

Planning Committee Dated: 30th September 2026

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/0907/25/FUL
Application Type:	Full Application
Application Site:	Land Off Woodland Way Grimsby Road Waltham North East Lincolnshire
Proposal:	Erect a residential development of nine dwellings including public open space, access roads and associated infrastructure. (Amended Site Plan and House Types received July 2026)
Applicant:	Mr Peter Strawson
Case Officer:	Richard Limmer

Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/0633/25/FUL
Application Type:	Full Application
Application Site:	Land South Of Anita Grove Waltham North East Lincolnshire
Proposal:	Erect 8 dwellings and garages with associated works to include provision of attenuation pond
Applicant:	Mr And Mrs Glover
Case Officer:	Richard Limmer

Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0297/26/REM
Application Type:	Reserved Matters
Application Site:	Land Off Fieldhouse Road Humberston North East Lincolnshire
Proposal:	Reserved Matters Application pursuant to DM/0493/22/OUT to consider access, appearance, landscaping, layout and scale to erect 5 detached dwellinghouses with parking, landscaping, boundary treatments and associated works - amended plans & further information rec 14-07-2026
Applicant:	Ms D Blythe
Case Officer:	Lauren Stinson

Recommendation: Refused	
Item:	4
Application No:	DM/0328/26/FUL
Application Type:	Full Application
Application Site:	Land To South Of The Georgian House Main Road Barnoldby Le Beck North East Lincolnshire
Proposal:	Erection of 3 detached dwellings, 1 detached double garage an attenuation pond, alterations to access and associated works (Amended Ownership Certificate)
Applicant:	Mark Barford
Case Officer:	Bethany Loring

Recommendation: Approved with Conditions	
Item:	5
Application No:	DM/0732/25/OUT
Application Type:	Outline Application
Application Site:	Wayside Brigsley Road Waltham North East Lincolnshire
Proposal:	Outline application to erect two dwellings and associated accesses with all matters reserved
Applicant:	Mr & Mrs Miall
Case Officer:	Mark Danforth

Recommendation: Approved with Conditions	
Item:	6
Application No:	DM/0881/25/FUL
Application Type:	Full Application
Application Site:	Rear Of 116 Humberston Avenue Humberston Grimsby North East Lincolnshire
Proposal:	Erect 2 dwellings with integral garages, boundary treatments, solar panels, landscaping, formation of new vehicular access and various associated works (amended plans received July 2026)
Applicant:	Mr G Hall
Case Officer:	Becca Soulsby

Recommendation: Refused	
Item:	7
Application No:	DM/0100/25/FUL
Application Type:	Full Application
Application Site:	Rear Of 43 Bramhall Street Cleethorpes North East Lincolnshire DN35 7QU
Proposal:	Change of use and alterations to create 1 residential dwelling with associated works (Amended Flood Risk Assessment)
Applicant:	Mr Joseph Everatt
Case Officer:	Mark Danforth

Recommendation: Approved Limited Period	
Item:	8
Application No:	DM/0300/24/FUL
Application Type:	Full Application
Application Site:	Land With Ponds South Of Humberston Avenue Humberston North East Lincolnshire
Proposal:	Variation of Condition 1 (Temporary Permission) pursuant to DM/0880/21/FUL to allow for a further temporary period of 2 years
Applicant:	Spencer
Case Officer:	Cheryl Jarvis

Recommendation: Approved with Conditions	
Item:	9
Application No:	DM/0546/26/FULA
Application Type:	Accredit Agnt - Hseholder application
Application Site:	Milchester House Main Road Barnoldby Le Beck DN37 0AU
Proposal:	Erect two storey side/front extension with rooflights and associated works
Applicant:	Mr & Mrs Wade
Case Officer:	Mark Danforth

PLANNING COMMITTEE - 30th September 2026

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

APPLICATION No: DM/0907/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land Off Woodland Way, Grimsby Road, Waltham, North East Lincolnshire,

PROPOSAL: Erect a residential development of nine dwellings including public open space, access roads and associated infrastructure. (Amended Site Plan and House Types received July 2026)

APPLICANT:

Mr Peter Strawson
Idyllic Estates
East Ravendale Farm
East Ravendale
North East Lincolnshire
DN37 0RX

AGENT:

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

DEPOSITED: 21st October 2025

ACCEPTED: 8th December 2025

TARGET DATE: 2nd February 2026

PUBLICITY EXPIRY: 28th July 2026

**AGREED EXTENSION OF TIME DATE: 2nd
October 2026**

CONSULTATION EXPIRY: 9th January 2026

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is to erect 9 bungalows with associated garages, landscaping, public open space, drainage infrastructure and highway infrastructure. This includes the construction of additional footpath adjacent to Grimsby Road and the widening of Woodlands Way to 5.5m.

The application has been brought to Planning Committee for consideration due to it being a departure from the Local Plan, an objection from Waltham Parish Council and there are 4 objections from neighbours. This item was deferred at the meeting of the 2nd

September 2026.

SITE

The site is located to the west of Grimsby Road in Waltham opposite the junction with Fairway and accessed off Woodlands Way. The site is currently an agricultural field with open boundaries to the north and south, new landscaping to the east and a large hedge to the west adjacent to Grimsby Road. To the south of the site is Woodlands Way, a new development of 16 properties recently completed.

RELEVANT PLANNING HISTORY

On this site

DM/1160/17/OUT - Residential development - withdrawn
DM/0521/18/OUT - outline for 16 dwellings - Refused - dismissed at appeal
DM/0955/20/OUT - outline for 17 dwellings - Refused - dismissed at appeal
DM/0719/22/FUL - full permission for the erection of 9 dwellings - Refused - dismissed at appeal on 6th December 2023.

Adjacent site to the south

DM/0579/16/OUT - Residential development - refused - allowed at appeal
DM/0285/18/REM - reserved matters for residential development - approved
Various amendments to DM/0285/18/REM

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

S3 - Presump in favour of sust development
S5 - Principle of develop-outside settlements
HO7 - Meeting the need for homes

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO42 - Landscape
PO43 - Green space and recreation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless

material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Highways Officer - no objection, suggest conditions.

Ecology - no objections, suggest conditions relating to construction and BNG.

Tree Officer - no objections, suggest conditions for landscaping and planting details.

Environmental Health Officer - no objections, conditions for construction.

NELC Waste Officer - no objections, comments on waste collection.

Anglian Water - no objections.

Heritage Officer - no comments.

Northern Power - no objections, request informative on the decision notice.

Drainage - the proposed surface water drainage scheme is acceptable.

Cadent - no objections, request informative on the decision notice.

Harbour Energy - no objections

Waltham Parish Council - object to the proposed development as it is not an allocated site for housing and sits in the open countryside.

Neighbours

2, 3, 5, 8, 10, 11, 12 Woodlands Way - support the proposed development and consider it would not harm the character of the area

The Limes - comments on the provision for swifts in the development.

67 Grimsby Road, 1 Woodlands Way, 5 Glen Eagles - object to the proposed development due to the site being located in the strategic gap, the previous refusals on the site, impact on highway safety and amenity, lack of infrastructure in the area and that the site to the south should be completed prior to further permissions being granted.

Other Representations

Civic Society - objects and supports the views of the Parish Council

Swift Society - request condition for the inclusion of swift boxes

APPRAISAL

The key considerations in this application are:

- 1) The Principle of the Development and impact upon the character and form of the locality
- 2) The impact upon residential amenity
- 3) Highways Safety
- 4) Drainage
- 5) Ecology
- 6) Other considerations

1)The Principle of the Development and impact on the form and character of the locality.

The site is located outside of the defined Development Boundary for Waltham on the NELLP Inset Maps, this means that the site is considered to be in the open countryside and the proposed development represents a departure from the NELLP. However, the NPPF 2026 is very clear in Policy S5(J) that were a Local Authority cannot demonstrate a 5-year supply of housing then the principle of residential development is acceptable subject to how it relates to the existing settlement and be of a scale that the existing settlements infrastructure can accommodate it. The development must also accord with the other core principles of the NPPF, these align with the NELLP. It should also be noted that the site is included in the Councils Preferred Housing Sites for the Local Plan review identified in the proposed Pre-Submission Draft Local Plan. Whilst the weight that can be afforded to this point in making a decision to approve is more limited it is considered that as the Local Plan Reg 18 review is post consultation it does carry some weight and the fact is acknowledged that the site is available and promoted for delivery.

In regard to the relationship of the site to the existing settlement and the wider context, the site is located directly adjacent to Woodlands Way which in turn is accessed off Grimsby Road. There is also further development extant to the south of the site. It is clear therefore that the village of Waltham has extended to the eastern side of Grimsby Road and in that context, it is considered that development can be located on this site in an acceptable manner that would not cause significant harm to the wider character of the area.

It is noted that previous applications on this site for 9, 16 and 17 dwellings respectively have been refused and dismissed at appeal. The latest decision which is most relevant to this application is that dismissed on 6th December 2023 under planning application DM/0719/22/FUL for 9 dwellings. The main reason for this was the impact that the

development would have on the visual character of the area due to intrusion into the open countryside. The Inspector specifically discusses the visibility of the site in the context of the gap between Waltham and Scartho.

In response to the appeal the applicant has sought to address this by seeking single storey bungalows only. The proposal also includes the area of open space to the north with a landscaping scheme to enhance the countryside feel that the site has as for the previous scheme. The change in the supply from 4.2 years in the previous 2022 application at time of determination with a 13-year supply at time of appeal to the now 3.6 years supply and the emphasis placed on housing delivery in the new NPPF 2026 are significant material considerations.

It is acknowledged that the site is within the Green Infrastructure Corridor identified on the NELLP Inset Maps in the current Local Plan but equal to that is the contribution that the site currently makes and the relationship that the existing Woodlands Way site has to this space. Woodlands Way creates a feel of a somewhat unfinished development as the northern side of the road is undeveloped but also currently unused and of little amenity benefit other than being open. The proposed development would deliver additional landscaping and public open space which adds value to the character of the area and the Strategic Green Infrastructure Corridor, and it will effectively finish off the development. Notwithstanding this It is acknowledged that there will be a degree of harm by the physical intrusion into the countryside as raised by the Inspector. However, for the reasons stated above it is considered that on balance the harm is justified by the housing need under the up to date planning policy and considerations.

The proposed development is for only 9 dwellings, Waltham benefits from a range of services including schools, shops and open space. The NELLP identifies Waltham as a Level 2 Local Service Centre these settlements perform the role of key local service centres offering a good range of basic services and amenities, combined with good accessibility to the wider services available in the urban area. Given the scale of the development it is considered that the existing infrastructure can accommodate the development and is well connected. The new NPPF 2026 emphasises the need for new developments to be sustainably located.

It is note that there have been objections raised by neighbours, the Parish Council and the Civic Society but also letters of support from neighbours on Woodlands Way. The matters raised will be considered through the report below.

It is therefore considered that the proposed development accords with Policy S5(J) of the NPPF. It therefore falls to consider the proposed development against the NPPF as a whole and the NELLP in regard to the impacts of the development.

2) Impact upon residential amenity

Policy 5 of the NELLP requires consideration of the impact of proposals upon neighbouring land uses by reason of noise, air quality, disturbance or visual intrusion. In

this respect the proposals location, scale and massing is considered to be acceptable in terms of any impacts upon the neighbouring properties and land uses. The main neighbours to consider in this instance are those on Woodlands Way which face the application site. The proposal has detailed a layout which would provide sufficient separation distances to neighbouring properties to ensure that there would not be any adverse impacts in terms of overlooking, over shadowing or oppression. The neighbour letters in respect of the topography of the site in relation to existing properties is noted however as a lower rise development it is not considered that the relationship between properties would be detrimental. In terms of comings and goings and any resultant noise and disturbance the development is served from an existing access road where neighbours front on and it is relatively small in scale. There should be no adverse impacts in this regard. The proposal is therefore considered to be acceptable under Policy 5 of the NELLP.

3) Impact upon Highways Safety

Policy 5 1(B) requires that consideration is given to the access and traffic generation of the proposal. Policy 36 requires that proposals provide for sustainable transport usage. The application has been considered by the Highways Officer, and no objections have been raised. In particular there should be no adverse impact on the highway network. It is not deemed that the number of dwellings proposed will create a severe impact on the surrounding highway network with less than 30 two-way trips being undertaken during peak hours. It is noted that the proposal includes the widening of Woodlands Way from 5m to 5.5m in order to achieve the up-to-date Highway Guidance. Therefore, subject to suitable conditions to control the road improvement works and the construction activity and form of the access/ road works it is not considered that there would be any detrimental effect upon highways safety to warrant refusal on these grounds. The proposal is therefore considered to comply in this respect with the requirements of Policy 5 1(B) of the NELLP 2013-2032.

The proposal also includes an extended footpath along Grimsby Road and a connection into the site. It is considered that this infrastructure should be delivered prior to construction commencing on the 4th dwelling on the site. This can be secured by condition.

4) Drainage

Policy 33 and 34 requires that development proposals consider how the water will be used on site and that appropriate methods for management and drainage are incorporated into the design. The application being considered has been submitted in full and includes a detailed drainage design. This has been considered by the Drainage Engineers and is considered to be acceptable. The drainage scheme can be secured by condition. The proposed development is considered to accord with Policies 33 and 34 of the NELLP 2013-2032.

5) Ecology

Policy 41 seeks to provide protection to biodiversity. The proposal site is formed by an agricultural field with associated boundary hedgerow and field verges providing the main potential habitats. The application is not designated as a site of any particular ecological interest or to support any protected species. As such there is not in principle objection to the development of the site as proposed. An Ecology Survey and BNG Assessment have been provided which do not highlight any specific concerns with regard to protected species and does not identify the site as having any special biodiversity value. The BNG Assessment shows that the necessary BNG gains can be delivered on site. Recommendations are made to ensure safe and proper construction practices, and it is considered that there should be a detailed Biodiversity Improvement Plan provided and delivered. These matters can be secured by condition and so the scheme accords with Policy 41 of the NELLP.

6) Other considerations

It is noted that concerns have been raised over the fact that the applicant, who is also the developer for the extant planning permission behind the fire station, should complete that development before this applying for more dwellings. These views are understandable but do not form material planning considerations in that this application has to stand alone and be considered on its merits.

The proximity of a Pipeline to the site has been raised. The proposal has been designed to ensure that the pipeline falls outside of the proposed developed area. Harbour Energy have not raised any objections to the proposed development.

Agricultural land use and the loss of land have been raised. In this respect it is noted that the site on the large-scale mapping falls within agricultural land class 3. The site in question is a field of approximately 1.35 Hectares. Should the proposal have been found to be acceptable in all other respects it is not considered that the loss of this small parcel of land from agricultural use would be of such weight to warrant refusal of the application on this matter.

CONCLUSION

The proposal for 9 dwellings on this development site is considered acceptable in this area and would contribute to local housing need. The previous appeal decisions on the site have been noted and considered in detail. The scheme has been amended to address the concerns raised within those decisions and it is considered that there are no significant issues that would outweigh the need for housing through this development. Whilst outside the development boundary in the Local Plan 2018 having regard to the NPPF 2026 and in particular the Councils housing supply position of only 3.6 years and the design and layout of the scheme it is considered it can be achieved without harm to the character of the area and street scene, and it would not give rise to adverse impacts

in terms of residential amenity, highway safety or drainage. Subject to conditions, it is therefore recommended for approval in accordance in particular with policies S5(J) and HO7 of the NPPF as well as the Framework as a whole and Policies 5, 17, 22, 33, 34, 40, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

RD5847-01 Rev H - proposed site plan
RD5847-02 - house type A
RD5847-05 - house type D
RD5847-06 - house type E
RD5847-07 - house type G1
RD5847-08 - house type G1 (handed)
RD5847-09 Rev A - site context plan
RD5847-10 - garage plans
RD5847-11 Rev A - site location plan
RD5847-12 - existing site plan
RD5847-13 - house type D (handed)

Reason

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

(3) Condition

Development shall not begin until details of the materials for the exterior construction materials have been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

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

(4) Condition

The development shall be built out in accordance with the Drainage Scheme on plan ref:1115-2601-CIV-D510-P2 and no dwelling on the site shall be occupied until the drainage scheme serving it has been full installed in accordance with the aforementioned plan and it shall thereafter be maintained and retained.

Reason

In the interest of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

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

(6) Condition

Prior to development commencing a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details. The Plan shall include:

- Dust mitigation measures;
- Noise mitigation measures;
- Wheel cleaning facilities for demolition/construction traffic;
- Construction traffic routing details;
- Details of the location for the storage of materials;
- Details of contractors compound and parking areas; and

Reason

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

(7) Condition

Development shall not begin until the following details have been submitted to and approved in writing by the Local Planning Authority.

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

- (a) the proposed layout of the carriageways and footways on the development;
- (b) the wearing course materials proposed for the carriageways and footways;
- (c) cross sections;
- (d) the highway drainage system;
- (e) the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
- (f) the number, location and layout of the vehicle garaging and/or parking facilities within the site to serve the proposed development;
- (g) management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;
- (h) swept path analysis demonstrating turning manoeuvres for emergency vehicles on all carriageways (adopted and private), and refuse vehicles on all adopted carriageways;
- (ii) A Stage 1 and 2 Road Safety Audit (RSA) must be provided. The Road Safety Audit must be undertaken by a fully qualified independent Road Safety Auditor.

The development shall then be carried out in accordance with the approved details. Prior to construction works commencing on the hereby approved dwellings the access road known as Woodlands Way shall be fully completed in accordance with the approved construction details.

Reason

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

(8) Condition

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

Reason

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

(9) Condition

The footpath on Grimsby Road linking into the site, as detailed on plan ref: RD5847-01 Rev H shall be completed, in accordance with construction details to be submitted and approved in writing by the Local Planning Authority, prior to the occupation of the 4th dwelling on the site.

Reason

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

(10) Condition

Prior to occupation of any dwelling, final details of how water will be reused and recycled for each dwelling to ensure that usage is limited to 110 litres per person per day, 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 occupation of the dwelling.

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).

(11) Condition

Prior to development commencing a scheme for the inclusion of swift boxes for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and thereafter retained.

Reason

In the interest of biodiversity improvements in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(12) Condition

No development shall commence until:

- (a) A scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees (including street trees) and shrubs to be planted;
- (b) A plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;
- (c) Measures for the protection of trees and hedges during construction work;
- (d) A detailed management plan for the landscaping and public open space area;

have been submitted to and approved in writing by the Local Planning Authority. The landscaping and public open space shall then be delivered prior to the occupation of the

4th dwelling on the site and maintained in accordance with the approved Landscaping and Public Open Space Management Plan and Biodiversity Management Plan. Landscaping on individual plots shall be completed prior to that dwellings first occupation and thereafter maintained in accordance with the approved Management Plan.

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(13) 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).

(14) 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.

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 provide for housing need in a sustainable location and not harm the area character or residential amenity and

is acceptable under all other planning considerations. This proposal is approved in accordance with Planning Policy and in particular the National Planning Policy S5(J), the delivery of housing is of significant weight and outweighs the limited harm that the development would bring.

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 address issues as they arose through the planning process.

3 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.

4 Informative

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

5 Informative

As highways within the site are to be adopted by the Council, please contact Highway Management Team on 01472-324484 6 months in advance of works commencing.

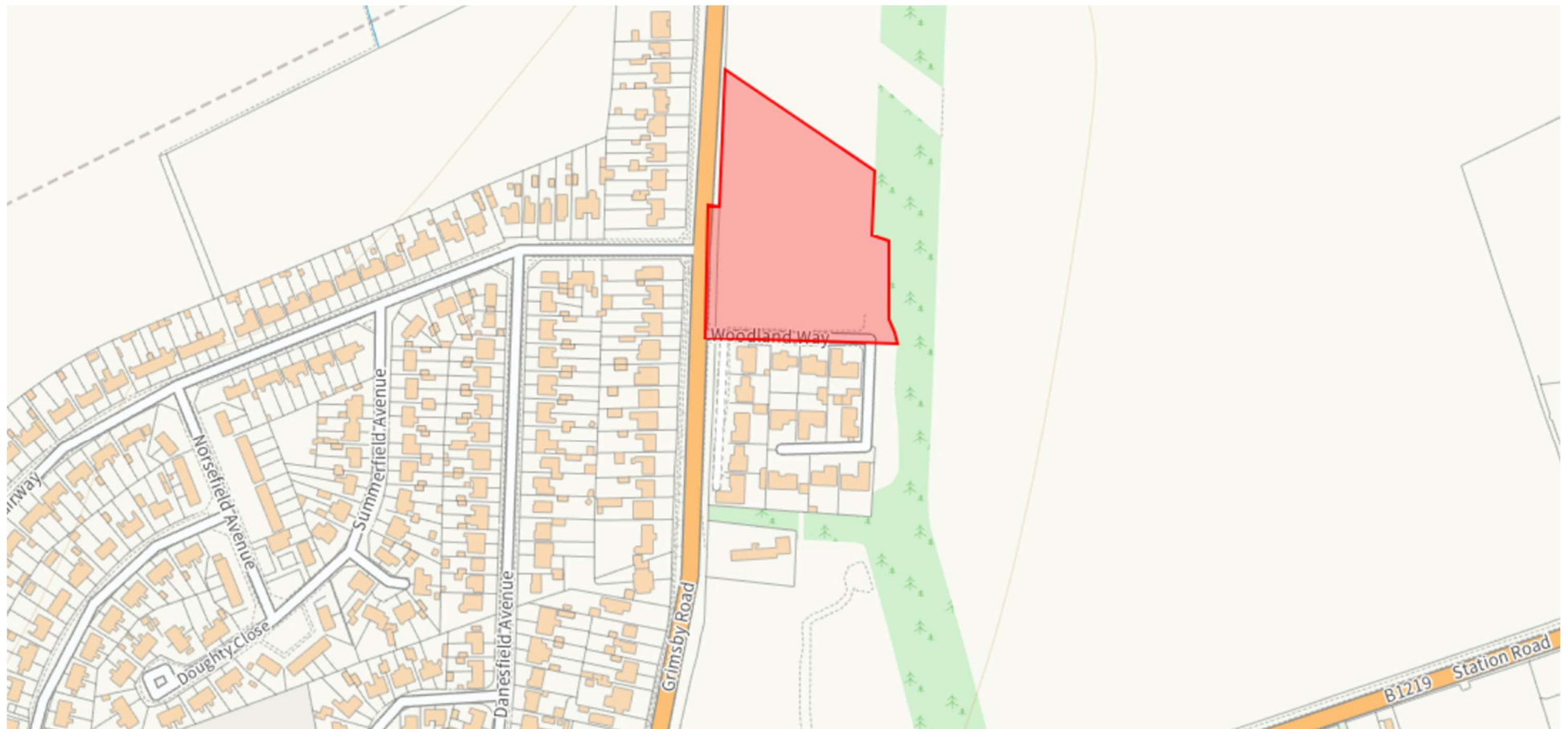
6 Informative

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.

DM/907/25/FUL – LAND OFF WOODLAND WAY, GRIMSBY ROAD, WALTHAM



The site plan illustrates the proposed development at the intersection of Grimby Road and Fairway. The development includes 12 units, a parking area, and landscaping. Key features include:

- Units:** 12 units in total, consisting of 6 two-bed, 4 three-bed, and 2 four-bed units.
- Parking:** A parking area with 12 spaces, including 6 standard spaces and 6 disabled spaces.
- Landscaping:** A landscaped area with trees and shrubs, including a proposed tree line and a proposed boundary line.
- Access:** A proposed access road from Grimby Road to the development.
- Boundary:** A proposed boundary line separating the development from the surrounding area.
- Existing Buildings:** Existing buildings are shown in grey, including a large building on the left and a smaller building on the right.
- Road Layout:** The plan shows the layout of Grimby Road and Fairway, including a proposed access road and a proposed boundary line.

PLANNING COMMITTEE - 30th September 2026

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

APPLICATION No: DM/0633/25/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Land South Of, Anita Grove, Waltham, North East
Lincolnshire,**

**PROPOSAL: Erect 8 dwellings and garages with associated works to include
provision of attenuation pond**

APPLICANT:

Mr And Mrs Glover
C/O Agent

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 2 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
North East Lincolnshire
DN36 4AS

DEPOSITED: 21st July 2025

ACCEPTED: 12th August 2025

TARGET DATE: 7th October 2025

PUBLICITY EXPIRY: 28th June 2026

AGREED EXTENSION OF TIME DATE:

**CONSULTATION EXPIRY: 6th September
2025**

CASE OFFICER: Richard Limmer

PROPOSAL

This application seeks planning permission for a residential development of 8 dwellings including open space, access roads and associated infrastructure. 3 of the proposed dwellings would be bungalows with the remaining 5 dwellings being two storey houses, plots 5 and 8 would also have rooms in the roof space. Each dwelling benefits from a garage and amenity space.

This application has been brought to Planning Committee as it represents a departure

from the NELLP and there is an objection from Waltham Parish Council.

SITE

The site lies to the southwest of Cheapside in Waltham and is currently vacant open land which lies to the rear of various residential properties to the north and east. To the southeast corner lies an existing commercial premises host to Fetch & Carry Services Ltd. The site is made up of grassland and around the edges of the site there are various forms of landscaping in the form of trees and hedges with the boundaries of the adjacent housing site, Anita Grove to the north.

RELEVANT PLANNING HISTORY

DM/0182/23/FUL - Erect 8 dwellings and garages with associated works to include provision of attenuation pond - Withdrawn

DM/1144/23/FUL - Erect 8 dwellings and garages with associated works to include provision of attenuation pond - refused and dismissed at appeal.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

S3 - Presump in favour of sust development
S5 - Principle of develop-outside settlements
N2 - Improving the natural environment
N3 - Trees in new development
TR3 - Locating development-sustain locations
F7 - Ensuring develop is safe from flooding
F8 - Sustainable drainage systems,watercourse

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

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

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

for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Highways Officer - no objections subject to conditions to secure improvements to Anita Grove and construction details.

Ecology Officer - no objections subject to conditions for ecological protection and enhancement.

Environmental Health Officer - no objections subject to conditions for construction.

NELC Waste - comments on waste provision.

Heritage Officer - no comments.

Cadent - no objections recommend informative.

ESP Utilities - no objections.

Fulcrum - no objections

Last Mile - no objections

Waltham Parish Council - object due to the site not being allocated for housing and impact on drainage

Civic Society - comments on access and reference made to previous appeal

Neighbours

2, 3, 6 Anita Grove - support the proposed development on the basis that it is a well thought out scheme and will add to wildlife through the pond.

The Limes - comments in regard to provision for swifts

27A Parker Street - comments in regard to provision for swifts

APPRAISAL

Main Issues

1) Principle of Development and Impact on Character and Appearance

2) Trees, Landscaping and Ecology

3) Highways and Access

4)) Drainage and Flood Risk

5) Impact on Neighbouring Properties

1) Principle of Development and Impact on Character and Appearance

The site is located outside of the defined Development Boundary for Waltham on the NELLP Inset Maps, this means that the site is considered to be in the open countryside and the proposed development represents a departure from the NELLP. However, the NPPF 2026 is clear in Policy S5(J) that were a Local Authority cannot demonstrate a 5-year supply of housing then the principle of residential development can be acceptable subject to how it relates to the existing settlement and be of a scale that the existing settlements infrastructure can accommodate. The development must also accord with the other policies of the NPPF. At this time the Council can only demonstrate a 3.6-year supply of housing and as such Policy S5 (J) of the NPPF is applicable and should be afforded significant weight.

It is noted that the previous application on this site for 8 dwellings was refused and dismissed at appeal. The Inspector particularly concluded in that decision the Government's objective to significantly boost the supply of housing and that a lack of significant harm to the character or appearance of the area is a neutral factor. However, at that time the Council could demonstrate a housing land supply of more than five years and as the planning system should be genuinely plan-led. The appeal scheme would be outside a development boundary and would undermine the plan-led approach to the delivery of housing. This outweighed the benefits associated with the development.

The change in the Council's position in regard to the 5-year supply is therefore a crucial factor to this proposal and the decision that the Inspector previously gave. The presumption in favour of sustainable development as detailed in Policy S3 of the NPPF and then Policy S5 (J) are of importance.

The proposed development is for only 8 dwellings, Waltham benefits from a range of services including schools, shops and open space. The NELLP identifies Waltham as a Level 2 Local Service Centre these settlements perform the role of key local service centres offering a good range of basic services and amenities, combined with good accessibility to the wider services available in the urban area. Given the scale of the development, it is considered that the existing infrastructure can accommodate the development. It should also be noted that the site is included in the Council's Preferred Housing Sites in the proposed Pre-Submission Draft Local Plan. Whilst the weight that can be afforded to this point in making a decision to approve is more limited it is considered that as the Local Plan Regulation 18 review is post consultation it does carry some weight and the fact is acknowledged that the site is available and promoted for

delivery.

In regard to the potential impact on the visual character of the area the views of the Inspector carry weight in this consideration as it was concluded that the then proposed development would have a neutral impact on the visual character of the area. Given this scheme is much the same as the previous scheme with no principled changes it is considered that it too would have a neutral impact on the visual character of the area.

It is therefore considered that the proposed development accords with Policies S3 and S5(J) of the NPPF. It therefore falls to consider the proposed development against the NPPF as a whole and the NELLP in regard to the impacts of the development.

The objections raised by the Parish Council in relation to development outside the and the Civic Society but also letters of support from neighbours on Anita Grove. The matters raised will be considered through the report below.

2) Trees, Landscaping and Ecology

The site is not covered by any tree preservation orders however some trees are present on the site, mostly to towards the boundaries. An Arboricultural Report has been provided which states that a number of trees have been considered to be of high and medium quality and allocated as Category A and B with one tree of a lower value and allocated as Category C. The proposal includes new landscaping, following the removal of lower value trees, including new trees and a mix native hedge to the eastern boundary with further planting including wildflowers and shrubs.

The Trees and Woodlands Officer has reviewed the application and commented to state that whilst there are no principled objections, further details are required. Furthermore, a detailed landscaping scheme and tree protection plan, to include distances from fencing to trees, have been recommended which could be included.

An Ecology Report has been provided with the submission and has been reviewed by the Ecology Officer. They have commented to state that they are satisfied with the report and the recommendations made. A condition to secure the recommendations is recommended.

The proposal is therefore in accordance with Policies 41 and 42 of the NELLP and Policies N2 and N3 of the NPPF.

3) Highways and Access

Policies 5 of the NELLP require regard to be had to the impact upon highway safety and amenity from new development proposals. The scale of the proposed development means that it would not have a detrimental impact on the existing highway network and no mitigation is required. This has been confirmed by the Highways Officer.

Extensive discussions have taken place between the Highways Officer and the applicant in regard to the existing Anita Grove highway arrangement and the proposed development to ensure that it is acceptable in safety and amenity terms. Currently Anita Grove is a private road that serves 6 dwellings. The proposed development is for an additional 8 dwellings which, under the NELC Highways Design Guide, means that the road would need to be adopted by the Highway Authority. Through discussions with the Highways team the site layout has been amended so that it can achieve this. The Highways team have confirmed that the proposal is now acceptable subject to conditions for final details for construction details and provision of a service strip. It is also considered that the works to improve Anita Grove should be complete prior to any of the additional dwellings on the site.

In relation to highways the proposal is considered to be in accordance with Policy 5 of the NELLP.

4) Drainage and Flood Risk

Policies 33 and 34 of the NELLP relate to flood risk and water management within a site. The site is outside of areas of higher flood risk and is therefore acceptable in principle. The proposal would include an increase to the built form on the site and result in further appreciable alteration to the drainage and surface water drainage of the site. A surface water drainage scheme has been provided which includes the provision for sustainable drainage methods and water quality improvements the Drainage Officer has confirmed that this is acceptable. It is recommended that this should be secured through a condition.

In relation to drainage this is considered acceptable in accordance with Policies 33 and 34 of the NELLP.

5) Impact on Neighbouring Properties

Policy 5 of the NELLP requires an assessment on the impact on neighbouring land, properties and users.

There have been no objections received from neighbours as part of the planning process indeed some of the neighbours on Anita Grove have written in to support the proposal.

The scheme would be an extension to Anita Grove which has been constructed. It is considered that the site could be developed without undue massing, loss of privacy or adverse impacts from the physical build. There would good separation from neighbours, along Cheapside, and the relationship with the properties along Anita Grove would be acceptable, given the extension to this, as to ensure no undue impacts. The existing boundary treatments to the north would remain in situ with the plots along this boundary indicated as bungalows to ensure no undue massing.

Having regard to the above it is considered that the proposal would accord with Policy 5

of the NELLP in terms of neighbouring amenity.

CONCLUSION

The proposal for 8 dwellings on this development site is considered acceptable in this area and would contribute to local housing need. The previous appeal decisions on the site have been noted and considered in detail. The change in 5 year supply and that the council can now only demonstrate a 3.6 year supply is a material consideration that should be afforded significant weight in accordance with the NPPF.

It is considered that there are no significant issues that would outweigh the need for housing through this development. Whilst outside the development boundary in the Local Plan 2018 having regard to the NPPF 2026 and in particular the Councils housing supply position the design and layout of the scheme it is considered it can be achieved without harm to the character of the area and street scene, and it would not give rise to adverse impacts in terms of residential amenity, highway safety or drainage. Subject to conditions, it is therefore recommended for approval in accordance in particular with policies S5(J) and HO7 of the NPPF as well as the Framework as a whole and Policies 5, 17, 22, 33, 34, 40, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

1452-001 - site location plan

1452-002 rev F - existing and proposed block plan

1452-004 - house type A

1452-005 - house type B

1452-007 rev A - house type C

1452-008 - house type D

1452-009 - garage type B

Reason

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

(3) Condition

Development shall not begin until details of the materials for the exterior construction of the hereby approved dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

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

(4) Condition

The development shall be built out in accordance with the Drainage Scheme on plan ref:EWE.3347.01.Rev A and no dwelling on the site shall be occupied until the drainage scheme serving it has been full installed in accordance with the aforementioned plan and it shall thereafter be maintained and retained.

Reason

In the interest of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) 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).

(6) Condition

Prior to development commencing a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details. The Plan shall include:

- Dust mitigation measures;

- Noise mitigation measures;
- Wheel cleaning facilities for demolition/construction traffic;
- Construction traffic routing details;
- Details of the location for the storage of materials;
- Details of contractors compound and parking areas; and

Reason

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

(7) Condition

Development shall not begin until the following details have been submitted to and approved in writing by the Local Planning Authority.

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

- (a) the proposed layout of the carriageways and footways on the development;
- (b) the wearing course materials proposed for the carriageways and footways;
- (c) cross sections;
- (d) the highway drainage system;
- (e) the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
- (f) the number, location and layout of the vehicle garaging and/or parking facilities within the site to serve the proposed development;
- (g) management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;
- (h) swept path analysis demonstrating turning manoeuvres for emergency vehicles on all carriageways (adopted and private), and refuse vehicles on all adopted carriageways;
- (ii) A Stage 1 and 2 Road Safety Audit (RSA) must be provided. The Road Safety Audit must be undertaken by a fully qualified independent Road Safety Auditor.

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

Reason

To ensure that the satisfactory provision of the access roads in the interests of highway safety and amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

No dwelling on the site shall be occupied until the access road has been constructed to at least base course level and adequately lit from the connection with the existing highway up to the access to the dwelling, in accordance with comprehensive engineering details to be submitted and approved in writing by the Local Planning Authority before such works are commenced.

Reason

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

(9) Condition

No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority, demonstrating how the initial section of the existing private road known as Anita Grove shall be brought forward for adoption as highway maintainable at public expense. The details shall include:

1. Core sampling and testing of the existing carriageway construction of Anita Grove, with results submitted to demonstrate that the underlying construction is of an acceptable adoptable standard to be used for the conversion to a Shared Access Way;
2. Full highway construction details for any required alterations or strengthening works identified as necessary to achieve adoptable standards;
3. Details of the proposed conversion of Anita Grove to a shared surface, including materials, levels, service strip demarcation (if any) and drainage;
4. A programme for the delivery of the works; and
5. Confirmation that the existing road shall be offered for adoption under a Section 38 Agreement, including provision of all necessary bonds and legal agreements.

The approved works shall be fully implemented and completed in accordance with the approved details prior to the first occupation of any dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that the existing private roads serving the development are constructed or upgraded to adoptable standards, to secure their adoption as public highway, to ensure safe and suitable means of access to the development in the interests of highway safety and amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

No construction shall commence until a plan showing the inclusion of a service strip of 2-metres in width on all shared surface areas that are proposed to be adopted as public highway have been submitted and approved in writing by the Local Planning Authority. Once approved, no development whether permitted by the Town and Country Planning

(General Permitted Development) Order 1995 or not (other than Class 13 of the Order) shall take place within the service strip adjacent to any A4 Shared Accessway, and any planting or landscaping within this service strip shall be of species which shall be agreed in writing with the Local Planning Authority.

Reason

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

(11) Condition

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 2-metres behind the prospective Highway boundary. They shall then be maintained in such hard bound material for the life of the development.

Reason

To reduce the possibility of deleterious material being deposited on the public highway (loose stones, etc.) in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(12) Condition

Prior to occupation of any dwelling, final details of how water will be reused and recycled for each dwelling to ensure that usage is limited to 110 litres per person per day, 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 occupation of the dwelling.

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).

(13) Condition

Prior to development commencing a scheme for the inclusion of swift boxes for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and thereafter retained.

Reason

In the interest of biodiversity improvements in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(14) Condition

No development shall commence until:

- (a) A scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees (including street trees) and shrubs to be planted;
- (b) A plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;
- (c) Measures for the protection of trees and hedges during construction work;
- (d) A detailed management plan for the landscaping and public open space area;

have been submitted to and approved in writing by the Local Planning Authority. The landscaping and public open space shall then be delivered prior to the occupation of the 4th dwelling on the site and maintained in accordance with the approved Landscaping and Public Open Space Management Plan. Landscaping on individual plots shall be completed prior to that dwellings first occupation and thereafter maintained in accordance with the approved Management Plan.

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(15) Condition

The development shall be built out and occupied in accordance with recommendations and mitigation measures provided in the submitted Preliminary Ecology Appraisal (dated February 2023) and Update Survey (dated October 2025).

Reason

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

(16) Biodiversity Net Gain

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

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

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

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

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

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

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

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 provide for housing need in a sustainable location and not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with Planning Policy and in particular the National Planning Policy S5(J), the delivery of housing is of significant weight and outweighs the limited harm that the development would bring.

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 dealing with issues as they arose through the planing process.

3 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.

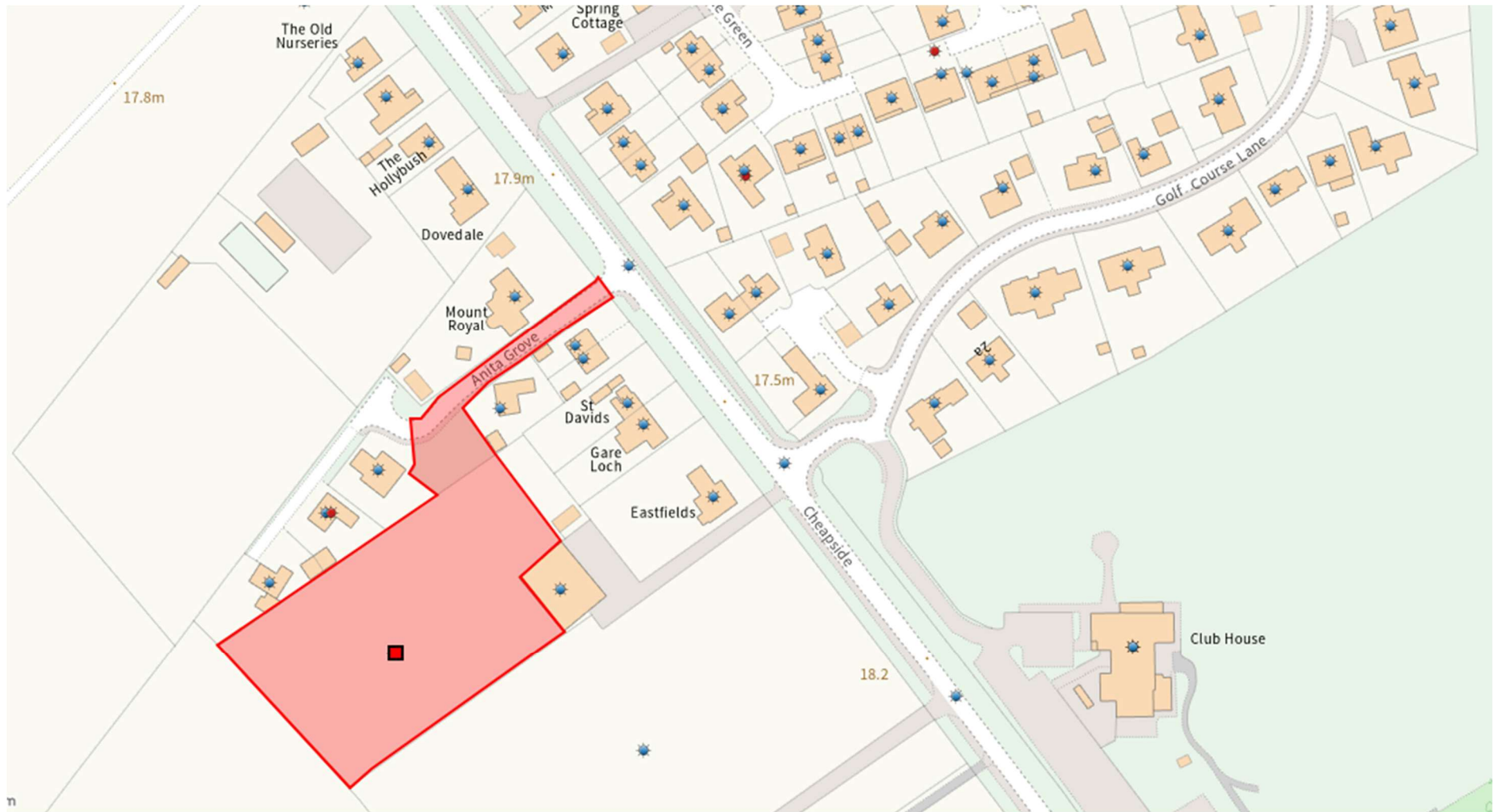
4 Informative

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

5 Informative

As highways within the site are to be adopted by the Council, please contact Highway Management Team on 01472-324484 6 months in advance of works commencing.

DM/0633/25/FUL – LAND SOUTH OF ANITA GROVE, WALTHAM



DM/0633/25/FUL – LAND SOUTH OF ANITA GROVE, WALTHAM



PLANNING COMMITTEE - 30th September 2026

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

APPLICATION No: DM/0297/26/REM

APPLICATION TYPE: Reserved Matters

**APPLICATION SITE: Land Off, Fieldhouse Road, Humberston, North East
Lincolnshire,**

**PROPOSAL: Reserved Matters Application pursuant to DM/0493/22/OUT to
consider access, appearance, landscaping, layout and scale to erect 5 detached
dwellinghouses with parking, landscaping, boundary treatments and associated
works - amended plans & further information rec 14-07-2026**

APPLICANT:

Ms D Blythe
3 Mill Grange
Caistor
Lincolnshire
LN7 6JG

AGENT:

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

DEPOSITED: 22nd April 2026

ACCEPTED: 22nd April 2026

TARGET DATE: 17th June 2026

PUBLICITY EXPIRY: 10th August 2026

**AGREED EXTENSION OF TIME DATE: 4th
September 2026**

CONSULTATION EXPIRY: 1st June 2026

CASE OFFICER: Lauren Stinson

PROPOSAL

This is a reserved matters application for the erection of five detached dwellings with all available matters under consideration including: siting, scale and massing, appearance, access, drainage and landscaping. The application is pursuant to outline planning permission DM/0493/22/OUT.

This application has been brought to planning committee due to an objection from the Humberston Parish Council and neighbouring properties.

SITE

The site is located with an access off Fieldhouse Road, behind the Coach House Public House. It is currently an overgrown green area with two public footpaths running through it. The surrounding area is predominantly residential in character with a small local centre close by and a second Public House opposite the access road. There is also an area of green space behind the host site. The two sites are separated by a ditch.

RELEVANT PLANNING HISTORY

DM/0487/20/OUT - Outline planning application to erect 14 dwellings with access to be considered - Refused (Adjacent Site).

DM/0493/22/OUT - Outline application with access to be considered to erect 5 detached dwelling houses with associated works - Approved with Conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DM3 - Determining development proposals
DM6 - Use of planning conds and obligations
S4 - Principle of develop-within settlements
HO7 - Meeting the need for homes
W4 - Water infrastructure
L2 - Making effective use of land
DP3 - Key principles for well-designed places
TR3 - Locating development-sustain locations
TR4 - Street design, access and parking
TR8 - Public rights of way
P3 - Living conditions and pollution
P4 - Impact of development on exist activity
P5 - Maintaining public safety and security
F4 - Assessing flood risk for decision-making
F7 - Ensuring develop is safe from flooding
F8 - Sustainable drainage systems,watercourse
N2 - Improving the natural environment
N3 - Trees in new development

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO36 - Promoting sustainable transport

PO38 - Parking
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Council's Highways Officer - No objections, subject to safeguarding conditions and an informative.

Council's Public Right of Way Officer - Comments made on the need to ensure appropriate fencing to the right of way. Amended details acceptable.

Council's Environmental Health Officer - No objections, subject to safeguarding conditions.

Council's Environmental Health Enforcement Officer - No objections, subject to an informative.

Council's Heritage Officer - No objections.

Council's Tree Officer - No objections, subject to a condition.

Council's Ecology Officer - No objections, subject to conditions.

Council's Drainage Officer - No objections, subject to a condition.

Anglian Water - No objections, subject to conditions.

Environment Agency - No comments.

Humberside Fire and Rescue - No objections, subject to an informative.

Humberston Parish Council - Objects to the development with concerns regarding inadequate turning facilities within the site and also ecology matters.

Neighbour Representations

The following neighbours object to the application:

6 Rowan Drive, Humberston
Comme Court, Fieldhouse Road, Humberston
Walworth, Fieldhouse Road, Humberston
11 Hewson Road, Humberston
29 Fieldhouse Road, Humberston

On the following grounds:

- Concerns regarding drainage and flood risk
- Highways and pedestrian safety
- Inadequate access arrangements
- Obstructive arrangements for delivery and refuse vehicles
- Overdevelopment
- Existing infrastructure in Humberston unable to cope
- Ecology concerns

1 The Laurels, Humberston - Supports the development stating the proposal has already been approved and the access and public right of way details are acceptable.

APPRAISAL

Main Issues:

- Principle of Development
- Highways Impacts and Parking
- Impact on Neighbours
- Impact on the Character of the Area
- Drainage and Flood Risk
- Landscaping and Ecology
- Public Right of Way

Principle of Development

The site is within an area allocated for housing (HOU082) in the North East Lincolnshire Local Plan (NELLP), 2018 (Adopted 2018). The planning history pertaining to the site is also a strong material consideration, as the development has outline planning permission through DM/0493/22/OUT.

The outline approval did not consider any details of the appearance, landscaping, layout and scale of the proposed dwellings though it did provide indicative plans. The reserved matters for consideration are therefore in relation to appearance, landscaping, layout and

scale. Moreover whilst access was approved at the outline stage full details have been provided under this application.

Highways Impacts and Parking

The comments received from neighbouring properties and Humberston Village Council are noted with concerns regarding access, highways and pedestrian safety. It is reiterated that these matters were considered at the outline application stage and the principle of five dwellings at the site off the proposed access point was approved under this permission.

The site would be served from an unadopted access road situated off Fieldhouse Road. The Council's Highways Officer has confirmed that the use of this road as an access is acceptable to serve five dwellings. Details have been provided of improvement works to be carried out to the first 8 metres of the site, providing a passing place. There would also be a passing place within the site itself and a bin storage area. These details are considered acceptable.

A Construction and Traffic Management Plan has also been provided which outlines site operating times, on site storage and construction traffic parking, and also noise and dust mitigation methods. These details have been reviewed by the Council's Highways Officer and also the Council's Environmental Health Officer, and they are content with the details provided.

It is noted that concerns have been raised by residents as to the adequacy and safety of the use of the lane as an access for the proposed dwellings. The Council's Highways Officer have undertaken several site visits at varying times and also requested that a road safety audit be undertaken. A road safety audit, Stage 1 and 2, has been undertaken, and the Council's Highways Officer is content that this document is acceptable and that mitigation is proposed. A condition, to this effect, is recommended.

With improvement measures secured it is recommended that adequate visibility and access to the dwellings can be achieved in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbours

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires an assessment on the impact on neighbouring land properties and users. It is noted that comments have been received from neighbouring properties. In terms of the principle of the development this is established through the outline approval.

The proposal is for five detached dwellings, two storeys in height, with integral garages. There would be good separation from the proposed dwellings to neighbours, ensuring issues such as massing and dominance would be minimal. There would also be no windows directly facing neighbours ensuring issues regarding overlooking would be

limited.

Parking areas have been located closest to the adjacent Public House car park which would limit noise and light pollution to future occupants. An Acoustic Report was also submitted with the previous outline application in regard to future occupiers amenity, given the proximity of the pub. The mitigation measures outlined in this report are noted, and have been provided within the Construction Traffic Management Plan. A condition to secure this is recommended.

The application is therefore considered in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on the Character of the Area

The layout of the proposal follows that which was indicated at the outline stage with detached dwellings in good sized plots and of reasonable design reflective of the character of the area. The site will not appear over developed or visually discordant. The final materials to be used are recommended to be secured by condition. On this basis, it is considered the proposal accords with Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage and Flood Risk

In terms of foul and surface water drainage, the Council's Drainage Officer and Anglian Water has requested final details to be submitted. In terms of drainage capacity again it is reiterated that the principle of development for five dwellings has already been approved. The condition requiring the submission of drainage details is imposed on the outline approval. The application is therefore considered in accordance with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Landscaping and Ecology

The site is an area of unmaintained green space. An Ecology Report and Construction Ecological Management Plan has been provided as part of the planning submission, and this has been assessed by the Council's Ecologist. The Officer has confirmed that they are satisfied with the content of the documents, and request that the recommendations in the document be implemented. BNG does not apply to this reserved matters application.

A landscaping plan has been provided which identifies new trees to be planted within the site and also trees to be retained. The Council's Trees Officer has reviewed these details and has raises no objections. It is considered that this addresses the concern of the Village Council and the proposal is in accordance with Policies 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Public Right of Way

The Public Right of Way location and layout does not defeat from that approved under the outlined application, DM/0493/22/OUT. There is a proposed re routing to the front of the site and a retention of one at the rear. There have been negotiations with Council's Public Right of Way Officer regarding the height of boundary fencing onto the Public Right of Way at the rear and details have been agreed.

CONCLUSION

In conclusion, it is considered that the proposed dwellings are acceptable in regard to the impact on neighbours, impact on the visual character of the area, drainage, landscaping, ecology and highways. The proposal accords with Policies 5, 22, 33, 34, 38, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). It is therefore recommended for approval, subject to conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Site Location Plan - RD6129-01

Proposed Site Plan - RD:6129 - 03 REV D

Proposed Plans and Elevations - Type A - RD6129-04

Proposed Plans and Elevations - Type B - RD6129-05

Proposed External Works Plan - RD:6129 - 06 REV C

Proposed Landscaping Plan - RD6129-07 REV-A

S184 Layouts and Construction Details - 1115-2611-CIV-100 P3

S278 Construction Details - 1115-2611-CIV-130 P1

Engineering Plan - 1115-2611-CIV-10-P

Reason

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

(2) Condition

Prior to any development commencing above damp course, details of external materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the

details approved.

Reason

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

(3) Condition

The development shall be built out in strict accordance with the Construction Traffic Management Plan (RD6129LA08-04-26) unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety and to protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The access, roads and footways, and their management, shall be undertaken in strict accordance with the following details:

Proposed Site Plan - RD:6129 - 03 REV D

Proposed External Works Plan - RD:6129 - 06 REV C

S184 Layouts and Construction Details - 1115-2611-CIV-100 P3

S278 Construction Details - 1115-2611-CIV-130 P1

Street Lighting Detail - Received 14th July 2026

Stage 1 and 2 Road Safety Audit - Received 14th July 2026

unless otherwise agreed in writing by the Local Planning Authority. The approved access, roads and footways, and their management, shall then be fully implemented throughout the lifetime of the development.

Reason

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

(5) Condition

Prior to occupation of any 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 of each dwelling.

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).

(6) Condition

The scheme of landscaping and tree planting shown on drawing no. RD6129-07 REV-A (Proposed Landscaping Plan) 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 and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

Prior to occupation of the dwellings, the boundary treatments as detailed on drawing Proposed Site Plan - RD:6129 - 03 REV D (Proposed Site Plan) and RD:6129 - 06 REV C (Proposed External Works Plan) shall be installed and thereafter retained. Notwithstanding, the Town and Country Planning (General Permitted Development) Order 2015 (Amended) (or any statutory amendment thereto), no development under Schedule 2 Part 2, Class A shall be permitted.

Reason

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

(8) Condition

The ecological mitigation measures and enhancements shall be carried out in accordance with the Construction Ecological Management Plan (dated April 2026 by CGC Ecology), the Street Lighting Detail (received 14th July 2026) and the Ecology Survey update (dated April 2026 by CGC Ecology). The mitigation shall be provided prior to the occupation of the dwellings to which it relates and shall thereafter be so retained.

Reason

In the interests of ecological enhancement in accordance with Policies 5 and 41 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 3 applies.

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

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

permission relates was made before 12 February 2024.

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

4.5 Development forming part of, or ancillary to, the high speed railway transport network

(High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 38, 41 and 42.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by requesting additional information to overcome concerns.

3 Informative

Please note that you may also require Building Regulations, including EV charging points. 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 from the Public Right of Way Officer and Humberside Fire and Rescue. Please also review the Cadent Gas comments under DM/0493/22/OUT. Please go to www.nelincs.gov.uk to view the comments.

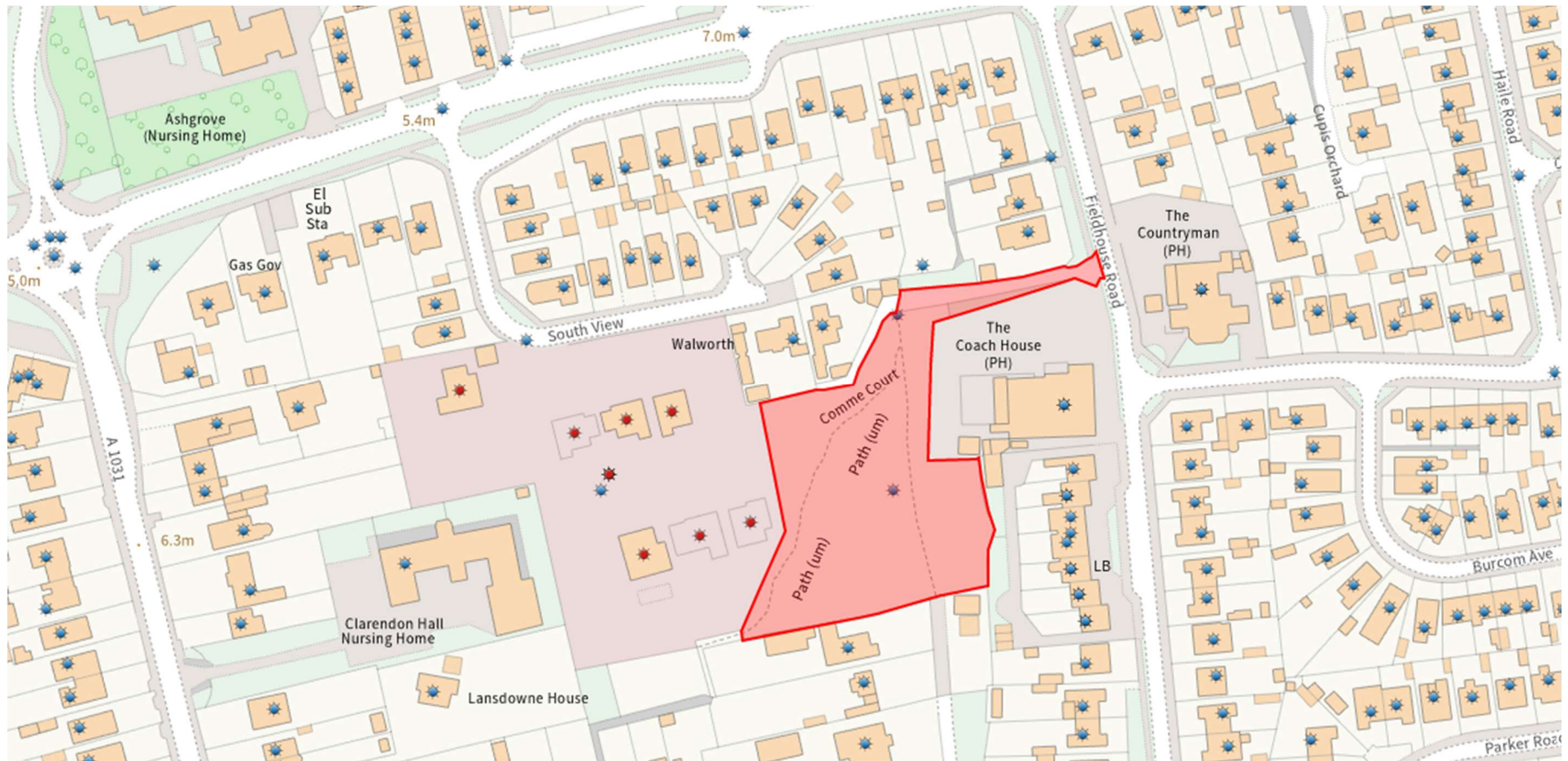
6 Informative

Existing ground levels should not be increased otherwise surface water drainage problems may result.

7 Informative

The applicant should be aware that there are conditions from the outline permission are still relevant and need to be met and/or formally addressed through a discharge of conditions application. Please discuss with the Planning Officer.

DM/0297/26/REM – LAND OFF FIELDHOUSE ROAD, HUMBERSTON



DM/0297/26/REM – LAND OFF FIELDHOUSE ROAD, HUMBERSTON



PLANNING COMMITTEE - 30th September 2026

ITEM: 4 **RECOMMENDATION: Refused**

APPLICATION No: DM/0328/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land To South Of The Georgian House, Main Road, Barnoldby Le Beck, North East Lincolnshire,

PROPOSAL: Erection of 3 detached dwellings, 1 detached double garage and an attenuation pond, alterations to access and associated works (Amended Ownership Certificate)

APPLICANT:

Mark Barford
50B St Marys Lane
Louth
Lincolnshire
LN11 0DT

AGENT:

Mr Glenn Jeffrey
Faber Architecture Ltd
33 Lee Street
Louth
LN11 9HJ

DEPOSITED: 7th May 2026

ACCEPTED: 20th July 2026

TARGET DATE: 14th September 2026

PUBLICITY EXPIRY: 14th August 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 10th July 2026

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to erect three detached dwellings, one detached double garage provide an attenuation pond, alterations to access and associated works.

The application is brought to committee following a call-in request from a ward councillor.

SITE

The site lies to the south of Waltham Road in Barnoldby Le Beck and is currently vacant open land which lies between various residential properties and provides some access points to these. The site includes a partially tarmacked drive, adjoining from Waltham

Road, and then a more informal access track further down. A public right of way also lies to the western boundary to provide pedestrian connectivity. The main central area of the site is grassland and around the edges of the site there are various forms of landscaping in the form of trees, hedges and drainage ditches.

RELEVANT PLANNING HISTORY

DM/0217/15/FUL - Erection of 4 eco dwellings, alterations to access drive and erection of timber piers to pond - Refused and Appeal Dismissed

DM/0379/22/OUT - Outline application to erect 7 dwellings with means of access and layout to be considered - Withdrawn

DM/0235/23/FUL - Erection of 3 dwellings with associated works and alterations to existing vehicular and pedestrian access - Refused and Dismissed on Appeal. AP/008/24.

DM/0261/25/OUT - Outline application to erect 8 affordable dwellings with associated access and landscaping enhancements with all matters reserved - Withdrawn

DM/0383/26/OUT - Outline application to erect four dwellings to include two affordable homes with all matters reserved - Pending Consideration

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

HE5 - Assessing effects on heritage assets
S3 - Presump in favour of sust development
S5 - Principle of develop-outside settlements
HO7 - Meeting the need for homes
HO10 - Exception sites
HO11 - Isolated homes in the countryside
L2 - Making effective use of land
L3 - Achieving appropriate densities
DP3 - Key principles for well-designed places
DP4 - The design process
TR3 - Locating development-sustain locations
TR4 - Street design, access and parking
TR8 - Public rights of way
F8 - Sustainable drainage systems,watercourse
N2 - Improving the natural environment
N3 - Trees in new development

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

PO2 - The housing requirement

PO3 - Settlement hierarchy
PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Barnoldby Le Beck Parish Council - Recommends refusal due to location outside of the development boundary, impact to trees, detrimental to the character of the area, highway safety, concerns regarding bin store, impacts to neighbours due to increased traffic, safety along right of way, flooding and drainage concerns.

Highways Officer - Conditions with regard to visibility splay, highway access and improvement works, parking, garaging and turning and Construction Traffic Management Plan conditions and S184 informatives.

Humberside Fire and Rescue - Informative advice for access and water supplies.

Environmental Health - Hours of construction and construction management plan conditions.

Rights of Way Officer - Pedestrian passing places to be installed prior to development commencing, additional conditions suggested.

Drainage Team - Sustainable drainage condition and no raising of ground levels.

Heritage Officer - Written Scheme of Investigation condition.

Trees & Woodlands - Does not support application and considered to be an unnecessary encroachment into the open countryside.

Anglian Water - No comments.

Ecology Officer - BNG exempt due to self-build, request for Preliminary Ecological

Appraisal (PEA) and biodiversity gain required. Satisfied with PEA and require all recommendations to be adhered to. Informative advice for bats and precautionary methods.

Cadent Gas - No objection, informative advice.

Cllr Mayne - Call in request for wider debate at committee.

Neighbour Representations

Objections have been received from the following addresses broadly on the grounds of being outside of the development boundary, local plan policies, differs a little from previous refusal, not suitable for residential development, inadequate access, impact to privacy given proximity to boundaries, lack of demand for housing in village, impact to trees and woodland, impacts to local wildlife, overlooking, loss of light and overshadowing, lack of parking and emergency vehicle access.

Barnoldby House, Main Road, Barnoldby Le Beck
4A Kingsfield Farm, Barnoldby Le Beck
4B Kingsfield Farm, Barnoldby Le Beck
Kingsfield Pond, Main Road, Barnoldby Le Beck
Milchester House, Main Road, Barnoldby Le Beck
Park Cottage, Main Road, Barnoldby Le Beck
Park Lodge, Main Road, Barnoldby Le Beck
The Georgian House, Main Road, Barnoldby Le Beck

A comment of support has been received from the following address broadly on the grounds of significant benefits to the area, enhance visual appearance, improvements to road safety

3 Kingsfield Farm, Barnoldby Le Beck

Other Representations

Civic Society - Originally objected. Revised comment to remove objection however concerns raised relating to drainage.

APPRAISAL

The material planning considerations are:

1. Principle of Development and Impact on Character and Appearance
2. Trees and Landscaping
3. Highways and Public Right of Way
4. Drainage and Flood Risk
5. Impact on Neighbouring Properties

6. Heritage and Conservation

1. Principle of Development and Impact on Character and Appearance

The North East Lincolnshire Local Plan 2013 - 2032 (Adopted 22nd March 2018) (NELLP) seeks to promote sustainable residential development and meet the housing needs of the Borough. The locations and scale of development are directed through Policies 3 and 4 and seeks to be commensurate to the scale, services, facilities within existing settlements (Development Area) and connections to the wider area. The settlement of Barnoldby Le Beck (Policy 3 - Level 4 settlement) is a minor rural settlement which offers very few services and amenities. Policy 3 notes that future development should involve only limited infill, conversion and re-use of existing buildings with very limited further development.

The application site is located outside the development area of Barnoldby le Beck as defined by the NELLP. To the east, south and west is open countryside. As such, the proposal would be located within open countryside where development is generally restricted. Policies 3 and 4 of the NELLP do not justify general housing in the open countryside and such a proposal goes beyond what would be allowed for in a settlement of this nature. The proposal would be result in an unsustainable form of development. The proposal for market dwellings would not meet any of the relevant criteria of Policy 5, and in this respect, there would be direct conflict with the spatial strategy of the development plan.

Chapter 4 of the NPPF 2026, seeks to ensure sustainable developments by recognising settlement boundaries. Policy S5 of the NPPF states that only certain forms of development should be approved outside settlements unless there are exceptional circumstances. The development of 3 dwellings beyond the settlement boundary would ordinarily not meet these criteria.

However, it is acknowledged that the Council cannot demonstrate a 5-year land supply. The latest published position being 3.6 years. Policy S5 (j) of the NPPF 2026 refers to unmet housing supply and states this as justification to allow development outside of settlements where physically well related to an existing settlement (unless the nature of the development would make this inappropriate) and that when applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects which includes circumstances when the proposal would fail to comply with one of the national decision making policies in the Framework.

In this case it is considered that the development is not acceptable as a result of the adverse visual impact on the character of the area. To this end it would fail to comply with national decision-making Policy N2 which requires developments to contribute positively to the natural environment through the consideration of the environmental qualities for development including habitats, landscape character and the natural beauty of the countryside. Policy DP3 also requires development proposals to respond to their context

(the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

In terms of the visual impact the proposal would extend into the rural landscape beyond Barnoldby le Beck resulting in a visual intrusion which would be detrimental to the character and value of this countryside location. The openness of this area, and its relationship to the land adjoining this would be adversely affected by the introduction of three dwellings, however well they are designed, and the formalisation of what is essentially a rural access track and public right of way. Due to this extension into the rural landscape, the housing created would be more prominent when compared to the existing. The loss of the open land and its replacement with housing, would fail to have regard to the intrinsic character of this countryside location. What will be diminished is the sense of open countryside both visually and in terms of how the site and its surroundings are experienced. This will be more acute as the site is highly visible from an existing right of way.

In terms of the NPPF the site records a relatively low connectivity score in the DfT Connectivity Tool. This reflects the site's rural location and taken with the sites poor access to services and public transport it supports the overall concerns as to poor sustainability in locational terms.

Having regard to the above it is considered that the proposal would not provide development which is considered suitable in this location in terms of a spatial strategy and sustainability and would result in a development which is harmful to the visual amenity of the open character, landscape quality and setting of the village. In that sense the concerns raised in the Inspectors decision in dismissing the appeal against application DM/0235/23/FUL remain.

In principle it is considered that the development should be refused as it is contrary to Policies 3 and 5 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and advice in the National Planning Policy Framework 2026.

2. Trees and Landscaping

The site is in close proximity to trees subject to a preservation order adjacent to the site. Some features of landscaping have been shown as part of the Proposed Site Plan however, full landscaping details have not been provided. Conditions for a detailed landscaping scheme and tree protection plan could be included.

The Trees and Woodlands Officer has reviewed the application and commented to state that there are concerns in regard to the development of this within the open countryside. However, there would not be any fundamental trees or landscaping issues in this regard. The proposal is therefore in accordance with Policy 42 of the NELLP.

3. Highways and Public Right of Way

Access to the site would be taken from the private road, which adjoins Main Road, utilising the existing access point which can accommodate the required widths. It is important to note that the access currently serves 3 properties, Kingsfield Pond, Lavender Barn and Park Cottage, however for Lavender Barn this is a secondary access. The plans indicate that the access road would be widened, in places, to accommodate passing places and allow for the minimum width of 3.7 metres for emergency vehicles. This would also include a turning facility. In addition, a public right of way runs along the western side of the access road which is also indicated to be altered. This would be laid in limestone and include pedestrian refuge areas to allow for safe passing. A bin store area has been indicated to be placed close to the access point.

The Highways Officer has accepted the details and states that there are no objections following negotiations and further details being provided. Details relating to construction traffic management have been requested and could be conditioned. The Public Rights of Way Officer has also accepted the details following negotiations and amendments secured through the application process however has requested a condition to secure the passing places prior to commencement of the works which could also be included.

In relation to highways and rights of ways the proposal is considered to be in accordance with Policies 5 and 40 of the NELLP.

4. Drainage and Flood Risk

Policies 33 and 34 of the Local Plan relate to flood risk and water management within a site. The site is outside of areas of higher flood risk and is therefore acceptable in that sense. The proposal would result in an increase in built form on the site and surface water will need to be accommodated for. The Council's Drainage Officer has requested details of the surface water drainage method which could be addressed by condition.

In those terms the proposal is in accordance with Policies 33 and 34 of the NELLP.

5. Impact on Neighbouring Properties

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires an assessment on the impact on neighbouring land, properties and users.

There have been some objections received from neighbours largely relating to policy compliance, overlooking and loss of privacy, traffic and road safety and overall design concerns. The scheme has been designed to consider the relationship with neighbours. Plots 1 and 2 are adjacent to the rear boundaries of two existing residential properties. Plot 1 would be of a single storey scale only and Plot 2 would include no openings at the first floor at the rear. The comment from neighbours are noted however the design of the dwellings are considered to adequately address the concerns by means of the position, scale and lack of rear openings to upper floors in the more sensitive locations. There

would also be good separation from neighbours so as to ensure no undue impacts. Other matters relating to highways and trees are addressed in the relevant sections of the report. Bin storage could be adequately provided for. Issues relating to construction disturbance could be mitigated through the use of conditions as recommended by the Environmental Health Officer.

Having regard to the above it is considered that the proposal would accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in terms of neighbouring amenity.

6. Heritage and Conservation

The site is not within a Conservation Area and Listed Buildings are situated away from the site. The Heritage Officer has commented to state that the site forms part of the medieval settlement of Barnoldby le Beck and therefore recommends that a Written Scheme of Investigation should be provided prior to commencement on the site which could be addressed through the use of a planning condition.

Having regard to the above it is considered that the proposal would accord with Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The site is located outside the development boundary and in an area of open countryside. Its development would have a detrimental impact on the rural character of the area and would not be a sustainable form of development. The position with regard to housing need has been taken into account but in this case it does not justify the development. It is contrary to policies, 3 and 5 of the NELLP. The application is therefore recommended for refusal.

RECOMMENDATION

Refused

(1) The proposed development is located outside of the development boundary as established through the North East Lincolnshire Local Plan 2013 -2032 (Adopted 2018) and shown upon the proposals map as within open countryside. The proposal is not supported by exceptional reasons to allow the development within the open countryside. The adverse impacts are not justified by the shortfall in the supply of deliverable housing and its location extending into the open countryside causing visual harm through the physical build which would be highly visible to local receptors including users of the right of way and resulting in an unsustainable residential environment. The development would

be contrary to Policies 3 and 5 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018) and advice in the National Planning Policy Framework 2026.

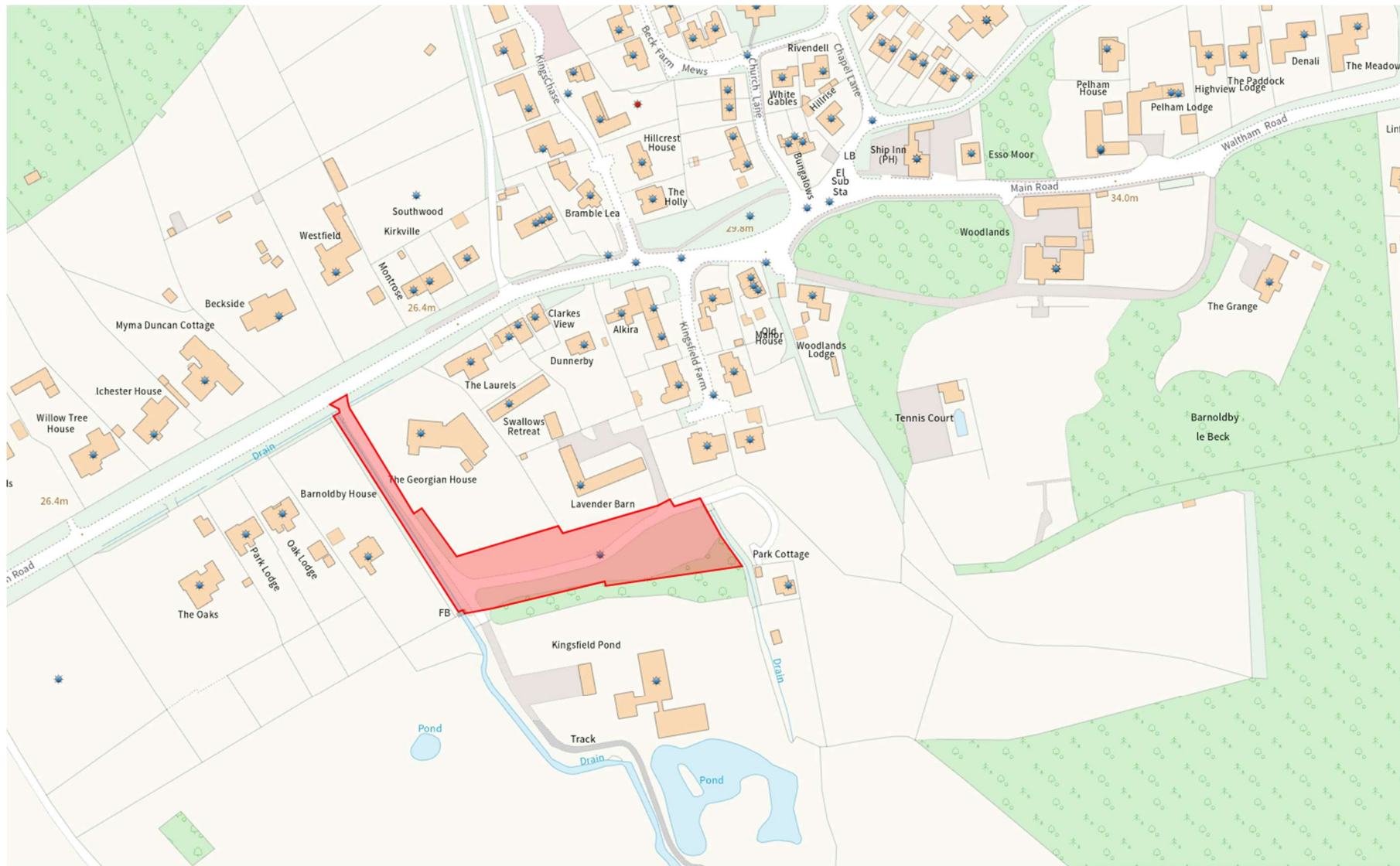
Informatives

1 Informative

This application has been considered using the plans referenced:

- Site Location Plan - 2113 PL011 00
- Proposed Site Plan - 211-PL013-01
- Proposed Floor Plans and Elevations (House 1) - 2113 PL021 00
- Proposed Floor Plans and Elevations (House 2) - 2113 PL022 00
- Proposed Floor Plans and Elevations (House 3) - 2113 PL023 00

DM/0328/26/FUL – LAND TO SOUTH OF THE GEORGIAN HOUSE, MAIN ROAD, BARNOLDBY LE BECK



DM/0328/26/FUL – LAND TO SOUTH OF THE GEORGIAN HOUSE, MAIN ROAD, BARNOLDBY LE BECK



PLANNING COMMITTEE - 30th September 2026

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

APPLICATION No: DM/0732/25/OUT

APPLICATION TYPE: Outline Application

APPLICATION SITE: Wayside , Brigsley Road, Waltham, North East Lincolnshire, DN37 0LA

PROPOSAL: Outline application to erect two dwellings and associated accesses with all matters reserved

APPLICANT:

Mr & Mrs Miall
Wayside Brigsley Road
Waltham
Grimsby
North East Lincolnshire
DN37 0LA

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 12 Cleethorpes Business Centre
Jackson Place, Wilton Road
Humberston
Grimsby
North East Lincolnshire
DN36 4AS

DEPOSITED: 19th August 2025

ACCEPTED: 9th October 2025

TARGET DATE: 4th December 2025

PUBLICITY EXPIRY: 15th March 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 22nd September 2025

CASE OFFICER: Mark Danforth

PROPOSAL

The application seeks outline planning permission to erect 2 self build dwellings with access, with all other matters reserved at the rear of Wayside, Brigsley Road, Waltham.

The application is brought to planning committee as it represents a departure from the Local Plan and there is also an objection from Brigsley Parish Council.

SITE

The application site is located immediately adjacent to the village limits of Brigsley. The actual address being Brigsley Road, Waltham.

Public Footpath 72 runs adjacent to the eastern side of the property and then along the northern boundary as shown on the proposed plan.

There is a brick built substation to the right of the proposed entrance to the site.

Existing residential development exists to the east and south, with open land to the north and west.

RELEVANT PLANNING HISTORY

The adjacent site benefits from full planning permission granted for a dwelling to the north east of the host property under planning permission DM/0512/21/FUL, granted 3rd December 2021.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

- F4 - Assessing flood risk for decision-making
- F8 - Sustainable drainage systems, watercourse
- N2 - Improving the natural environment
- HO7 - Meeting the need for homes
- S5 - Principle of develop-outside settlements
- DP3 - Key principles for well-designed places
- DP4 - The design process
- S3 - Presumption in favour of sustainable development

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

- PO3 - Settlement hierarchy
- PO4 - Distribution of housing growth
- PO5 - Development boundaries
- PO20 - Self-build and custom build homes
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO34 - Water management
- PO38 - Parking
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Brigsley Parish Council - Object to the application on the grounds of over intensification of the site (4 dwellings using the one entrance) and safety concerns raised with regards to vehicles exiting the driveway.

Waltham Parish Council - Supports approval of this application, and agrees with all of the points raised by the Highways Authority.

Public Rights of Way Officer - The Public Footpath should not be obstructed. The properties will still be responsible for the fencing between the property and the Public Footpath.

Environmental Protection - No objections but recommend hours of work condition, and construction method statement together with electric charging point informative.

Drainage Officer - The proposed drainage strategy for the site, to provide a rainwater harvesting system to make use of rain water, and make use of permeable materials to help minimise runoff is acceptable. Final details will need to be submitted for review. Ground levels should not be raised. Additional comments - the ditches are under riparian ownership and maintenance responsibility is the riparian owners, i.e. the land owners on or adjacent to the watercourse.

Community Protection - Consultation with Waste Management would be recommended in this instance. Informative advice.

Highway Authority - Raises no objection. Conditions recommended in respect of access construction, parking and turning together with a Construction Traffic Management Plan (CTMP).

Cadent - Informative advice provided.

ESP Utilities - Informative advice provided.

Tree Officer - A full BS5837 Tree Report will be required at the detailed stage. Comments regarding the boundaries and ditches including ownership.

Ecology - Satisfied with the Preliminary Ecology Appraisal subject to all recommendations being adhered to. Conditions required including a CEMP.

No neighbour responses received.

APPRAISAL

The material considerations are;

1. Principle of Development
2. Visual Character of the Area and Layout
3. Highways Safety and Amenity/Footpath
4. Drainage and Flood Risk
5. Trees and Landscaping
6. Impact on Neighbouring Properties
7. BNG
8. Conditions

1. Principle of Development

The site lies immediately adjacent to the village limits of Brigsley. Policy 3 of the NELLP identifies Brigsley as a Minor Rural Settlement. The registered address is Waltham which is defined as a Level 2 Local Service Centre offering a good range of basic services and amenities, combined with good accessibility to the wider services available in the urban area.

As a result of its position outside the development boundary, the site is considered to be in the open countryside and the proposed development represents a departure from the NELLP. However, the NPPF 2026 is very clear in Policy S5(J) that where a Local Authority cannot demonstrate a 5-year supply of housing then the principle of residential development is acceptable subject to how it relates to the existing settlement and be of a scale that the existing settlements infrastructure can accommodate it. The development must also accord with the other core principles of the NPPF, these align with the NELLP.

In regard to the relationship of the site to the existing settlement and the wider context, the site is located directly adjacent to the development boundary and indeed 'Wayside' is within the development limits for Brigsley. Residential development exists to the east and south. Subject to maintaining an appropriate buffer to the site boundaries to the north and west, it is considered that development can be located on this site in an acceptable manner that would not cause significant harm to the wider character of the area. Particularly as it is seen in the context of neighbouring dwellings.

Being defined as a Waltham address and a Level 2 Local Service Centre, the proposal is deemed in policy terms to be a sustainable location with Waltham offering a good range of basic services and amenities, combined with good accessibility to the wider services available in the urban area. Given the scale of the development, it is considered that the

existing infrastructure can accommodate the development and is well connected. The new NPPF 2026 emphasises the need for new developments to be sustainably located.

This application is made in outline form with access to be considered, with further matters of appearance, landscaping, layout and scale being held for a further reserved matters submission. As such, the consideration for this submission is in relation to the principle of residential development and the provision of access to the site only. The indicative details show how the properties could be accommodated within the site.

The principle of development is therefore acceptable and complies with Policy S5(J) of the NPPF. It therefore falls to consider the proposed development against the NPPF as a whole and the NELLP in regard to the impacts of the development.

2. Visual Character of the Area and Layout

The proposal is for two self-build dwellings on a 0.32 hectare site. The principle of two detached properties on this plot would not be viewed as out of character in this context as Brigsley Road is considerably diverse in density, design and appearance. There is a footpath to the north of the site that is separated off by a 2m timber fence and hedgerows. It is not considered that the provision of two further dwellings would affect the users of this path post development.

In terms of visual impact on the area from the proposed properties, due to the extent of the land ownership beyond Waysides domestic curtilage and the position of the dwellings on the indicative plan provided; there would not be any readily available views from the public domain given the trees and vegetation in the locality. The properties would be partially visible from the footpath travelling in a southerly direction but they would be viewed against the backdrop of existing dwellings.

Design, appearance and scale are however reserved for future approval and this will allow a detailed assessment at that time.

Two properties can be comfortably accommodated with sufficient garden and spacing between in visual character terms. It is noted that Brigsley Parish Council raise issues of over intensification, but it is not considered in the context of this site, that this would be the case.

Officers consider two dwellings can be achieved on the site without detriment to the visual character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

3. Highways Safety and Amenity/Footpath

The site benefits from an existing access point which would serve the proposed properties. However, works to this would need to take place to include an extension of the access road to the new properties. The proposed layout plan indicates that each

property would have its own driveway, turning area and parking. The main access point would serve 4 properties in total and this would be separated off to serve the approved property to the north east of the site together with the existing dwelling and the 2 proposed units.

The plans indicate a 5 metre width along the access road up to 6m back from the public highway. Highway Officers report that this conforms with the NELC Highway Design Guide requirements for a shared private drive. The remaining width would be 4.1 metres to allow two vehicles to pass, this is also viewed as being acceptable.

The Highways Officer raises no objections, subject to conditions.

The existing public footpath running adjacent the site will also be fully retained and not impacted by the development proposal. Though this should not be obstructed during construction as detailed by the Public Rights of Way Officer.

It is noted that Brigsley Parish Council raised concerns over the access, however as set out in the highway considerations, the existing access is considered suitable to serve the proposed development in capacity and safety terms.

It is therefore considered to be in accordance with Policy 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

4. Drainage and Flood Risk

The proposal site is not located within an area at risk of flooding according to the North East Lincolnshire Strategic Flood Risk Assessment or within a high flood risk area on the Environment Agency maps. It is therefore sequentially preferable for residential development.

The Council's Drainage Team has accepted the principle but requests a surface water drainage condition with additional informative to state that there shall be no raising of existing ground levels. Therefore, a condition and informative to reflect this has been recommended.

The agents advise that foul water would be discharged via the main sewer, however if this is not available a Biotech system will be utilised. A condition is recommended.

It is therefore considered in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

5. Trees and Landscaping

There are no in principle objections from the Trees and Woodlands Officer on the indicative layout though it will need to be established at reserved matters the impact on the trees on the northern and western boundaries. A full BS5837 Tree Report will be

required. If there is any reduction in screening, a landscaping plan will likely be required and this will be subject to the findings of the Tree Report.

It is therefore considered to be in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6. Impact on Neighbouring Properties

The site is bounded by residential development to the south with open land to the north. To the south lies an existing residential unit, known as 'The Nook', the proposal would include a dwelling adjacent to this property's boundary. The Nook has a outbuilding along its northern boundary together with a 2m high timber fence demarking where the joint boundary would be. The Nook's main elevations are east and west therefore their aspect or outlook would not be adversely affected by the proposal in principle.

The scheme whilst indicative, demonstrates that the dwellings would be evenly positioned within the site, adjacent to rear gardens, preventing massing issues to the neighbours and providing sufficient amenity space for future occupiers in principle. Whilst the application is in outline form with most matters reserved, the proposed site plan provided demonstrates that the plot would be sufficiently separated from neighbours with landscaping features present to provide additional screening and avoid adverse impacts.

Subject to suitable scale and positioning of windows in particular, this would ensure levels of privacy could be retained. Given the northerly orientation of the proposal site to (The Nook) in particular, there would be no adverse loss of natural light or sunlight in principle.

The front elevations would appear to be sufficiently offset from the property (Wayside's) rear garden area limiting overlooking opportunities. There would be no adverse issues in principle in regards to loss of sunlight or shadowing given the intervening distance between the proposed properties and (Wayside). Keddington House would not be adversely affected by the proposal given its location.

Additionally, there is a suitable separation to ensure that the property approved in 2021 would maintain an acceptable relationship with the proposed dwellings.

Overall it is considered two dwellings can be achieved on site in principle without detriment to the host property or to adjacent neighbouring dwellings.

It is therefore considered to be in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

7. BNG

In regard to BNG, the application is considered to be exempt from the requirements as it is stated to be a self-build project and was received before the changes came into force on the 6th August 2026.

The Ecology Officer has reviewed the 'Preliminary Ecology Appraisal' and has recommended that the details be adhered to. There are some constraints to the site's development but no objections are raised subject to strict conditions including enhancement measures and submission of a Construction Environmental Management Plan (CEMP).

It is therefore considered to be in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

8. Conditions

The agent/applicant has advised that they are happy to accept pre-commencement conditions and to deal with any relevant matters at the reserved matters stage.

CONCLUSION

The proposal for two dwellings is considered acceptable in this semi rural location adjacent existing dwellings. Two dwellings can be accommodated without causing undue harm to the character of the area and street scene. The proposal would not give rise to significant impacts in terms of residential amenity, highway safety, trees, public rights of way or drainage.

Subject to imposing conditions, it is therefore recommended for approval in accordance with policies 3, 4, 5, 22, 33, 34, 38, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within three years of the date of this permission and the development to which it relates shall begin no later than whichever is the later of the following dates:

- (a) three years from the date of the grant of outline planning permission
- (b) two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(2) Condition

This permission hereby granted is in outline form only and no development shall begin until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- (a) the layout, scale and appearance of the development including materials, boundary treatments, proposed levels and bin storage;
- (b) a full Tree report BS5837 including details of existing trees, hedges and planting to be retained and any to be removed as well as an up-to-date tree protection plan and an arboricultural method statement;
- (c) a landscaping scheme for the site that accords with the recommendations of the Preliminary Ecological Appraisal and a maintenance plan.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(3) Condition

The development is approved in accordance with the following plans:

Site Location Plan - 1242-0101B

Existing Plan - 1242 - 0102B

Proposed Indicative Proposed Block Plan - 1242-0103 B

Reason

For the avoidance of doubt and in the interests of proper planning to accord with Policies 2, 3, 4, 5, 22, 33, 34, 38, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

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

(5) Condition

A method statement including details of noise and dust reduction measures to be employed during the course of construction are to be submitted and agreed with the Local Planning Authority prior to the commencement of development. No burning of demolition/construction waste material shall take place on site. The techniques shall be applied as agreed.

Reason

To ensure that noise levels and dust emissions arising from the development are within acceptable levels, and in the interests of amenity to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

No development shall commence until a scheme for the provision of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Included shall be a scheme of maintenance. This shall also include details of the management of the associated ditch along the northern boundary for which maintenance is the responsibility of the riparian owners, i.e. the land owners on or adjacent to the watercourse. Such scheme shall be implemented as approved prior to occupation of any dwelling. It shall be retained and maintained as approved thereafter.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of foul and surface water disposal and management of the ditch to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) 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 and visibility splays 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

To ensure adequate parking and turning facilities are provided within the site and for highway safety reasons to accord with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

No works related to the development hereby approved shall begin until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the

Local Planning Authority. The CTMP should include, but not be limited to the following:

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

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

Reason

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

(9) Condition

Before any development on site commences a scheme for the protection of footpath No. 72 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in its entirety and the footpath kept open and protected at all times during the construction period unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure the integrity of footpath No. 72 is maintained at all times to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 10m behind the Highway boundary. They shall then be maintained in such hard bound material for the life of the development.

Reason

To reduce the possibility of deleterious material being deposited on the public highway (loose stones, etc.) to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

The development shall adhere to the Preliminary Ecology Appraisal from CGC Ecology

dated May 2026 and prior to the commencement of development, details of the ecological enhancements including a timescale for implementation shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the measures shall be carried out as approved and retained thereafter.

Reason

To ensure matters of nature conservation interest are afforded protection and ecology is enhanced to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

Prior to development commencing, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall adhere to the detailed advice by the Ecology Team uploaded 2nd September 2026 including precautionary working methods. Once approved, development shall be carried out in accordance with the approved Plan.

Reason

To ensure matters of nature conservation interest are afforded protection to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

Prior to any dwelling hereby approved being occupied a scheme to meet the water efficiency standard of 110 litres per person per day per unit shall be submitted to and approved in writing by the Local Planning Authority. Once approved, each dwelling shall not be occupied until the measures for it are installed as agreed. They shall be retained as such thereafter.

Reason

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

(14) 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

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 3, 4, 5, 22, 33, 34, 38, 41 and 42.

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

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

3 Informative

The development will need to check with Approved Document S of the Building Regulations as it may be required to install electric vehicle charging points as part of the development.

4 Informative

Existing ground levels should not be raised or surface water drainage problems may result. There must be no surface water discharge onto the public highway.

5 Informative

Please note that the exemption in regards to BNG is based on the information provided, should any information change in relation to your proposal you are advised to contact the Local Planning Authority for advice.

6 Informative

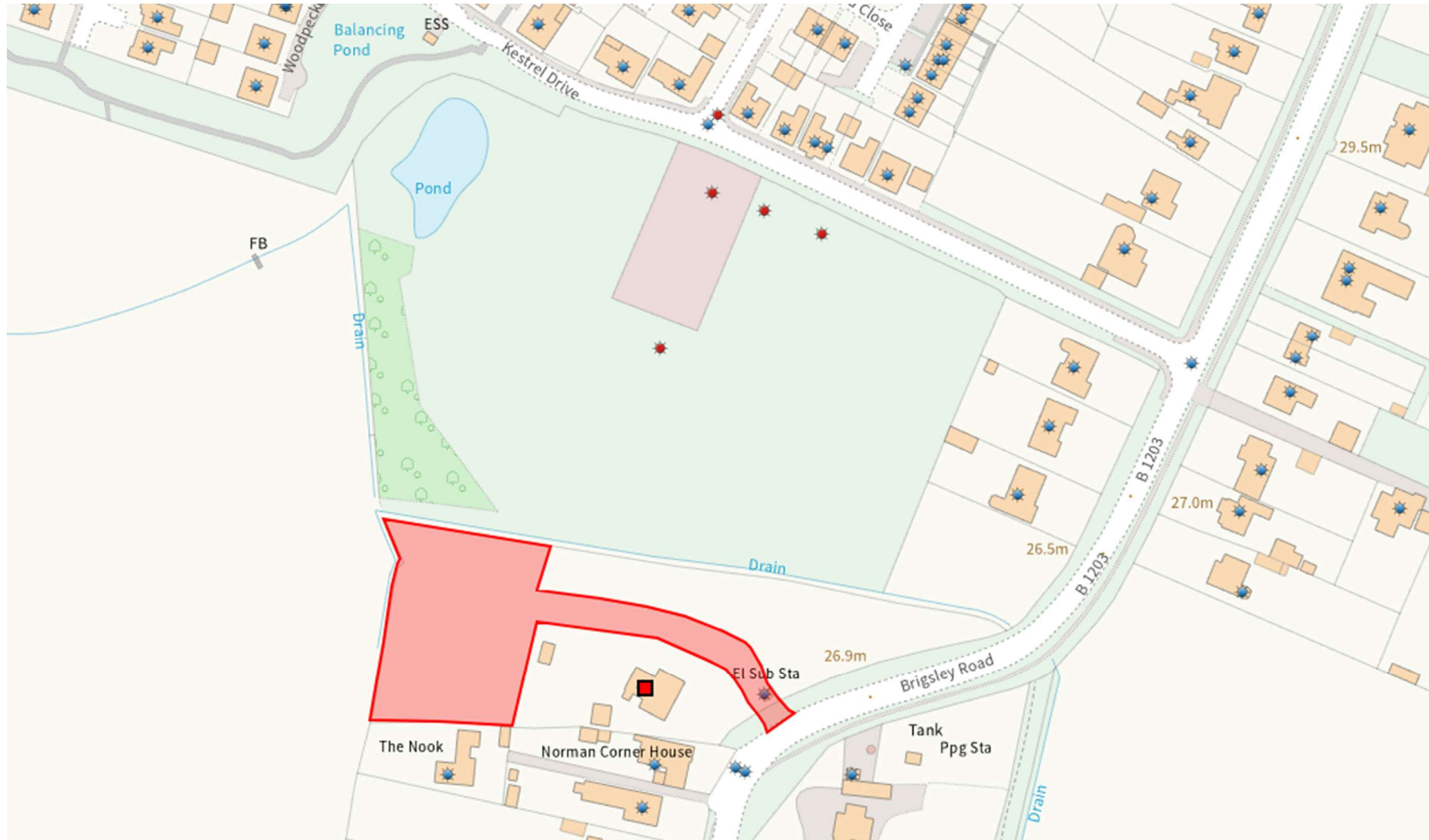
Under the Environmental Protection Act 1990, Section 34 (2A), it is the duty of the occupier of any domestic property in England to take all such measures available to him as are reasonable in the circumstances to secure that any transfer by him of household waste produced on the property is only to an authorised person or to a person for authorised transport purposes.

Under the Environmental Protection Act 1990, Section 46, occupants must adhere to the Councils 'Waste and Recycling Collection Service Policy' in relation to the requirements in place for domestic waste collections. This policy and further information on waste collection and recycling within NELC can be found on the application file.

7 Informative

Please note the informative advice provided by Cadent Gas and ESP Utilities on the application relating to their assets.

DM/0732/25/OUT – WAYSIDE, BRIGSLEY ROAD, WALTHAM



DM/0732/25/OUT – WAYSIDE, BRIGSLEY ROAD, WALTHAM



PLANNING COMMITTEE - 30th September 2026

ITEM: 6 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0881/25/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Rear Of 116 Humberston Avenue, Humberston, Grimsby,
North East Lincolnshire, DN36 4SU**

PROPOSAL: Erect 2 dwellings with integral garages, boundary treatments, solar panels, landscaping, formation of new vehicular access and various associated works (amended plans received July 2026)

APPLICANT:

Mr G Hall
116 Humberston Avenue
Humberston
Grimsby
North East Lincolnshire
DN36 4SU

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy Ltd
Unit 12 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
North East Lincolnshire
DN36 4AS

DEPOSITED: 15th October 2025

ACCEPTED: 6th November 2025

TARGET DATE: 1st January 2026

PUBLICITY EXPIRY: 15th August 2026

AGREED EXTENSION OF TIME DATE:

**CONSULTATION EXPIRY: 16th November
2025**

CASE OFFICER: Becca Soulsby

PROPOSAL

The application seeks planning permission to erect two residential dwellings with integral garages and solar panels with various associated works to include boundary treatments, landscaping and the formation of a new vehicular access.

The application is brought to Planning Committee due to an objection from Humberston Village Council.

SITE

116 Humberston Avenue is a large, detached property located to the south side of the road. The application site currently forms part of the large rear garden space of the host property. The site benefits from an existing vehicle access from Humberston Avenue centrally within the frontage. Trees subject to tree preservation orders (TPOs) are present along the front adjacent to Humberston Avenue.

The garden area subject to the application is grassed with trees, hedges and soft landscaping present to the side and rear boundaries. The area to the north, east and west is residential in nature, with agricultural fields present to the south of the site.

The site is located within flood zone 1.

RELEVANT PLANNING HISTORY

DM/0466/22/FUL - Remove existing driveway gate, walls and pillars and install new driveway entrance gate and pillars with associated works - Approved with conditions.

DM/0235/21/FUL - Erect first floor infill extension to side, alterations to all hipped roofs to gable ends, alterations to roof to create living accommodation above garage and various other internal and external alterations - Approved with conditions.

08940449 - Erect extension to sun room - Approved with conditions.

08890460 - Erect two storey extension to form garage and study - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DP3 - Key principles for well-designed places
HO7 - Meeting the need for homes
S3 - Presump in favour of sust development
S4 - Principle of develop-within settlements
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems,watercourse
N2 - Improving the natural environment
CC3 - Adaptation to climate change
P3 - Living conditions and pollution

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

PO5 - Development boundaries
PO22 - Good design in new developments

PO33 - Flood risk
PO34 - Water management
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Consultees

Heritage - No heritage input required.

Drainage - Surface water drainage proposals are satisfactory.

Anglian Water - No assets owned within the site boundary or to be affected by the proposal. Foul drainage from development is in the catchment of Tetney-Newton Marsh Water Recycling Centre that has capacity for the flows. Preferred method of surface water disposal would be to use sustainable drainage methods. Informative advice relative to surface water disposal, used water, wastewater treatment and Anglian Water assets provided.

Environment Agency - Application does not meet criteria on consultation checklist. Consultation not necessary.

Highways - Condition requested for the provision of a CTMP and informative advice requested in relation to Section 184 license. No objections.

Trees and Woodlands - Proposal provides sufficient detail and notes the intention to replace the construction surface with a porous tarmac which will need to be reinforced via condition. Additional condition needed to prevent any excavation depth within the RPA of trees to not exceed 100mm without prior approval of the Local Planning Authority. No objections.

Ecology - Provided the proposal consists exclusively of dwellings that are self-build or custom build housing as defined within the Self-build and Custom Housebuilding Act 2015 (as amended) the proposal is exempt from the mandatory biodiversity net gain condition. No known ecological issues.

Environmental Health - Conditions requested for the provision of a Construction Method Statement and to restrict the hours of construction.

Environmental Enforcement - Informative advice advising of the requirement to comply with the relevant legislation with regards to household waste.

Waste Services - Kerbside waste and recycling collections would be provided for all singular residential council tax paying properties. Informative advice relative to waste provided.

Humberston Village Council - Object as have a formally adopted policy to object to any further back-yard development along Humberston Avenue until NELC examines the infrastructure of the village. Too much overdevelopment has happened along Humberston Avenue which has dramatically altered the character and nature of this part of Humberston especially with regard to traffic and access to services.

ESP Utilities - No gas or electricity apparatus in vicinity of site address and will not be affected by proposed works. Informative advice contained within response.

Cadent Gas - No objections. Informative advice requested regarding gas infrastructure.

Neighbours

112 Humberston Avenue - Objections received due to impact to privacy and light into rear garden. Trying to fit two dwellings into space upto shared boundary is an overdevelopment. Concerns raised regarding additional vehicles, people, pets and noise levels, including disruption from building works. Access to go in close proximity to side boundary and this would cause permanent disruption. Impact to TPO trees and wildlife also raised as concerns. Consider there is enough houses being built nearby.

122 Humberston Avenue - Objection to the scheme due to not understanding the need for building in back gardens and squeezing two dwellings in. Consider enough estates are being built off Humberston Avenue. Concerned about building work, disruption and disturbance of natural habitat.

Other Representations

Grimsby and Cleethorpes District Civic Society - Support the comments received by Humberston Village Council. Development of the village of Humberston must stop before any further erosion of the village is permitted.

APPRAISAL

The key planning considerations are:

1. Principle of Development
2. Design, Character and Visual Impacts
3. Highways, Access and Landscaping
4. Local Amenity
5. Drainage and Flood Risk
6. Ecology
7. Other Considerations

1. Principle of Development

The site is located within the defined development boundary of Humberston on the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) maps and is unallocated. The key applicable policies are considered to be Policies 5, 22, 23, 34, 41 and 42 of the NELLP 2018. The principle of the development is acceptable in policy terms subject to an assessment of the site-specific impacts.

2. Design, Character and Visual Impacts

Policy 5 of the North East Lincolnshire Local Plan requires an assessment on the impact to the character of the area and visual amenity with Policy 22 setting out the requirements for 'good design'. The National Planning Policy Framework 2026 (NPPF) requires development proposals to respond to their context, including the history, character and setting of the site, so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings and the use of materials and architectural features.

The dwellings are proposed at a two-storey height, adopting an 'L' shaped footprint with a protrusion proposed to the front to accommodate internal living space and garages. The plots also incorporate a single storey projection centrally within the rear elevations. At ground floor, the plots accommodate a hallway, lounge, kitchen and dining area, utility space, and bedrooms, one with an ensuite bathroom. At first floor, the plots accommodate bedrooms, a dressing area, a bathroom and storage space. Openings are proposed to all elevations of the dwellings, with roof lights proposed within the roof slope of the single storey rear projection as well as the front and rear roof slopes of the main dwelling. The openings would face onto the respective dwellings subject to this application, as well as facing the rear gardens of neighbouring properties and the open space at the rear of the site. The dwellings would sit at approximately 7.8 metres in maximum height and are to utilise a gable roof, with the gables proposed to the side elevations of the dwellings. Solar panels are proposed within the rear roof slope of the dwellings. The roof of the front and rear projections are proposed to sit lower due to being of a single storey nature. The final details for the exterior materials are to be agreed via appropriate conditions. It is acknowledged that the scheme has been revised throughout the application period in respect of the design for the dwellings proposed, where the scale and design originally reflected a typical two-storey house design of a larger scale and mass which was not considered to be conducive to the character and backland setting of the site. The revised scheme is considered to positively respond to

the character of the site and surrounding area in scale and design.

In view of the existing character, the proposal represents a similar density to other plots within the locality, following previous approvals for back-land development along Humberston Avenue. The principle of two detached dwellings would not be seen as out of character in this context as Humberston Avenue is considered to comprise of varying designs and appearances. The dwellings are of positive design with varying roof lines considered to provide visual interest. The design incorporates dormer style windows to the first-floor rooms which enable the dwellings to be viewed as subservient to the existing host property at 116 Humberston Avenue where the dwellings are proposed to the rear of. In respect of boundary treatments, an existing 2 metre wall is to be retained along the southern (rear) and part of the eastern (side) boundary, with a 1-metre-high mixed post and wire fence to remain along the rest of the eastern boundary extent. The western boundary is to comprise of a 2-metre-high close boarded fence, with a bin store proposed within the northern boundary of the site.

The scheme includes sufficient outdoor amenity space within the domestic curtilage of the plots proposed, particularly at the rear. At the front, the plots are served by a wide access driveway, accessed from the new vehicle access proposed off Humberston Avenue.

In light of the above, the proposal is considered to accord with Policies 5 and 22 of the NELLP 2018 and relevant advice in the NPPF.

3. Highways, Access and Landscaping

The proposal incorporates a new access to the site from Humberston Avenue. The site is constrained by trees subject to Tree Preservation Orders (TPO) along Humberston Avenue, of which the access is proposed between two trees and the subsequent Root Protection Area (RPA) of the trees. Lengthy negotiations have taken place throughout the application process to ensure any risk to the TPO trees is adequately mitigated against, whilst also ensuring the access is acceptable in highway terms. The access is proposed to utilise a Cellweb construction which both the Highways and Trees Officers are content with, subject to appropriate conditions. The access is proposed to be of typical construction for the first 2 metres back from Humberston Avenue, with the Cellweb construction proposed for the next 8 metres beyond this. The rest of the access road and associated driveway is proposed to be gravel topped with a width of 4.1 metres. The access proposes to utilise an 85mm DB tarmac surface treatment through the construction phase of development, with this to be removed and replaced with a permeable surface tarmac treatment once construction ceases. The Trees and Woodlands Officer is content with this approach and requests a condition to ensure that the construction access finish is removed and the final access finish is installed prior to occupation of the two dwellings proposed. An additional condition has been requested to ensure that any excavation for the purposes of constructing the access within the RPA of trees T1 and T2 is no more than 100mm.

Along the access road, new 2-metre-high close board fencing is proposed to separate the access from the host dwelling of 116 Humberston Avenue. The fencing is also proposed along the western side boundary with the neighbour which is intended to provide additional screening where the existing hedge is proposed to be trimmed back to accommodate the new driveway and access to the site. In addition to this, hedging is proposed to be planted between the two plots as well as a rain garden proposed as a buffer between the new dwellings and the rear garden of the host property. Some trees are proposed to be removed along the eastern side boundary to accommodate plot 2, with a plum / hawthorn / elder bush to be removed to accommodate plot 1.

In summary, both the Highways and Trees and Woodlands Officer are content with the amended scheme detail, subject to appropriate conditions as highlighted above. It is considered that the revised access details achieves an appropriate balance between the required highways standards and minimising the impact on the RPA of adjacent TPO trees. The proposal is considered to accord with Policies 5 and 42 in respect of highways and tree considerations on this basis.

4. Local Amenity

The site adjoins 112 and 118 Humberston Avenue to the sides, with the host property of 116 Humberston Avenue present to the frontage of the red-line site boundary. 125 and 127 Humberston Avenue are present to the northern side of Humberston Avenue, opposite from where the new vehicular access is proposed. Objections have been received from the scheme from 112 and 122 Humberston Avenue which are acknowledged and discussed below.

The dwellings are proposed within the existing rear garden area of 116 Humberston Avenue. The plots are proposed within the southern portion of the existing site, closest in proximity to the neighbours at the sides, 112 and 118 Humberston Avenue. The side elevations of the plots facing these neighbours have openings at ground floor level only, with no first-floor openings proposed. Openings are proposed at first floor within the front, rear and side elevations where the plots are facing one another which assists in maintaining privacy.

It is noted that the objection from 112 Humberston Avenue refers to concerns regarding overlooking, however the impact in this regard is not considered to be adverse to either of the immediately adjacent neighbours to the sides. 112 Humberston Avenue has established soft landscaping within the confines of their property boundary which will mitigate any perceived overlooking issues from the front elevations of the plots proposed. In any event, the separation distances between the neighbouring properties and new dwellings proposed is relatively substantial, with an approximate distance between the projected element of the front elevation of plot 1 and 112 Humberston Avenue as 56 metres, and plot 2 and 118 Humberston Avenue as 58 metres. In respect of the host property, a planting buffer is proposed adjacent to the new rear boundary of the host property which will provide screening between the host property and new dwellings.

Concerns from both neighbours were raised regarding disruption from building work. The concerns are acknowledged, with the construction hours to be restricted by an appropriate condition as per the Environmental Health Officers comments. Additionally a Construction Method Statement to reduce issues during construction is recommended.

112 Humberston Avenue raised concerns regarding the access, impacts to light within the rear garden, noise levels from additional vehicles, people and pets, as well as raising concerns regarding the impacts posed to TPO trees and wildlife. The concerns are acknowledged, with the issues raised in respect of the TPO trees and wildlife impacts covered within the relevant sections of this report. The access is proposed adjacent to the side boundary shared with 112 Humberston Avenue however it is designed to serve two dwellings only, with the existing access to remain in situ to serve the host property, 116 Humberston Avenue. Whilst there will be an impact posed to this neighbour in respect of the access and associated vehicle movements, this is not considered to be adverse due to the limited number of dwellings it is proposed to serve.

The objection received from 122 Humberston Avenue raised concern with the need for building within back gardens and the subsequent squeezing in of two dwellings. The concerns are acknowledged, with issues relating to design having been assessed with the relevant section of this report.

In respect of neighbouring amenity considerations, the proposal is not considered to pose an adverse impact to the amenity of the host property nor adjacent properties. The proposal is therefore considered to accord with Policies 5 and 22 of the NELLP 2018 in this regard.

5. Drainage and Flood Risk

The site is located within flood zone 1 and is therefore considered to be sequentially preferable for residential development.

The Drainage Officer considers the surface water drainage proposals to be satisfactory for managing surface water run-off, the details of which will be subject to an appropriate condition for implementation and retention. Anglian Water have advised that foul drainage from the development is within the catchment of Tetney-Newton Marsh Water Recycling Centre which currently has capacity for the expected flows. Informative advice has been requested from Anglian Water in relation to surface water disposal, used water, wastewater treatment and Anglian Water assets.

It is considered that the proposal is in accordance with Policies 33 and 34 of the NELLP 2018 in respect of flood risk and drainage.

6. Ecology

The Ecology Officer confirms that the proposal is exempt from the mandatory biodiversity gain condition provided that the proposal consists exclusively of dwellings that meet the

criteria as defined within the Self-Build and Custom Housebuilding Act 2015. This has been confirmed by the agent and applicant within the application form, therefore the proposal is considered exempt from biodiversity net gain obligations on this basis. There are no known ecological issues in this location. The proposal is therefore considered to accord with Policy 41 of the NELLP 2018 in this regard.

7. Other Considerations

The objection from Humberston Village Council is noted. Whilst the Village Council confirm they have a Policy which seeks to prevent further backland development, it is confirmed this is not a Local Plan Policy. The application is only for a further two dwellings and is in a sustainable location with good links to shops, conveniences and schools.

The Council's Heritage Officer raises no objections to the scheme.

The Environmental Enforcement Officer requests informative advice regarding the requirement to comply with the relevant legislation in respect of household waste.

Waste Services advise that kerbside waste and recycling collections should be provided for all singular residential council tax paying properties with additional informative advice requested.

ESP Utilities advise that there are no gas or electricity apparatus in the vicinity of the application site and will not be affected by the works proposed, with additional informative advice requested.

Cadent Gas provide no objections, and request informative advice regarding gas infrastructure.

CONCLUSION

The application seeks planning permission for the erection of two dwellings with associated access, garages, solar panels, landscaping and various other works. The proposal is considered to be acceptable in principle and when considering design, character and visual impacts, highways, access and landscaping, flood risk, drainage, ecology and other considerations. The proposal is therefore considered to accord with Policies 5, 22, 33, 34, 41 and 42 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

210106 REV G - Site Location Plan, Existing and Proposed Site Plans

210107 REV I - Plots 1 and 2 Infrastructure Plan

210112 REV B - Proposed Site Sections

210113 - Plot 1 Proposed Plans and Elevations

210114 REV A - Plot 2 Proposed Plans and Elevations

210115 REV C - Existing and Proposed Driveway Entrance Profiles

Design and Access Statement received 15th October 2025

Arboricultural Report received 15th October 2025

Arboricultural Report and Impact Assessment received 15th October 2025

Drainage Statement received 15th October 2025

Reason

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

(3) Condition

Prior to commencement of construction for the dwellings hereby approved, final external material details, including the proposed solar panel specification shall be provided for both Plots 1 and 2. The development shall proceed in strict accordance with the materials and details unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(4) Condition

Surface water drainage shall be via the sustainable drainage detail shown on the approved plans which shall be installed before the dwellings are brought into use and shall thereafter be so retained unless an alternative is submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of flood risk and drainage and to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

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

1. Contact details of the person with responsibility for the implementation of the CTMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials, this should be outside of any tree root protection areas;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required;
7. Details of wheel washing facilities (locations, types etc.);
8. An Arboricultural Method Statement; and
9. Measures for tree protection.

Once approved, the CTMP shall be adhered to at all times during construction any all tree protection fencing shall be installed before construction commences. It shall remain on site throughout all construction unless, otherwise agreed by the Local Planning Authority.

Reason

To ensure adequate access facilities are provided during construction, and for highway safety and landscape reasons and to accord with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

Development shall proceed in strict accordance with 'Plots 1 and 2 Infrastructure Plan' Ref 210107 REV I. Any excavation for the purposes of constructing the access driveway within the Root Protection Area of T1 and T2 of the Tree Report, shall be 100mm. Any requirement to exceed 100mm must be submitted to and approved by the Local Planning Authority. Included shall be full details of the change and the appropriate justification. Once approved, all works shall proceed in strict accordance with the agreed details.

Reason

To protect existing trees and to accord with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

Following completion of construction works and before the access is brought into use or the final surface treatment is installed, the DBM tarmac as indicated on Plan 210115 REV C shall be removed and the new porous tarmac as indicated shall be laid. Once approved, it shall be retained to the same specification thereafter.

Reason

To protect existing trees and to accord with Policies 5 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) Condition

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall provide details of:

- Means of suppressing dust and noise

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

Reason

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

(10) Condition

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

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the

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, 33, 34, 41 and 42.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing amended details to alleviate a concern and undertaking negotiations to overcome concerns raised.

3 Informative

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

4 Informative

Please note that at least six months in advance of work commencing on site you are required to contact the Highway Management Team with respect to the formation of a vehicular access within the existing highway. This will enable a S184 licence to be granted within appropriate timescales. No works should commence within the highway boundary until such licence is obtained. (Tel: 01472 325734)

5 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.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

6 Informative

The applicant's attention is drawn to the comments received from ESP Utilities.

7 Informative

The applicant's attention is drawn to the comments received from Anglian Water regarding surface water disposal, used water, wastewater treatment and Anglian Water assets.

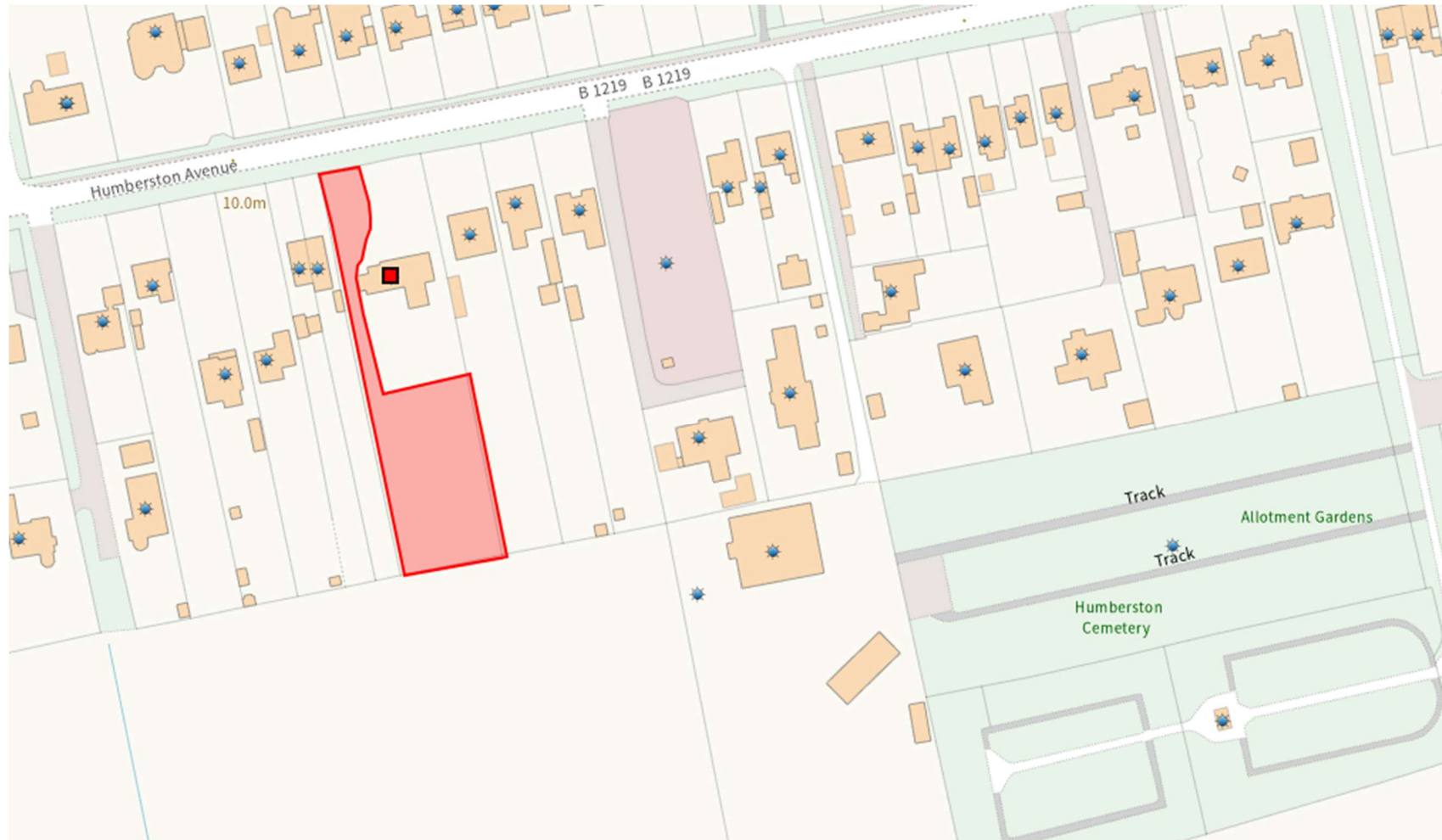
8 Informative

The applicant's attention is drawn to the comments received from the Environmental Enforcement Officer in respect of the relevant legislation for household waste.

9 Informative

The applicant's attention is drawn to the comments received from the Waste Services Officer in respect of household bins.

DM/0881/25/FUL – REAR OF 116 HUMBERSTON AVENUE, HUMBERSTON



[illegible]

PLANNING COMMITTEE - 30th September 2026

ITEM: 7 **RECOMMENDATION: Refused**

APPLICATION No: DM/0100/25/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Rear Of 43 Bramhall Street, Cleethorpes, North East
Lincolnshire, DN35 7QU**

**PROPOSAL: Change of use and alterations to create 1 residential dwelling with
associated works (Amended Flood Risk Assessment)**

APPLICANT:

Mr Joseph Everatt
43 Bramhall Street
Cleethorpes
North East Lincolnshire
DN35 7QU

AGENT:

Mr Jonathan Hendry
Jonathan Hendry Architects
10 Nickerson Way
Peacefields Business Park
Holton-le-Clay
DN36 5HS

DEPOSITED: 12th February 2025

ACCEPTED: 5th March 2025

TARGET DATE: 30th April 2025

PUBLICITY EXPIRY: 27th June 2025

**AGREED EXTENSION OF TIME DATE: 16th
June 2026**

CONSULTATION EXPIRY: 4th April 2025

CASE OFFICER: Mark Danforth

PROPOSAL

The proposal seeks consent for the change of use of an existing coach house together with alterations to create 1 residential dwelling with associated works to create a separate garden area.

The proposal has been brought to planning committee following a call in request from Councillor Kaczmarek.

SITE

The site lies with a residential area within Cleethorpes. The building lies to the rear (east)

of 43 Bramhall Street off the corner of May Street. No. 2 May Street lies adjacent beyond a footway to the south east. The building is attached to No. 45's rear outbuilding. The site also lies within Flood Zone 3 according to the Environment Agency maps.

RELEVANT PLANNING HISTORY

None relevant.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

F4 - Assessing flood risk for decision-making
F6 - Develop-areas of risk of flood-river,sea
F7 - Ensuring develop is safe from flooding
F8 - Sustainable drainage systems,watercourse
DP3 - Key principles for well-designed places
S2 - Producing a spatial strategy
S4 - Principle of develop-within settlements
L2 - Making effective use of land
P3 - Living conditions and pollution
HO7 - Meeting the need for homes

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

PO2 - The housing requirement
PO3 - Settlement hierarchy
PO4 - Distribution of housing growth
PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO38 - Parking
PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

Highways - No objections subject to restoring a full height kerb, a condition and informative are requested.

Environmental Protection - Condition for hours of works recommended.

Waste Services - Bins will need to be presented to the kerbside for collection.

Environment Agency - Object to the scheme given the site could experience flood depths of 0.9m which is a danger to life. The mitigation measures are inadequate.

Councillor Kaczmarek - Call in request to allow for discussion and resolution.

Heritage Officer - No input required.

Ecology - Exempt from BNG and no known ecological issues.

Drainage - No comments.

Tree Officer - No comments.

Public Representations

Grimsby and Cleethorpes Civic Society - Support the proposed conversion to a residential unit.

APPRAISAL

The planning considerations are:

- 1) Principle of Development and Flood Risk
- 2) Visual Design
- 3) Impact on Future Occupier Amenity and Adjacent Neighbours
- 4) Highways and Parking
- 5) Ecology and Biodiversity Net Gain
- 6) Drainage

- 1) Principle of Development and Flood Risk

The property is located within the development area of Cleethorpes (Policy 5 of the NELLP 2018) and relates to a change of use of an existing coach house in close proximity to Cleethorpes Town Centre that is in a sustainable location. Under Policy 3 of the NELLP, the site is within the Urban Area which provides the greatest accessibility to key services and amenities and has historically delivered the greatest number of new

homes.

Policies within the current NELLP 2018 seek to assess development by taking account of various detailed considerations and site specific considerations as noted below. Flood Risk is considered to be a matter of principle in this case. The application has been submitted with a Flood Risk assessment (FRA) that has been updated during the course of the consideration of this application.

The revised FRA has not overcome the initial objections to the scheme raised by the Environment Agency and they have commented that the site has a future hazard classification of 'danger to most' (as defined in Research & Development report FD2320 'Flood Risk Assessment Guidance for New Development') and could experience flood depths of 0.90m arising from a breach in the defences during a flood that has a 0.5% chance of occurring in any one year up to 2115. The proposed ground floor finished floor levels are significantly below the level required and cannot be raised any further given the constraints of the existing building. Therefore, the mitigation measures proposed are inadequate and do not make the development and its occupants safe for its lifetime. The flood risk letter (and FRA) has not demonstrated that the proposed mitigation is adequate to exclude the future 0.5% breach depths and ensure the safety of future occupants and the development therefore cannot be supported.

The NPPF 2026 at Chapter 18 advises under Policy F6: Development in areas at risk of flooding from rivers or the sea:

1. In areas falling within flood zones 2, 3a, or 3b (as defined in Annex F, table 1):
 - a. Development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3.

Furthermore under National Policy F7: Ensuring development is safe from flooding:

1. Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.
2. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:
 - a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;
 - b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;
 - c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;
 - d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and
 - e. It can be demonstrated that flood risk will not be increased elsewhere.

In this case the development does present a risk from flooding to potential occupiers and is at risk from coastal flooding and it would not be considered safe throughout its lifetime taking account of the vulnerability of its users. The proposal would not be sufficiently

resistant to flooding needing significant refurbishment. The proposal would therefore be contrary to the NPPF.

It should be noted that a change of use application does not require a sequential test to be undertaken.

On the basis that the development cannot be made safe and there is an objection from the Environment Agency, the development fails to accord with Policies 5 and 33 of the NELLP 2018 and Chapter 18 of the NPPF 2026.

2) Visual Design

The external changes to the coach house, bringing it back into use and use of appropriate materials would ensure it remains in keeping, but would also enhance the area. The residential use would also be in keeping with this largely residential location.

It is noted the Civic Society support the re-use of this building into a residential unit.

The application is considered in accordance with Policies 5 and 22 of the NELLP 2018 in this regard.

3) Impact on Future Occupier Amenity and Adjacent Neighbours

The property would be small 1 bed unit. A small amenity area would be created to the side of the property utilising part of No.43's rear garden area. This will be accessed via an external side gate and from double opening doors from the open plan living room kitchen area at ground floor. A concealed bin store would be provided off the frontage and there would also be flower planters.

Overall the small property would provide sufficient amenity space for the limited number of people which would potentially occupy it.

The footprint of the building remains as existing. In respect of overlooking of neighbours there are no new side or rear windows proposed other than the doors into the inner garden area, this remains separated from No. 43 Bramhall Street. The road side elevation will retain the existing openings. These would look across to the rear area of No 41 Bramhall Street. There is an approximate gap of 12m between the two properties and a boundary wall therefore no adverse impact in terms of overlooking from the first floor bedroom would take place. The area around this site is very tightly knit with it being terraced type properties therefore a feeling of enclosure is typical in this area. There has been no objections to the proposal from surrounding properties.

All things considered, there would be no adverse impact on the surrounding neighbouring amenities from the change of use to a dwelling and its minor external works and the application is considered in accordance with Policy 5 of the NELLP 2018.

4) Highway/Parking

The Highways Officer has commented that whilst the proposal would not generate parking issues in this sustainable location where there are other modes of transport, the existing dropped kerb area would be better returned to its full height to use it as a parking space. A condition is recommended by them with an informative to undertake the works by a suitably qualified person.

There would be no material increase in traffic as a result of this proposal.

Subject to conditions, the application is considered to accord with Policies 5 and 38 of the NELLP 2018 in this regard.

5) Ecology and Biodiversity Net Gain

The Ecology Officer has no objections and has confirmed that the development is exempt from the Biodiversity Net Gain Condition.

The application is considered to accord with Policy 41 of the NELLP 2018.

6) Drainage

The Drainage Officer has offered no comments given this is a reuse of an existing building.

The application is considered to accord with Policy 34 of the NELLP 2018.

CONCLUSION

This application seeks planning permission to convert an existing rear outbuilding. The proposal would not present any adverse impacts with regards to design or neighbouring residential amenity. Nothing the benefits of re-use and the visual enhancement the proposal would bring, the proposal however fails to demonstrate that flood risk measures for the proposed dwelling are adequate to exclude the future 0.5% breach depths and ensure the safety of future occupants for the lifetime of the development contrary to Policies 5 and 33 of the NELLP and Chapter 18 of the NPPF 2026.

RECOMMENDATION

Refused

(1) The proposal is contrary to Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Chapter 18 of the National Planning Policy Framework in that the development is located within an area of high flood risk and it has

not been demonstrated that the development can be made safe in flood risk terms for future residents through its lifetime.

Informatives

1 Added Value Statement

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

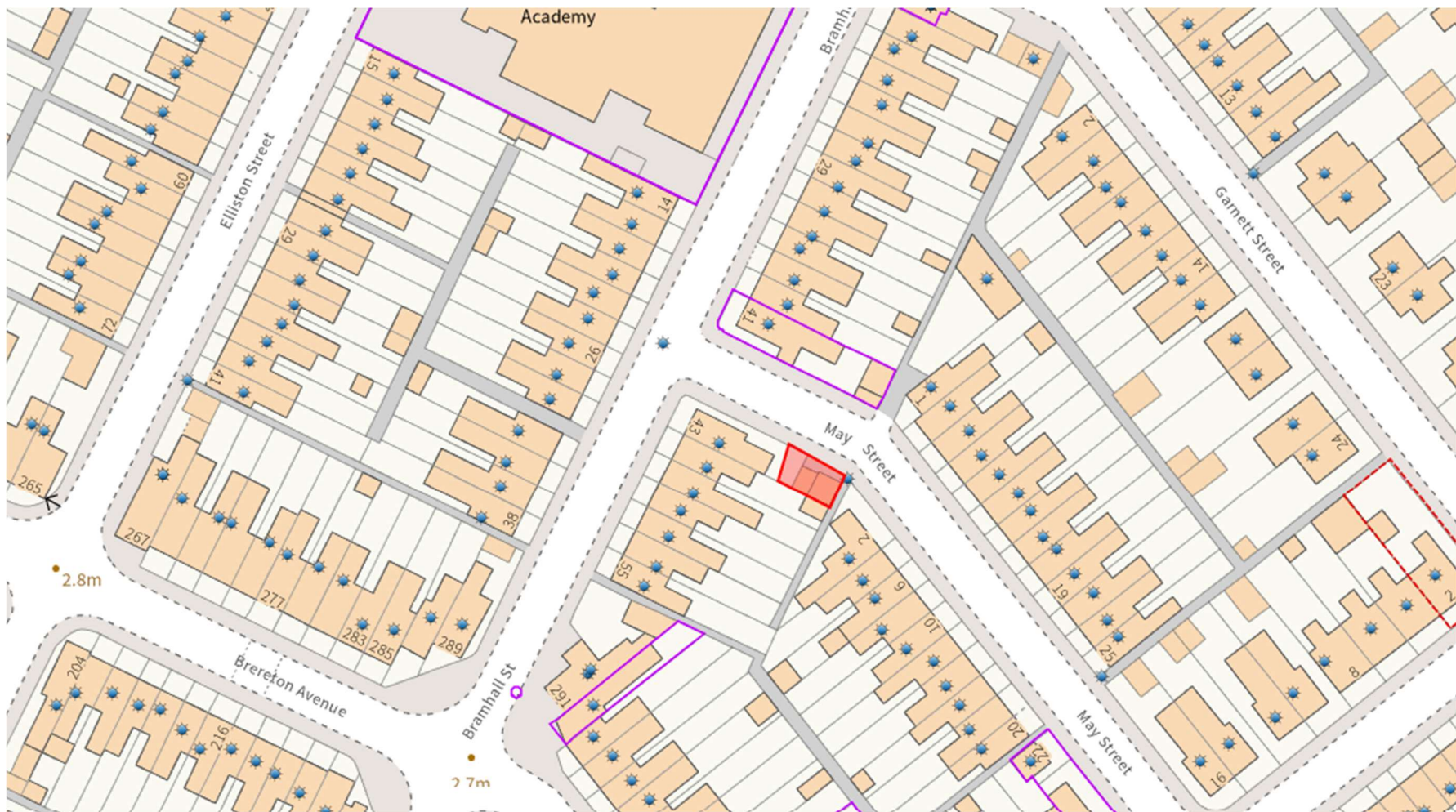
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by seeking further information on flooding and a flood evacuation plan, though this did not address the concerns raised.

2 Informative

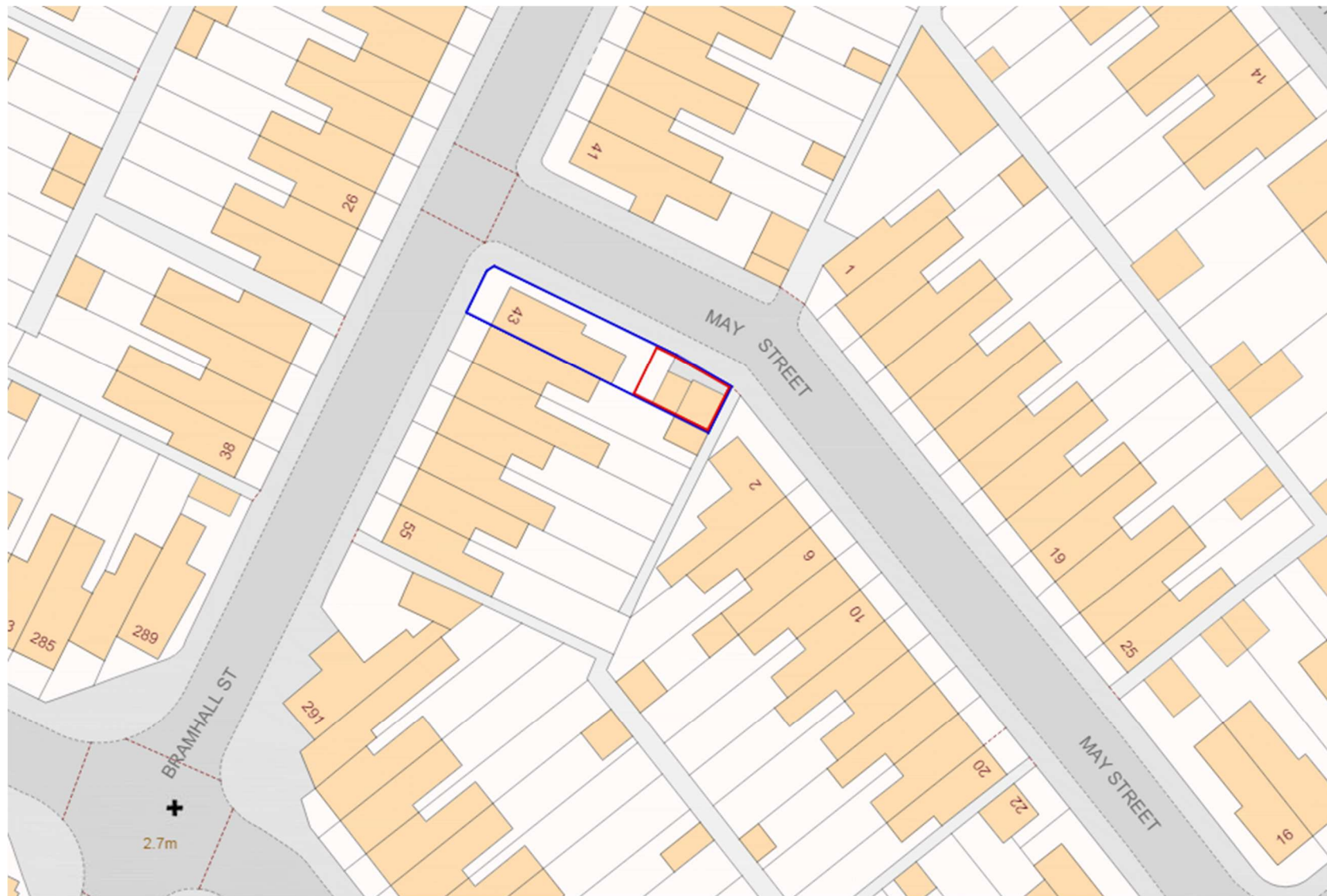
This decision relates to the following plans:

- Site Location Plan - Uploaded 12th February 2025
- Existing Floor Plans and Elevations - 2340-01
- Ground and First Floor Plan - GA_100_B
- Proposed Elevations - GA_200_A

DM/0100/25/FUL – REAR OF 43 BRAMHALL STREET, CLEETHORPES



DM/0100/25/FUL – REAR OF 43 BRAMHALL STREET, CLEETHORPES



PLANNING COMMITTEE - 30th September 2026

ITEM: 8 **RECOMMENDATION: Approved Limited Period**

APPLICATION No: **DM/0300/24/FUL**

APPLICATION TYPE: Full Application

APPLICATION SITE: Land With Ponds South Of, Humberston Avenue,
Humberston, North East Lincolnshire,

PROPOSAL: Variation of Condition 1 (Temporary Permission) pursuant to
DM/0880/21/FUL to allow for a further temporary period of 2 years

APPLICANT:

Spencer
Humberston Eco Conservation Centre
Land With Ponds South Of Humberston
Avenue
Humberston Avenue
Grimsby
North East Lincolnshire

DEPOSITED: 21st March 2024

AGENT:

Georgina Walker
Hodson Architects
The Old Post Office
Yarra Road
Cleethorpes
DN35 8LS

ACCEPTED: 27th March 2024

TARGET DATE: 22nd May 2024

PUBLICITY EXPIRY: 10th August 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 27th April 2024

CASE OFFICER: Cheryl Jarvis

PROPOSAL

This application seeks permission to vary condition 1 (Temporary Permission) pursuant to DM/0880/21/FUL. A further two year extension of the development is requested.

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

SITE

The site is currently accessed from the east side of Parklands Avenue. It comprises an informal type track which extends eastwards before turning and extending southwards till

it reaches the site. The site itself has an informal car parking area and a number of temporary structures that were approved under the original 2018 permission. The pond sits to the north of these. The site has been run by a charity.

RELEVANT PLANNING HISTORY

DM/0770/18/FUL - Erection of temporary buildings to include office, welfare, wc and store, provision of 25 fishing pegs around existing pond, external terrace, car park and associated works, with temporary access track from Humberston Avenue for Positive Activities - Amended Plans received with amended passing places, road layout, parking and landscaping (biodigester removed). Granted temporary permission.

DM/0880/21/FUL - Variation of Condition 10 (Materials) pursuant to DM/0770/18/FUL for retrospective permission for the erection of 1.8m high entrance gates and the modification of building layouts, hard surfacing and canopy details and the removal of decking and external lighting. Granted temporary permission.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DP3 - Key principles for well-designed places
HC4 - New, improve com facil, PS Infr, health
N2 - Improving the natural environment
CC2 - Mitigation of climate change
CC3 - Adaptation to climate change
W4 - Water infrastructure
L2 - Making effective use of land

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO29 - Social and cultural places
PO34 - Water management
PO38 - Parking
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

2018).

REPRESENTATIONS RECEIVED

Highways - Remain concerned about the access as a permanent route. Note that an adjacent scheme has now proposed an alternative permanent access. On the basis that a permanent scheme is now agreed and it is subject to final detail, a further two year temporary period is considered reasonable to allow that to be realised. Recommends signage to advise delivery drivers that the access is for private use only and is not to access houses on the adjacent Persimmon development.

Trees and Woodlands Officer - No objections.

Humberston Village Council - The latest comment from the Village Council raise objections to the application on the basis that the site has been closed with no public access permitted. If the intent is no longer to run the facility, the Village Council see no reason to extend the permission.

Lincolnshire Wildlife Trust - No comments to make.

Rights of Way Officer - No objections.

Ecology Officer - No known ecological issues.

Environmental Health - No objections.

Humberside Fire and Rescue - Advice on requirements for access and water supplies for firefighting.

Environment Agency - No comments to make.

Anglian Water - As the application does not relate to drainage, there are no comments to make.

Public Representations:

2 Clover Cottages - Object to the application. The site is not used and is fenced off from public use. Consider it now an eyesore. In favour of refusing any further extensions and requesting the site be returned to its previous state.

APPRAISAL

The Material Considerations are:

1. Principle and History
2. Impacts to Consider Resulting from an Extended Time Period

- 3. Representations
- 4. Condition Review

1. Principle and History

The original application was approved under DM/0770/18/FUL and this was varied in 2021 under DM/0880/21/FUL. The original permission permitted the development until 2024 to enable the site to establish itself whilst still allowing a more permanent solution for the site to be sought. The later 2021 permission reflected the 2024 end date. The principle is now well established and therefore the only considerations relate to the impacts arising from the continued use of the site for a further 2 years.

Over the last two years there has been dialogue about the intent for the site, its operation and future development. Due to illness with trustees this has elongated this process hence, the delay in the application being considered for formal determination.

2. Impacts to Consider Resulting from an Extended Time Period

The site has been run as a community eco centre though this has not been particularly active for some time due to the reasons above. It also changed management. Further clarification has been sought over the course of the application from the applicant about their future plans both in terms of the facility itself and also its access. A draft scheme has been prepared for the permanent community facility and following an appeal on the adjoining land under APP/B2002/W/23/3330854 a permanent route into the site now has outline planning consent. It is expected a further application will come forward in due course for the adjoining land, which includes the permanent access route.

This now gives prospect from a planning perspective that a permanent scheme for the site could be forthcoming. The access into the site is not ideal and highway officers have made clear that it is not suitable as a permanent route. Its adhoc use at its stands is suitable for the level of activity associated with its current scale of operation. It therefore seems appropriate to consider a further temporary permission to allow final plans to be developed and secured. Given the concerns over the access on a permanent basis and also, the nature of the buildings on site which are by their nature, temporary, it seems reasonable to suggest a further 2 year period only.

3. Representations

It is noted that an objection has been received siting concerns over the land and its condition. This is also to a degree reflected in the objection from Humberston Village Council. As private land they have no obligation to open to the public, though clearly this has inherent community benefits. The condition of the site is not considered to be such that refusal of a further temporary permission would be justified. Though, should this materially change over the course of the two year period recommended, then this could rightly be reviewed at the relevant stage.

4. Condition Review

The conditions of the previous approval have been reviewed to see if they remain fit for purpose. Given the works which have taken place, a number have been removed and only those relevant to the site going forward and its management remain recommended.

CONCLUSION

It is considered a further temporary 2 year period is considered reasonable and justified in this instance. The application is therefore recommended for approval.

RECOMMENDATION

Approved Limited Period

(1) Condition

The development shall cease and the land reinstated to its former condition on or before 30th September 2028 unless, before that date, an extension of the period has been granted on a further application by the Local Planning Authority. This includes removal of the access road, buildings and car park but excludes the fishing pegs and footways.

Reason

To enable the Local Planning Authority to continue to monitor the proposal and enable the permanent community facility to come forward in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(2) Condition

No trees/hedges on the site shall be wilfully damaged, cut-down, up-rooted, pruned felled or destroyed without the prior written consent of the Local Planning Authority. If any trees/hedges on the site at the date of application shall, if they are removed or die, be replaced within 12 months by the planting of more live specimens in such numbers as may be approved in writing by the Local Planning Authority.

The landscaping on the site shall be maintained in accordance with the Landscape Management Plan approved under DM/0546/19/CND.

Reason

To preserve and ensure the continuity of existing landscape features and ensure long term maintenance of it in the interests of local amenity in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

Once the temporary access is no longer required following the construction of the permanent route (following planning approval), details of the new landscaping as is reasonably required in order to finish off the development shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the scheme shall be implemented within the next available planting season.

Reason

In the interests of amenity, biodiversity and landscape in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

Drainage shall be retained as submitted and approved under DM/0546/19/CND.

Reason

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

(5) Condition

The development is approved in accordance with the following plans:

Approved under DM/0770/18/FUL:

Site Location Plan - 2431.E000 REV B
Proposed Access Track - 2431.P000 REV B
Proposed Access Track North - 2431.P004 REV A
Proposed Access Track East - 2431.P005 REV A
Fishing Platform - C1000-012 REV B

Approved under DM/0880/21/FUL:

External Works Plan - RD4985-01-REV-0
Block Plan, Proposed Plans and Elevations - RD4985-02-REV-0

Reason

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

(6) 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 3 applies.

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (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 continuation of the site for the approved purpose is acceptable for an extended period and would not harm the area

character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 29, 34, 38, 41 and 42.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing additional confirmation on the future plans for the site.

3 Informative

Please note the advice received from Humberside Fire and Rescue, which can be viewed on the Council website.

4 Informative

You are advised to liaise with the adjoining land owner with regards to realising a permanent access for the site.

DM/0300/24/FUL - LAND WITH PONDS SOUTH OF HUMBERSTON AVENUE, HUMBERSTON



DM/0300/24/FUL - LAND WITH PONDS SOUTH OF HUMBERSTON AVENUE, HUMBERSTON



PLANNING COMMITTEE - 30th September 2026

ITEM: 9 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0546/26/FULA

APPLICATION TYPE: Accredited Agent - Household application

APPLICATION SITE: Milchester House, Main Road, Barnoldby Le Beck, DN37 0AU

PROPOSAL: Erect two storey side/front extension with rooflights and associated works

APPLICANT:

Mr & Mrs Wade
Milchester House
Main Road
Barnoldby Le Beck
North East Lincolnshire
DN37 0AU

AGENT:

Mrs Helen Lavric Robinson
Design Intervention
14 The Avenue
Healing
North East Lincolnshire
DN41 7NG

DEPOSITED: 21st July 2026

ACCEPTED: 21st July 2026

TARGET DATE: 15th September 2026

PUBLICITY EXPIRY: 30th August 2026

**AGREED EXTENSION OF TIME DATE: 2nd
October 2026**

CONSULTATION EXPIRY: 23rd August 2026

CASE OFFICER: Mark Danforth

PROPOSAL

The proposal seeks consent for the erection of a two storey side/front extension with rooflights and associated works to Milchester House.

The application is brought to planning committee due to the comments received from Barnoldby-Le-Beck Parish Council in which some concerns are outlined.

SITE

Milchester House is a large, detached property located to the northwest side of Main Road, Barnoldby-Le-Beck. The area surrounding the property is predominantly residential in nature, with detached properties present to the east, south and west of the application

site, with open green space present to the north. A tree preservation order is present within part of the rear garden of the application site.

RELEVANT PLANNING HISTORY

DM/0062/25/FUL - Erect rear single storey extension and alterations to existing single storey extension to include roof lanterns, creation of covered patio with roof light, external flue and associated works, Approved with conditions.

DM/0217/21/FUL - Erect single storey extension to rear, create covered patio, alterations to roof of existing single storey extension and raise eaves to create additional accommodation at first floor with various alterations. - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DP3 - Key principles for well-designed places
F4 - Assessing flood risk for decision-making
N2 - Improving the natural environment
S4 - Principle of develop-within settlements
F8 - Sustainable drainage systems, watercourse

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

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

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

REPRESENTATIONS RECEIVED

Heritage Officer - No input required.

Drainage - The extension should be managed by sustainable methods and a condition is

recommended.

Environmental Protection - No objections, recommend restricting construction working hours.

Highways Officer - Satisfied the proposals will not adversely impact the safe or efficient operation of the adopted highway.

Tree Officer - Noted the removal of ornamental conifers - no objections.

Ecology - Standing advice recommended regarding nesting birds and roosting bats, informative recommended.

Barnoldby-Le-Beck Parish Council - Note the cutting down of TPO trees, advise if this is consented replacements need to be planted.

Concern was raised about the extension coming forward of the build line and blocking out light to neighbours.

Advise construction should be carried out under reasonable hours and no vehicles of contractors should park on the road or grass verges.

Neighbours

One letter of support from Myma Duncan Cottage, Main Road Barnoldby-Le-Beck, noting no objections and the quality of the proposal.

APPRAISAL

Main Planning Considerations

- 1) Principle of Development
- 2) Design/Impact on the Streetscene
- 3) Impact on Neighbours
- 4) Trees
- 5) Other

- 1) Principle of Development

The site is located within the development boundary of Barnoldby-Le-Beck, therefore Part 1 of Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NELLP 2018) applies. Policy 5 does not preclude works of this nature in principle within the defined development boundaries. It is therefore considered in principle that the proposed development is acceptable subject to the site-specific impacts discussed below.

2) Design/Impact on the Streetscene

The proposed extension would project forward of the existing elevation to the right hand side of the property. It would be lower than the ridge running the opposite way to the main house. There would be windows to both sides including roof lights to both sides and the front. The overall projection would be approximately 8m with a similar eaves height to the existing. Materials would match existing with render being proposed for the extension covered with a slate roof or similar to match. White timber effect Upvc windows will be installed in the property and the doors would timber and aluminium.

The streetscene would be partially impacted upon by the scale of the forward facing extension, however the tree lined frontage would screen the development somewhat from transient traffic and pedestrians walking past. There is a similar extension that has been constructed at the adjacent property and so the precedent for this type of extension does exist. Certainly in the summer when trees are in full leaf the extension would be difficult to view which is further aided by the setback from the road frontage. Three conifers are being removed to accommodate the extension but none are to be removed on the front boundary. The Parish Council would like to see these replaced however there is no jurisdiction to do so as the trees are not of a native species and are not protected. The Tree Officer raises no objections on these grounds.

During the winter months the extension would be more visible. The area however is defined by large houses and a few have side extensions that project forwards of the dwelling. In this case. The fact that the property is angled to the roadside is also an advantage with the proposal being located at the furthest point from the road frontage.

On balance, the impact on the street scene from the extensions and alterations to the side/front of the property would not be considered so detrimental to warrant a refusal on scale or design terms. The plot can accommodate the size of the works without becoming overdeveloped. There is therefore considered to be no adverse impact as a result of the proposal on the street scene or wider character of the area and is considered to be in accordance with Policies 5 and 22 of the NELLP 2018.

3) Impact on Neighbours

The host property lies adjacent Myma Duncan Cottage and Willow Tree House to the sides, facing onto Oak Lodge, Park Lodge and The Oaks at the front, with open green space at the rear of the application site. There has been one neighbour representation received in relation to this application from Myma Duncan Cottage supporting the proposal.

The proposal would project forwards of the side of the property and the main impact would be to Myma Duncan Cottage. The relationship with ground floor windows would not be an unusual situation and the side windows proposed at first floor are to be obscure glazed to maintain privacy of the neighbour. A good separation would continue to exist between the properties to avoid any adverse massing or overshadowing issues. It is

noted that the Parish raised concerns over this relationship, but for the reason set out, including the support received from the neighbour, no undue harm is expected.

There be no adverse impact towards Willow Tree House given the intervening distances involved.

Whilst all neighbours to the east, south and west would see the extension in some form, it would not be harmful given its size, design and position.

In order to protect the amenity of neighbours during construction it has been recommended by Environmental Protection to restrict the working hours, this is recommended.

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

4) Trees

A tree preservation order is present within the rear garden of the application site, this proposal to the side/front is well separated from any trees that are subject to tree preservation orders'. The Trees and Woodlands Officer raises no concerns in relation to the proposed removal of the conifers to the front driveway as they are viewed as ornamental. No new planting has been recommended. As set out, there are trees' along the frontage which are being retained and would not be impacted by the new development.

It is therefore considered that the proposal is in accordance with Policy 42 of the NELLP 2018.

5) Other

The Council's Highways Officer acknowledged that there would be an increase in bedrooms and which could generate further parking demand but this would not be significant and there are no highway issues.

The Heritage Officer raised no objections to the proposal.

The Drainage Officer has confirmed that surface water run off should be managed using sustainable methods and any new areas of hardstanding should be made of a permeable construction. A suitable condition is recommended in respect of drainage in accordance with Policy 34 of the NELLP 2018.

The Ecology Officer recommends an informative in respect of bats and birds. The proposal is subject to a householder application and is therefore considered to be exempt from the mandatory bio-diversity net gain condition. The proposal accords with Policy 41 of the NELLP 2018.

CONCLUSION

The proposed works are considered to be of suitable size, scale and appearance for this type of large property in this location. It is considered that the works will not pose any significant adverse impact towards the amenity of neighbouring properties, the street scene or the wider character and appearance of the area. The proposal is considered to be in accordance with Policies 5, 22, 34, 41 and 42 of the NELLP 2018 and is therefore recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

207A.01.09A - Site Location Plan
207A.01.10A - Proposed Block Plan
207A.01.11A - Site and Tree Plan
207A.01.05A - Proposed Ground Floor Plan
207A.01.06A - Proposed First Floor Plan
207A.01.07A - Proposed Front and Rear Elevations
207A.01.08A - Proposed Side Elevations

Reason

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

(3) Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

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

(4) Condition

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

Reason

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

(5) Condition

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved in writing by the Local Planning Authority. Such scheme shall be implemented before the extension is brought into use and retained thereafter.

Reason

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

(6) Condition

The three first floor side windows as shown on the north east elevation of 207B.01.08A shall be obscurely glazed to a minimum level of 3 on the Pilkington Scale and shall be completed at this level prior to any occupation of the development. Once completed the windows shall be retained at this level of obscurity for the lifetime of the development.

Reason

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

(7) Biodiversity Net Gain

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.3 applies.

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 34 and 41.

2 Added Value Statement

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

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

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

Birds and bats are mobile species and frequent roofs and cavities. Bats can use 20mm gaps for roost access and will roost in any crevices, including soffits and fascias, cladding, window frames, hanging tiles, loft spaces, trees. This list is not exhaustive. There should be vigilance for nesting birds and the presence of bats before and during works. If a nesting bird or bat is discovered during works, all work must stop immediately, and a suitably qualified ecologist contacted and the Local Planning Authority informed.

Bats

All bats are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and is strengthened by the Countryside and Rights of Way (CROW) Act 2000. Bats are also protected by the Conservation of Habitats and Species Regulations (as amended) 2019 and together, all this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not.
- Damage or destroy the breeding or resting place of a bat.
- Possess a bat (alive or dead) or any part of a bat Intentionally or recklessly obstruct access to a bat roost.
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats.

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

Birds

All nesting birds are protected in law and any demolition, alteration works or vegetation removal should be done outside of the active bird season, March to August inclusive. If

this is unavoidable, then a nesting bird activity check needs to be carried out by a suitably qualified person immediately prior to any removal or works. If nesting activity is present, no works or removal can be carried out until the young have fledged.

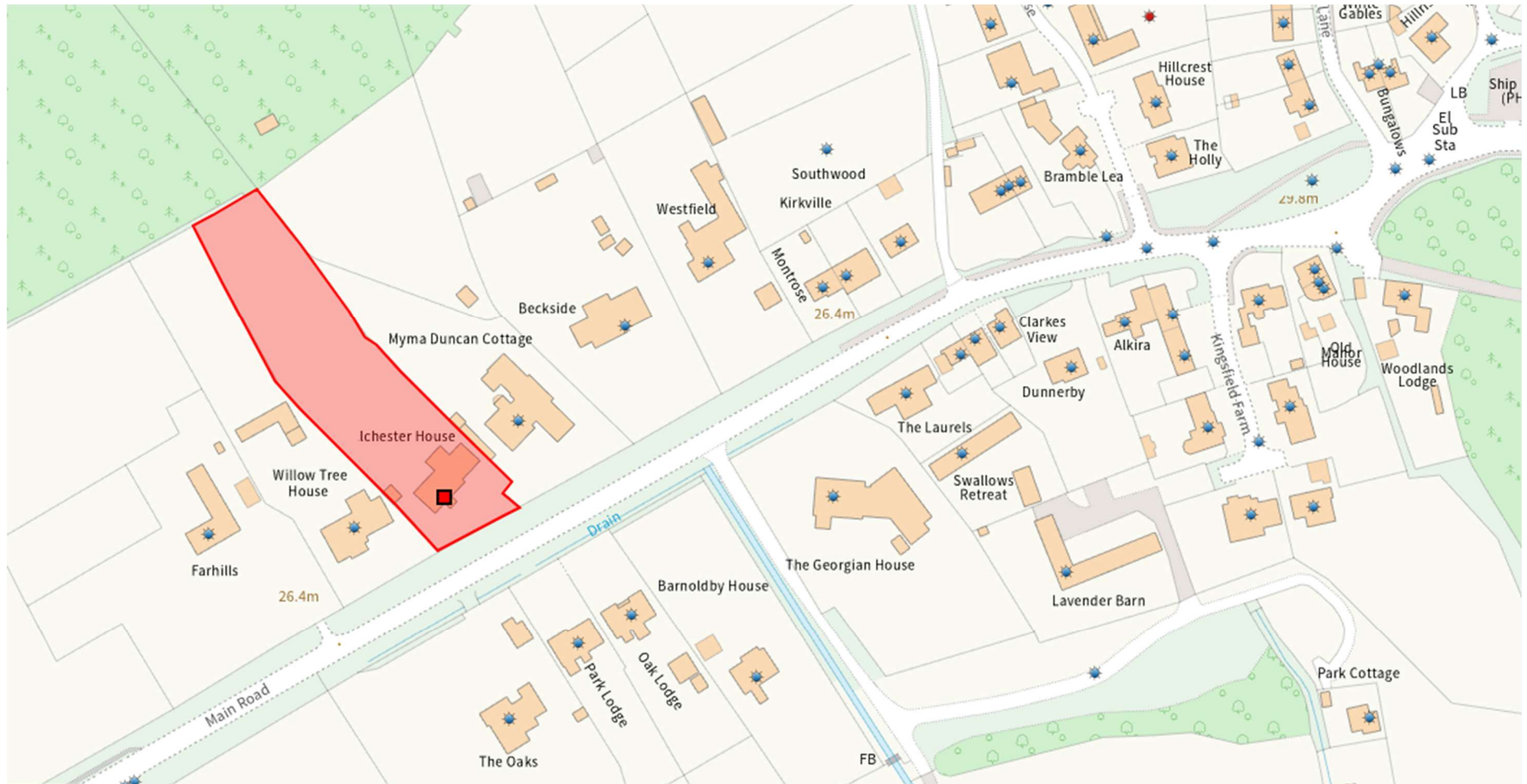
Thick and heavily dense vegetation are hard to check due to visibility and/or access for visual inspection. The precautionary approach should be applied in such cases and vegetation removal or works carried out outside of the bird active season or in leaf fall. All common wild birds are protected under The Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to:

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

Standing advice mammals

Vigilance should be maintained during site clearance works for ground mammals, including hedgehogs *Erinaceus europaeus* during the development phase. It is essential that no trenches or pipes are left uncovered overnight unless a suitable escape ramp is provided. No pipes should be left uncapped overnight.

DM/0546/26/FULA – MILCHESTER HOUSE, MAIN ROAD, BARNOLDBY LE BECK



DM/0546/26/FULA – MILCHESTER HOUSE, MAIN ROAD, BARNOLDBY LE BECK

