



PLANNING COMMITTEE

22nd April 2026 at 9.30 a.m.

Present:

Councillor Hasthorpe (in the Chair)

Councillors Bright, Emmerson, Hudson, Humphrey, Kaczmarek, Lindley, Mickleburgh, Parkinson, Pettigrew and Shutt

Officers in attendance:

- Martin Dixon (Planning Manager)
- Cheryl Jarvis (Principal Planner)
- Richard Limmer (Senior Town Planner)
- Bethany Loring (Senior Town Planner)
- Lara Hattle (Senior Highway Development Control Officer)
- Adam Brockbank (Highway Development Control Officer)
- Tracy Lovejoy (Locum Lawyer)
- Sophie Pickerden (Committee Support Officer)

Others in attendance:

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

P.87 APOLOGIES FOR ABSENCE

No apologies of absence were received for this meeting.

P.88 DECLARATIONS OF INTEREST

Councillor Humphrey declared a pecuniary interest in P.90 Item 5 DM/0010/26/FUL and Item 7 DM/1067/25/FU as his spouse worked for the agent.

Councillor Mickleburgh stated that he had taken advice from Ms Lovejoy regarding P.90 Item 1 DM/0980/25/FUL who had advised that he had an interest but did not need to withdraw from the meeting which he agreed with.

Ms Hattle stated that for P.90 Item 1 DM/0980/25/FUL, she was friends with the Director of Cyden Homes. She said that she had discussed this with Ms Lovejoy who had advised that she didn't need to leave the room.

Ms Lovejoy reminded committee members that the meeting was taking place during the pre-election period and whilst they could continue with normal business such as determining planning applications, they needed to focus on material planning considerations, that determinations be made for the good of North East Lincolnshire and not for ward interest or on party political lines and committee members were asked to keep their commentary fair, balanced and accurate. Ms Lovejoy advised committee members to keep away from immaterial matters, such as matters to do with Central Government.

P.89 MINUTES

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

P.90 DEPOSITED PLANS AND APPLICATIONS

Item 1 - DM/0980/25/FUL – Land West Side Louth Road, New Waltham

Ms Loring introduced the application and explained that it had been brought before the Planning Committee due to a call in from Councillor Shepherd. She outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Ms Loring referred committee members to the supplementary agenda which contained an addendum submitted by the applicant. She explained that whilst the proposed development would contribute to the housing supply, that benefit would not outweigh the visual harm the development would have on the open countryside. Ms Loring said that there was also a lack of information regarding archaeology and ecology on the site. She stated that the application was therefore recommended for refusal.

Ms Jackson spoke in objection to the application. She said that the green fields were disappearing and she couldn't understand why someone would want to build on the last area of green belt land that Scartho had left, that separated Scartho from New Waltham and Waltham. Ms Jackson said that the queues of traffic in the area was horrendous and most of the time, people were unable to park their cars in the village. She said that the local Spar shop was closing partly due to parking issues. Ms Jackson said that when people were unable to park their vehicles, they ended up using Tesco car park. She asked where another two thousand cars were going to park and how were emergency vehicles going to be able to get through the mile long queues with vehicles pumping out emissions. Ms Jackson said that emissions

damaged children's lungs and not everyone could afford an electric car. She said that there were 2400 children at Tollbar using bikes and walking, and the queues of traffic went back as far as Tesco's in Cleethorpes and the Grimsby Institute throughout the day. Ms Jackson said that the field proposed to be used for the development was a wetland, and following weeks of rain, you were not able to even walk on it. She said that there were ponds of water at the base of the grid pylon and the large connecting wires went right across the field. Ms Jackson said that underneath the field were the Conoco oil pipes from Tetney. She said that last year there had been a flood where the pylon and the wires turned blue. Ms Jackson stated that climate change was a problem and twenty years ago the field was considered unsuitable for building, but the biggest worry was the extra traffic that the development would bring. She said that there had been nearly one hundred objections against the application. Ms Jackson said that there were many retired citizens in Southern Walk who believe their security was in danger. She stated that she didn't want to think that her granddaughters' children would grow up not knowing what a green belt of land was. She asked committee members to refuse the application.

Miss Pickerden read out statement from Mr Busby in objection to the application.

Mr Busby was representing a large group of local residents from Southern Walk, Eastfield Avenue, and the surrounding area, who were deeply concerned about the proposal and ask that it be refused. He wrote that the objection was not based on opposition to housing in principle but was based on planning policy, evidence, and the long term consequences of getting the decision wrong. Mr Busby felt that the proposal was fundamentally misaligned with the North East Lincolnshire Housing Strategy, which identified the need for affordable, accessible housing, particularly one and two bedroom homes, and recognised serious local affordability pressures. The proposed development delivered approximately eighty percent high value private housing, with prices starting around £250,000-£300,000, in an area where the median house price was around £148,000. Mr Busby wrote that this was not meeting local needs and was pricing out local people, younger residents, and working households. He wrote that approving a predominantly market led scheme of this nature directly contradicted the Council's own evidence-led housing objectives. Mr Busby wrote that the proposal would cause irreversible harm to settlement identity. He wrote that the development would materially erode the separation between New Waltham, Waltham, Scartho, and neighbouring settlements, accelerating coalescence and creating an unplanned suburban sprawl. Mr Busby wrote that local planning policy and national guidance were clear that development should respect settlement patterns and local character and this scheme did not. He wrote that once this land was built on, the loss of identity and openness was permanent and this was harm that could not be undone, and it should carry significant weight. Mr Busby wrote that the proposal gave rise to severe residual cumulative highway impacts. He wrote that the applicant's own data showed that Toll Bar Roundabout was already

under strain, yet this development added over 140 two way trips in the AM peak and nearly 140 in the PM peak. Mr Busby wrote that critically, their assessment was flawed due to the failure to account properly for more than 1,500 homes already approved within a two mile radius. He wrote that modelling showed the northern arm of the junction reaching over 109% capacity, which by definition was severe under paragraph 116 of the National Planning Policy Framework. Mr Busby wrote that this impacted not only commuters, but emergency access, including routes to the Princess of Wales Hospital. He wrote that this was a real and tangible safety issue, not a theoretical one. Mr Busby wrote that when you step back and assess the application, the conclusion was clear, the harms were multiple, significant and policy based, not minor and not isolated and they were not capable of being resolved later through conditions or reserved matters.

Mr Burling spoke as the applicant for the application. He thanked council officers for their collaborative approach. Mr Burling said that Cyden Homes was a family-owned business and has been based in Grimsby for forty years, and they currently employed ninety people. He said that Cyden Homes supported local trades people, contractors, suppliers and manufacturers, all of whom were based in the local area. Mr Burling stated that Cyden Homes provided significant economic contribution to North East Lincolnshire and was also an award winning developer of quality housing. He said that Cyden Homes offered a range of homes, including starter homes and retirement homes, with sizes ranging from one-bedroom bungalows to five-bedroom detached houses. Mr Burling said that Cyden Homes were able to meet a much needed demand for all types of homes in Grimsby and help deliver the Council's housing projections. He stated that Cyden Homes had an excellent record of delivery and had consistently achieved target completion dates even during recent years of economic uncertainty such as coronavirus pandemic, the war in Ukraine and Brexit. Mr Burling said that Cyden Homes developments reflected the area in which they were located, were thoughtfully designed and had a unique appearance and feel. He said all of their developments were completed in a timely manner with all roads and footpaths provided. Mr Burling said that they had worked closely with the planning officers to address matters raised through the application process and would continue to do so. He believed that archaeology could be appropriately conditioned at the stage of development process and, in terms of ecology, the proposed development was well below the threshold where additional mitigation would be needed. He said that all the technical matters had been addressed and there had been no objections from any technical consultees. Mr Burling said the proposed development constituted a natural rounding off of an existing development and would have limited visual impact, as set out in the Landscape and Visual Impact Assessment. He said that Scartho was a stable location for development and the Council's own local plan identified Scartho as part of the main urban area of Grimsby and, as such, was a sustainable location to facilitate much needed housing. Mr Burling stated that the Council could currently only demonstrate a 3.6 year housing supply and

the proposed development would help with the demand. He asked committee members to approve the application.

Councillor Shepherd spoke in objection to the application. He said that he was representing the residents of Scartho ward against another planning application which was for a development located outside of the local plan, an over intensified planning application and which would reduce the green wedge corridor between Scartho and Waltham. Councillor Shepherd said that the proposed development, whilst not located in Scartho Ward, would heavily impact Scartho residents. He said that there was open flooding on the site and the traffic at Toll Bar and Scartho Road would stop if a further three hundred homes were built. Councillor Shepherd said that the proposed development was over intensified, inappropriate for that area and he didn't know how much more Scartho could take. He said that the Planning Committee needed to get a message across to developers that we did not want development in open countryside that would block up the infrastructure in the town. Councillor Shepherd said that there was very little in the planning application that would benefit Scartho, Waltham or New Waltham. He said that the proposed development would reduce the ability for people to move around the town and he wasn't sure that houses of £250,000 - £300,000 were affordable. Councillor Shepherd asked that committee members unanimously refused the application and send a message to developers that developments in open countryside and outside the local plan were not acceptable.

Councillor Lindley said that he was a Scartho Ward Councillor and had distanced himself from the issue in order to avoid issues of predetermination. He said that he had listened to all speakers and had taken notes based on that. Councillor Lindley said that the proposed development was not located in the local plan and he had a consistent view that applications for sites not in the local plan should not be approved. He said that he had heard the argument previously that as the Council was not able to demonstrate a five year housing supply, the Planning Inspectorate could overturn a decision made by the Planning Committee, but he did not consider applications on the basis of what the Planning Inspectorate might think of them. Councillor Lindley said that the proposed development was not on a site in the local plan and there was also the issue of the narrowing of the strategic gap. He said that the residents of Scartho were protective of that gap as they did not want to merge with New Waltham or Waltham. Councillor Lindley said that the loss of the countryside was key and there was also wildlife on the site. He said that there were also pylons on the site and he was not convinced of the research that living under pylons was safe. Councillor Lindley said that there was also the issue of highways and he thought that the assessment that the development would not have a significant impact was ridiculous. He said during the rush hour in the morning, both Waltham Road and Louth Road were blocked and the situation was at breaking point. Councillor Lindley said that there had been no development of the highways infrastructure for over twenty five years and a number of housing developments had been approved that had

contributed to the problem. Councillor Lindley proposed that the application be refused.

Councillor Hudson said that this was one of the most unpopular planning applications the Planning Committee had considered for long time. He said that residents didn't want the development, Parish Councils didn't, Ward Councillors didn't and the planning officers didn't want it either. He said that it was outside the local plan, would eat into the green wedge and the traffic in Scartho was impossible. Councillor Hudson seconded the proposal to refuse the application.

Councillor Mickleburgh said that he thought planning officers had done a good job with the application and had come out on the side of common sense with their recommendation. He didn't live in Scartho but had family members that did and it was an area with a strong community and its own identity. Councillor Mickleburgh thought that what was proposed could mean the loss of that identity and we needed to protect the identity of villages. He said that he didn't think there was a big need for houses that cost £300,000 and instead there was a need for high quality housing at lower costs. Councillor Mickleburgh said that he didn't drive, but crossing Louth Road as a pedestrian was difficult even during off peak times. He said that a development of 300 homes could mean a further 600 vehicles and that would be an extra burden on the road network. Councillor Mickleburgh said that he would support the proposal of refusing the application.

Councillor Bright said that it was good to see the community passionate about their area. He said that he didn't doubt Cyden Homes commitment. Councillor Bright said that Councillor Shepherd had spoken of sending a message to developers but Planning Committee members had to judge planning applications on material planning considerations. Councillor Bright said that he had listened to the planning officer's comments and also agreed that coalescence of villages was a large problem. He said that the site was located outside of the local plan and he would support the proposal of refusing the application.

Councillor Kaczmarek said that he wasn't sure why the application was being considered by the Planning Committee as it was recommended for refusal by planning officers and that was also what residents and the Ward Councillors wanted but by calling it in, it risked the application being approved. He said that he would support the proposal to refuse the application but thought it had been poorly managed.

Councillor Pettigrew said that he agreed with the officers' recommendation and would support the proposal to refuse the application. He thanked officers for their comprehensive report.

Mr Dixon said that in terms of process, the planning application had been called in and therefore it had to be determined by the Planning Committee. That was the process and at time of call in's the

recommendations hadn't been determined. He stated that there was a housing need, which had been put forward by Central Government and, at present, the Council could not demonstrate a five year housing supply. Mr Dixon said that in terms of the types of housing, the proposed development was fully compliant with twenty percent of the proposed housing being towards affordable homes.

Councillor Humphrey said that he agreed with his fellow Ward Councillors and that the key factor was that the site was not in the local plan. He said that whilst the site was not technically located in Scartho, it was right next to it and that was more an issue regarding boundaries as everyone viewed it as Scartho. Councillor Humphrey said that he was intrigued by the parish council's comments and would have like to have seen more information about the planning history on the site. He said that he echoed the points raised about the site being located in open countryside. Councillor Humphrey said that there were sound sensible reasons to refuse the application and having listened to all the information, he didn't think there was anything that could change the planning officer's recommendation as outlined in the report.

Councillor Shutt said that when reading through the application, he didn't think the application was ready to be before the Planning Committee as there was outstanding data needed regarding ecology and archaeology. Councillor Shutt said that he would support the proposal of refusing the application.

Councillor Emmerson said that the community had definitely spoken and it was residents that would have to live with what was proposed. He said that if applications like this were approved, we would end up merging villages together. Councillor Emmerson said that the site was also outside of the local plan. He said that he would support the proposal to refuse the application.

Councillor Parkinson said that the application was pushing the boundaries and as building was a profitable business, there was probably an incentive to push the boundaries. He said that there was so much opposition to the application and he was disappointed to see the applicant bringing this forward. Councillor Parkinson said that he didn't think the current housing supply should be used as a reason to approve an application. He said that there was plenty of time to increase the housing supply and in much better places than what was proposed. Councillor Parkinson said that he would support the proposal of refusing the application.

Mr Dixon stated that the housing supply was a planning issue that was part of the consideration.

RESOLVED – That the application be refused.

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

Item 2 - DM/0455/25/FUL – Land at Riby Road, Stallingborough

Mr Limmer introduced the application and explained that it had been brought before the Planning Committee due to the number of objections received and the concerns raised by Healing Parish Council. He said that there was also an objection to the application from Keelby Parish Council. Mr Limmer outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. He stated that the application was recommended for approval with conditions.

Mr Burt spoke in support of the application. He said that he was from the Riby Grange Farming Company and was one of the landowners for the proposed energy park between Stallingborough and Keelby. Mr Burt said that he would not have agreed to working with the applicant without careful consideration as his family had been farming in the area for over fifty years and cared about the area deeply. He said that the farm operated over 1,600 acres of land. Mr Burt said that the solar farm would cover 387 acres of land, leaving us with over 1200 acres of land still in agricultural production. He said that income from hosting the solar farm would support the future viability and sustainability of the farming business which was needed. Mr Burt said that farming operated on a world market so they had no control of what their product would be worth when they came to sell it. He said that most of their inputs, such as fertilisers were manufactured abroad, and this was their biggest cost and fertiliser was linked to the price of gas, so when the price of oil and gas went up so did the price of fertilizer. Mr Burt said that this price increase was seen when Russia invaded Ukraine and now with the war in Iran, and in three weeks the price of fertilizer had increased by fifty percent. He said that wheat however had only increased by £5.00. Mr Burt said that this showed that higher input costs were not reflected in prices paid to farmers and instead they were encouraged to diversify to ensure financial sustainability to continue farming but they need the support of local councillors when they had the power to approve diversification plans. He said that if the application was approved, the income from the solar farm would be predictable and consistent, supporting them to keep farming. Mr Burt said that the land put forward for the solar farm was not the most productive and he had also seen crop failures on the land chosen. He said that what was proposed was not a permanent change of use and solar panels were not very destructive to the underlying land and the long term fallow of the field would benefit the soil when the fields returned to agricultural production at the end of the consent period. Mr Burt said that they were also livestock farmers, and in the event of solar being installed, he was looking at options to graze the land with sheep and retaining some agricultural production alongside energy production. He said that they had chosen to partner with the applicant as he felt they would build the solar farm properly. Mr Burt said that their plans include new hedgerows and planting to screen the solar panel areas. He said that they had also considered the site carefully.

Mr Bowen spoke on behalf of the applicant. He said that they had over thirteen years of experience in delivering solar projects like the one proposed across the United Kingdom with a strong focus on environmental enhancement and community benefits. Mr Bowen explained the impact of two interlinked challenges; energy security and climate change. He commented that net zero targets could not be achieved by rooftop solar alone, and schemes such as the one proposed were essential, and they required suitable land and access to viable grid connections which were a scarce resource in this country. Mr Bowen said that as a result such developments were typically located in rural areas and this introduced a change to the landscape, but this reflected a necessary and carefully considered transition towards a more secure and sustainable energy system. He said that key issue was whether such development was appropriately sited and well designed and he believe it was. Mr Bowen said that the site would generate fifty megawatts of clean electricity and that was enough power for 16,300 homes. He said that electricity would also be stored ready to be released if needed helping to balance supply and demand across the grid. Mr Bowen said that they had engaged with the local community and held three consultation events with the feedback directly shaping the scheme, including the relocation of the battery storage to be further away from homes, additional tree planting, the reinstatement of the historical woodland and a permissive path that would run through the site to improve connectivity in the area. He stated that 95% of those consulted had raised no objections to the application. Mr Bowen said that it was a large site but almost half of it would be dedicated to landscaping environmental enhancements. He said that the site would also be grazed by sheep, meaning it remained in agriculture and the soil would recover. Mr Bowen said that the soil surveys showed that over three quarters of the land were considered to be lower agricultural land. He said that in relation to food protection, Defra confirmed that solar development did not pose a risk to food security. Mr Bowen said that the battery storage system had been designed to the highest safety standards. He said that if the application was approved, a community fund would be set up for both Keelby and Stallingborough ensuring local communities directly benefit.

Councillor Hudson said that the Planning Committee had considered similar planning applications before but he thought this was one of the best ones he had seen. He said that the proposed new tree planting was a bonus. Councillor Hudson said that these types of schemes also generated a lot of money for the community. He said that we needed this type of energy creation and it was great to hear that there would still be sheep on the land. Councillor Hudson proposed that the application be approved.

Councillor Mickleburgh agreed with what Councillor Hudson had said. He said that we need energy security in the country. Councillor Mickleburgh said that solar panels on roofs were great, but on their own they were not enough so we needed to consider solar farms. He said that 78% of the

land to be used was in the lower category of agricultural land and it also would still be used for sheep to graze. Councillor Mickleburgh said that he thought it was a good scheme and should be supported. Councillor Mickleburgh seconded the proposal to approve the application.

Councillor Bright said that he was also supportive of the application. He asked whether for an application regarding a solar farm, a sequential test had to be undertaken as he couldn't see that referenced in the officer's report.

Mr Limmer responded that an agricultural land assessment had been conducted to look at the land available to them, but the application didn't require an overall sequential approach.

Councillor Bright asked whether cumulative impacts had been assessed.

Mr Limmer confirmed that was assessed through the Landscaping Visual Impact Assessment.

Councillor Bright stated that he was supportive of the application.

Councillor Shutt said that it was a challenging time for farmers so to have consistent income coming in providing energy but still farming and working around the solar panels seems to be the way forward. He said that he would support the proposal to approve the application. Councillor Shutt asked whether swift boxes or towers could be added as an informative as mentioned in a representation.

Mr Limmer responded that swift towers were a tall structure and that had not been considered in terms of the overall development. He said that that particular representation came in late for planning officers to consider.

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

Councillor Pettigrew said that he could understand some of the comments from the parish councils and it appeared to be split there. He said that these types of applications were relatively new. Councillor Pettigrew said that he was in favour of the application and it had been interesting to hear from the landowner. He said that he liked that there was screening and the bio-diversity net gain was second to none.

RESOLVED – That the application be approved with conditions

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

Item 3 - DM/0806/24/FUL – Land Adjacent To 9 Ashby Close And 19 Glenfield Road, Grimsby

Mr Dixon introduced the application and explained that the application had been brought before the Planning Committee due the number of

objections received. He explained that the application had previously been before the Planning Committee twice and it was deferred on 23rd April 2025 in order to allow for further investigation into whether or not the land was classed as a Public Right of Way and whether or not the land was open space or suitable for use as a play area. Mr Dixon said that the application was deferred for a second time on 9th July 2025 in order to allow for a Definitive Map Order application to be determined. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Dixon stated that the application was recommended for approval with conditions.

Miss Pickerden read out from a presentation on behalf of Ms Bevan in objection to the application.

Ms Bevan wrote that the land had been advertised as a disused bit of land that was previously used as a car park. She wrote that this was inaccurate and that the land was characterised by a mixture of tarmac and concrete and has never been used as a car park. Ms Bevan wrote that the presence of concrete bollards throughout the lands history indicates a deliberate effort to ensure the area was a local safe amenity, preventing vehicles from accessing the land. She wrote that the land was also not a waste disused space, otherwise herself and residents would not be so passionate about objecting. Ms Bevan wrote that the planning officer had confirmed that the area was specifically mapped as a recreational space during the estate's construction and was designated as a key component in attracting families to move to this area. She wrote that the original development map from 1962 clearly designated the land as a dedicated play area. Ms Bevan wrote that it was never left, so the Council could sell the land later for planning purposes. She wrote that none of the residents were informed in April/May 2023 of the intention to dispose of the land hence why no objections were received, contrary to what is written in the planning officer's report. Ms Bevan wrote that she also disagreed that the proposed houses met the housing requirement of the borough. She wrote that hundreds of houses were being built at the Cambridge Green site and three thousand were proposed for Freshney Valley. Ms Bevan wrote that at the last meeting, her neighbour had given a heartfelt speech about what the land meant to residents and since that last meeting she has been working hard with Councillor Holland and has requested that there be a Public Right of Way. She wrote that the applications forms were requested in April, and received on 27th May and these were delivered back to the Council on 23rd June, but the Public Right of Way officer didn't receive them until 3rd July. Ms Bevan said that she had many statements which show that the path has been used by residents and pupils for over forty five years. She wrote that the land was a vital community asset, supporting wildlife, providing a social gathering space, ensuring a safe space for children to play and a safe route for pupils to use to walk to and from school. Ms Bevan wrote that the land had been central to the wellbeing of the community, has never been a car park and has always been maintained by the locals and the Council. She wrote that the Council states that the walk way is not a public path,

however the path has been in continuous use for over five decades, serving as a vital thoroughfare for the local community. Ms Bevan wrote that there has never been any restrictions or signage that public access was prohibited and the path has been illuminated by lighting provided by the Council as well as bin on both sides of the access to the path enhancing useability and safety. She wrote that hedges have also been maintained which further underscored and recognises its importance to the community. Ms Bevan wrote that her petition had gained over three hundred signatures. She made reference to a quote from the Head Teacher of Wybers Wood Primary School who had said that the pupils use the footpath regularly and if the path was no longer accessible, it would make the walk more dangerous. Ms Bevan wrote that she also objected to the application on road safety grounds, impact on wildlife and the impact it would have on residents wellbeing if the application were granted.

Miss Pickerden read out a statement from the agent for the application Mr Berryman.

Mr Berryman wrote that the site lies within the defined development boundary and urban area where the Local Plan directs housing growth. He wrote that the proposal for four family dwellings would make a small but meaningful contribution to housing supply in a sustainable location, and the site was in flood zone one, which was appropriate for residential development. Mr Berryman wrote that committee members had previously raised concerns about whether the land functioned as open space or a play area. He wrote that while there may have been an aspiration historically, this was never secured through a planning condition or formal designation. Mr Berryman wrote that the site was not protected under Policy 43, and the Council had already followed the correct legal process to dispose of the land, with no objections received. He wrote that as such, there was no policy objection to its development in principle. Mr Berryman wrote that in relation to the Public Right of Way, this had been a key issue. He wrote that the applicant had amended the scheme to include a three metre wide pedestrian route through the site, maintaining connectivity between Ashby Close and Glenfield Road. Mr Berryman wrote that this had been designed with input from relevant officers, including measures for natural surveillance and safety. Concerns from residents about highways and access were acknowledged, particularly regarding school traffic. However, the Local Highway Authority raised no objection. He wrote that while there would be some increase in traffic, this was not considered severe and importantly, mitigation was proposed, including a Traffic Regulation Order at Glenfield Road to prevent obstruction of the turning head, improving safety. Mr Berryman wrote that a Construction Traffic Management Plan would also manage impacts during the build phase. The dwellings were considered appropriate in scale and form, reflecting the surrounding area and while materials were slightly more contemporary, they were not out of keeping and could be controlled by a condition. Mr Berryman noted that the layout ensured acceptable separation distances and conditions were recommended for obscure

glazing where necessary, and overall the level of activity from four dwellings was consistent with the existing residential context. He wrote that future occupiers would also have suitable living conditions. Trees, ecology and biodiversity had been addressed through replacement planting and enhancements, with a Biodiversity Net Gain condition securing measurable improvements. He wrote that drainage and contamination matters were also acceptable, subject to standard conditions. Mr Berryman concluded that this was a modest, policy-compliant development on an unallocated urban site and the applicant had addressed the reasons for deferral, particularly the right of way and land status. He wrote that there were no technical objections from consultees, and impacts could be appropriately mitigated.

Councillor Holland spoke as the Ward Councillor for the Freshney Ward. He said that about a year ago, the application was deferred on the issue of whether there was a Public Right of Way and whether the land was an amenity space. Councillor Holland said that there was a Public Right of Way application that was currently being considered and he would be very surprised if the path was not included in the definitive map. He said that children did use the footpath. Councillor Holland referred to a photograph he had provided of the land and said that the land in question was not left because the developer ran out of money, it was left as an amenity space for residents and that type of arrangement was duplicated across the Willows. He showed photos of other areas on the Willows with land bollarded off. Councillor Holland said that the land was bollarded off to stop vehicles going onto the land. He said that the land had been used by residents for decades and residents felt very strongly about this and were not made directly aware about the land being sold. Councillor Holland said that they didn't receive any letters from the Council and had they known then they would have objected. He said that he had recently visited a primary school and one of the children had told him that they had been using the land to learn to ride a bike but the Council was now going to build houses on it. Residents said they would be affected by the loss of amenity. He said that in terms of housing need, the need was not for four-bedroom houses. Councillor Holland said that there was a lot of development taking place in North East Lincolnshire and whilst we did need to build on brownfield sites, we shouldn't build on well used spaces. He reiterated that were the residents made aware initially they would have objected. Councillor Holland asked committee members to refuse the application.

Ms Lovejoy clarified that the land had not been sold, but any status of the land as open space had been disposed of.

Councillor Mickleburgh said that he thought it was important that the Public Right of Way was maintained as it had been established. He said that in terms of the play area, he thought it was important that there was amenity space for children to learn to ride a bike and he would be loathed to lose a space like that. Councillor Mickleburgh proposed that the application be refused.

Councillor Bright said that he was pleased to see the Public Right of Way being protected. He said that the land was always designated as a play area, and what it seemed like to him was that the Council over the last five years hadn't brought plans for the play area to fruition, but that was not the residents fault. Councillor Bright said he also had issues with the process as in one sense officers were saying it has no designation but then they were following a process that Council's had to follow in order to dispose of the land that was open space. He said that in order to dispose of it we were saying it was open space and that should therefore be the same in planning terms. Councillor Bright was appalled we were considering the application.

Councillor Lindley said that he had opposed the application previously, and there was nothing different in front of him today that had changed his view. He said that it was clear what the land had been used for over the last forty years and he didn't think that could be disputed. Councillor Lindley said that if the amenity space was lost it would be detrimental to the area. He said that it was clearly identified as a play area, and his view was that nothing had changed since the application was last considered. Councillor Lindley stated that he had objected to the application previously and objected to it now.

Councillor Emmerson said that the land was a proven community asset. He agreed with Councillor Bright that there was mixed messaging in the officers report. Councillor Emmerson said that residents hadn't been given their democratic voice to raise their concerns and object to this. He said that the application was an example of over intensification in a confined space which was out of character with the area. Councillor Emmerson seconded the proposal to refuse the application.

Councillor Shutt said that it seemed like that the path was going to become a Public Right of Way. He said that the amenity play area had been used by residents for forty years, but it was never fulfilled by the Council. Councillor Shutt said that he hoped Ward Councillors went away and worked on making the play area a proper play area if the current application was refused. He said that it was a local asset for residents and he couldn't support the application.

Councillor Parkinson said that he agreed with what other committee members had said. He said that there wasn't any other amenity space in that specific area for residents and it would be a great shame to take this space away for a few houses to be built on it. Councillor Parkinson said that it should remain as an amenity space, but he wanted to see the Council do something with it.

Councillor Humphrey said that he would like to know more about how and why this was decided by Cabinet.

The Chair sought clarification on the reasons for the proposal of refusing the application.

Councillor Mickleburgh and Councillor Emmerson agreed that the reasons were the loss of amenity space and that such a loss would be detrimental to residents.

RESOLVED - That the application be refused.

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

Item 4 - DM/0631/25/FUL – Torq Garage, Scartho Road, Grimsby

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

Mr Johnson spoke in objection to the application. He said that his property was directly behind the garage and his bedroom and living areas were within five metres of the boundary wall. Mr Johnson said that he was also speaking on behalf of another neighbour who shared the same boundary with the site. He said that they were both opposed to the application. Mr Johnson said that he had supported the business and staff before when there had been robberies, and had a good relationship with the operator historically but the area manager had changed and that relationship was broken. He said that to be fair to the applicant, they had revised the plans and the extraction and air conditioning units had been relocated to the Sutcliffe Avenue rear end of the property, but the fundamental problem of proximity remained and a commercial kitchen and its operation still sat metres from properties and bedroom windows. Mr Johnson said that planning officers had dismissed his suggestion of relocating the bakery on the grounds that it would make the site a destination with increased littering near the school and park junction. He said that a Greggs in any position on the site would make it a destination and that was the operator's commercial intent. Mr Johnson said that an argument that a business was more visible on a main road was a commercial argument in the applicant's favour, and not a planning reason to cite the bakery closer to their homes. He asked committee members to make sure they were satisfied that the alternative that he proposed had been properly considered on its planning merits. Mr Johnson said that he had read the noise assessment and there are some specific limitations with it. He said that the noise survey was conducted from a lamppost near the site and not from his property so there was elevated background noise meaning the real impact was understated. Mr Johnson said that the noise model inputs that the HGV vehicles were active for just two minutes per hour. He said that this was not true and this morning he had to ask a delivery person to turn off their generators at 8.00am that had been running for an hour. Mr Johnson said that the bakery would operate from 6.30am in the morning, the noise would

impact our homes long before people had even woken up. He said that the site had a licence to operate until 11.00pm and whilst it did currently close at 10.30pm, he asked the committee to consider whether there would be commercial pressure in future to trade closer to 11.00pm and what impact this would have on residents. Mr Johnson said he strongly supported the recommendation to restrict deliveries but he didn't know how that would be enforced. He said that written planning conditions were only as good as the willingness to honour and enforce them and his lived experience gave him little confidence in that. Mr Johnson said that the boundary wall was poorly constructed and he asked committee members to add a condition requiring that the boundary wall be properly inspected, made good and considered for acoustic enhancements. He said that in terms of the jet wash, it was being retained and refurbished as well as the six metre enclosure, which he and Mr Atkins welcomed, but it was installed previously as chemical overspray made his garden and Mr Atkin's gardens unusable. Mr Johnson said that they had to formally raise this issue and bulky mitigation was put in place which was not aesthetic. He said that they would like there to be a different form of mitigation in place and it was up to the applicant to come up with that. Mr Johnson said that lights were often left on overnight and there were also issues with boundary vegetation. He said that the management did not engage with them. Mr Johnson said that they would like a condition added requiring effective spray mitigation to be maintained for the lifetime of the permission, that a condition be added that the boundary wall be inspected and that a noise survey be conducted recording a HGV engine longer than two minutes. He asked that committee members also make sure they were satisfied that an alternative location had been properly assessed and that they ensure conditions were enforceable by independent oversight. Mr Johnson said that he and his neighbour were not asking for the business to be stopped, they just didn't want it five metres from their homes.

Ms Ford spoke as the agent for the application. She said that the application related to a well-established operating petrol station, offering fuel, car wash, jet wash, car care facilities and a sales building. Ms Ford said that she supported the conclusion of the council's officers report. She said that the application was submitted in July 2025, and there were concerns raised by residents and the Environmental Protection Team. Ms Ford said that since then they had worked with the case officer and made amendments to the scheme, such as removing the additional jet wash from the application and retaining the current hours of operation. She said that the noise report met the required standards and was updated to reflect the amendments. Ms Ford said that a delivery management had also been submitted. She said that the Environmental Protection Team had confirmed they had no objections to the application subject to conditions. Ms Ford said that the proposal included removing the car wash which was a noise source. She said that the proposed extension would largely retain noise within it and the removal of the car wash allowed for more landscaping enhancements. Ms Ford said that she noted the concerns raised regarding lighting, but the proposed extension would remove the requirement for lighting at the car wash so

the extent of the lighting should be removed. She said that any lighting associated with signage would be subject to an advertisement consent application. Ms Ford said that the council's highways officer had raised no objection to the application. She said that changes had been made to the proposal to address concerns expressed. Ms Ford asked committee members to approve the application.

Councillor Emmerson asked whether he could make a recommendation to add the conditions asked for by residents as he found them to be sensible suggestions or would the application need to be deferred.

Mr Dixon said that one of the recommendations was to move the building and in order to look at alternative locations, the application would have to be deferred.

Councillor Bright said that he had looked at the planning conditions but the residents seemed concerned the operator might not adhere to them. He said that he was unsure and would listen to the rest of the debate as he understood both sides.

Councillor Parkinson said that he thought a site visit was needed to assess the impact. He proposed that the application be deferred in order to allow for a site visit.

Councillor Shutt said that he agreed with Councillor Parkinson. He said that the objector had put forward some reasonable concerns. Councillor Shutt said that he felt the Planning Committee needed to see the specifics. He seconded the proposal to defer the application in order for a site visit to take place.

RESOLVED – That the application be deferred in order to allow for a site visit to take place.

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

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

Item 5 - DM/0010/26/FUL – 52 Littlefield Lane, Grimsby

Mr Dixon introduced the application and explained that the application had been brought before the Planning Committee due to the number of objections received as well as a call in from Councillor Augusta. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Dixon stated that the application was recommended for approval with conditions.

Mr Snowden spoke as the agent for the application. He said that the application was for a change of use from a vacant shop to a takeaway including alterations to the shop front. Mr Snowden said that there were

other shops nearby and a convenience store opposite. He said that the shop had been vacant for three years and bringing it back into use would support regeneration and increase footfall. Mr Snowden said that whilst the premise would be a takeaway, the applicant was bringing a different take to the traditional takeaway by also having a seating area giving customers further choice and convenience. He said that the applicant was also going to use locally sourced ingredients from local suppliers and provide healthy eating options. Mr Snowden said that the site accorded to policy and the current external frontage would be taken back to the former locally listed frontage. He said that the frontage would be decorated to bring it back to its former appearance which would enhance the street scene. Mr Snowden said that a new exterior flu was proposed to the rear and would have appropriate noise measures provided in order to respect residents. Regarding neighbour objections, the applicant wanted to open for shorter hours than the Environmental Protection Team had recommended. Mr Snowden said that the applicant would also carry out inspections and maintain tidy frontages.

Mr Sidhu spoke as the applicant for the application. He said that he was a local business owner who studied at Grimsby Institute. Mr Sidhu said that he ran the Grange Chip Shop for several years and that experience gave him the confidence to create his own brand. He said that this proposal was a personal investment to him in the area he grew up in. Mr Sidhu said that the proposal would bring the building back into use and included the full refurbishment of the premises, modernising the interior and maintaining the traditional character of the building. He said that all of his ingredients would be sourced from local suppliers. Mr Sidhu said that the concept for the takeaway was designed to be different from the traditional takeaway, with a seating area provided. He said that he also wanted to promote more balanced food choices. Mr Sidhu said that he was a local person investing in a building that has been vacant for three years.

Councillor Hudson said that he welcomed the investment. He said that he liked the café concept proposed. Councillor Hudson proposed that the application be approved.

Councillor Kaczmarek said that it was refreshing to see a wide range of support for the application as typically these types of application drew more objection than support, but there were only four objections and one referred to competition which was not a material planning consideration. He said that he would be pleased to see a building brought back into use. Councillor Kaczmarek seconded the proposal to approve the application.

Councillor Bright agreed with most of what had been said and was pleased to see a disused shop being brought back into use. He said he hoped that the café was used. Councillor Bright stated that he was happy to support the application.

Councillor Shutt agreed with what other committee members had said and it was nice to see a local businessman be successful.

Councillor Parkinson said that it was nice to hear about healthier foods being sold but you did always feel a bit sorry for the next door neighbour. He said that he would like to see a condition added regarding the shutters as they destroyed the street scene.

Councillor Hudson said that he was fine with the application as it was.

RESOLVED - That the application be approved with conditions.

(Note - the committee voted 8 for with 1 abstention for the application to be approved.)

Councillor Humphrey returned to the meeting at this point.

Item 6 - DM/0713/25/FUL – 39A And 39B Lord Street, Grimsby

Mr Dixon explained that the application had been brought before the Planning Committee due to the number of objections received and a call in from Councillor Holland. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Dixon stated that the application was recommended for approval with conditions.

Mr Holland spoke in objection to the application. He said that he had called in the application as a Ward Councillor but was speaking in a private capacity. Mr Holland said that this was becoming a very familiar issue for the borough, with properties being converted into house of multiple occupancies. He said these conversions provided good profit margins for developers. Mr Holland said that the six supporting statements come from people living in the South of England. He said that developers were maximising their return on investment without necessarily seeing the impact on residents or occupants. Mr Holland said that there had been a steady move to this type of accommodation in Grimsby as the price for properties was low. He said that little consideration was given in terms of potential impact and potential demand on local services. Mr Holland referred to officers photos that showed five bedrooms, all with double beds. He said that meant ten people in that small space all sharing the same bathroom. Mr Holland asked whether we wanted to see this level of accommodation in the borough. He said that the Council had signed up to the Marmot principles and one of the key principles was reviving proper accommodation. Mr Holland said that what was proposed was not proper accommodation. He said that we needed was small single contained units and this property could have been used for four of them. Mr Holland said that it was time for committee members to take a stand. He hoped committee members would refuse the application on the grounds of over intensification and the actual standards people would be living in.

Councillor Hudson said that there was obviously a need for this accommodation and it was an empty building. He said that he was unsure as to whether we wait to see if someone came forward with a plan for flats or accept the investment now. Councillor Hudson said that he would listen to the rest of the debate.

Councillor Bright said that he had voted in favour and against houses of multiple occupancy depending on the circumstances. He said that this was an example of over intensification. Councillor Bright said that there could potentially be 36 people in those buildings which was not normal. He said that houses of multiple occupancy were also transient in nature. Councillor Bright said that as far as he was aware there hadn't been any community impact assessment undertaken. He said that the officers report had outlined that religious meeting rooms and houses of multiple occupancy had similar comings and goings, but he did not agree. Councillor Bright said that he had concerns about parking in the area, and whilst a cycle store was proposed, this didn't mean that it would be used. He said that many of the rooms were not much over the minimum legal size. Councillor Bright said that there was proposed to be one washing machine and one single fridge freezer for all of those people. He asked whether this was really what we wanted in the area, with people crammed in like sardines. Councillor Bright said that this was not sorting out the issue of affordable housing, and was instead really about commercial greed. He said that whilst the application would bring the building back into use, it was not what he would want for residents.

Councillor Shutt said that he considered all applications on their own merit. He agreed with Councillor Bright in that what was proposed was too much. Councillor Shutt said that the application was about limited investment, maximum return. He said that he couldn't approve the application as it was. Councillor Shutt said that this application could be done differently which would mean less return but would be better for residents.

Councillor Parkinson asked how many bathrooms were proposed.

Mr Dixon responded that they had worked with the housing officer and it met that standard.

Councillor Parkinson said that the standard was surprising. He said that he thought it would be intense in terms of comings and goings and was too much.

Councillor Kaczmarek said that he liked the idea of larger buildings becoming houses of multiple occupancy rather than smaller houses, but seeing the proposed layout was eye opening. He proposed that the application be refused. Councillor Kaczmarek said that the council had adopted the Marmot principles, and whilst he appreciated it met regulation, we needed quality housing for residents and this was lacking

in amenity and kitchen space. He said that what was proposed was for too many people in a confined space.

Councillor Bright said that the letters of support for the application were from people outside of the area and he didn't think that should be given any weight. He said that there was no management plan about how the property would be managed. Councillor Bright said that committee members hadn't heard anything from the applicant and there was nothing in the conditions limiting occupancy in the rooms. He said that there was not enough room for the potential number of people that would be living there to live good lives.

Councillor Shutt said that this application was pushing boundaries and was unreasonable.

Councillor Emmerson said that he had a concern regarding fire regulations, as there was a lack of exits. He said that Humberside Fire and Rescue Service had not raised any objections, but he thought there was a fire risk and therefore he couldn't support the application. Councillor Emmerson said that except for one, all of those in support of the application were from out of the area.

Councillor Humphrey said that he thought some good points had been raised by committee members. He said that it was an example of over intensification. Councillor Humphrey said that he agreed with the Civic Society that the application was excessive. He seconded the proposal to refuse the application.

Councillor Kaczmarek and Councillor Humphrey agreed that the reasons for the proposal to refuse the application was that it was an over intensive development which would create noise and disturbance to the amenity of neighbouring properties and that it would also result in a poor living environment for future occupiers.

The Chair said that he thought what was proposed was third world accommodation and he didn't think we should be sanctioning accommodation like this in the borough.

Councillor Lindley stated that we are in the 21st century, not 1800s. He said that what was proposed would be overcrowded and was over intensification.

RESOLVED - That the application be refused.

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

Councillor Humphrey left the meeting at this point.

**Item 7 - DM/1067/25/FU – 43 Humberston Avenue,
Humberston**

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

Councillor Parkinson left the meeting at this point.

Mr Snowden spoke as the agent for the application. He said that the application was for a detached bungalow. Mr Snowden said that the applicant was initially granted planning permission for two bungalows and the retention of an existing bungalow, and their intention was to build out the two bungalows and renovate the existing bungalow. However, the condition of the existing bungalow was not viable for significant refurbishment so the applicant had to explore other options for the site. Mr Snowden said that the proposed bungalow would be the same style as the bungalow for plot two on exactly the same plot size. He said that the objection from the neighbour had been noted and addressed through providing sufficient space between the boundaries, therefore preventing massing issues. Mr Snowden said that the council's Trees and Woodlands officer had raised no objection to the proposed landscaping. He said that the proposal for one dwelling on the site could be achieved on the site without harming the street scene and character of the area. Mr Snowden said that the site was also located within the development boundary and not in a flood zone.

Councillor Kaczmarek said that it felt like there had been a creep of development on the site and he didn't like when that happened. He said that he felt there was over intensification on the site and he agreed with Humberston Village Council but he wasn't sure if there was enough to refuse the application.

Councillor Bright agreed with Councillor Kaczmarek. He said that it looked squeezed in.

Councillor Parkinson returned to the meeting.

Ms Lovejoy informed Councillor Parkinson that he wouldn't be able to take part in the debate and vote as he left the room and missed Mr Snowden's speech.

Councillor Lindley said that what was proposed was not too different to development that had already occurred in the area over years and years. He said that it was tight but he had seen tighter footprints in Humberston. Councillor Lindley said that people might not like it, but that wasn't grounds to refuse the application.

Councillor Shutt said that he couldn't see how we could refuse the application.

Councillor Lindley proposed that the application be approved.

Councillor Shutt seconded the proposal to approve the application.

RESOLVED - That the application be approved with conditions.

(Note - the committee voted 6 for with 2 abstentions for the application to be approved.)

Councillor Humphrey returned to the meeting at this point.

P.91

REQUEST TO MODIFY A PLANNING OBLIGATION UNDER SECTION 106 ATTACHED TO PLANNING PERMISSION

The committee received the request under application DM/0258/26/MDOR. Mr Dixon said that the application had been brought before the Planning Committee due to a call in from Councillor Shepherd. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Dixon said that as the applicant was not a registered provider of affordable housing, the application was recommended for refusal.

Mr Watt spoke in support of the application. He said that the Grimsby Sailors and Fishing charity provided housing for the needy with priority given to officers, sailors and fisherman who had sailed from the port of Grimsby. Mr Watt said that in various forms they had been operating as an Almshouse charity since 1899. He said that Almshouses were more than just houses, they enhanced residents wellbeing and fostered a deep sense of belonging. Mr Watt said they own and managed 150 properties in North East Lincolnshire and knew all of their residents personally. He said that it was very rare that they had problems with residents. Mr Watt said that they were not regulated by the regulator for social housing, but were regulated by the Charity Commission. He said that in the planning officer's report it outlined that the Council had some concerns about ensuring the standards and maintenance of homes but the houses were fully compliant and well maintained. Mr Watt said that Snape Properties were building 64 properties on Torbay Drive, seven of which must be affordable homes, two shared equality and three first homes. He said that following discussions with Snape Properties, they had said we could acquire eight properties but to enable this to happen, the Section 106 agreement needed to be amended. Mr Watt said that they had not been refused before as the officer's report stated. He said that other local authorities had recognised the unique value Almshouse charities provided and had developed partnerships with Almshouse charities. In doing so they had accepted that Almshouse charities were dependable social housing providers and alternatives to registered social housing providers. Mr Watt said that all necessary controls could be secured through a Section 106 agreement. He asked committee members to approve the application and allow for consultation to take place.

Councillor Shepherd spoke in support of the application. Councillor Shepherd said that he did not support the original planning application for 64 homes off Torbay Drive, however, permission was granted on appeal, together with a Section 106 agreement which was usual with most planning applications of this type. He said that as a Ward Councillor, he had to act in the best interests of local residents and, since planning permission was granted, he had been working closely with the developer to make sure that the scheme was developed in the best interests of local residents. Councillor Shepherd said that he understood that the properties were popular and he had been told that 23 had already been sold, and were lived in, whilst another five were currently under offer. He said that twelve houses were required under the section 106 agreement and it stated that these be three First Homes together with two Shared Equity Homes and seven Affordable Rent Homes, which would typically be provided through the usual social rented Registered Providers. Councillor Shepherd said that last year Snape Homes were approached by the Grimsby Sailors and Fishing Charity and had reached an agreement for the charity to acquire eight bungalows on the site, at a significant discount to open market value, on the basis of these being part of the affordable housing provision. He said as such they would like to vary the Section 106 agreement to provide four First Homes and eight Affordable Rent Dwellings. Councillor Shepherd said that the affordable rent dwellings would increase from seven to eight and would be Alms Houses, to be managed by the Grimsby Sailors and Fishing Charity. He said that there was no difference to the number of dwellings provided, it was still twelve but they would be allocated slightly differently. However, discussions the developer had with planning officers had identified that, because the charity was not a registered provider, there was currently an issue with them being able to deliver the Section 106 housing. He said that the proposal, which he had called in to come to the Planning Committee would go out to consultation on that variation and then once that had been done would come back to officers, or the Planning Committee for a final decision. Councillor Shepherd said that as a trustee of an Almshouse charity, he was absolutely delighted to see this application. He said that Almshouse charities had successfully provided social housing since the Middle Ages and they now operated across the country, typically housing those on low income with a shared background. Councillor Shepherd said that local authorities in Southwark, Sevenoaks, Tendring and elsewhere had partnered with Almshouse charities to provide accommodation for older people, clearly accepting and recognising the principle that Almshouses were dependable social housing providers as an alternative to registered providers. He said that the Grimsby Sailors and Fishing Charity had operated a registered charity for over 125 years to provide comfortable, secure housing for retired seafarers and their dependants. Councillor Shepherd said that for generations, men and women connected to Grimsby's fishing and maritime industries had faced a life shaped by hard work, risk and resilience and the Charity's role was to ensure that, in later life, they had a stable and supportive place to call home. He said that the charity was uniquely local with a Board of local volunteers, two

members of staff and a healthy waiting list. Councillor Shepherd said that the charity was seeking to modernise and expand its Almshouse provision by replacing older properties with new, accessible dwellings. He said that the eight bungalows were likely to be the last homes for many of the Almshouse residents and would fit in well with the development. Councillor Shepherd said that there was no proposal to vary the planning permission itself or the total number of dwellings under the Section 106 agreement and the request was simply to look at the possibility of varying the Section 106 agreement so it could meet the wishes of the charity whilst still providing the affordable housing. He hoped members could support this worthy application in principle and instruct officers to go out to the usual consultation and come back with a detailed proposal and only at that stage would a final decision be made and at least by doing that an opportunity would have been explored to see if this local Almshouse charity could acquire and manage much needed local housing for those from an industry for which Grimsby was known across the world.

Councillor Hudson said that Almshouses were the definition of affordable housing. He said that he had also never heard a complaint about an Almshouse. Councillor Hudson said that he thought it was great news they were wanting to purchase homes and he would personally rather live in an Almshouse than one from a registered provider.

Councillor Bright said that he agreed with Councillor Hudson and didn't know why the application was recommended for refusal.

Mr Dixon responded that Almshouses didn't meet the test and were not a registered provider. He said that Almshouses had also previously been refused by the Government to become a registered provider.

Councillor Bright asked if we could overrule that decision.

Mr Dixon explained that was why the application had been brought before the Planning Committee.

Councillor Shutt sought clarification that approval would also mean approving that consultation took place.

Mr Dixon confirmed that was true.

Councillor Shutt said that it appeared to him then, that they had nothing to lose. He asked whether the Council could lose money if the Section 106 was amended.

Ms Lovejoy responded that it wouldn't directly affect financial contributions.

Councillor Humphrey queried why if we had a desire to change things, why weren't we looking at this in a broader way. He said that he didn't think Councillor Hudson saying he would prefer to live in an Almshouse to other

providers was relevant. Councillor Humphrey said that he was not sure the consultation would overcome the planning officer's objections. He said that he didn't want to build false hope and on balance he was going to support the planning officer's recommendation.

Councillor Hudson said that the point he was making was that he had never heard a complaint about Almshouses. He said that we had the power as a local authority to decide to do this, and other local authorities had already done so.

Councillor Parkinson said that he would support further investigation into this.

Councillor Shutt said that he was unsure and understood Councillor Humphrey's point. He said that he would like us to work together to overcome any conflict.

Councillor Pettigrew said that he couldn't see that there would be any detriment in allowing for consultation and then look at it again once that was completed.

The Chair proposed that the application be approved.

Councillor Hudson seconded the proposal to approve the application.

RESOLVED – That the application be approved.

(Note – the committee voted 9 for with 1 abstention for the application to be approved.)

P.92 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy, Environment and Infrastructure under delegated powers during the period 13th March to 9th April 2026.

RESOLVED – That the report be noted.

P.93 PLANNING APPEALS

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

RESOLVED – That the report be noted.

P.94 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be excluded for the following business on the grounds that its discussion was likely to disclose exempt

information within paragraph 6 of Schedule 12A of the Local Government Act 1972 (as amended).

P.95 ENFORCEMENT ISSUES

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

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

There being no further business, the Chair closed the meeting at 2.15pm.

Minute of the Planning Committee 22nd April 2026

Item: 1

Application Number: DM/0980/25/OUT

Application Type: Outline Application

Application Site: Land West Side Louth Road New Waltham North East
Lincolnshire

Proposal: Outline application for a Residential Development (Use Class C3) for up to 300 Dwellings and associated Access, Public Open Space, Landscaping, Drainage & Infrastructure, with all Matters Reserved except Access.

Applicant's Name and Address: Mr Andrew Burling Cyden Homes Unit 1 Laceby Business Park Grimsby Road Laceby North East Lincolnshire DN37 7DP	Agent's Name and Address: Mrs Debbie Hume Strathmore Estates Orchard House 16 Hertford Road Tewin AL6 0JY
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Deposited: 24th November 2025

Accepted: 8th December 2025

Expiry Date: 9th March 2026

Agreed Extension of Time Date: 24th April 2026

Case Officer: Bethany Loring

Decision: Refused

- 1 The site sits outside of the development boundary as defined in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the proposal would extend into the open countryside and intrude into the important strategic green infrastructure corridor resulting in a detrimental impact on the character and appearance of the area. The adverse impacts are not justified by the shortfall in the supply of deliverable housing. The proposed development therefore represents an unsustainable form of development in the countryside contrary to the requirements of Policies 5, 22, 40 and 42 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the core principles as set out in the National Planning Policy Framework.

- 2 The site has the potential to include heritage assets with archaeological interest, and insufficient evidence has been provided to adequately assess the nature, extent, significance and potential impact upon any remains present. This is contrary to the approach required by Policy 39 North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and advice in the National Planning Policy Framework.

- 3 The proposal has not adequately demonstrated that it would avoid the irreversible loss of land that is functionally linked to the Humber Estuary Special Protection Area (SPA), Humber Estuary Ramsar site, and Humber Estuary Site of Special Scientific Interest (SSSI). The loss of such land—where its status as Functionally Linked Land has not been ruled out, or where functional linkage has been identified but not appropriately mitigated—would result in harm to these designated sites. The proposal is therefore contrary to Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the advice contained within the National Planning Policy Framework.

Informatives

- 1 Informative
This decision relates to the following plans and documents:

Site Location Plan - 22 5599 20A
Illustrative Masterplan - 22 5599 21A
Land Use Plan - 22 5599 22A
Wider Context Plan - 22 5599 21-23
Topographical Survey 1 of 4 - 25 - 50 - 01A
Topographical Survey 2 of 4 - 25 - 50 - 02A
Topographical Survey 3 of 4 - 25 - 50 - 03B
Topographical Survey 1 of 4 - 25 - 50 - 04B
Design and Access Statement - V.03
Planning and Sustainability Statement - received 26th November 2025
Flood Risk Assessment - August 2025 Version 1

Drainage Statements 1 & 2 - Version 1
Landscape & Visual Appraisal - 3377 SFH XX XX RP L LVA P03
Arboricultural Survey Report - Revision B
Illustrative Landscape Masterplan - 3377 SFH XX XX DR L 0002 F
Proposed Access Visibility Splays & Footway Scheme - LTP 6112 V3 01 01 Rev
A
Proposed Access Preliminary Design - LTP 6112 P1 01 01 A
Proposed Access Swept Path Analysis - LTP 6112 T2 01 01
Transport Assessment Part 1 & 2 - Issue 1
Travel Plan - Issue 1
Biodiversity Net Gain Assessment - August 2025
BNG Metric - dated 18th August 2025
Preliminary Ecological Assessment - August 2025
Archaeological Desk-Based Assessment - May 2025
Archaeological Geophysical Survey - received 20th March
Air Quality Assessment - September 2025 (V2)
Supplementary Air Quality Assessment - October 2025
Noise Assessment - received 10th February 2026
Economic Impact Assessment - received 26th February 2026
S106 Draft Heads of Terms - V3

2 Informative

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, however, the issues on this application could not be overcome.

Minute of the Planning Committee 22nd April 2026

Item: 2

Application Number: DM/0455/25/FUL

Application Type: Full Application

Application Site: Land At Riby Road Stallingborough North East Lincolnshire

Proposal: Planning application for construction of solar farm (up to 49.9mw) and battery energy storage system (BESS) (up to 500mw), comprising ground mounted solar photovoltaic panels, battery containers, transformers, high voltage electrical substation and ancillary infrastructure including underground cabling, fencing, CCTV, internal access tracks, water storage tanks and an attenuation pond together with landscape enhancements, woodland and a permissive footpath for a temporary period of 40 years (cross boundary application with West Lindsey Council) - AMENDED PLANS AND DOCUMENTS, OCTOBER 2025

Applicant's Name and Address: Mr Nick Bowen Stallingborough Energy Project Limited Unit 25.7 Coda Studios 189 Munster Road London SW6 6AW	Agent's Name and Address:
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Deposited: 2nd June 2025

Accepted: 30th June 2025

Expiry Date: 29th September 2025

Agreed Extension of Time Date: 31st March 2026

Case Officer: Richard Limmer

Decision: Approved with Conditions

- 1 Condition
The development hereby permitted shall begin within five 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 ref. 01 Rev A
- Site Layout Plan ref. ref 02 Rev A
- BESS and HV Substation Layout ref. 03 Rev A
- Solar Panel Mounting Structure Detail ref. 04
- Battery Storage Container ref. 05
- Power Conversion Unit ref. 06
- HV Substation Compound ref. 07
- Deer Fence and Gate Details ref. 08
- BESS and Security Fence Details ref. 09
- CCTV ref. 10
- Water Tank ref. 11
- Control room Building ref. 14
- Auxiliary transformers building ref. 15
- Indicative Landscape and Ecology Strategy Plan ref. AW0274 - PL - 02 Rev C
- Proposed Landscape Phasing Plan ref. AW0274 - PL - 03

Reason

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

- 3 Condition
Notwithstanding the detail contained within the application, prior to their installation on site, details of the proposed materials, size, colours and finishes of the solar panels, frames, fencing, buildings and equipment on the site shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason

To protect the visual character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 4 Condition
Within 1 month of the date of first export of electricity (the date of first export) confirmation shall be given in writing to the Local Planning Authority of the same. The development shall then cease use within 40 years of the date of the first export of electricity.

Within a period of 39 years and 6 months following the date of first exportation of

electricity from the site, a scheme for the decommissioning of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of how the land is to be restored back to an agricultural value equal or better than before the development took place and shall include a programme for the completion of the decommissioning and restoration works. It shall make provision for the removal from the land of the solar panels, BESS, HVSS and all associated works approved under this permission, as well as details of the management and timing of any works, a traffic management plan to address likely traffic issues during the decommissioning period, and an environmental management plan to include details to be taken during the decommissioning period to protect wildlife and habitats. Thereafter, the decommissioning of the solar farm shall be undertaken in accordance with the approved details and timings.

Reason

In the interest of contamination, ecology, highway safety and amenity in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

5 Condition

Before any part of the development hereby permitted is commenced, a detailed Landscape and Ecology Strategy Plan and Landscape Planting Phasing Plan based on the Indicative Landscape and Ecology Strategy Plan ref. AW0274 - PL - 02 Rev C and Landscape Phasing Plan ref. AW0274 - PL - 03 shall be submitted to and agreed in writing by the Local Planning Authority.

Thereafter the agreed landscaping scheme and phasing/timescales shall be implemented on the site in accordance with the approved details, unless otherwise agreed with the Local Planning Authority.

Reason

In the interest of visual amenity and ecology in accordance with Policies 5, 22, 31, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6 Condition

Prior to development commencing a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall detail maintenance and management of the Landscaping Scheme to be agreed through condition 5 of this permission and be in accordance with recommendations of the approved Ecological Impact Assessment dated May 2025 by Riverdale Ecology Ltd and shall also include (but not be limited to):

- (i) A plan showing the boundary of all land covered by the LEMP, and boundaries of habitats, management units / compartments, and locations of features and any other details as applicable;
- (ii) A list of long-term wildlife conservation and landscape aims and objectives, to include: habitat specific; species-specific; and issue-specific objectives (as applicable) to include provision of suitable habitats and conditions

for breeding skylark; and provision of habitats and suitable conditions for other bird species as applicable including over-wintering birds;

(iii) Proposed measures to provide access for movement of wildlife across and around the site to include wildlife access points at frequent intervals in all fencing;

(iv) Proposed management prescriptions and operations; locations, timing, frequency, duration; methods equipment and personnel as required to meet the stated aims and objectives; to include proposed hedgerow maintenance regimes with minimum maintained hedgerow heights (3m) and widths (2m) stated;

(v) A list of activities and operations that shall not take place and shall not be permitted within the LEMP Plan area (for example use of herbicides, waste disposal, inappropriate maintenance methods, storage of materials);and

(vi) Proposed long term ecological monitoring and reporting scheme for the duration of the development to include as a minimum review of skylark measures, inspection of enhancement measures, monitoring of the chalk stream and marginal habitats and inspection of newly created habitats.

All required measures shall be incorporated into and compatible with the wider scheme and shown to scale on all relevant plans and drawings including landscape design and planting plans. All works within the scheme shall be carried out, and the land managed, maintained and utilised thereafter only in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interest of landscape management, ecology and visual amenity in accordance with Policies 5, 22, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

7 Condition

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

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

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

Reason

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

8 Condition

Prior to commencement of works (including site clearance), a Construction Environmental Management Plan (CEMP) for Biodiversity shall be submitted and approved in writing by the Local Planning Authority. The CEMP: Biodiversity will be based on the recommendations set out within the Riverdale Ecological Impact Assessment (May 2025) and the Clarkson and Woods Response to Ecology Officer's Comments (October 2025) and will include the following:

- (i) Risk assessment of potentially damaging construction activities;
- (ii) Updated survey information as required (such as badger, otter and water vole);
- (iii) Identification of 'biodiversity protection zones' and use of protective fences, exclusion barriers and warning signs;
- (iv) Details of protection and monitoring of the chalk stream and water courses during construction;
- (v) RPA for retained hedgerows and trees including appropriate buffer zones for any identified veteran trees;
- (vi) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including badgers, water voles, otters, skylarks, bats, and nesting birds including barn owl;
- (vii) The location and timing of sensitive works to avoid harm to biodiversity features;
- (viii) The times during construction when specialist ecologists need to be present on site to oversee works
- (ix) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.
- (x) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.

The development shall be constructed in full accordance with the approved CEMP at all times.

Reason

In the interests of ecological protection in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

9 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

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

10 Condition

Prior to development commencing final details of boundary treatments and CCTV provision shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the siting and the technical specification details of the cameras, direction of view and their external appearance/colour. The development shall then be constructed in accordance with these approved details with these security measures retained at all times the site is in operation.

Reason

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

11 Condition

Development 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 vehicular access, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

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

12 Condition

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

13 Condition

Prior to development commencing a detailed Soil Management Plan, designed to protect the soil quality and character during construction and operation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved Soil Management Plan.

Reason

In the interest of maintaining agricultural land quality in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 14 Condition
No Piling shall take place until a Piling Risk Assessment and Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then take place in accordance with the approved details.
- Reason
In the interest of amenity and ground water protection in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 15 Condition
Prior to the commencement of development a final scheme of surface water drainage shall be submitted to, and approved in writing by, the local planning authority in consultation with the Environment Agency. The drainage scheme shall then be implemented in accordance with the approved details prior to the Battery Energy Storage System or High Voltage Sub Station first coming into use.
- Reason
In the interest of flood risk and pollution control in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 16 Condition
The development shall be carried out in accordance with the submitted updated flood risk assessment (ref 'QNL-JBA-XX-XX-RP-HM-0001' Revision A2-C02, dated October 2025, by JBA Consulting) and the following mitigation measures detailed:
- Solar panels at the site shall be raised by between 0.5 and 1.35m above existing ground levels, dependent on the location within the site.
 - All critical equipment will be located in Flood Zone 1, as detailed within 'Response to the Environment Agency comments' Letter, dated 27 October 2025 (by Island Green Power).
- These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- Reason
In the interest of flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 17 Condition
No development of the BESS hereby approved shall commence until full design details of measures to prevent contaminated surface water from entering controlled waters (surface water and groundwater) in the event of a fire have

been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- A contaminant containment system underlying the site to prevent infiltration of potentially contaminated surface water to the water table;
- A treatment system which is effective in preventing pollution to controlled waters (groundwater or surface water).
- A system to isolate and shut of any surface water discharges from hardstanding areas to surface water or groundwater (via soakaway) in the event of a fire.

The development shall thereafter be carried out in full accordance with the approved details. The approved measures shall be fully implemented prior to the first operation of the BESS and shall be retained and maintained as such thereafter.

Reason

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

18 Condition

Prior to development commencing full details of noise mitigation measures, as outlined in the Noise Impact Assessment (ref. CA12873, dated May 2025, by Wardell Armstrong) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out and operated in full accordance with the approved details.

Reason

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

19 Condition

No development shall take place until the applicant has:

- (i) submitted a Written Scheme of Investigation or Specification for Works, for a programme of archaeological work, to the Local Planning Authority
- (ii) received written approval of the Written Scheme of Investigation for a programme of archaeological work from the Local Planning Authority.
- (iii) implemented, or secured implementation of the Written Scheme of Investigation for a programme of archaeological work. Use of the development shall not take place until the applicant has
- (iv) published, or secured the publishing of the findings resulting from the programme of archaeological work within a suitable media
- (v) deposited, or secured the deposition of the resulting archive from the programme of archaeological work with an appropriate organisation.

Reason

In the interest of Heritage protection in accordance with Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 20 Condition
No development shall commence within the area defined as Viking Pipeline - 100m Order Limits (shaded in yellow) as shown on Site Layout Plan Ref. 02 Rev A until a Viking CCS Pipeline Scheme (VCCSPS) been submitted to and approved in writing by the Planning Authority in consultation with Chrysaor Production (U.K.) Limited. The VCCSPS shall include, but not be limited to, details of how the development within the Viking CCS Pipeline DCO Order Limits will be constructed in a manner that avoids any impediment to the construction and operation of the Viking CCS Pipeline. The approved VCCSPS shall thereafter be implemented in full.

Reason

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

- 21 Condition
Prior to the first export of electricity the permissive paths as detailed on plan ref: 02 Rev A shall be open and available for use and shall remain so throughout the lifetime of the development.

Reason

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

- 22 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).

23 Condition

Prior to development commencing final details of the finished site levels for the BESS and HVSS site area shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in full accordance with the approved details.

Reason

In the interest of visual amenity and ground condition protection in accordance with Policies 5, 22 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

24 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 would not significantly harm the area character or residential amenity and is acceptable under all other planning considerations. The proposal also represents a significant contribution towards renewable energy in the area. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 31, 32, 33, 39, 40, 41 and 42 and the National Planning Policy Framework.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by working with the applicant to overcome objections raised through the planning process.

3 Informative

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/our-services/gas-diversions.

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

4 Informative

The applicant should be aware of the correspondence from National Grid dated 2nd December 2025 and Northern Power dated 31st October 2025 and the responsibilities of the developer when constructing the development.

5 Informative

The applicant is advised to review and consider the advice provided by the Environment Agency in the consultation response dated 20th November 2025.

6 Informative

The applicant's attention is drawn to the comments of the Drainage Board and the need for easement consent from them.

Minute of the Planning Committee 22nd April 2026

Item: 3

Application Number: DM/0806/24/FUL

Application Type: Full Application

Application Site: Land Adjacent To 9 Ashby Close And 19 Glenfield Road
Grimsby North East Lincolnshire

Proposal: Erection of two pairs of two storey semi-detached dwellings totalling four units to include associated tree works, hardstanding and landscaping (Amended plans received 13th March 2026 including revisions and claimed public right of way)

Applicant's Name and Address: Ramella Rameco Ltd Unit 2A Charlton Street Grimsby North East Lincolnshire DN31 1SQ	Agent's Name and Address: Mike Berryman Design & Innovate Ltd 56 Augusta Street Grimsby DN34 4TJ
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Deposited: 18th September 2024

Accepted: 1st October 2024

Expiry Date: 26th November 2024

Agreed Extension of Time Date: 28th January 2026

Case Officer: Lauren Birkwood

Decision: Refused

- 1 The proposed development will result in the loss of an area of land used as public open space by the local community. Such a loss would be detrimental to the amenity of local resident's contrary to Policy 5 and 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Minute of the Planning Committee 22nd April 2026

Item: 4

Application Number: DM/0631/25/FUL

Application Type: Full Application

Application Site: Torq Garage Scartho Road Grimsby North East Lincolnshire

Proposal: Demolish existing car wash, erect single storey extension to side of existing store with various associated works. Hours of operation remain 07:00 - 23:00 each day (Amended description, site plan and updated noise impact assessment).

Applicant's Name and Address: Motor Fuel Limited C/O Agent	Agent's Name and Address: Jackie Ford JMS Planning and Development Ltd Build Studios 203 Westminster Bridge Road Lambeth London SE1 7FR
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Deposited: 21st July 2025

Accepted: 31st July 2025

Expiry Date: 25th September 2025

Agreed Extension of Time Date:

Case Officer: Jonathan Cadd

Decision: Deferred for a Site Visit

It was resolved that consideration of this application be deferred for a committee site visit.

Minute of the Planning Committee 22nd April 2026

Item: 5

Application Number: DM/0010/26/FUL

Application Type: Full Application

Application Site: 52 Littlefield Lane Grimsby North East Lincolnshire DN34 4PL

Proposal: Change of use from vacant shop to hot food takeaway/cafe with internal seating to include installation of flue to rear, including removal of timber boarding to front, repainting works and removal of signage board to existing hedge (Clarified description and amended and additional information on the proposed use, waste storage, operating hours, extraction including odour, vibration and noise management)

Applicant's Name and Address: Mr Amandeep Sidhu 4 Oakfield Lane Waltham Grimsby North East Lincolnshire DN37 0BN	Agent's Name and Address: Ross Davy Associates - Daniel Snowden Pelham House 1 Grosvenor Street Grimsby N E Lincolnshire DN32 0QH
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Deposited: 7th January 2026

Accepted: 22nd January 2026

Expiry Date: 19th March 2026

Agreed Extension of Time Date: 24th April 2026

Case Officer: Ellie Mitchell

Decision: Approved with Conditions

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

Reason

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

2 Condition

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

Site Location Plan and Block Plan - 0169.SA 06
Proposed Plans and Elevations - RD6126-02 REV A

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 23, 28, 33, 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 and prior to any flue or extraction being installed, full and final details including technical specifications shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the kitchen extraction, ventilation and odour abatement system equipment shall be installed as approved 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

No activities shall take place at the premises outside of the hours specified below:-

Monday to Sunday 07:00hrs to 23:00hrs

Reason

The use of the premises outside of these hours would be detrimental to the amenity of the area by virtue of noise and disturbance in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 6 Condition
The use of the property shall only be used as set out in the application and supporting details and shall not, at any time, be used as a sole takeaway.

Reason

To define the permission and protect the character and function of the local centre in accordance with Policies 5, 23 and 28 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 7 Condition
The use shall operate and be managed in strict accordance with the Waste Management Plan (RD6126), unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of amenity and in accordance with Policies 5, 23 and 28 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 4.2 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 area 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, 28, 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, 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). Soundproofing and extraction shall also be to the satisfaction of Building Control.

Minute of the Planning Committee 22nd April 2026

Item: 6

Application Number: DM/0713/25/FUL

Application Type: Full Application

Application Site: 39A And 39B Lord Street Grimsby North East Lincolnshire DN31 2ND

Proposal: Change of use of religious meeting rooms and associated recreational facilities to provide a 12 bedroom HMO to 39A Lord Street and a 6 bedroom HMO to 39B Lord Street including the installation of new windows, bin store and cycle storage with associated works - AMENDED DESCRIPTION/PLANS/DOC

Applicant's Name and Address: Ms Sugand Complete Housing Real Estates Limited 9-11 New Broadway Ealing London W5 5AW	Agent's Name and Address: Mr Matt Padley Aubourn Architecture Limited 10 Satterley Close Witham St Hughs Lincoln LN6 9QB
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Deposited: 12th August 2025

Accepted: 19th August 2025

Expiry Date: 14th October 2025

Agreed Extension of Time Date: 24th April 2026

Case Officer: Lauren Birkwood

Decision: Refused

- 1 The proposed development as a HMO would result in an over intensive residential use of the building resulting in unacceptable noise and disturbance to neighbouring property to the detriment of residential amenity as well as resulting in a poor living environment for future occupiers of the development to the detriment of the amenity they should reasonably be expected to enjoy. The development is contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Minute of the Planning Committee 22nd April 2026

Item: 7

Application Number: DM/1067/25/FUL

Application Type: Full Application

Application Site: 43 Humberston Avenue Humberston North East Lincolnshire
DN36 4SW

Proposal: Erection of one bungalow and garage with associated works

Applicant's Name and Address: Mr T Davies Dial A Tile 33 - 43 Church Lane Grimsby North East Lincolnshire DN32 7DD	Agent's Name and Address: Mr Daniel Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby North East Lincolnshire DN32 0QH
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Deposited: 23rd December 2025

Accepted: 9th January 2026

Expiry Date: 6th March 2026

Agreed Extension of Time Date:

Case Officer: Bethany Loring

Decision: Approved with Conditions

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

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

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

Site Location Plan - RD5162-40
Proposed Site Plan - RD5162-41A
Proposed Plans and Elevations - RD5162-42A
Proposed Landscaping Plan - RD5162-43A
Proposed Drainage Layout - 1115-2607-CIV-10-P1

Reason

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

- 3 Condition
The development shall be built out in strict accordance with the Construction Management Statement (received 10th February 2026) at all times.

Reason

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

- 4 Condition
The dwelling hereby approved shall not be occupied until the surface water drainage scheme hereby approved (drawing no. 1115-2607-CIV-10-P1) has been fully completed and is available for use.

Reason

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

- 5 Condition
The vehicular turning area as shown within the Proposed Site Plan - RD5162-41A shall be completed prior to any occupation of the dwelling and once completed the area shall retained as a vehicle turning area for the lifetime of the development.

Reason

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

- 6 Condition
Prior to occupation of the dwelling, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be adhered to at all times following first occupation.

Reason

To ensure the efficient use of water and to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

7 Condition

The scheme of landscaping and tree planting hereby approved by the Local Planning Authority on plan RD5162-43A shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development in the interests of local amenity and in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013 - 2032 (Adopted 2018).

8 Condition

No 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).

9 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 4.5 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

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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

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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. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 2, 5, 15, 17, 22, 33, 34, 38, 41 and 42.
- 2 Informative
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 by determining the application in a timely manner.
- 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
This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or

via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

5 Informative

The applicant's attention is drawn to the comments made by the Environmental Health Enforcement Officer, Waste Officer and Anglian Water.