Section and 3D Views
24003-HL-26-ZZ-DR-A-2000-S2-P02 Waste Reception - Plan, Roof Plan and 3D Views
24003-HL-26-ZZ-DR-A-2100-S2-P02 Waste Reception - Plan, Elevations and Section
24003-HL-27-ZZ-DR-A-2000-S2-P02 Laboratory & Welfare - Plans, Elevations, Section and 3D Views
24003-HL-28-ZZ-DR-A-2000-S2-P02 Engineering Store - Plans Elevations, Section and Internal 3D Views
24003-HL-28-ZZ-DR-A-2100-S2-P02 Engineering Store - Elevations and 3D Views
24003-HL-29-ZZ-DR-A-2000-S2-P03 Ash & Air Pollution Control Residues - Plan, Roof Plan and 3D Views
24003-HL-29-ZZ-DR-A-2100-S2-P02 Ash & Air Pollution Control Residues - Elevations and Section
24003-HL-33-ZZ-DR-A-2000-S2-P03 Packaged Solvent Process Area - Plan, Elevations, Sections and 3D Views
24003-HL-34-ZZ-DR-A-2000-S2-P04 Class 3 Storage for Tank Farm - Plans, Elevations, Sections and 3D Views
24003-HL-35-ZZ-DR-A-2000-S2-P04 Container Recycling - Plan, Roof Plan, Elevations, Section and 3D Views
24003-HL-37-ZZ-DR-A-2000-S2-P02 Office - Floor Plans & Roof
24003-HL-37-ZZ-DR-A-2100-S2-P03 Office - Elevations
24003-HL-37-ZZ-DR-A-2200-S2-P01 Office - Sections and 3D Views
24003-HL-38-ZZ-DR-A-2000-S2-P01 Weighbridge Plan - Elevations, Section and 3D Views
24003-HL-39-ZZ-DR-A-2000-S2-P01 Gatehouse - Elevations, Section and 3D Views
24003-HL-40-ZZ-DR-A-2000-S2-P02 Water Tank - Plan, Elevation and 3D View
24003-HL-41-ZZ-DR-A-2000-S2-P02 Drivers Dining and Welfare - Plans, Elevations, Section and 3D Views
24003-HL-42-ZZ-DR-A-2000-S2-P02 Diesel / Kerosene Tank - Plan, Elevations, Sections and 3D Views
24003-HL-43-ZZ-DR-A-2000-S2-P03 Tank Farm North - Floor Plans
24003-HL-43-ZZ-DR-A-2100-S2-P03 Tank Farm North - Elevations
24003-HL-43-ZZ-DR-A-2200-S2-P03 Tank Farm North - Sections and 3D Views
24003-HL-44-ZZ-DR-A-2000-S2-P03 Sprinkler Tanks and Pump House - Plan and Roof Plan
24003-HL-44-ZZ-DR-A-2100-S2-P03 Sprinkler Tanks and Pump House - Elevations
24003-HL-44-ZZ-DR-A-2200-S2-P03 Sprinkler Tanks and Pump House - Section and 3D Views
24003-HL-45-ZZ-DR-A-2000-S2-P01 Entrance Sub-station - Plans, Elevations, Sections and 3D Views

24003-HL-46-ZZ-DR-A-2000-S2-P01 Bunded Liquid Packaging Emptying Area - Floor Plan, Elevations, Section and 3D Views
24003-HL-47-00-DR-A-2000-S2-P02 Vehicle Canopy - Plan Level 00
24003-HL-47-RF-DR-A-2001-S2-P01 Vehicle Canopy - Roof Plan
24003-HL-47-ZZ-DR-A-2100-S2-P02 Vehicle Canopy - Elevations and 3D View
24003-HL-47-ZZ-DR-A-2101-S2-P02 Vehicle Canopy - Elevations and 3D View Incl Site Buildings
24003-HL-47-ZZ-DR-A-2200-S2-P02 Vehicle Canopy - Sections
24003-HL-48-00-DR-A-2010-S2-P01 Pipe Bridge Support Plan - Level 00
24003-HL-48-RF-DR-A-2011-S2-P01 Pipe Bridge Plan - Roof Level
24003-HL-48-ZZ-DR-A-2110-S2-P01 Pipe Bridge - Elevations
24003-HL-48-ZZ-DR-A-2111-S2-P01 Pipe Bridge - 3D Views
24003-HL-48-ZZ-DR-A-2210-S2-P01 Pipe Bridge - Typical Sections

C2129-SPE-ZZ-ZZ-DRG-ECV-0001 - REV P03 Bridge - Details

1747-TCP-001-A Tree Constraints Plan
1747-TS-V1-A Tree Schedule

GPP1009-001 Topographical Survey
GPP1009-002 Topographical Survey
GPP1009-003 Topographical Survey

Reports

Shadow Habitat Regulations Assessment (ref. BND.230059.RPE-TN.806. Habitat Regulations Assessment - 9th Dec 2025) by BMD.
Non Technical Summary (ref. G026-01 Non-Technical Summary Revision 1/MD) by GP Planning May 2025.
Environmental Statement (ref. G026-01 Environmental Statement Revision 1/MD) by GP Planning May 2025.
Transport Assessment - ORI-J10593 rev 1 by Origin 20th May 2025.
Dispersion Modelling Assessment Rev 1 (ref. 4147-0320-0002SMN) by Fichtner 11th April 2025.

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development.

(3) Condition

Prior to the commencement of any development a Demolition and Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the demolition and construction period. The Demolition and Construction Management Plan shall include the following:

(a) Measures to control the emissions of noise, dust, vibration, light and surface water during the demolition and construction period taking into account relevant guidance.

(b) Where construction involves penetrative piling, details of types and methods for piling of foundations, extent and depth piling and operational hours including measures to suppress any associated noise and vibration (including hours and months of operation).

(c) Details of the construction and piling methodology, design, grading final height and exclusion zones close to the landfill site and leachate ditch, of the construction platform for site I, and a landfill and water environment monitoring scheme, based on the principles established within the Draft Humber Gate Construction Method Statement by Mayer.

(d) Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site.

(e) Designation, layout and design of demolition and construction access and egress points.

(f) A delivery management plan including details for the provision of directional signage (on and off site) and how demolition, construction and servicing vehicles would be managed on the industrial estate and the public highway to avoid queuing. This should accord with details provided within CTMP by Origin ref. J10593-CTMP1.

(g) Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure.

(h) Details of provision on site, for all site operatives, for the loading and unloading of plant, machinery and materials.

(i) Details of provision for all site operatives, including visitors and demolition and construction vehicles for parking and turning within the site during the demolition and construction period.

(j) Routing agreement for all demolition and construction traffic to accord with CTMP by Origin ref. J10593-CTMP1.

(k) Details of the erection and maintenance of security hoarding or fencing.

(l) A waste audit and a scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

(m) Management measures for the control of pest species as a result of demolition and/or construction works.

(n) Detail of measures for liaison with the local community and procedures to deal with any complaints received.

(o) Confirmation that no fires will be lit during demolition or construction phases.

(p) Contact details of the person with responsibility for the implementation of the DCEMP.

Reason

To maintain: amenity, highway and railway safety, ground water quality, ecological quality of sensitive areas and species using these and surrounding areas and in accordance with Policies: 5, 22, 36, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and paragraph 187 of the National Planning Policy Framework.

(4) 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect ecology and in accordance with Policies: 5, 41 and 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(5) Condition

No development shall commence until a strategic non-domestic/non welfare water supply strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This strategy should identify the agreed water supply of 100m³/day of non-potable water. The non potable water must not exceed the agreed limit of 100m³/day.

Reason

To protect water resources and ensure sustainable development and in accordance with Policies: 6, 34 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(6) Condition

Prior to operation of the main waste treatment facility, full details regarding the on-site package treatment plant must be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details prior to its first use and shall be retained and maintained as such thereafter.

Reason

To ensure satisfactory foul drainage from the development, to safeguard the receiving water body and ecology in accordance with Policies: 5, 33, 34, 41 and 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and paragraph 187 of the National Planning Policy Framework.

(7) Condition

Construction shall not begin until details showing the location, layout, design and method of construction of any new or altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the approved vehicular access, and the parking and manoeuvring spaces associated with the development shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

To ensure adequate access, parking and turning facilities are provided for highway safety reasons and in accordance with Policies: 5, 36 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(8) Condition

Prior to the operation of the Waste Treatment Facility a strategic routing plan setting out principles to be used for all vehicles bringing waste to the site from outside the North East Lincolnshire shall be submitted to and agreed in writing by the Local Planning Authority. The principles set out in the Plan shall be followed as approved upon operation of the Waste Treatment Facility unless otherwise agreed in writing by the Local Planning Authority

Reason

To maintain highway safety and capacity, amenity and ecology in accordance with Policies: 5, 36, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2013 (adopted 2018).

(9) Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution, maintenance of human and ecological health and to allow contamination to be dealt with correctly in line with Policies: 5, 6, 34, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and paragraph 187 of the National Planning Policy Framework.

(10) Condition

Prior to any part of the permitted development/each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that if remedial work is needed, that the site does not pose any further risk to the water environment, human health and ecology by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Policies: 5, 6, 34, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and paragraph 187 of the National Planning Policy Framework.

(11) Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local

Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site and that contamination can be dealt with correctly to protect the water environment, human health and ecology. This is in line with Policies: 5, 6, 34, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and paragraph 187 of the National Planning Policy Framework.

(12) Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref: 15887-FRA-02, compiled by Waterco, dated March 2025) and the following mitigation measures it details:

- Plot I shall be set no lower than 4.26 metres above Ordnance Datum (AOD)
- Flood resistance and resilience measures shall be incorporated as stated.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policies: 33 and 47 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(13) Condition

Prior to the commencement of development full details of the measures to be employed during the construction and operational phases so as to mitigate potential disturbance to SPA birds based and sensitive receptors following the principles set out in the Habitat Regulations Assessment by BND (ref.23.0059.RPE-TN.806), the Noise Impact Assessment by NVC (ref. R25.0301/DRK) and Construction Method Statement by Mayer shall be submitted to and approved and in writing by the Local Planning Authority. Such measures shall include; details of the method and timing of each type of construction and piling works, details of bunding, screening and other visual/acoustic/vibration mitigation measures (including location, type and heights), details of lighting during construction and any mitigation measures and the phasing and timing of construction works and all proposed mitigation measures. The construction of the development shall thereafter be carried out in strict accordance with the details and timescales approved.

Reason

To ensure the development does not adversely affect the integrity of the Humber Estuary SSSI, the Humber Estuary Special Area of Conservation, Special Protection Area and Ramsar Site and amenities and in accordance with Policies 5, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(14) Condition

Prior to the installation of any permanent lighting a lighting scheme and assessment for the operational phases of the development including light spill assessment onto adjoining sites/areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved scheme and plans unless otherwise agreed in writing by the Local Planning Authority.

Reason

To assess the impact of lighting on the safety of the area, character, amenity and areas, and species, of ecological importance and in accordance with Policies: 5, 41 and 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(15) Condition

Prior to the commencement of development, a Construction Ecology Management Plan (CEMP), based on the recommendations within the Phase 2: Further Ecological Assessment by BMD Ref. 23.0059.RPE-P2.804 and the Habitat Regulations Assessment (HRA) by BMD shall be submitted to and approved in writing by the Local Planning Authority including timescales of work. The construction of the development shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect, reduce and mitigate the impacts of development on the ecology, wildlife and habitats on site and the surrounding area during construction on site and in accordance with Policies: 5, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(16) Condition

Prior to the construction a Landscape and Ecological Management Plan (LEMP), based on the recommendations of the Phase 2: Further Ecological Assessment by BMD Ref. 23.0059.RPE-P2.804, and the Habitat Regulations Assessment (HRA) by BMD ref. 23.0059.RPE-TN.806 including a timetable for implementation of proposals and their on-going retention and management shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be undertaken in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect, reduce and mitigate the impacts of development on the ecology, wildlife and habitats on site and the surrounding area during and after construction on site and in accordance with Policies 5, 22, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(17) Condition

Prior to construction, a landscaping scheme shall be submitted and approved in writing by the Local Planning Authority. This shall be based on the principles of Biodiversity Management Plan by BMD.230059.RPE.IA.808 BNG Plan and Urban Wilderness. The plan shall include:

- (a) details of the number, species, sizes and planting positions of all trees and shrubs and grasses to be planted;
- (b) 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, timescales for implementation;
- (d) a timeframe for implementation of the landscaping scheme, and the establishment of a maintenance regime, including the replacement of vegetation that dies or fails to flourish.

The works shall be carried out in accordance with the approved scheme. Any trees or plants that, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the first planting season after this occurs with others of a species, size and number as originally approved.

Reason

To ensure a satisfactory appearance and setting for the development, biodiversity benefits for the site and protection of existing features in the interests of amenity and ecological importance and in accordance with Policies: 5, 22, 41, 42 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(18) Condition

Prior to the construction of the main building, a detailed noise impact assessment and scheme of sound attenuation measures based on the principles established within the NVC Noise Impact Assessment No. R25.301/DRK shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be completed and operated in complete accordance with the approved details.

Reason

To limit the impact on adjoining areas of ecological importance and surrounding industrial areas and in accordance with Policies: 5, 41 and 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(19) Condition

The development shall be completed in accordance with the materials, colour and texture of all walling and roofing materials as outlined within the Design and Access Statement by Howarth Litchfield ref. no. 24003-HL-XX-XX-RP-A-0002-S2 -P05 unless otherwise agreed in writing with the Local Planning Authority.

Reason

To maintain the character of the area and limit impact on areas of ecological value in accordance with Policies: 5, 22 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(20) Condition

Prior to the installation of any off-site steam or electricity connection, full details of the infrastructure shall be provided to the edge of the application site for approval in writing by the Local Planning Authority. These details shall include the period for which the infrastructure shall be maintained and used. The development shall thereafter be completed in accordance with the approved details.

Reason

To ensure the development is as sustainable as possible and allows the development to rise up the waste hierarchy and in accordance with Policy 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and Paragraph 1 of the National Planning Policy for Waste (2014).

(21) Condition

The development hereby approved shall not be brought into use until a Sustainable Energy Reuse Scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be accorded with.

Reason

To ensure the development is as sustainable as possible and allows the development to rise up the waste hierarchy and in accordance with Policy 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and Paragraph 1 of the National Planning Policy for Waste (2014).

(22) Condition

Prior to the commencement of construction details of a Surface Water Drainage Scheme and Management Plan, shall be submitted to and approved in writing by the Local Planning Authority (including accessible ditch maintenance strips). This shall be based on 15887 - Drainage Strategy - 04 by Waterco Ltd, to manage surface water by means of

the proposed attenuation ponds and reuse of water within the Waste Treatment Facility and the residual/ emergency connection to the external effluent pipeline (including proposed attenuated flow rates and on-going maintenance programme). The approved drainage scheme shall be implemented before the development hereby permitted processes waste other than for the purposes of commissioning plant and equipment and shall thereafter be retained and managed in accordance with the approved scheme.

Reason

To ensure that the drainage scheme is acceptable and that flooding and contamination of adjoining sites will not occur and in accordance with Policies: 5, 33, 34, 41 and 47 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(23) Condition

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

- a) the date of the commencement of the erection of flue towers;
- b) the maximum height of any construction equipment to be used in the erection of the flue towers;
- c) the date any flue towers are brought into use;
- d) the latitude and longitude and maximum heights of each flue tower.

The Ministry of Defence 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.

In addition to this, within 14 days of notifying the Ministry of Defence of the intention to commence works the Local Planning Authority shall be given written confirmation that this has been undertaken.

Reason

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

(24) Condition

Only waste defined and limited by an Environmental Permit issued by the Environment Agency shall be imported to the site.

The amount and type of waste imported shall not exceed that stated within the Environmental Statement -G026-01 and Non Technical Summary G026-01 supported by the Transport Assessment - ORI-J10593 and Dispersion Modelling Assessment - 4147-0320-0002SMN rev 1. The operator shall retain a log of tonnages of waste accepted which shall be fully available to the Local Planning Authority on request.

Reason

To define the permission and to accord with the Environmental Assessment, Transport Assessment and Dispersion Modelling Assessment and in accordance with Policies: 5, 36, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(25) Condition

The process of sorting of all waste shall not be conducted outside of the buildings or canopies hereby approved by this application.

Reason

To safeguard the amenity of the area and ecology and in accordance with Policies: 5, 22, 41 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(26) Condition

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason

In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling and in accordance with Policies: 5, 36 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(27) Condition

Prior to the operation of the Waste Treatment Facility, a Flood Warning and Evacuation Plan (including review periods) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved scheme (and future reviews) and retained as such.

Reason

To limit the risks from flooding and in accordance with Policies: 5, 33 and 47 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(28) Condition

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) A non-technical summary;
- (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and;
- (e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority

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

Additionally, notice in writing shall be given to the Local Planning Authority when the:

- (a) HMMP has been implemented; and;
- (b) Habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason

To ensure the development delivers biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policies 5 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (Adopted 2018).

(29) Biodiversity Net Gain

Based on the information available, this permission will require the approval of a Biodiversity Gain Plan by the Local Planning Authority before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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

- i. A Biodiversity Gain Plan has been submitted to the Local Planning Authority, and
- ii. The Local Planning Authority has approved the Biodiversity Gain Plan.

Reason

To ensure the development achieves a minimum 10% Biodiversity Net Gain as required by Schedule 7A of the Town and Country Planning Act 1990.

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 not harm the area character or local amenity, have significant impact on ecology and is acceptable under all other planning considerations including highway safety. It will support the economic development of the area. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies: 5, 7, 9, 22, 33, 34, 36, 38, 39, 41, 42 and 47.

2 Informative

In accordance with paragraphs 38 and 41 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, including concerns over drainage, traffic, contamination, air quality and ecology.

3 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).

4 Informative

As the site is within 250 metres of a landfill site, the Environment Agency was consulted on this application and outline further areas to consider. You are therefore reminded that responsibility for safe development and secure occupancy of the site rests with the developer who should take appropriate measures to ensure it is not affected by landfill gas.

5 Informative

You are advised to consider all the comments of the Environment Agency in their responses to this planning application. These can be viewed on the Environment Agency's consultation responses to this application on the NE Lincolnshire Council's Planning Web Page under ref. no. DM/0451/25/FUL.

6 Informative

The Applicant has previously stated that the quantity of chemicals stored on site would not meet COMAH thresholds. Should this change, the Applicant must notify the Competent Authority. Further information regarding COMAH notifications can be found here: <https://www.hse.gov.uk/comah/notification/index.htm>.

7 Informative

You are advised that a Hazardous Substance Consent may be required before the commencement of operation of the plant. You are advised to make the necessary investigations as to whether any substances used or created by the development would require such consent to be obtained. You are advised to consider the Planning (Hazardous Substances) Act 1990, Schedule 1 to the Planning (Hazardous Substances) Regulations 2015 and contact the Health and Safety Executive for further advice on the matter.

8 Informative

You are recommended to review the requirements and recommendations of Humberside Fire and Rescue with respect to access for fire appliances and water supplies. These can be viewed on Humberside Fire and Rescue's consultation response to this application on the NE Lincolnshire Council's Planning Web Page under ref. no. DM/0451/25/FUL.

9 Informative

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

10 Informative

You are recommended to review the requirements, recommendations and plans of Northern Power Grid with respect to their infrastructure. These can be viewed on Northern Power Grid consultation response to this application on the NE Lincolnshire Council's Planning Web Page under ref. no. DM/0451/25/FUL.

11 Informative

To ensure HGV deliveries to the site do not harm the operation and safety of Network

Rail assets it is recommended that the applicant contact Network Rail's Asset Protection Manager to agree a strategy to protect their assets. Where any damage, injury, or delay to the rail network occurs which is related this development, the applicant/ developer/ operators will incur full liability.

Asset Protection Eastern

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email: assetprotectioneastern@networkrail.co.uk.

Land Information

For enquiries relating to land ownership enquiries, please email: landinformation@networkrail.co.uk.

Property Services

For enquiries relating to agreements to use, purchase or rent Network Rail land, please email: propertyservicesneem@networkrail.co.uk.

12 Informative

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).

13 Informative

The details of the flue towers required under condition 23 of this permission and indeed any alterations to that design should be sent to the Ministry of Defence at: dvof@mod.gov.uk or posted to:

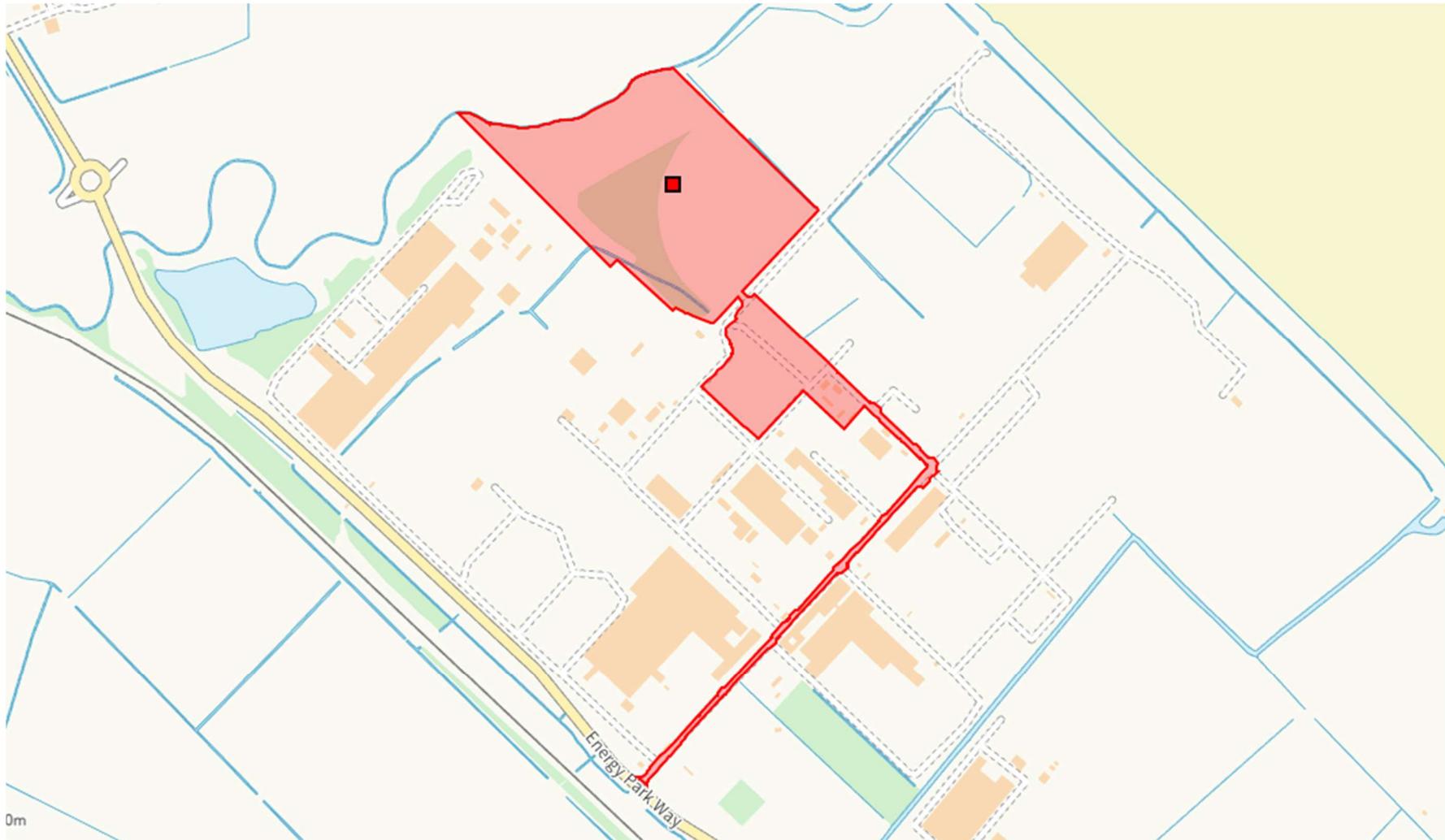
D-UKDVOF & Power Lines
Air Information Centre
Defence Geographic Centre
DGIA
Elmwood Avenue
Feltham
Middlesex
TW13 7AH

16 Biodiversity Net Gain

The advice of the Council's Ecologist provided on 6th February 2026 should be noted. These can be viewed on the North East Lincolnshire Council's Ecology consultation response to this application on the NE Lincolnshire Council's Planning Web Page under

ref. no. DM/0451/25/FUL.

DM/0451/25/FUL – LAND NORTH OF ENERGY PARK WAY, GRIMSBY



DM/0451/25/FUL – LAND NORTH OF ENERGY PARK WAY, GRIMSBY



PLANNING COMMITTEE - 25th February 2026

ITEM: 3 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0756/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 21 High Street, Cleethorpes, North East Lincolnshire, DN35 8LA

PROPOSAL: Change of use from shop to hot food takeaway and restaurant to include installation of extractor flue at the rear and associated works

APPLICANT:

Mr Arun
21 High Street
Cleethorpes
North East Lincolnshire
DN35 8LA

AGENT:

Mr Satha Palan
Malathy Design
Studio 33
Oxgate House
Oxgate Lane
Brent Cross
NW2 7FQ

DEPOSITED: 29th August 2025

ACCEPTED: 7th January 2026

TARGET DATE: 4th March 2026

PUBLICITY EXPIRY: 19th October 2025

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 11th October 2025

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is for the change of use of the property from a shop to a hot food takeaway and restaurant to include the installation of an extractor flue at the rear.

The application is brought to Planning Committee due to the number of objections received.

SITE

The application site is located to the southeast side of High Street in Cleethorpes. The

site is within Cleethorpes town centre area, with the row of units that the host property forms apart of considered as a primary shopping frontage. There are a variety of uses present within the immediate vicinity of the site which form part of the town centre area. These include shops, public houses, bars, restaurants and takeaways. The site is adjacent to Cleethorpes Central Seafront Conservation Area at the front however is not located within the conservation area boundary.

RELEVANT PLANNING HISTORY

DC/46/02/CRB - Erection of security shutters to shop front - Approved with conditions.

08/90/104 - Change of use of shop to estate agents - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.
- NPPF16 - Conserv. & enhance the historic environ.
- NPPF7 - Ensuring the vitality of town centres

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

- PO5 - Development boundaries
- PO22 - Good design in new developments
- PO23 - Retail hierarchy and town centre develop
- PO26 - Primary shopping frontages
- PO33 - Flood risk
- PO34 - Water management
- PO39 - Conserve and enhance historic environ
- PO41 - Biodiversity and Geodiversity

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Consultees

Heritage - No heritage input required.

Drainage - No drainage comments.

Highways - Approval no conditions.

Trees and Woodlands - No comments.

Environmental Health - Conditions requested for hours of construction / demolition, deliveries and the hours of operation. Detail provided RE external ventilation and extraction is considered adequate to alleviate the need for the condition originally requested, with a condition to secure this.

Ecology - The proposal is considered to meet the de-minimus exemption in respect of bio-diversity net gain due to not impacting a priority habitat, 25sqm of onsite habitat with a bio-diversity value greater than zero or 5 metres of onsite linear habitat. No known ecological issues.

Public Representations

Representations have been received in objection to the application from 12 Clixby Close, 14 Market Place, 20 Market Place and 71 Bradford Avenue broadly on the grounds of:

- Too many takeaways in the area
- Concerns over the storage of waste and bins
- Ownership of the land to facilitate the siting of bins

Representations have been received in support of the application from 15 Reubens Close, 17 Isaacs Hill, 112 Bentley Street, 24 High Street, 24 Manchester Street, 27 High Street, 39 St Johns Road, 42 College Street, 74 Suggitts Lane, 8 Bentley Street, 92 Alexandra Road and 7 Brooklands Avenue, broadly on the grounds of:

- New business will enable light and activity within the street when other businesses are closed providing passive surveillance, positive public safety which will discourage anti-social behaviour
- New restaurant and takeaway will add to the social fabric of the area
- Enhances sense of community and belonging
- Offers different cuisine and service style to existing businesses
- Offers an increase and diversity in consumer choice which is positive and convenient, making the centre more appealing and which will contribute to the vitality of the centre
- Other businesses generating custom and improves economy

- Extraction and ventilation systems are robust and compliant with best practice
- Appropriate position of flue will mitigate effectively against noise and odour to neighbouring properties
- Productive re-use of a vacant unit, prevents derelict frontage and improves visual amenity of the shopping parade
- Good accessible location for pedestrians and public transport
- Evening trade will support economic well-being and security of the commercial area
- Internal seating will benefit visitors to the town
- Concern over the objectivity and fairness of objections received

Grimsby and Cleethorpes District Civic Society - Neutral comment, positive to see empty properties being utilised however recognise there is a proliferation of fast-food outlets within the area.

APPRAISAL

The key planning considerations in respect of the proposal are:

1. Principle of Development
2. Visual Amenity and Heritage
3. Local Amenity
4. Highways Safety and Amenity
5. Flood Risk and Drainage
6. Ecology and Bio-diversity Net Gain
7. Other Considerations

1. Principle of Development

The site is located within the development boundary of Cleethorpes, therefore Part 1 of Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NELLP 2018) applies. Policy 23 applies as the site is within the defined town centre area of Cleethorpes. The site is identified and allocated as a primary shopping frontage; therefore Policy 26 applies. An assessment will be made on the proposal in respect of flood risk and drainage, therefore Policies 33 and 34 apply. As the site is adjacent to Cleethorpes Central Conservation Area, Policy 39 applies. For ecology and bio-diversity net gain considerations, Policy 41 applies. Policies 5, 22, 23, 26, 33, 34, 39 and 41 are considered to be relevant to the proposal subject to this application.

There is nothing within Policy 5, that in principle restricts the proposed use, but it is required to be accessed on its site specific impacts which will be discussed within this report. Being in the town centre, Policy 23 advises that for sole takeaway uses, the proposal should not result in an unacceptable concentration of them. Additionally, the property is identified and allocated as having a primary shopping frontage. Policy 26 additionally states that "...non-retail development will be permitted at ground floor level only where the development would not result in more than a third of the individual units

being used for non-retail uses." For the purposes of Cleethorpes town centre, this is stipulated as uses that are not of a retail, cafe or restaurant use. It is important to note that in this case the proposal incorporates a restaurant element by providing tables and seating within the front section of the property at ground floor which appears to be able to seat approximately 22 people from the floor plans provided. The rest of the ground floor of the property is proposed to host a kitchen area, with staff facilities present at first floor. This means that the use is not solely a takeaway and provides the restaurant element which is accepted in all town centre and primary shopping frontage locations. In this sense, it does not depart from the Policy aims. Equally, Policy 23 of the NELLP 2018 supports mixed uses that add to the viability and vitality of the town centre. It is understood that the unit subject to this application has been vacant for a number of years and the proposal would bring this back into use, therefore supporting the vitality of Cleethorpes town centre in accordance with Policy.

Policy 23 also stipulates that in respect of hot food takeaway proposals, that account be taken of neighbouring amenity, highways safety and the relationship with any school located within 400 metres of the proposed use. The issues of neighbouring amenity and highways safety are addressed in subsequent sections of this report. It is important to note that the proposal is for a combined takeaway and restaurant use and so is not a sole takeaway use. St Peters Primary School is located within 400 metres of the proposed takeaway and restaurant. Since the Local Plan policy came into force the National Planning Policy Framework has been updated and forms the most up-to-date policy base. Under para 97 it states that LPA's should refuse hot food takeaways 'a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre'. As this site is within the designated town centre, it is deemed suitable in regards to its use and relationship to the school.

The proposal is considered to be in accordance with Policies 23 and 26 of the NELLP 2018 in respect of the above.

2. Visual Amenity and Heritage

The proposal is for the change of use of the existing property from a shop to a hot food takeaway and restaurant. There are no external alterations proposed to the front elevation of the property affronting High Street, with the existing shopfront to remain as existing. Internally, the restaurant proposes seating to accommodate approximately 22 people with the rest of the ground floor of the property to host a kitchen area, with staff facilities present at first floor.

An extractor flue is proposed at the rear of the property as well as a fan vent at ground floor. These are the only external alterations proposed as part of the application. The flue is proposed to project 1.2 metres above the existing flat roof of the property, with an overall height proposed of 4.4 metres where the flue is proposed to project upwards from the existing single storey flat roof rear projection. These alterations are akin to the commercial area in which they are proposed, with the first-floor area of the application

site to remain as ancillary storage and staff facilities to the ground floor use. Whilst the flue will be visible from the front of the property and within the street scene due to it proposing to project above the overall height of the building, the visibility of this will be minimal due its intended scale and nature and indeed, it would not be harmful in this context.

In respect of heritage considerations, there are no alterations proposed to the front elevation of the property which faces onto Cleethorpes Central Conservation Area. Whilst the flue will be visible from within the wider area due to projecting beyond the existing roof line, this is not considered to pose harm to the setting of the conservation area. The Heritage Officer raises no objections to the proposal.

In respect of visual amenity and heritage considerations, the proposal is considered to be in accordance with Policies 5, 22 and 39 of the NELLP 2018.

3. Local Amenity

The application site adjoins 19 and 23 High Street to the sides, faces onto The Colosseum 26-28 High Street at the front, and backs onto a shared parking and rear access area at the rear. A total of four objections have been received in relation to the application, as well as twelve comments in support of the proposal. Grimsby and Cleethorpes District Civic Society provide a neutral comment to the scheme stating it is positive to see empty properties being utilised however note there is a proliferation of fast-food outlets within the area. All representations are acknowledged and discussed below.

The objections to the scheme express concern over the number of existing takeaways within the existing area. This is acknowledged and has been discussed within the principle of development section of this report. The objections received also raise concerns over the storage of waste and bins, including the ownership of the land to facilitate the storage of bins. The concerns are acknowledged. The landowner has confirmed there is an agreement in place for the siting of the bins within their land. The plans received identify an area at the rear of the unit, within the red line boundary, to be utilised for waste disposal. It has been confirmed the demarcated area on the plans received is to be used for the storage of bins in relation to the takeaway and restaurant proposed which is considered to be acceptable given the nature of the intended use. A condition is to be attached to the decision to ensure the bin store area is implemented prior to the use commencing.

Comments have been received from members of the public in support of the proposal. The reasons for support note a positive re-use of the currently vacant unit which provides an active frontage within the street scene, enabling activity, passive surveillance and increasing visual amenity. The comments state that the proposal will provide social benefits through an enhanced sense of belonging and community, the improvement to visual amenity of the shopping parade and increasing consumer choice within the High Street. Economic benefits have been cited within comments received, through

contributing to the vitality of the town centre area, with evening trade supporting the economic security of the commercial nature of the town centre. Comments also note the sustainable nature of the proposed use, with good links to public transport networks.

Comments in support of the application have made reference to the extraction and ventilation system detail provided, considering them to be effectively positioned to mitigate against noise and odour to neighbouring properties as well as being robust and compliant with best practice guidance. This is echoed by the Environmental Health Officer who is content with the ventilation and extraction detail provided throughout the application process, with a condition to be attached to the decision in respect of securing this. It is considered that the flue will not pose an adverse impact to the amenity of adjacent properties in this regard.

Comments in support of the application raise concerns over the objectivity and fairness of the objections received. The consultation process for planning applications is transparent and enables anyone to make representation to a scheme should they wish to do so.

In respect of the hours of operation of the takeaway and restaurant proposed, the opening times have been agreed with the Environmental Health Officer who deem them to be acceptable due to the late-night activity present from existing uses within the vicinity of the application site. It is considered that the opening hours are acceptable and will pose no adverse impact on the amenity of neighbouring properties.

To protect the amenity of adjacent properties, the Environmental Health Officer has requested a condition be attached to the decision in respect of limiting the hours for conversion or construction work. This condition is to be attached to the decision.

In respect of local amenity considerations, the proposal is considered to accord with Policies 5 and 22 of the NELLP 2018.

4. Highways Safety and Amenity

The application site is located in a highly sustainable location within Cleethorpes Town Centre. The Highways Officer provides comment that the premises is easily accessible by public transport and for pedestrians. Similar uses within adjacent premises to the application site operate without significant issue. The highway affronting the site comprises a combination of time restricted parking and loading bays, bus stops and taxi ranks, as such there is potential for conflict between new servicing and delivery arrangements associated with the proposed use and the existing use of the public highway. The presence of existing parking restrictions and limited kerbside space may constrain waiting or loading activity and this should be factored in when programming deliveries. Due to the town centre location, there is good access to public car parks and on-street short-stay bays for prospective customers travelling by car. Delivery drivers associated with the takeaway use should park safely and not contravene existing parking restrictions as failure to do so may result in Civil Enforcement action.

Servicing is likely to occur from the rear access given the position of the bin location shown on the plans received. Should collection occur from the High Street frontage, this should only be during designated periods for loading. The applicant is responsible for ensuring that servicing is managed appropriately to avoid obstruction to the highway or conflict with other pedestrian or vehicle movement. In light of the above, the Highways Officer is content with the proposal having considered issues of highway access, capacity and safety, parking, servicing and sustainability.

There is considered to be no concerns in respect of highways safety and account has been taken as such as stipulated within Policy 23 of the NELLP 2018.

In respect of highways safety and amenity issues, the proposal is considered to be in accordance with Policies 5 and 23 of the NELLP 2018.

5. Flood Risk and Drainage

The application site is located within flood zone 1. There is no proposed increase in footprint and so the Drainage Officer raises no objections. The proposal is therefore considered to accord with Policies 33 and 34 in respect of flood risk and drainage.

6. Ecology and Bio-diversity Net Gain

The Ecology Officer confirms that the proposal is exempt from the mandatory bio-diversity net gain condition due to not impacting a priority habitat, 25 square metres of onsite habitat with a bio-diversity value greater than zero or 5 metres of onsite linear habitat. There are no known ecological issues at this site. The proposal is therefore considered to be in accordance with Policy 41 of the NELLP 2018 in respect of ecology and bio-diversity net gain.

7. Other Considerations

The Council's Trees and Woodlands Officer raises no objections to the scheme due to the nature of the proposal.

CONCLUSION

The proposal seeks to change the use from a shop to a hot food takeaway and restaurant with external alterations to include the installation of an extractor flue at the rear. The proposal does not present any adverse impacts having regard to design, heritage, flood risk, drainage, highways, parking, ecology or local amenity considerations. The proposal is therefore considered to be in accordance with Policies 5, 22, 23, 26, 33, 34, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

RECOMMENDATION

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:

P-01A - Site Location Plan, Existing Site Plans, Floor Plans and Elevations

P-02B - Proposed Block Plan, Proposed Site Plans and Proposed Floor Plans

P-03A - Proposed Side Elevations

P-04 - Proposed Front and Rear Elevations

External Ventilation and Extraction Details received 7th November 2025

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 23, 33, 34, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

No conversion 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 local amenity and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

Prior to the commencement of the use hereby approved, the external ventilation and extraction equipment shall be installed as per the approved plans and details received 7th November and shall thereafter be so retained for the lifetime of the development.

Reason

To ensure satisfactory ventilation/extraction systems are provided to protect neighbours

from the adverse effects from cooking smells, noise and vibration in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

Prior to the commencement of the use hereby approved, the refuse area shall be implemented as per the approved plans. The Waste Management Plan submitted 29th January 2026 shall be adhered to at all times. The refuse area shall remain in situ for the duration of the use as a takeaway and restaurant unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure adequate bin provision and to protect local amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

All deliveries to the premises must be made between the hours of 7am and 7pm Monday to Friday, 8.30am to 6pm on Saturdays and 10.00am and 16:00pm Sundays and Bank Holidays.

Reason

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

(7) 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 not harm the historic character or neighbouring 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, 22, 23, 26, 33, 34, 39 and 41.

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, through negotiations and by securing additional details.

3 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).

4 Informative

Please note the advice from the Highways Officer which can be viewed on the application file.

DM/0756/25/FUL – 21 HIGH STREET, CLEETHORPES



DM/0756/25/FUL – 21 HIGH STREET, CLEETHORPES



PLANNING COMMITTEE - 25th February 2026

ITEM: 4 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0155/25/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Church Farm , 7 Station Road, Great Coates, North East
Lincolnshire, DN37 9NP**

**PROPOSAL: Demolish existing brick and portal framed barns, conversion of barns
and erect new to create nine residential dwellings including associated parking,
private gardens, access roads and associated works - AMENDED PLANS AND
TRANSPORT STATEMENT (RECEIVED 29TH JANUARY 2026)**

APPLICANT:

Mr James Ingestre
Sir Richard Sutton Limited
Benham Estate Office
Halfway
Newbury
RG20 8LR

AGENT:

Mr Daniel Hyde
Hyde Architecture Ltd
1 Westbrook Cottages
Station Road
North Thoresby
DN36 5QS

DEPOSITED: 3rd March 2025

ACCEPTED: 21st March 2025

TARGET DATE: 16th May 2025

PUBLICITY EXPIRY: 19th February 2026

**AGREED EXTENSION OF TIME DATE: 27th
February 2026**

CONSULTATION EXPIRY: 14th April 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

The proposal is for the demolition of the existing brick and steel framed barns, the conversion of two existing barns into dwellings and the erection of seven new dwellings (nine dwellings total) at land to the rear of Church Farm on Station Road in Great Coates. The development would utilise the existing access from Old Road.

The application is presented to planning committee due to an objection received from Great Coates Village Council and as a result of 4 public objections.

SITE

The site is located to the rear of Church Farm on Station Road in Great Coates, and accessed from Old Road. The site is currently unused and many of the buildings on site have fallen into a state of disrepair. The barn buildings that front onto Old Main Road are Locally Listed and the full site also falls within the Great Coates Conservation Area. The majority of the site is hard surfaced with parcels of grassland and landscaped scattered throughout.

The site is surrounded by residential neighbours. To the north west lies properties on Old Road, and to the south east lies properties on Station Road and a preserved open grassed area. To south west lies properties on Great Coates Road.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF5 - Delivering a sufficient supply of homes
- NPPF11 - Making effective use of land
- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.
- NPPF16 - Conserv. & enhance the historic environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

- PO5 - Development boundaries
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO34 - Water management
- PO36 - Promoting sustainable transport
- PO38 - Parking
- PO39 - Conserve and enhance historic environ
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape
- PO43 - Green space and recreation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status

of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Council's Environmental Health Officer - No objection. Conditions recommended.

Council's Waste Officer - No objections. Informative recommended.

Council's Highways Officer - No objections. Conditions recommended.

Council's Drainage Officer - No objections. Condition recommended.

North East Lindsey Drainage Board - No objections. Condition and informatives recommended.

Council's Heritage Officer - No objections. Conditions recommended.

Council's Tree Officer - No objections. Conditions recommended.

Council's Ecology Officer - No objections. BNG required and satisfied. Conditions recommended.

Humberside Fire and Rescue - No objections. Informative recommended.

Cadent Gas - No objections. Informative recommended.

Great Coates Village Council - Objects to the development on the grounds the development would increase traffic and have highways impacts, represent an overdevelopment, would create a strain on local services, create flood risk and wildlife issues and there are environmental concerns.

Neighbour Representations

110 Great Coates Road, Great Coates
Dairy Farm Cottage, Great Coates
9 Church Cottages, Station Road, Great Coates

Objects to the development broadly on the following grounds:

- Overlooking and loss of privacy issues
- Boundary issues
- Impact on wildlife
- Increased traffic and parking issues
- Flooding issues

Additional Representations

Grimsby and Cleethorpes Civic Society - Objects to the development with concerns regarding increased traffic and access issues.

The Limes, Meer Booth Road, Antons Gowt, Boston - Confirms that swifts should be considered and to utilise mitigation measures.

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Highways Impacts
- Impact on Character of the Area and Heritage
- Impact on Neighbouring Amenity
- Drainage and Flood Risk
- Ecology, Biodiversity and Trees

Principle of Development

The proposal site is located within the development boundary, and therefore Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) applies. The site has no specific allocation on the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) inset maps. The proposal is for the demolition of existing barns, conversion of remaining barns and the erection of dwellings creating nine dwellings with associated parking, gardens, landscaping and associated infrastructure. Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) allows for such development within the settlement boundaries in principle. Particular regard is had to the fact the site is within the development boundary and a brownfield site. Development proposals are then considered against the site-specific impacts and material planning considerations relevant to the proposal.

The site is within a Conservation Area and includes Locally Listed Assets. Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) applies along with advice in the National Planning Policy Framework (NPPF) under section 16, Conserving and Enhancing the Historic Environment. The requirements under Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area also applies.

Highways Impacts

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires due regard to be given to highway safety and amenity in new development proposals,

Policy 36 seeks to promote the use of sustainable transport and Policy 38 has regard to parking provision. It is noted that the objections received from neighbours and the Village Council raise concerns over traffic generation, access, highway amenity and safety.

The proposal seeks to provide two parking spaces for each of the nine dwellings. Private outdoor amenity space is also provided. The site is in a very good location in regard to sustainable transport with access to bus routes on Great Coates Road. The Policies within the Local Plan and National Planning Policy Framework do not set a figure for parking provision for new development but require consideration to be given to the location of the site and type of development proposed. In this instance, it is considered that the parking proposed is acceptable and there is opportunity for the individual dwellings to have their own cycle storage. It is therefore considered in regard to parking and sustainable transport the scheme accords with Policies 5, 36 and 38 of the Local Plan 2013-2032 (Adopted 2018).

In regard to traffic generation, access, general highway safety and amenity, the scheme has been considered in detail by the Highways team and extensive discussions held with the applicant. The planning application is accompanied by a detailed Transport Statement and other associated documentation.

A new priority T-junction would be formed from Old Road to facilitate access to the dwellings. The access arrangements were redesigned to account for the retention of the main barn to provide inter-visibility between approaching drivers and crossing pedestrians. Acceptable visibility splays to the access have also been demonstrated. Vehicle tracking has been provided to demonstrate that access and turning by refuse vehicles and subsequently fire appliances is achievable. Pedestrian accessibility has also been factored into the design with the formation of a new two metre footway on the south-western side of Old Road with associated crossing point. This will enable connectivity with the existing footway infrastructure throughout Great Coates Village.

Overall, traffic and parking matters have been considered by the Council's Highways Officer, and they have concluded that the proposed development would not result in any adverse harm to highway safety, and it would not have a detrimental impact on highway amenity due to traffic generation from the site. It is therefore considered that the proposed development is acceptable in highway safety and amenity terms in accordance with Policies 5, 22, 36 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), subject to conditions.

Impact on Character of the Area and Heritage

The proposed development sees some of the existing barns on the site demolished, this includes a modern steel framed barn which is of little architectural interest. It is not practical to retain these buildings in the scheme and the greatest historical and architectural value is considered to be in the main farm buildings on the site.

The proposal seeks to retain the two main buildings with limited external alterations. This

is important as one of the farm buildings is Locally Listed and of both historic and architectural interest. Policy 39 of the Local and Section 16 of the NPPF seeks to protect and preserve these heritage assets where possible. The applicant's efforts to retain as much of the historic value of the site as possible is to be lauded and in principle is supported by Policy. The retention of external features helps retain the overall character of the buildings. Internally the changes have sought to retain the character of the building which is welcomed. The Heritage Officer acknowledges the appropriateness of the conversion scheme, subject to conditions.

The proposal includes the erection of new buildings to replace dilapidated farm buildings on site. This would include a combination of single and two storey constructions to provide a mixture of dwellings. A new single storey building would also be attached to the existing retained farm structure. The design of the new builds would appear as traditional farm buildings with similar features of other properties in the immediate area. Materials also would reflect the retained buildings on site and those within the area including brickwork, slate roofs and timber window frames.

The Council's Heritage Officer originally noted that the redevelopment of the site would remove the legibility of the site as a farmyard within the Conservation Area but recognised the site is unused and has been for some time, and would unlikely be used in the near future. The Heritage Officer has confirmed that the redevelopment of the site would limit further deterioration, limiting opportunities for vandalism and the loss of historical features of the site would be minimal. In this case, support is offered for the scheme and conditions are recommended to secure external finishes.

Overall, the proposed development would complement the site as a whole, and would not detract from the overall visual character of the area or harm the Conservation Area or nearby heritage assets in accordance with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

It is noted that comments have been received from neighbours with concerns regarding loss of privacy, and boundary issues. The concerns raised are considered in the report below. Comments in relation to Highways, Drainage, Ecology etc are dealt with in the relevant sections of this report.

In regard to the conversion of the existing barn buildings on site, the buildings are in place and would include external changes including the insertion of new windows and doors to create new dwellings. The relationship between the neighbours would however not materially change and therefore there would be no adverse massing or dominance issues. In terms of loss of privacy, it is acknowledged that the comings and goings and overall use of the buildings would materially change from farm buildings to dwellings. Nevertheless, the distance from the site to neighbours is considered appropriate to ensure issues in terms of overlooking would not be adverse. Particularly, Dairy Cottage is opposite a building to be converted. However, this building is single storey in height and

the presence of landscaping would aid in ensuring residential amenity issues would not be detrimental.

In terms of the new build cottages to the northern end of the site, these would be two storeys and would replace a large brick and steel framed barn. The cottages would face onto Old Road. It is considered that the distances from Dairy Cottage and properties on Old Road would be acceptable ensuring issues in terms of dominance and privacy would not be adverse.

In regard to the new barn style dwellings which would be attached to the existing barn to be retained, these would run along Old Road. This building would replace an existing dilapidated barn that already runs along Old Main Road and the boundary of Church Farm. It would be single storey in height and therefore issues in terms of dominance would be limited. There would be new windows facing onto Old Road. Nevertheless, neighbours are a comfortable distance away ensuring privacy would not be detrimentally affected.

To the southern end of the site would be four new dwellings, which would replace a modern steel framed barn. The dwellings would be a mixture of single and two storeys in height. Due to concerns raised by neighbours, amendments were provided by the applicant and the dwellings relocated further into the site. The new dwelling closest to Church Farm would be single storey with rooms in the roof space. Coupled with the single storey nature of the dwelling, and that there would be no windows facing Church Farm, residential amenity issues would not be detrimental. In terms of 110 Great Coates Road, it is considered that the distance from the development to this neighbour would be acceptable and due to the presence of landscaping, issues around loss of privacy and dominance would be minimised.

The comments from 110 Great Coates Road around boundary treatments is noted. The applicant has amended the development to include an abundance of trees, hedging and fencing along the boundary to ensure the boundary between the site and the neighbour is defined.

Whilst the proposed development would be visible to the neighbouring properties, the overall impact on their residential amenities is not considered to be adverse to justify a refusal on these grounds. The proposal would therefore be in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in this respect.

Drainage and Flood Risk

The application site is within an area zoned Flood Zone 1 on the Environment Agency's Flood Risk Maps. As such, the area is considered to be at the lowest risk of flooding from rivers and the sea and is sequentially preferable for residential development. The proposal therefore accords with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

In terms of surface water drainage, the applicant has confirmed that surface water run-off from the development can be sustainably managed, including the installation of an attenuation pond, in accordance with policy guidance set out in the NPPF and Policies 33 and 34 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). Full details of drainage arrangements need to be agreed prior to the commencement of development, and this can be secured adequately by a planning condition which is recommended. This approach is supported by the Council's Drainage Officer and the North East Lindsey Drainage Board whom recommend that conditions are included for full details of drainage.

Ecology, Biodiversity and Trees

Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 15 of the NPPF confirms that development should have regard to biodiversity and geodiversity, seeking specifically to minimise the loss of biodiversity features, and create opportunities to retain, protect, restore and enhance features of biodiversity value, including priority habitats and species.

Ecological reports with the application conclude that there are some ecological constraints to the site's development, including the presence of bats and owls. The report provides recommendations including protection and mitigation measures such as installation of bat bricks within dwellings and pole mounted boxes for owls. There are also recommendations for other species, but these are not a constraint to the development. The Council's Ecology Officer is supportive of these recommendations, and conditions are recommended to secure these measures.

The development is subject to Biodiversity Net Gain (BNG) requirements. A BNG metric and Biodiversity Impact Assessment has been submitted which demonstrates in excess of 10% net gains. The assessment outlines onsite habitat retention, enhancement and creation with long term management which could be achieved, including additional enhancements such as the provision of bird and bat boxes and gaps for hedgehogs. The Council's Ecologist has reviewed the details and has confirmed that the BNG metric is acceptable and conditions relating to management and monitoring are recommended. The proposal therefore accords with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

The development includes the removal, retention and planting of trees and hedging along the boundaries of the site, and within the site along streets and open space, providing character and attractiveness to the area and development. Subject to conditions, the Council's Tree Officer accepts the details provided. Therefore, in landscaping and recreation terms the development is considered acceptable under Policies 42 and 43 of the Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

It is considered that the development of this site would re-use a brownfield site, within the

development area, in an area at lowest risk from flooding. The impact of the development has been fully considered and in particular with regard to the character of the area, heritage, highway safety, ecology and the amenity of adjacent residential areas. The application can therefore be recommended for approval in accordance with Policies 5, 22, 33, 34, 36, 38, 39, 41, 42 and 43 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), subject to a number of safeguarding conditions.

RECOMMENDATION

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:

Site Location Plan - 1555/001

Proposed Block Plan - 1555/003 REV C

Proposed Site Plan - 1555/004 REV C

Proposed Floor Plans Plots 1 and 2 - 1555/006 REV A

Proposed Elevations Plots 1 and 2 - 1555/007 REV A

Proposed Floor Plans and Elevations Plots 3 and 4 - 1555/009

Proposed Floor Plan and Elevations Plot 5 - 1555/015

Proposed Floor Plans Plots 6-9 - 1555-011 REV A

Proposed Elevations Plots 6-9 - 1555-012 REV A

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 33, 34, 36, 38, 39, 41, 42 and 43 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) 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).

(4) Condition

No construction shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP 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 approved CMP and control measures it contains shall be implemented throughout the construction phase. The noise assessment must comply with the requirements of British Standard 5228 unless otherwise approved. No burning of demolition/construction waste material shall take place on site. The measures shall be applied as agreed.

Reason

In the interests of public health and to protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

Prior to the commencement of any demolition works a detailed method statement outlining the method of demolition and measures to prevent pollution to the environment and nuisance from noise and dust to surrounding occupiers shall be submitted in writing to the local authority for its written approval. Demolition shall only thereafter be undertaken in accordance with the approved method statement.

Reason

In the interests of public health and 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

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 7 to 9 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 10 has been complied with in relation to that contamination.

Reason

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

(7) Condition

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance, published online in 2020.

Reason

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

(8) Condition

A detailed remediation scheme to bring the site 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.

Reason

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

(9) Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning

Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that any contamination is dealt with appropriately in accordance 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 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 with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, 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 in accordance with condition 9.

Reason

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

(11) Condition

No construction or conversion work shall commence until a final scheme for the sustainable provision of surface water drainage and a scheme for foul drainage has been submitted to and approved in writing by the Local Planning Authority. Included shall be a management plan. The development shall then be built out in accordance with the approved details and the drainage implemented prior to any occupation unless otherwise agreed in writing by the Local Planning Authority. All drainage shall be retained and maintained as approved thereafter.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface and foul water disposal in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

No dwelling shall be occupied until a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day has been submitted to and approved in writing by the Local Planning Authority. Once approved, the dwellings shall be occupied in strict

accordance with the agreed details.

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).

(13) Condition

Construction shall not begin 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;
- (ii) A Stage 1 and 2 Road Safety Audit (RSA) must be provided. The Road Safety Audit must be undertaken by a fully qualified independent Road Safety Auditor.

Once approved, the 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 to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(14) Condition

No dwelling on the site shall be occupied until the access road connection with Old Road has been set out, established and has been constructed to at least base course level and adequately lit from the connection with the existing highway up to the access to the dwellings, in accordance with comprehensive engineering details to be submitted and approved in writing by the Local Planning Authority before such works are commenced. Once approved, such scheme shall be implemented in full before any part of the development is occupied.

Reason

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

(15) Condition

No construction shall commence until a plan showing the inclusion of a service strip of two metres in size on all shared surface areas that are proposed to be adopted as public highway have been submitted and approved in writing by the Local Planning Authority. Once approved, development shall be set out in accordance with the approved details prior to any occupation unless otherwise agreed in writing by the Local Planning Authority. Once approved, no development whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 or not (other than Class 13 of the Order) shall take place within the service strip adjacent to any A4 Shared Accessway, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the Local Planning Authority.

Reason

To ensure that public utility companies (such as gas and water companies) can install and access their equipment in a safe manner in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Condition

The development hereby permitted shall not be occupied until a scheme to provide new, or upgraded, dropped kerbs and/or tactile crossings, at the developers expense, is submitted to and approved in writing, by the Local Planning Authority. The scheme shall be implemented as approved, prior to any occupation and retained thereafter.

Reason

In the interests of road safety in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(17) Condition

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

1. Contact details of the person with responsibility for the implementation of the DCTMP;
2. The expected number, types and size of vehicles during the entire demolition and construction period;
3. The proposed daily hours of operation during the demolition and construction period;
4. Details of on-site parking provision for demolition and construction related vehicles;

5. Details of on-site storage areas for materials, if required;
6. 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;
7. Details of wheel washing facilities (locations, types etc.); and
8. Routing agreement for demolition and construction related traffic.

Once approved, this agreement shall be adhered to at all times during demolition and construction unless, otherwise agreed in writing by the Local Planning Authority.

Reason

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

(18) Condition

Prior to the commencement of any development, a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the tree protection measures shall be installed in accordance with the details agreed before works on site commence and shall thereafter be so retained at all times during the construction period.

Reason

To protect existing trees and landscaping and to accord with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(19) Condition

No construction shall commence until a scheme of landscaping showing the details of the number, species, sizes, planting positions and maintenance schedules of all trees and shrubs to be planted have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with the approved details within 12 months of the date of commencement of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

In the interest of visual amenity to accord to Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(20) Condition

Prior to construction of the development, a detailed Method Statement shall be submitted to and approved in writing by the Local Planning Authority including a detailed method for

build specification and construction of the no-dig solutions required for access through Root Protections Areas of trees. The approved scheme shall be adhered to during all construction works.

Reason

To prevent damage to trees/hedges during construction works in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(21) Condition

Before any works on site commence, details shall be provided on how the existing site wall along Old Road will either be preserved in situ or incorporated into the new extension which shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall proceed in strict accordance with the approved details.

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and enhances the integrity of the conservation area to accord with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(22) Condition

Before any new areas of brickwork are installed, full details of the brick, bond and mortar to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall proceed in strict accordance with the approved details.

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and enhances the integrity of the conservation area to accord with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(23) Condition

Before any repointing is undertaken on the former dairy and barns and site wall, details of the lime mortar to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, all repointing works shall proceed in strict accordance with the approved details.

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and enhances the integrity of the conservation area to accord with Policies 5, 22 and 39 of the North East Lincolnshire

Local Plan 2013-2032 (Adopted 2018).

(24) Condition

Before any of the following are installed full and final details shall be submitted to and approved in writing by the Local Planning Authority:

- Pantiles
- Windows and Doors

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

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and enhances the integrity of the conservation area to accord with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(25) Condition

The diamond shaped air vents/bird and bat design on the barn walls must be retained.

Reason

To ensure the development has an acceptable external appearance, is in keeping with the visual amenity and character of the area and enhances the integrity of the conservation area to accord with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(26) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class A, B, C, D, E, F shall be permitted within the curtilage of the dwellings.

Reason

To protect the heritage value and quality of the scheme in accordance with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(27) Condition

The development must be carried out in line with the recommendations identified in the Preliminary Ecological Appraisal unless otherwise agreed in writing with the Local Planning Authority and before any demolition or construction occurs, the further survey work identified in the Preliminary Ecological Appraisal, shall be undertaken submitted to and approved in writing by the Local Planning Authority. Included shall be any mitigation

measures where recommended and a timescale for implementation. Once approved, any mitigation measures shall be implemented as approved.

Reason

In the interests of ecology and to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(28) Condition

No demolition or construction shall not commence until a Demolition and Construction Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. Development shall then be implemented in accordance with the Demolition and Construction Ecological Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interest of habitat and bio-diversity improvement and protection in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(29) Condition

No demolition or construction shall not commence until a Landscape Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. Development shall then be implemented in accordance with the Landscape Ecological Management Plan and adhered to at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interests of habitat and bio-diversity in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(30) Condition

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) A non-technical summary;
- (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and;
- (e) The monitoring methodology and frequency in respect of the created or enhanced

habitat to be submitted to the Local Planning Authority

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

Additionally, notice in writing shall be given to the Local Planning Authority when the:

- (a) HMMP has been implemented; and;
- (b) Habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason

To ensure the development delivers biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policies 5 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (Adopted 2018).

(31) 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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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 is for a conversion and redevelopment scheme to create 9 dwellings. It can be achieved without harm to the heritage of the area or residential amenity and is acceptable under all other planning considerations including heritage, highway safety and ecology. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 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 requesting additional information and amendments.

3 Informative

The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

4 Informative

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

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

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)

7 Informative

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 six months in advance of the commencement of works (Tel: 01472 324505).

8 Informative

Where there may be the possibility of asbestos in the buildings the applicant, developer, and future occupier are reminded of the duties under Control of Asbestos Regulations 2012, or the more general duties under the Health and Safety at Work Act 1974 in relation to any presence of asbestos in the building(s). The Health and Safety Executive can be contacted for further advice and a copy of the Approved Code of Practice is available from their website at <http://www.hse.gov.uk/pubns/books/l143.htm>.

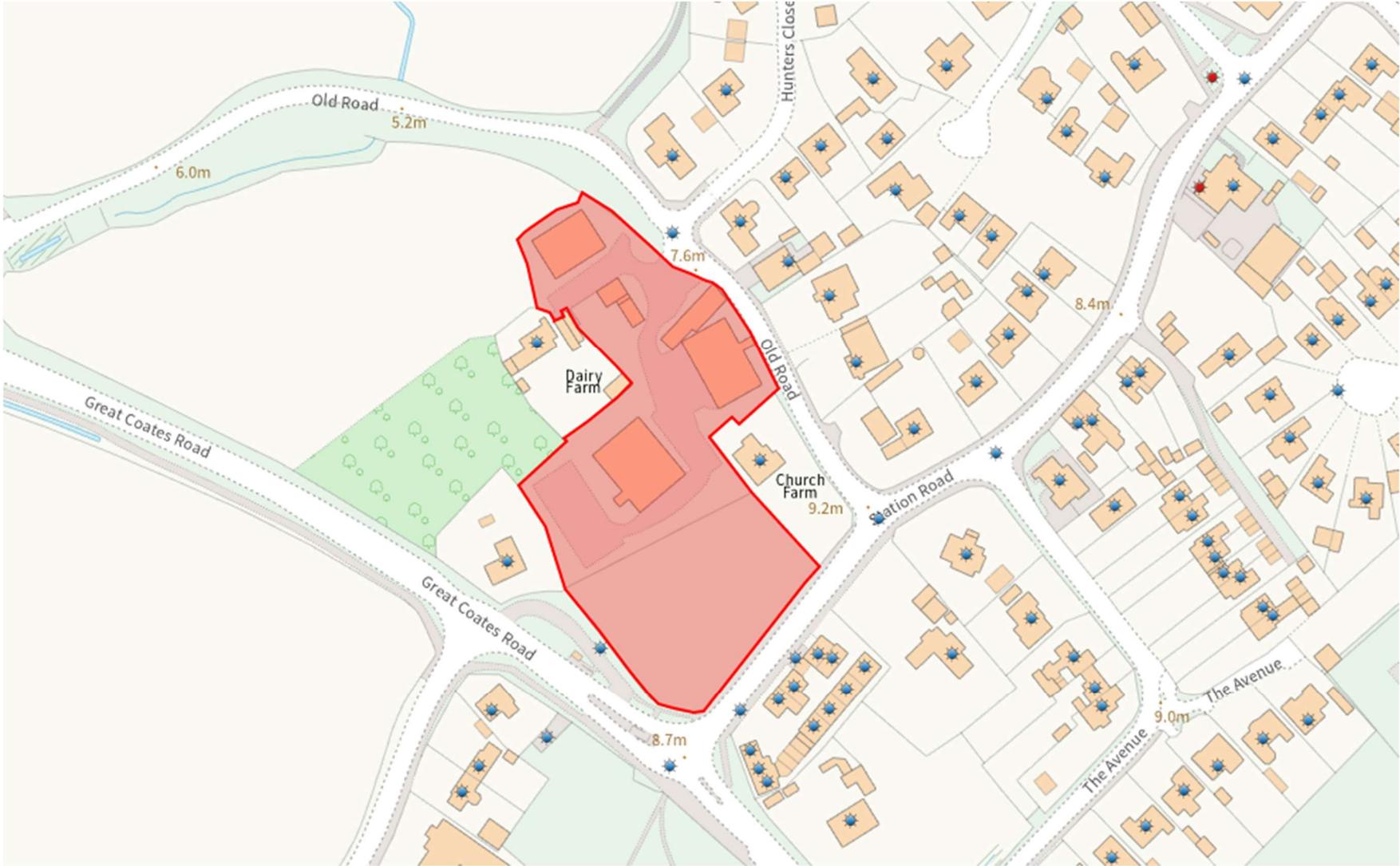
9 Informative

The applicant's attention is drawn to the comments from the Council's Ecology Officer, Drainage Officer, Waste Officer, North East Lindsey Drainage Board, Humberside Fire and Rescue and Cadent Gas. Please go to www.nelincs.gov.uk to view the comments.

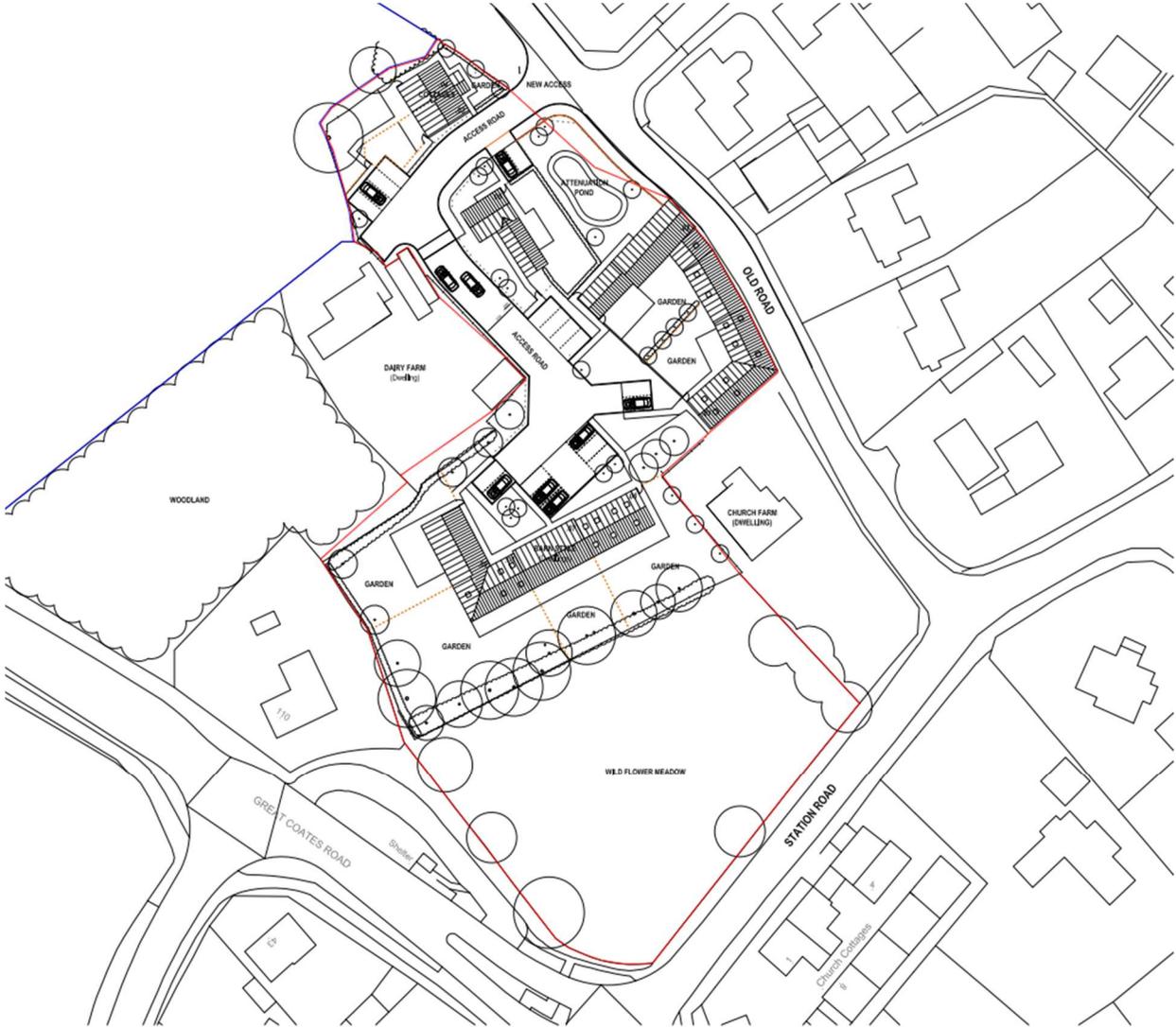
10 Informative

It is recommended that any new brick matches the existing barn and dairy buildings and that the bond design is also matched (English Garden Wall, three rows of stretcher, one row of headers). For the dairy, the former barn and its new extension the openings should be timber.

DM/0155/25/FUL – CHURCH FARM, 7 STATION ROAD, GREAT COATES



DM/0155/25/FUL – CHURCH FARM, 7 STATION ROAD, GREAT COATES



PLANNING COMMITTEE - 25th February 2026

ITEM: 5 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0916/25/FULA

APPLICATION TYPE: Accredited Agent - Homeholder application

APPLICATION SITE: 15 Humberston Fitties, Humberston, North East Lincolnshire, DN36 4EU

PROPOSAL: Remove existing workshop and part of pergola, erect single storey extension to rear with alterations to include roof lights. Alterations to the existing shed to form a bin store, increase the height of the existing chimney stack, renew all existing cladding with mixed horizontal and vertical cladding and replace all existing uPVC windows and doors with new timber framed units, introduce several ships porthole windows and alterations to existing fences and associated works - Amended Plans and Description December 2025

APPLICANT:

Ms Andrea Warnock
15 Humberston Fitties
Humberston
North East Lincolnshire
DN36 4EU

AGENT:

Mr Matt Deakins
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

DEPOSITED: 24th October 2025

ACCEPTED: 24th October 2025

TARGET DATE: 19th December 2025

PUBLICITY EXPIRY: 12th January 2026

AGREED EXTENSION OF TIME DATE: 27th February 2026

CONSULTATION EXPIRY: 29th December 2025

CASE OFFICER: Abigail Hattersley

PROPOSAL

The proposal seeks planning permission to remove the existing workshop and part of the existing pergola, erect a single storey extension to the rear with alterations to include roof lights, and alterations to the existing shed to form a bin store. Permission is also sought to increase the height of the existing chimney stack, renew all existing cladding with

mixed horizontal and vertical cladding and replace all existing uPVC windows and doors with new timber framed units, as well as to introduce several ships porthole windows and alterations to existing fences and associated works. Amended Plans and Description were received December 2025.

The application is brought to planning committee due to an objection received from Humberston Village Council.

SITE

The application site is a small chalet which is located along 4th Avenue within the Humberston Fitties Chalet Park in Humberston. The site is located within the Humberston Fitties Conservation Area which is also covered by an Article 4. Surrounding the site are other holiday chalets of similar size and appearance, though building materials do differ either being finished in render or timber cladding.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF16 - Conserv. & enhance the historic environ.

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Heritage Officer - The extension combined with the removal of the outbuildings is acceptable.

Drainage Team - The proposed soakaway system is acceptable.

Environmental Protection Team - Hours of construction/demolition condition is required.

Asset Management - No comments received.

Estates and Valuation - No comments received.

Humberston Village Council - Objects to the development.

Highways Officer - Approval no conditions.

Lincolnshire Wildlife Trust - No comments or recommendations.

North East Lindsey Drainage Board - No drainage implications.

Natural England - No objection.

Ecology Team - BNG exempt, standing advice is provided regarding birds and bats.

RSPB - No comments received.

Police Crime Reduction Officer - No comments received.

Other Representations

Grimsby and Cleethorpes District Civic Society - Objects on the grounds that the application is not in line with the Fitties Design Guide.

APPRAISAL

The main issues in this appraisal are:

1. Principle of Development
2. Heritage and Design
3. Neighbouring Amenity
4. Other Considerations

1. Principle of Development

The chalet is located within the Fitties conservation area and is set within the resort area. Thus, Policies 5, 22, 33, 39 and 41 of the North East Lincolnshire Local Plan (NELLP) 2018 apply. Policy 22 will also be used to assess the proposal. The proposal accords with the aforementioned policies in principle and is subject to the site-specific discussion below.

Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires

planning applications to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and historic buildings and this is considered in this report.

2. Heritage and Design

The application site is located within the Humberston Fitties Conservation Area. The proposal is for the removal of the existing workshop and part of the existing pergola, as well as the erection of a single storey extension to the rear with alterations to include roof lights, and alterations to the existing shed to form a bin store. Permission is also sought to increase the height of the existing chimney stack, renew all existing cladding with mixed horizontal and vertical cladding and replace all existing uPVC windows and doors with new timber framed units, as well as to introduce several ships porthole windows and alterations to the existing fence.

There are two existing pergolas on site. The pergola to the north west proportion of the rear garden is to be retained and the pergola adjacent to the rear elevation is to be removed. The existing workshop to the south east proportion of the rear garden is also proposed to be removed. The single storey extension is proposed to the rear of the existing chalet. The extension is proposed to project approximately 2.1 metres from the application site, with a width of approximately 6.2 metres. It will measure approximately 2.3 metres to the eaves and 3.2 metres at its maximum height with two interlocking pitched roofs. Therefore, it is lower than the maximum height of the existing chalet. Two two-pane bifold doors are proposed to the rear elevation of the extension and metal-framed ship porthole windows with round openings are proposed to each side. The Heritage Officer supports the porthole windows and considers that this will create an interesting subversion on the usual square/ rectangular window while giving deference to its seaside location. The exterior walls will be completed in timber cladding, and the roof will be completed in galvanised steel sheeting, which is supported by the Heritage Officer.

The proposal further seeks to renew the existing cladding on the building as well as to replace the existing uPVC windows and doors with new timber framed units. The Heritage Officer states that the change in materials is welcome. The roof of the existing chalet will similarly be replaced with galvanised steel sheeting, which will slightly extend the height of the existing chalet, and a roof light is proposed to the rear roof elevation. The height of the existing chimney is also proposed to be extended.

The proposed works will also alter the existing shed, combining it into a shed to the rear with a bin store to the front, which will be of functional use to the existing and future occupiers of the application site. It is considered acceptable in heritage and design terms. The original scheme included the retention of the existing workshop, as well as a covered balcony and porch to the south and east elevations. This was deemed to be excessive in terms of size and scale, because it exceeded the original floorspace by 85%, contrary to the Humberston Fitties Chalet Design Guide. Negotiations with the agent have been successful, with the revised scheme removing the proposed balcony/porch and including the removal of the existing workshop. Whilst the amended plans show a floorspace

increase of 66%, the Heritage Officer considers that this is mitigated by the significant areas of betterment, such as the removal of the existing workshop, and the replacement of the UPVC windows with timber. This will make significant improvements in the street scene and the overall contribution it makes to the conservation area. To secure this mitigation, a condition is recommended. Therefore, it is considered that the floorspace increase is acceptable due to the betterment achieved through the scheme. This responds to the concerns raised by the Village Council and Civic Society.

Further, the original plans submitted showed close boarded fencing, which was considered unacceptable. Following discussions with the agent, the fencing has been amended to open picket fencing, which measures 1.2 metres height. This is a betterment, which is in line with the Chalet Design Guide and is supported by the Heritage Officer.

The works will be visible to the front of the site, but it is considered that does not pose any adverse impact to the conservation area, character of the area or wider street scene.

The Heritage Officer is content with the revised scheme with amendments resulting in the preservation and enhancement of the conservation area. The proposal is therefore considered to be acceptable in accordance with Policies 5, 22 and 39 of the NELLP 2018.

3. Impacts on Neighbouring Amenity

The application site adjacent number 13, 4th Avenue to the north west. However, there is an existing outbuilding and pergola in situ which will partially screen the impacts of the proposed works. Due to the position and scale of the works, there is not deemed to be any adverse impact on this neighbouring chalet in respect of massing, dominance, overshadowing or overlooking.

Further, the chalet adjoins number 17, 4th Avenue to the south east. Significant negotiations have been undertaken with the agent to achieve a reduction in the level of works within the site. As a result, the existing workshop which sits along the south eastern boundary is proposed to be removed. Whilst the proposed extension and associated works may be visible to 17, the removal of the workshop is considered a betterment. As such, the visibility of the proposed works is not deemed to be intrusive or harmful to amenity in terms of overlooking, overshadowing, massing or dominance.

Other alterations are proposed to the existing chalet which will be visible to neighbouring chalets to the front of the application site. However, no adverse impacts are deemed to arise as a result of the works proposed.

The works are not considered to cause a detrimental impact to neighbouring chalets, and the application is therefore considered to be in accordance with Policy 5 of NELLP 2018.

4. Other Considerations

The Highways Officer, Lincolnshire Wildlife Trust, North East Lindsey Drainage Board, and Natural England offer no objections to the proposed works.

The Drainage Team have stated that the proposed soakaway system is acceptable, with a condition to be attached to the decision with regards to implementation of this.

The Environmental Protection Team have no objections but have recommended an hours or works condition. This is suggested as a condition.

In terms of Ecology, the proposal is exempt from the mandatory biodiversity net gain. Standing advice is recommended regarding birds and bats.

CONCLUSION

The alterations proposed to the chalet preserve and enhance the Humberston Fitties Conservation Area and do not have an adverse impact on neighbouring chalets. The proposal is deemed to be in accordance with Policies 5, 22, 33, 39 and 41 of the NELLP 2018 and is therefore recommended for approval.

RECOMMENDATION

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 and documents:

RD5957-02 H - Proposed Block Plan, Floor Plan and Elevations

RD:5957 - 02 - Street Scene

RD:5957 - 01 A - Site Location Plan, Existing Floor Plans and Elevations

RD5957 - Flood Risk Form

RD5957 REV A - Heritage Assessment

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 33, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The proposal shall be constructed using materials specified within the application form and on the approved plans received unless otherwise first approved in writing by the Local Planning Authority.

Reason

In the interests of design and in accordance with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

(4) Condition

Surface water drainage shall be via the soakaway shown on plan RD5957-02 H Proposed Block Plan, Floor Plan and Elevations which shall be installed before the outbuildings are brought into use and shall thereafter be so retained unless an alternative is submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of flood risk and drainage and to accord with Policy 33 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:

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

(6) Condition

Prior to the commencement of any development hereby permitted (or as otherwise agreed in writing), the existing workshop structure and the identified section of the existing pergola, as shown for removal on drawing RD5957-02 H Proposed Block Plan, Floor Plan and Elevations, shall be permanently removed from the site in their entirety and all existing windows and doors changed to timber.

Written confirmation and photographic evidence of the removal shall be submitted to and approved in writing by the Local Planning Authority before any further development takes

place.

The development shall thereafter be carried out strictly in accordance with the approved details.

Reason

To preserve and enhance the Conservation Area to accord to Policy 39 of the North East Lincolnshire Local Plan (2013 to 2032) Adopted 2018.

(7) Condition

The development shall be completed in accordance with the submitted Flood Risk Form.

Reason

To help mitigate the impact of any flooding to accord to Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

(8) 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 4.3 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
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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;
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- 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 not harm the area character, heritage or local 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, 22, 33, 39 and 41.

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 imposing conditions for amenity.

3 Informative

The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

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).

5 Informative

Birds and bats are mobile species and frequent roofs and cavities. There should be vigilance for nesting birds and the presence of bats before and during works. If a nesting bird or bat is discovered during works, all work must stop immediately, and a suitably qualified ecologist contacted and the Local Planning Authority informed.

Birds

All common wild birds are protected under The Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to:

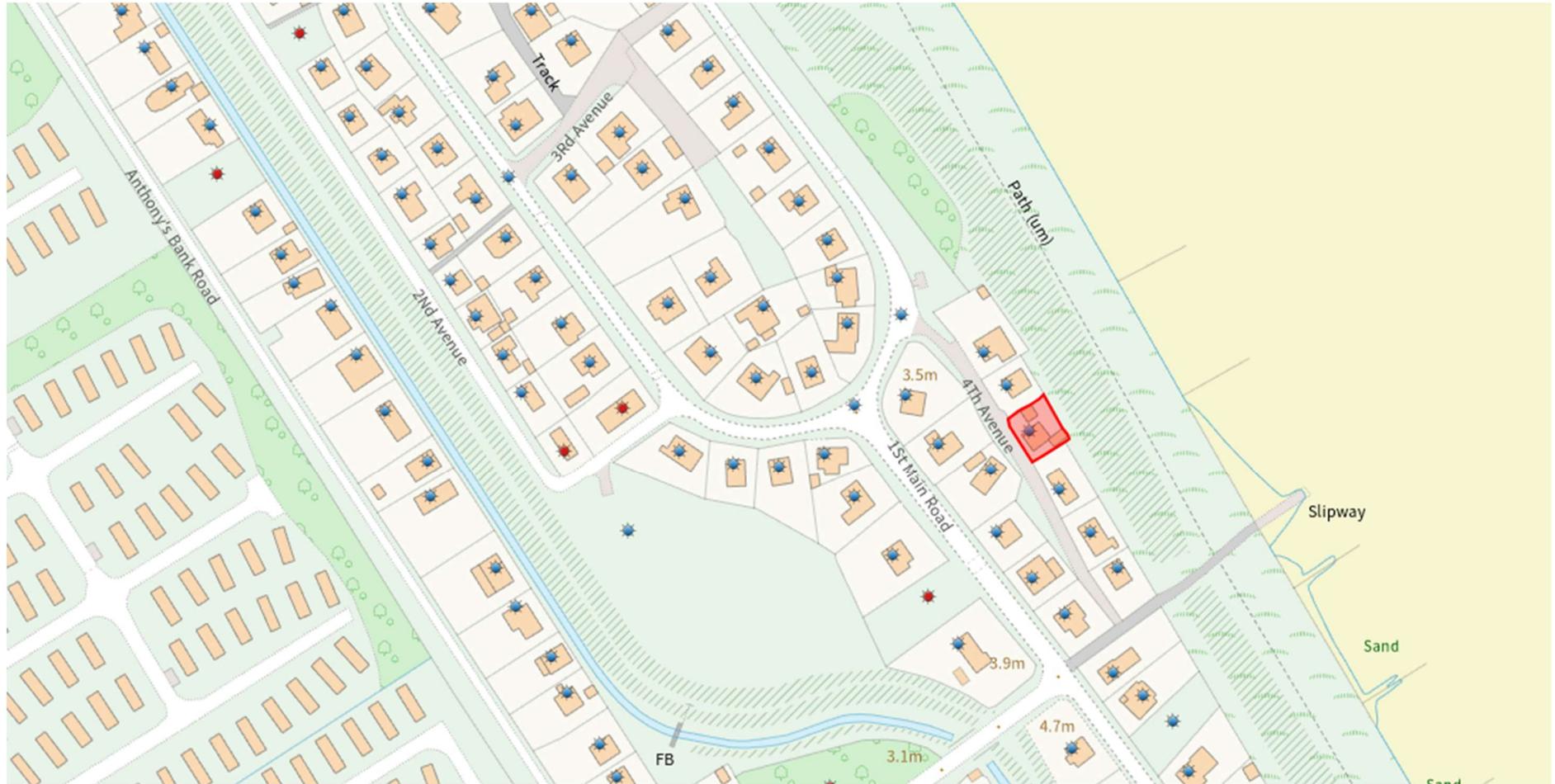
Kill, injure or take any wild bird, Take, damage or destroy the nest of any wild bird while it is in use or being built, Take or destroy the egg of any wild bird, Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

Bats

All bats are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and is strengthened by the Countryside and Rights of Way (CROW) Act 2000. Bats are also protected by the Conservation of Habitats and Species Regulations (as amended) 2019 and together, all this legislation makes it an offence to: Deliberately capture (or take), injure or kill a bat, Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not, Damage or destroy the breeding or resting place of a bat, Possess a bat (alive or dead) or any part of a bat, Intentionally or recklessly obstruct access to a bat roost, Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats.

A roost is defined as being any structure or place that is used for shelter or protection, and since bats regularly move roost site throughout the year, a roost retains such designation whether or not bats are present at the time.

DM/0916/25/FULA – 15 HUMBERSTON FITTIES, HUMBERSTON



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