

Planning Committee Dated: 2nd September 2026

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/0631/25/FUL
Application Type:	Full Application
Application Site:	Torq Garage Scartho Road Grimsby North East Lincolnshire
Proposal:	Demolish existing car wash, erect single storey extension to side of existing store with various associated works and alterations to create a bakery (including installation of extract and air conditioning units) and new fencing. Modification of jet wash booth and roof. Hours of operation remain 07:00 - 23:00 each day (Amended description, site and floor plans and elevations and documents and additional jet wash plan and elevation plan)
Applicant:	Motor Fuel Limited
Case Officer:	Jonathan Cadd

Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/0272/26/FUL
Application Type:	Full Application
Application Site:	Anthony's Bank Car Park Humberston North East Lincolnshire
Proposal:	Installation of height restriction barrier, pole mounted Automated Number Plate Recognition (ANPR) parking system, 2 pay machines, bollards and associated works
Applicant:	C/O Agent
Case Officer:	Mark Danforth

Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0273/26/ADV
Application Type:	Advertisement Consent
Application Site:	Anthony's Bank Car Park Humberston North East Lincolnshire
Proposal:	Display 14 non illuminated pole mounted double sided signs to include entry sign, tariff details and tariff reminder boards
Applicant:	C/O Agent
Case Officer:	Mark Danforth

Recommendation: Approved with Conditions	
Item:	4
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:	5
Application No:	DM/0301/24/FUL
Application Type:	Full Application
Application Site:	Underground Water Pipeline Off South Marsh Road Stallingborough North East Lincolnshire
Proposal:	Installation of pump station with underground pipe work into adjacent fields with the erection of fencing, steps, handrail and associated works (HABITAT REGULATIONS ASSESSMENT AND NOISE IMPACT ASSESSMENT REC 02-09-2025)
Applicant:	
Case Officer:	Lauren Stinson

Recommendation: Approved with Conditions	
Item:	6
Application No:	DM/0390/26/FUL
Application Type:	Full Application
Application Site:	31B Humberston Avenue Humberston North East Lincolnshire DN36 4SW
Proposal:	Erect single storey front extension to house sprinkler system equipment with associated works
Applicant:	Mr And Mrs Bland
Case Officer:	Bethany Loring

Recommendation: Approved with Conditions	
Item:	7
Application No:	DM/0888/25/FUL
Application Type:	Full Application
Application Site:	Manor Farm Church Lane Irby Upon Humber North East Lincolnshire
Proposal:	Partial demolition of existing outbuildings, extensions and alterations to create 6 residential dwellings, to include creation of first floor with roof lights to units 1,2,4 and 6. Access, parking areas, boundary treatments, installation of biodisc sewerage treatment plant and associated works - amended site plan and foul drainage detail April 2026 - Response to Anglian Water 18th May 26
Applicant:	James Ingestre
Case Officer:	Richard Limmer

Recommendation: Refused

Item: 8

Application No: DM/0059/26/FUL

Application Type: Full Application

Application Site: Tetney Road Service Station Tetney Road Humberston North East Lincolnshire

Proposal: Part change of use to existing car sales forecourt to include hand car wash and erection of palisade fence with gates to rear.

Applicant: Mr V Marchant

Case Officer: Lauren Stinson

PLANNING COMMITTEE - 2nd September 2026

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

APPLICATION No: DM/0631/25/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Torq Garage , Scartho Road, Grimsby, North East
Lincolnshire, DN33 2BG**

PROPOSAL: Demolish existing car wash, erect single storey extension to side of existing store with various associated works and alterations to create a bakery (including installation of extract and air conditioning units) and new fencing. Modification of jet wash booth and roof. Hours of operation remain 07:00 - 23:00 each day (Amended description, site and floor plans and elevations and documents and additional jet wash plan and elevation plan)

APPLICANT:
Motor Fuel Limited
C/O Agent

AGENT:
Jackie Ford
JMS Planning and Development Ltd
Build Studios
203 Westminster Bridge Road
Lambeth
London
SE1 7FR

DEPOSITED: 21st July 2025

ACCEPTED: 31st July 2025

TARGET DATE: 25th September 2025

PUBLICITY EXPIRY: 31st July 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 24th August 2025

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application is returned to planning committee following its deferral at the 22nd April 2026 committee meeting. The applicant has considered the points raised by members and residents and has sought to make some amendments to the scheme. Although relocation of the bakery unit is not possible, the proposal has changed in the following ways: a) the creation of a wholly combined sales kiosk/ shop and Greggs utilising a single

access/egress door unit for all (close to the existing kiosk door), b) a replacement jet wash facility with a lowered screen and roof, c) an additional report assessing noise levels and d) a delivery management plan. In addition to this, the planning committee site visit is to take place on the 1st September 2026. This application was brought to the Planning Committee on the 22nd April 2026 due to the level of objection received.

This application seeks to erect an extension to the west of the existing sales kiosk to form a new bakery wing (Greggs) and to replace the existing jet wash facilities with a modernised jet wash booth with lower screens and roof. This would be positioned in the same location as the existing facility.

The erection of the bakery would require the demolition of the existing car wash. Areas of the former car wash not required for the bakery would be turned into landscaping. The extension to the existing kiosk would project westwards into the entrance to the car wash and would have an area of approximately 77m² and a flat roof. The structure would be 6 metres wide and 12 metres deep with a flat roof some 3.3m in height. This would provide an additional shop unit to house a bakery but would be accessed via the main kiosk access. Full length glazed display windows to match the existing unit would be formed in the extension. The structure would be finished in materials to match the existing. The extract system would be internal venting out within the north eastern corner of the unit, along with the air conditioning units.

The jet wash would be a single car facility with a maximum width of 5m, depth 6.8m and height of approximately 4m. The booth would be a galvanised steel framed structure with poly carbonate or glass wall inserts and similar roof. Positioned on the current jet wash bay the proposed facility would utilise the existing drainage arrangement including silt trap.

No change to the overall approved hours of use are proposed, although the applicant is willing to agree to limit the operation of the jet wash to between 08:00 and 20:00 each day.

SITE

The application site is the existing Jet filling station at Scartho Road close to its junction with Sutcliffe Avenue.

The site comprises a petrol wet fill area with overall illuminated canopy, payment kiosk, including Londis store, associated car wash, separate jet wash facility and associated air and water facilities. Vehicle access from Scartho Road is to the south east whilst the exit is possible to the north east. The site frontage is dominated by the filling station canopy, payment kiosk/shop, car wash and signage. The wet fill pump area can serve 8 vehicles at a time. In addition, there is a jet wash facility to the rear of the site along with air and water top up facilities. Also to the rear of the site is the petrol and diesel tank replenishment area and two car parking spaces. The entry to the car wash is also to the rear of the site. The site is bounded to the west by a 1.8m high wall along with an

approximate 5m high polycarbonate jet wash enclosure. Flood lights on 4m high columns are located around the site.

Scarcho Road at this point is a multi-lane carriage way which leads to the signalised junction with Sutcliffe Avenue. It is also a pedestrian crossing linking with Barretts Recreation Ground and sports pitches and the footpath to Wintringham Oasis Academy to the east. To the south east of the site are residential properties opposite across Scarcho Road which face the site. To the south and west are further residential properties, in close proximity to the filling station (St Martin's Crescent and 74 Scarcho Road - which has its access through the filling station forecourt). To the north across Sutcliffe Avenue is Saint Martin's Church a grade 2 listed building which is within the Wellow Conservation Area. The site itself does not form part of the Conservation Area, however.

RELEVANT PLANNING HISTORY

The site has an extensive history as use as a service station. Of particular relevance:

DM/1014/24/FUL Variation of condition 8 (hours of Operation) as granted on P41919 to allow for extension to the opening hours to operate between 06:00 and 00:00 Mondays to Sundays. Withdrawn.

DC/360/11/PAR Variation of Condition 8 attached to planning permission P41919 to increase the permitted hours from 7:00 - 23:00 to 6:00 - 23:00. Refused 2011.

DC/770/09/PAR Installation of an ATM with bollards. Approved 2009.

P45974 Alterations to existing lance wash to form additional bay. Refused 1996.

42510(a) Amended plans for single floodlight. Approved 1990. Conditioned - No use between 11pm and 7 am.

42510 Erection of 3 Floodlights Approved 1990. Conditioned - No use between 11pm and 7 am.

P41919A Re-development of service station. Approved 1990.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

- S3 - Presump in favour of sust development
- S4 - Principle of develop-within settlements
- TC3 - Main town centre uses o/side town centre
- DP3 - Key principles for well-designed places

L2 - Making effective use of land
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems, watercourse
HE5 - Assessing effects on heritage assets
N2 - Improving the natural environment

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

PO41 - Biodiversity and Geodiversity
PO3 - Settlement hierarchy
PO5 - Development boundaries
PO22 - Good design in new developments
PO23 - Retail hierarchy and town centre develop
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ

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

All comments in summary.

Environmental Protection: Originally raised concerns following several investigations regarding noise and light nuisance complaints over the current operation. Following the removal of proposals to extend the hours of use and submission of additional information the Environmental Protection team have now indicated that they are content that the bakery could operate within the current hours of site operation without undue impact on neighbours amenities. Stringent conditions re the units operation (hours of operation and preparation, deliveries and extract and air conditioning) would be required, however. Following specific concerns raised from neighbours it is nonetheless indicated that the submitted noise assessment is considered fit for purpose.

Northern Power Grid: Provide details and location of electrical connections and request safety advice notes be placed on any approval notice.

Highways: The removal of the additional spray booth proposed originally would retain two car parking spaces aiding on site parking capacity. The replacement single spray booth would not alter the existing arrangements or highway considerations.

Linked trips would make up the majority of visits to site (i.e. trips which would already take place) the 8 additional two-way movements anticipated at peak periods would not impact significantly on the capacity of the highway. Similarly, the access and exit from/to the highway is considered to be safe for the additional traffic anticipated maintaining highway safety. The potential increase in dwell times are noted but this would not lead to unacceptable queuing and would not impact traffic movements on Scartho Road. Pedestrian traffic using the site, and specifically children from the school are noted as having potential to increase, but this would not detract from highway safety, in this instance, as the desire routes would remain as they are now. A Construction Traffic Management Plan should be conditioned as part of any approval to ensure that highway safety is not compromised during construction.

Trees and Woodlands: No comment.

Ecology Officer: The development would not impact on a priority habitat and impacts less than 25 sq. metres (and less than 5m of linear habitat) of on site habitat. As such the scheme is exempt from BNG requirements. Requires details of landscaping, however. Advice is provided re-nesting birds.

Heritage Officer: No heritage input required.

Drainage: Note that additional landscaping proposed which would reduce the amount of hard surfacing on site but seek a sustainable drainage solution for the bakery. Recommend drainage condition.

Site and Public Notice and Neighbours:

Objection: 85 Scartho Road (x2) 2, 3 (x4) & 4(x2) St Martins Crescent

- Welcomes i) the removal of the additional jet wash bay, ii) the changes to the existing spray booth to prevent over-spray and iii) the decision not to increase the operational hours of the site.

- Continued objection re the proposed bakery due to:

- i) The lack of any assessment of the existing 2.2m boundary wall separating the site from houses together with a repair schedule for damaged sections along with any additional acoustic enhancement deemed necessary. In its absence it is requested that this be a condition of any approval.

- ii) Due to concerns over issues in the past, request that an independent verification survey is imposed as a condition of any planning permission granted (including the BS4142 survey proposed at condition 6 of officers report) with the results robustly and independently checked.

- iii) Concerns over the accuracy of the noise report: location of assessment equipment in service station rather than at a residential property (therefore inflating background noise levels), use of delivery noise levels from a different site, no assessment of early morning

activities to take account of bakery preparation (04:00 - 06:00), wrong background noise levels applied.

iv) Extended bakery which will only increase existing problems experienced at houses which are in close proximity to the filling station and would lead to hours of operation extending compared to existing actual hours of operation which are currently less than that permitted under the current conditioned planning permission hours.

- General (on-going) concerns:

i) Noise and nuisance from motor vehicles and users (cars/scooters and motorbikes revving, doors banging, music playing and shouting), delivery vehicles idling, site preparation and maintenance, air pumps and jet wash operation along with chiller operations.

ii) Lighting at the site, which shines into rooms during hours of darkness, despite repeated attempts to work with the company. Lighting is very close to site boundaries. Lights kept on beyond opening hours.

iii) Hours of opening - site preparation and cleaning often take place outside of the agreed opening hours making the issue worse.

Sometimes, current hours are not wholly kept to particularly with respect to deliveries.

iv) Anti-social behaviour.

v) Landscaping and wall not maintained.

vi) Littering.

- Future issues:

i) Noise - the bakery would bring people into closer proximity to adjoining houses (10m from bedroom), concerns over increased noise from cars and people who would use the site more often. Such concerns would increase with air conditioning and extraction units - no account has been taken of these in the acoustic report. No account taken of bakery preparation which will bring activity, noise and odours earlier in a morning than opening hours. Extraction units will operate 16+ hours a day. Increase in refrigerated delivery vehicles.

ii) Odours - from baking and cooking in close proximity to houses.

iii) Lighting - further lighting will be required and existing lighting will be on for longer increasing nuisance.

iv) Landscaping will not be maintained.

v) Hours of use - despite no increase in the hours of opening, nuisance will increase particularly earlier in morning due to the need for bakery preparation and cooking (04:00 - 06:00 for traditional bakers) on site and the delivery of goods. More chance of nuisance late at night as the site will be more attractive to customers.

vi) Anti-social behaviour, rubbish and graffiti likely to increase.

vii) Highway safety - lack of parking on site will lead to cars parked on side of road causing issues.

Additionally:

- Consider proposals are contrary to Policy 5 of the NELLP.

- Alternative options have not been investigated.

- Bakery should be relocated to the front of the site facing Scartho Road.

APPRAISAL

Main Issues

- 1) Principle
- 2) Amenity
- 3) Highway safety and capacity
- 4) Design and character (including heritage)
- 5) Ecology and BNG
- 6) Other issues

Appraisal

1) Principle

The application site is an existing petrol filling station within the development area of Grimsby, but is located outside of any designations for town, local or out of centre retail parks within the NELLP. The provision of additional/ altered facilities, including for example jet wash facilities, to serve customers would not be unreasonable in principle. The proposed bakery (Greggs) would be an independent unit but would now be accessed through the existing sales kiosk /Londis store to serve existing and future users of the service station, along with the wider community. Although an addition to the existing retail offer on site, the size of the additional floor space area (approximately 77m² gross) is such that the scheme would be below the 200 sq. m threshold outlined within Policy 23 of the NELLP. As such it would not require a sequential assessment of alternative sites within designated town centre areas to be undertaken nor a vitality and viability assessment to be produced.

Policy 23 of the NELLP also provides guidance on hot food takeaways close to schools and health issues they generate. It is noted that the site is within close proximity to the entrance of a dedicated school footpath. A bakery, in this case Greggs, does sell some hot food items but sells a much wider variety of cold foods and drinks and should not be classed as a hot food take away. As such the hot food takeaway element of Policy 23 does not apply. In addition, a dedicated school path is not a school in itself.

Taking all matters into consideration, the scheme, in principle, and subject to other policy considerations, is deemed acceptable in accordance with Policies 5 and 23 of the NELLP.

2) Amenity

Policy 5 of the NELLP indicates that: All development proposals located within or outside of the defined boundaries will be considered with regard to suitability and sustainability, having regard to (amongst others): D. impact upon neighbouring land uses by reason of noise, air quality, disturbance, or visual intrusion; ...

The application site is a busy service station which has capacity to accommodate up to

eight vehicles at the pumps. It also has jet spray facilities, air/vacuum facilities, a separate car wash and a Londis store incorporating the sales kiosk. Air conditioning units are located to the northern side of the kiosk with a 24hr ATM at the site. Condition 8 of planning permission P41919 restricts hours of public operation to 07:00am until 11:00pm each day with the stated reason being in the interests of residential amenity. This is linked to the close proximity of houses adjoining the site. To the west, dwellings at 3 and 4 St Martin's Close sit approximately 4 - 6m from the boundary wall and both contain windows to habitable rooms within their rear elevations facing the site. This includes bedrooms and extended dining and kitchen areas. No's 1 and 2 are set further back with a small substation in between one of the properties. 74 Scartho Road, to the south, is only separated from the site boundary by its own footpath to the rear garden (less than 2m). As such residential amenity is a significant consideration in any proposal for development on this site.

Occupants of properties at 2, 3 and 4 St Martin's Crescent and indeed 85 Scartho Road object to the application on the grounds of noise and disturbance. They cite existing problems and nuisance arising from the filling station, including from the jet wash and day to day activity such as engine noise, people talking which are exacerbated late at night and early in the morning, particularly in relation to servicing. The concerns expressed are that the additional development sought would exacerbate these existing issues due to their nature and proximity to the proposed works to adjoining residential properties and dwellings (particularly St Martin's Crescent). These concerns are on-going and officers have visited these properties to consider their relationship with the garage. Similarly, these concerns were expressed by residents at the 22nd April 2026 meeting leading to the committee to seek further clarification from officers and the applicant on the re-positioning of the bakery away from houses and issues of noise and nuisance.

The applicant has sought to address concerns in a number of ways. To address an existing nuisance, the existing jet wash facility is now to be modernised (not expanded), which will incorporate a new jet wash machine and screened booth (with a lower 4m high (approximate) roof compared with approximate 5m high structure now). This would reduce the physical impact particularly on no. 4 St Martin's Crescent and to a much lesser extent no. 3 too. The applicant is also willing to accept an hours of use condition for the jet wash to limit operations to 08:00 - 20:00 each day assisting to limit nuisance. This represents a significant reduction in usage compared to the 07:00 - 23:00 potential current usage permitted. It is noted that the approval of this permission would not automatically lead to the jet wash to be up graded, but the applicant has indicated a willingness to undertake the works.

Road noise from Scartho Road assists to mask some activity at the site. Nevertheless, the current operation still generates noise complaints from neighbours particularly in relation to, daily site preparation and maintenance, servicing and comings and goings of customers, particularly earlier in the morning and later in the evening and night when traffic noise is less. The nature of a bakery, Greggs as is noted in one of the documents submitted, is such that this is likely to attract not just drivers but also locals from the surrounding area, generating potential noise and nuisance.

The bakery unit would be added to the west of the existing sales kiosk/Londis shop and would have a floor area of approximately 77 m² (21m² net public area). The building, at its closest point, would be 5m from the garden boundary wall with no. 2 St Martin's Crescent and 13.5m from the rear elevation of no. 3. Whilst the applicant has indicated that for operational reasons the re-positioning of bakery to the front of the site, or to the rear of the existing sales kiosk (where the car wash presently is) is not possible, the applicant has sought to address members and neighbours' concerns through linking the bakery internally so that access and egress would only be possible through the existing Kiosk/ Londis store via an entrance close to the existing door. This would take customers slightly further away from neighbouring properties assisting to reduce the potential for noise and nuisance.

The position of the bakery close to the adjoining properties, will increase activity at the site and therefore the potential for noise and nuisance at the adjoining properties. The applicant has also provided a noise assessment, and this indicates that the levels of increased noise, in particular due to the operation of extraction equipment and delivery vehicles is such that it would not have a significant detrimental impact on the amenity of neighbours. Details of the extract equipment have also been provided, and these show that equipment would be internal to the building except for the final extract grills which would be to the north eastern corner of the new building away from residential properties. Air conditioning units would also be located in this area behind the extension. This would assist to limit concerns over noise and odours. The nature of the Greggs operation is that cooking is done within ovens reducing odour. This together with the position of the extract equipment away from neighbouring properties is such that no objections have been raised by the Environmental Protection team over this issue. It must also be noted that the car wash currently operates at the site and its demolition to make way for the bakery would assist to reduce nuisance through its loss.

As noted above, the site is presently controlled through a condition limiting hours of operation. The condition states that the site should not be open to the public between 23:00 to 07:00 the following morning. Despite this, it is noted that the site is currently advertised to operate from 07:00 to 22:30 closing slightly earlier than that conditioned. In the morning, neighbours advise, that staff typically arrive at least half an hour before opening in order to set up the site (turning lighting on, putting newspapers out, sand buckets and collecting deliveries). Such activities are not deemed unreasonable and remain within the spirit of the controlling condition, but it is accepted that some residents could still be in bed at this time. The current application seeks to maintain approved hours of operation. The applicant has confirmed that bakery staff would start to prepare food around half an hour before opening. This would mirror that of the current operation at the site limiting further impacts on neighbours. Unlike the current operation, bakery staff would not be required to undertake significant forecourt preparation assisting to limit concerns. The applicant has also agreed to limit servicing of the bakery store to 07:00 - 21:00 Monday to Friday 08:00 - 13:00 on Saturday and not at all on Sundays. This would assist to limit additional noise and nuisance albeit it must be noted that the servicing of the main filling station would not alter. A servicing and delivery management scheme for

the bakery has also been submitted to reduce noise and nuisance concerns. This has been assessed by the Environmental Protection team as acceptable.

The Environmental Protection team have considered the noise assessments submitted and have taken note of the various records of noise and nuisance complaints about the site over an extended period, including more recently. The site has been visited by officers as has the adjoining properties. Having considered all the information received, including criticisms of the noise assessment submitted, the upgraded jet wash facility and the maintenance of the current hours of operation, in addition to the removal of the car wash, it is considered that the scheme could be deemed acceptable and would not lead to unreasonable impacts on residential amenity. Such a position, however, is only tenable if strict conditions are imposed on the extended bakery operation with respect to hours of use, preparation, servicing, air conditioning, and extract equipment. A condition is nevertheless recommended for a post development noise assessment early in the morning and later in the evening to ascertain whether the current mitigation measures are sufficient to maintain amenity. If this assessment shows unacceptable harm to adjoining land uses, further mitigation will be required. Such a survey will be assessed by the Council's Environmental Protection team.

Lighting remains a big concern for objectors but the main lights at the site would operate in conjunction with the filling station, whilst any internal lighting proposed for the bakery would operate at similar times to that of the main sales kiosk/shop. This would limit impacts on neighbours. Any illuminated adverts or fascia signs proposed for the bakery would be the subject of a separate advertisement application.

Finally, despite the proximity of the bakery extension to adjoining properties, its single storey design and the existing boundary treatment, would ensure that the impact on amenity in terms of scale, dominance, light and sunlight and privacy would be limited.

As such and taken together all these aspects indicate, with the noise assessment presented, the scheme would not have a detrimental impact on residential amenities and thus complies with Policy 5 of the NELLP.

3) Highway safety and capacity

The existing operation at the site would continue and any reduction in traffic as a result of the loss of the car wash would be more than offset by the increase in predicted activity generated by the bakery. It is accepted that many of the visits to use the new facility would be linked trips that already use the highway network so that only an additional eight two-way movements would occur at the site in peak hours. Such a change is unlikely to impact the capacity of the highway. Similarly, despite the busy and complex nature of the highway at this point, including signalised junction, pedestrian crossing (to Wintringham Oasis Academy) and the access and exit to the filling station, the accident data indicates this area operates acceptably in terms of safety. As no physical changes to the access and exit to the filling station are proposed, it is not deemed that the proposed development would impact on the safe access and exit to/from the site. Similarly, whilst dwell time at pumps may increase whilst customers obtain food and drinks as well as fuel

from the adjoining outlets, the forecourt is quite large and is deemed adequate to accommodate a number of queuing vehicles limiting the potential impact on highway safety.

It is noted that the filling station is located close to the pedestrian crossing and entrance to the Wintringham School footpath. As such the creation of a bakery at the site may lead to increased numbers of children using the site to obtain food. It is noted that the Londis store at the site is already used for this type of pedestrian activity and requires children to use the footpath before entering the garage forecourt. Within the forecourt there is a small raised paved area in front of the kiosk. Whilst not ideal the highway authority has not objected to this arrangement as cars at this point are travelling in a single direction and are slow as they move around the forecourt. It is also noted that with the loss of the car wash facility this would also remove a further conflicting vehicle movement with any pedestrians entering or leaving the site from Scartho Road.

As such subject to a Construction Traffic Management Plan condition, to control activities which may impact on the highway, it is considered that the proposal would accord with Policies 5 and 38 of the NELLP.

4) Design and character (including heritage)

The proposed structure is set back from public vantage points and where seen would be viewed in the context of the filling station with its large, illuminated canopy. This includes to the north as the rear elevation would be screened by mature landscaping located on the public land. Equally the extension is a modest single storey structure which is to be constructed in brick to match the existing and would not appear out of keeping with the area. In addition, further 1.8 m high fencing is proposed for part of the site, and an additional area of landscaping is proposed to be planted to assist in screening, at least in part, to the rear of the bakery.

It is noted that the Wellow Conservation Area is located opposite the site across Sutcliffe Avenue as is the Church of St Martin which is a Grade II listed building. Whilst noting the proximity of the proposed structure to these heritage assets, the single storey nature of the extension and its position within the context of the existing commercial filling station would ensure the setting of both the listed church and conservation area would be maintained, which the additional landscaping would assist to enhance the site when seen in the context of the designated heritage assets. The Council's Heritage Officer has also not sought any comments on the scheme.

The proposal now includes the provision of a replacement jet wash facility and spray booth to replace the current structure. Such a structure would be lower than the current booth, be mainly of a perspex construction and be fully enclosed reducing the impact on the adjoining properties, particularly 4 St Martin's Crescent. Such a structure would be an enhancement to the site.

Taken together it is considered that the scheme would accord with Policies 5, 22 and 39 of the NELLP.

5) Ecology and BNG

The site is not located within a Priority Habitat, and the scheme would impact on less than 25m² and/or 5m of linear on-site habitat and as such would be exempt from Biodiversity Net Gain (BNG).

The site, however, would generate additional landscaping opportunities to the north of the site and details of this landscaping should be provided to enhance the appearance and character of the site but also the ecological potential. Conditions are therefore recommended to control these details. It is noted that the scheme has not been objected to by either the Ecology nor the Trees and Woodlands Officers albeit informatics are recommended to ensure that any existing landscaping removed from the site as part of any enhanced landscaping scheme is done so without harm to birds and wildlife in accordance with the Wildlife and Countryside Act 1981 (as amended).

6) Other issues

It is noted that objectors request that the current boundary wall of the service station is assessed and that any repairs or acoustic enhancements deemed necessary be undertaken or be conditioned as part of any permission granted at the site. The scheme has been assessed on the basis of the present site (and wall) and is deemed to be acceptable. Separately, the applicant has indicated that whilst the repair and maintenance of the wall (where works do not alter its external appearance) remain outside of the definition of development and therefore beyond the scope of this application, they are willing to repoint the wall and deal with any defects to ensure it remains fit for purpose.

CONCLUSION

The constrained nature of this site due to the proximity of adjoining houses is noted, as are on going concerns of residents. The demolition of the car wash and scale of the single storey bakery to be erected is such that it would not have an unacceptable physical impact on the surrounding area. In addition to this, subject to specific conditions it is considered that the bakery could operate without unreasonable impact on neighbours amenities despite its close proximity to boundaries. Conditions should include hours of operation, preparation, deliveries and extract /air conditioning. The nature of the existing and proposed uses, site conditions and the prevalence of anticipated linked trips is such that highway capacity and safety at the site would be maintained, whilst pedestrian safety would not be unreasonably impacted upon. Finally, the impact of the proposal on drainage, landscaping, ecology, the character of the area and heritage significance would not be unreasonable due to the scale of the proposal and the imposition of relevant conditions. As such it is recommended that the scheme, subject to conditions would accord with Policies: 5, 22, 23, 33, 34, 38, 39 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

The development shall not be carried out except in complete accordance with the approved plans and specifications. Approved plan/ reports include:

2288-1 - Site Location Plan

2288-6-Rev G - Proposed Site Layout Plan

2288-8-Rev G - Proposed Site Elevations

2288-9-Rev G - Building Plan and Elevations

240401-01 Rev A - Proposed Jet Wash Area (Plans & Elevations)

A287AD.004 - Noise Impact Assessment by Infinity Acoustics

A287AD.004 - Noise Impact Assessment - Addendum by Infinity Acoustics

TS.2/6291/MT - Transport Statement by Bellamy Roberts

Greggs Main Extract Specification (Issue 1 2017)

Heritage Assessment by Historic Buildings Consultants

Delivery and Servicing Management Plan (Updated May 2026) by JMS Planning

Reason

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

(3) Condition

No development hereby approved shall commence until a scheme for the provision of sustainable surface water drainage for the bakery and former car wash area has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented before the bakery is first brought into use and retained thereafter.

Reason

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

(4) 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 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 have been submitted to and approved in writing by the Local Planning Authority.

The scheme of landscaping and tree planting approved by the Local Planning Authority 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 protection of existing features in the interests of local amenity and in accordance with Policies: 5, 22 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(5) Condition

External materials to be used in the construction of the development shall match the existing buildings, in colour and texture, as specified on the approved plan.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area and maintains the significance of heritage assets within the area in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(6) Condition

Within 2 months of the plant and extraction system becoming operational at the bakery, an independent BS4142 verification survey must be submitted to and approved in writing by the Local Planning Authority. The survey:

- Must be undertaken during the 06:30 - 07:00 period, as this is the Noise Impact Assessment's critical window.
- Must measure LA90, LAeq and LMax at the nearest Noise Sensitive Receptors.
- Must confirm the rating levels against those predicted in the submitted Noise Impact Assessment.

Should the BS4142 verification survey show rating levels above those predicted within the Noise Impact Assessment, operations at the bakery shall cease between 06:30 and 07:00 each morning until a noise mitigation scheme and a scheme for implementation has been submitted to and approved in writing by the Local Planning Authority and the approved mitigation scheme has been implemented in full with a further verification report to confirm this in accordance with the approved timescales.

Reason

To ensure the modelled predictions (e.g., plant rating level 37 dB vs. 48 dB background) reflect real world performance and to maintain residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(7) Condition:

No plant, mechanical equipment, or extract system related to the bakery shall operate:

- before 06:30 in morning and after 22:00 at night - Monday to Saturday
- before 08:30 in morning and after 20:00 at night - Sundays and Bank/Public Holidays

Reason

To ensure no creep occurs into the true night time period, where backgrounds fall even lower than 48 dB LA90 and to maintain residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(8) Condition

All noise control measures referenced in Section 4.0 of the Noise Impact Assessment must be installed at the bakery prior to occupation and shall be retained thereafter, including:

- AC units located exactly as shown.
- Silencer performance equal to or better than the RUCK EL 315 D2 01 specification.
- Extract termination at the modelled façade position.
- Any shielding or barriers included in the noise model.

Reason

To ensure the models assumptions are physically delivered and to maintain residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(9) Condition

The bakery hereby approved shall not open to the public outside of the following hours:

- 07:00 - 21:00 - Monday to Saturday and;
- 08:00 - 19:00 - Sundays and Bank/ Public Holidays.

The new jet wash facility shall not open to the public outside of the following hours:

- 08.00 - 20:00.

Reason

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

(10) Condition

Deliveries, HGV movements, loading and unloading linked to the bakery shall not occur outside of the following hours:

07:00 - 21:00 - Mondays to Saturdays and;
08:00 - 19:00 - Sundays and Bank/ Public Holidays.

In addition, the bakery servicing shall accord with the delivery management plan submitted by JMS Planning.

Reason

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

(11) Condition

The new jet wash facility shall not operate within the following hours: Monday to Sunday inclusive - 20:00 to 08:00 the following day.

Reason

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

(12) Condition

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

1. Contact details of the person with responsibility for the implementation of the DCMP/DCTMP;
2. The expected number, types and size of vehicles during the entire demolition and

construction period;

3. The proposed daily hours of operation during the demolition and construction period;
4. Details of on-site parking provision for demolition and construction related vehicles;
5. Details of on-site storage areas for materials, if required;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required;
7. Details of wheel washing facilities (locations, types etc.);
8. Measures to reduce noise and nuisance; and
9. Measures to reduce dust.

In addition, it should be confirmed that no fires will occur on site and no amplified music will be played during demolition and construction.

Once approved, the DCMP and DCTMP shall be adhered to at all times during demolition and construction works.

Reason

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

(13) Condition

The extension housing the bakery shall be restricted to a bakery shop only and for no other purpose, including any other use falling within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended, (or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification), unless a further change of use is granted planning permission by the Local Planning Authority.

Reason

The Local Planning Authority wishes to retain control of future changes of use to protect the amenities of nearby residents, highway safety and capacity and health considerations and in accordance with Policies: 5, 23, and 38 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(14) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any statutory amendment thereto), no development under Schedule 2 Part 7, Class A shall be permitted in relation to the Class E (a) extension hereby approved.

Reason

To protect residential amenity, highway safety and the visual character of the area and in accordance with Policies 5 and 22 of the North east Lincolnshire Local Plan 2013 - 2032

(adopted 2018).

(15) Condition

No materials or equipment shall be stored outside of the bakery extension building except that waste materials may be stored in bins for periodic removal within the bin storage area as shown on drawing no. 2288-6 Rev G.

Before the extension is first brought into use details of the bin store and screening shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be installed and ready for use before the bakery first opens and shall be retained as such thereafter.

Reason

In the interests of residential amenity and in accordance with Policy 5 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 4.2 applies.

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would, following amendment, not have unacceptable impacts on residential amenity, the character of the area, highway safety and the significance of heritage assets and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 23, 33, 34, 38, 39 and 41.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems, including issues in terms of dominance, over spray, noise and nuisance. Following negotiated amendments to the scheme a positive outcome has been able to be achieved sufficient to allow permission to be recommended.

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 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.

5 Informative

Birds

All nesting birds are protected in law and any demolition/construction works close to existing trees/shrubs 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 works. If nesting activity is present, no impactful works can be carried out until the young have fledged.

All common wild birds are protected under The Wildlife and Countryside Act 1981 (as amended).

Under this legislation it is an offence to:

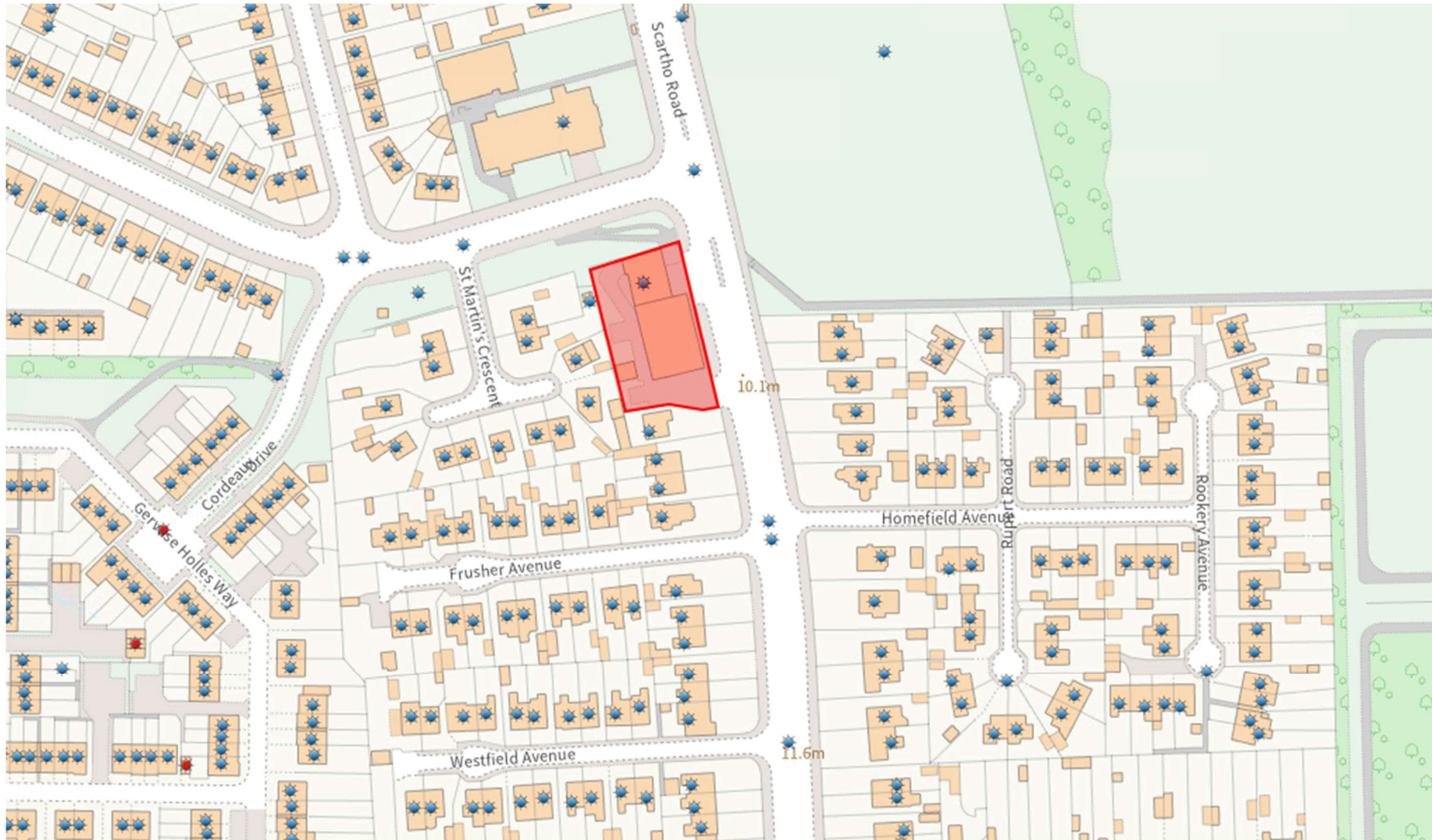
- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird

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.

6 Informative

Please note the comments from Northern Powergrid in relation to the proximity of their assets and working practices.

DM/0631/25/FUL – TORQ GARAGE, SCARTH ROAD, GRIMSBY





PLANNING COMMITTEE - 2nd September 2026

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

APPLICATION No: DM/0272/26/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Anthonys Bank Car Park, Humberston, North East
Lincolnshire,**

**PROPOSAL: Installation of height restriction barrier, pole mounted Automated
Number Plate Recognition (ANPR) parking system, 2 pay machines, bollards and
associated works**

APPLICANT:

C/O Agent
Haven Leisure Limited Ltd.
2 Bond Court
Leeds
LS1 2JZ

AGENT:

Miss Naomi Parker
Lichfields
2 Bond Court
Leeds
LS1 2JZ

DEPOSITED: 14th April 2026

ACCEPTED: 15th May 2026

TARGET DATE: 10th July 2026

PUBLICITY EXPIRY: 20th August 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 12th June 2026

CASE OFFICER: Mark Danforth

PROPOSAL

The proposal seeks permission for the installation of height restriction barrier, pole mounted Automated Number Plate Recognition (ANPR) parking system, 2 pay machines, bollards and associated works.

The application is brought before members due to the large number of objections to the scheme and due to the objection from Humberston Village Council.

SITE

The site lies within a large, long established holiday complex off Anthonys Bank

consisting of a public car park that is tarmaced and surrounded by trees. Nearby holiday uses include caravan parks to the south west, west and north. To the south there is the Humberston Fitties chalet site which is a designated Conservation Area. This site lies outside the Conservation Area

RELEVANT PLANNING HISTORY

DC/1448/04/HAV - Formation of car park and siting of caravans. Includes a condition that the car park remain public.

DM/0273/26/ADV - Display 14 non illuminated pole mounted double sided signs to include entry sign, tariff details and tariff reminder boards. Associated application.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

N2 - Improving the natural environment
DP3 - Key principles for well-designed places
F4 - Assessing flood risk for decision-making
HE5 - Assessing effects on heritage assets

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
PO12 - Tourism and visitor economy
PO39 - Conserve and enhance historic environ

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

Building Regulations - No requirement to install Electric Vehicle charging points.

Heritage Officer - No heritage input required

Drainage Officer - No drainage comments.

Humberside Fire and Rescue - Adequate fire fighting equipment and water supplies need to be available.

Ecology - Proposal does not impact a priority habitat therefore exempt from BNG.

Environment Agency - No objection. Informative recommended regarding Environmental Permit.

Environmental Protection Team - Reference to meeting any Building Regulation requirements.

Estates - The proposals set out in this application would not constitute any breach of the terms under the lease.

Rights of Way Officer - Proposal does not affect the right of way. However the car park is often the start of many walks and having a pay and display may put people off using this car park and using the paths that lead from it.

Highway Authority - satisfied the proposals will not adversely impact the adopted highway.

Tree officer - No comment

Humberston Village Council - Object on the following grounds;

Negative impact on the area and locals will park elsewhere creating further issues. Car park supports lots of sporting and leisure activities that should be supported. Adverse effect towards the Humberston Fitties

64 Letters of objection from

Nicholson street Cleethorpes DN35 8RW
21 Ribby Road , Keelby DN14 8ER
66, George Street Cleethorpes DN35 8P
40 Hope Ave Barnsley S63 9DT
2 Bray Close Grimsby DN33 3SG
20 Briggs Road Waltham Grimsby DN37 0JY

29 Princes road Cleethorpes DN35 8AW
36 Trafalgar Park New Waltham DN36 4YP
10 Hewson Road Humberston Grimsby DN36 4UD
102 Penshurst Road Cleethorpes DN35 9EN
113 Faulding Way Grimsby DN37 9SD
13 Mirfield Rd Grimsby DN32 0AW
137 First Main Road, Humberston DN36 4EZ
185 9th Av Humberston Fittie Cleethorpes DN364HD
230A Humberston Fitties Cleethorpes DN36 4HD
268 Anthony Bank Humberston Fitties Humberston DN36 4EY
276 Anthonys Bank Fitties Humberston DN36 4EY
28 Marsh Way North Cotes Grimsby DN36 5XJ
327 Main Road Humberston Fitties Humberston DN36 4HD
329 Humberston fitties Grimsby DN364HA
33 Fairfax Road Grimsby DN345EX
341 Weelsby Street Grimsby DN328BN
37 Humberston Fitties Humberston NE Lincolnshire DN36 4EX
38 Humberston Fitties Humberston Grimsby DN36 4EU
47 First Avenue Grimsby DN33 1BW
5 Brookfield Road Grimsby DN33 3JZ
7 Lambs Lane South Rainham RM13 9XB
8 Wisteria Drive Healing Grimsby DN41 7JB
85 Main Road Cleethorpes DN36 4EU
91 Picksley Crescent Holton-le-Clay Grimsby DN36 5YF
Glebe Farm Faldingworth Market Rasen LN8 3SD
117 Spring Bank Grimsby DN34 4DA
156 Main Road Humberston Fitties Grimsby DN36 4HE
298 humberston Fitties Grimsby DN36 4HB
308 Main Road Humberston DN364HA
51 High St Wainfleet All Saints Skegness PE24 4BZ
54 Bradley Road DN37 0UZ
8 Waterloo Drive Scartho Top Grimsby DN33 3SQ
17 Sylvan Avenue Woodhall Spa LN10 6SL
101 First Main Road, Humberston Fitties, Cleethorpes DN364EZ
252 Anthony's Bank Humberston Fitties Cleethorpes DN36 4EY
26 Woodhall Drive Waltham, Grimsby DN37 0UP
36 Granville Street Grimsby DN32 9NS
55 Humberston Fitties Grimsby DN36 4EX
64 Phelps Street cleethorpes DN35 7AS
68 Second Avenue Humberston Fitties DN36 4EX
Holy Trinity Presbytery, Heneage Road St Marys Catholic Church Grimsby DN32 9DZ
26 Woodhall Drive Waltham, Grimsby DN37 0UP
5 st Augustine Ave Grimsby DN32 0JL
15 Thorganby Road Cleethorpes DN35 0HR
16 Woodland Grange Leeds LS7 2FT
202 humberston Fitties Grimsby DN36 4HD

315 Humberston Fitties Humberston Cleethorpes DN36 4HB
9 The Green Bolton on Dearne Rotherham S638 HE
13 Banks Street Horncastle LN9 5BW
16 1st Main Rd Humberston Fitties DN36 4EU
30 Humberston Fitties Humberston
50 Main Road Humberston Fitties Cleethorpes
86, Humberston Fitties, DN364EU
3 First Main Road Humberston Fitties Chalet Park Humberston, Cleethorpes
16 Wold View, Holton le Clay, DN36 5EJ
25 Humberston Fitties, Grimsby, DN36 4EU
Hayling Mere, Cleethorpes, DN35 0PF

Objection comments summarised as follows

The Council should object as it is not Havens Land and rescind the Lease. The lease requires the lessee not do anything on the demised premises which may become a nuisance or cause damage to the tenants or occupiers of the neighbouring land (the Fitties) and there is no respect towards peoples concerns. CCTV could be used to identify those causing the problem. Another impact on already families suffering with the cost-of-living crisis this is mainly used by locals 12 months of the year. Facility should remain free and it is for financial gain only. Another loss of free parking in the area another unnecessary expense for the public dog walkers, padel boarders, Kite surfers etc. Concerns also raised that paying to park here will push even more traffic down towards the Humber boat club/yacht club, causing traffic problems generally and having a negative effect on the emergency services such as fire, police, ambulance, RNLI and the coast guard. It would not be good for the economy and small shop owners who rely on the public. This is contrary to the Councils' vision to continue to grow enjoy the coast culture and heritage.

Concerns It will increase anti-social behaviour and there is no evidence of it as raised by the applicant. If there are issues why can't the existing barrier be locked. The paying system will cause delay with vehicles queuing at the entrance and exit. Charging systems can lead to confusion, technical problems, and enforcement disputes, particularly older visitors should not have to face stress or penalties because of poor signal, unfamiliar technology, or system failures. How will non-users of mobile phones pay. It is considered that if implemented the first 2 hours should be free.

APPRAISAL

Main considerations

- 1) Principle of Development
- 2) Impact on the Character of the Area/Adjacent Conservation Area
- 3) Trees/Ecology

- 4) Highways/PROW/Neighbouring Land Use
- 5) Drainage/Flooding

1) Principle of Development

The application site is within the development area of Humberston (Policy 5) and relates to the creation of a new installation of a height barrier at the entrance, bollards, pay machines, ANPR parking system.

There have been questions as to the lack of justification for charging and the agents advise:

'The proposal relates solely to the installation of associated parking-related infrastructure within an existing car park. The assessment therefore focuses on the acceptability of that development in this location. As set out in equipment Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act, planning decisions must be made in accordance with the development plan unless material considerations that indicate otherwise.'

It is noted that numerous objections have been received from neighbouring and local properties and the Humberston Parish Council regarding the overall use of the car park, that should be freely available for general public car parking use.

However, it is considered that this application is not for the change the use of the overall site or remove the car park, and it would remain readily available for general public car parking use though at a cost for parking. This is far from unusual and it is not considered that there are land use planning objections to the principle of charging. It is also worth noting that the Council's Estates Officer has confirmed that the charging does not conflict with the lease of the land with the Council. This proposal is for the installation of the car parking management system, and it is solely these structures which are to be determined in this case. The large number of objections against the imposition of a payment system for the car parking are fully acknowledged and are understandable given the fact that it has for many years been a free car park, but these concerns do not represent justifiable planning grounds for a principal objection. Reference is also made to the fact that the applicants claim of anti-social behaviour has not been substantiated but for the reasons stated it is not considered that this case needs to be made to justify the development in planning principal terms.

The principle of development is therefore considered acceptable provided that the proposal does not give rise to significant issues in terms of design, general amenity and highways in accordance with policy 5, 12, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 14 and 20 of the NPPF.

2) Impact on the Character of the Area including the Conservation Area

The proposals seek to erect a steel height barrier over the entrance into the existing car

park. This is proposed to have an overall height of 3m standing 7m in width with lower horizontal signs warning motorists of the height restriction to go under at 2.3m. Bollards will also be erected around the new ANPR camera pole that will stand at around 5.5m with adjacent pay machines on the ground also being protected by the bollards. The barrier and bollards will be finished in a bright hazard yellow colour which is typical of these types of structures in car park locations. The camera pole and pay machines will be galvanised and polished steel finish respectively.

The proposal has to be assessed against (s.72(1) of the 1990 Act) Paragraph HE9, NPPF; Local Plan Policy 39 in terms of whether the proposal preserves or enhances the character, appearance, significance and setting of the Humberston Fitties Conservation area.

The site, Anthonys Bank Car Park is located approximately 25 metres to the north-east of the Conservation Area boundary. Inter visibility between the Site and the Conservation Area is heavily screened by a bank of dense tree cover. It is considered any partial views or glimpses of the site from the northern boundary of the Conservation Area are incidental. From a Heritage Impact Assessment, it is considered the site makes no tangible contribution to the setting or significance of the Conservation Area and the works are directly related to the car park use and would not be out of place from what would be expected at such a car park.

Whilst the proposal lies close to the Humbertson Fitties chalet site it will have no direct effect on the Humberston Fitties Conservation Area. The special interest of the Humberston Fitties Conservation Area is primarily derived from the built form and the varying character and constructions of the chalet buildings. This will remain unaffected by the proposed works.

The Councils Heritage officer has made no adverse comments towards the proposal.

The proposed camera, bollards and barrier wouldn't impact on character or amenity of the area including the setting of the Conservation Area. It is therefore considered to be in accordance with policy 5, 12, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 20 of the NPPF.

3) Trees/Ecology

There are trees to all sides of the existing car park, but no tree or hedges will be affected by this development. The works would also not affect the ecology of the site given that it is already a car park with the hard surfaces not changing in respect of actual parking area. The location in close proximity to the protected Humber Estuary is acknowledged but there will be no impact from the works proposed. The Ecology officers have confirmed the de minimis condition is met therefore the proposal is exempt from the Biodiversity Gain condition.

The proposal will not impact on the biodiversity of the area overall in line with policies 42 and 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 19 of the NPPF.

4) Highways/Neighbouring Land Use

Anthony's Bank Road would be utilised for the construction works of the project. The Highways' Authority acknowledge the introduction of parking charges is likely to discourage use of the car parking and may result in vehicles parking on the private internal road network of Humberston Fitties instead, most of which is largely unrestricted. This has the potential to affect vehicular movement through this holiday site but as private roads this would not be detrimental to the public highway. It is advised by the Highways officer that consideration should be given to appropriate parking management and ensuring circulation of the access roads is maintained. This is of particular importance for the main spine road which serves as access for visitors, staff, servicing and emergency vehicles. This responsibility sits with the site operator / owner as the roads are not maintainable at public. Overall, from a public highway point of view the Highways Officer advises the car park is sufficiently distanced from the limits of the public highway that they do not envisage any displaced parking would have a material impact on the operation of the adopted highway. No objections are raised by the Highways Officer to the development.

In terms of the amenity of neighbouring land uses due to the location and nature of the car park and the nature of the works there will be no adverse impacts.

Having regard to the above it is considered that the proposal is acceptable in highway and amenity terms in accordance with policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

5) Drainage/Flooding

The proposal has been submitted with an FRA. The report states that the proposed development is minor. All elements are located within Flood Zone 3. The proposals do not create floorspace and no drainage infrastructure is proposed or required. Car parks are classified as "less vulnerable" development within the PPG and are considered appropriate within Flood Zone 3. The report concludes that the proposed development complies with the requirements of the local and national guidance and demonstrates no detrimental impact in terms of flood risk post development.

Neither the Councils Drainage officer nor the Environment Agency object to the proposal.

CONCLUSION

In conclusion, it is considered that the proposed development is functional but would not harm the appearance of the street scene or the wider character of the area including the Fitties Conservation Area. It is therefore considered to be in accordance with policy 5, 22, 33, 34, 39, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 14, 18, 19 and 20 and of the NPPF.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - TP/LD19/01

Proposed Site Plan - TP/LD19/02

Pay and Display and ANPR Details - TP/LD19/03 Rev C

Proposed Plans and Elevations - TP/LD19/04

Reason

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

(3) Biodiversity Net Gain;

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

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

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

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

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

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

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order

2015) where:

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

requirements for the content and approval of Biodiversity Gain Plans.

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character including the adjacent Conservation Area 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, 39, 41 and 42.

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.

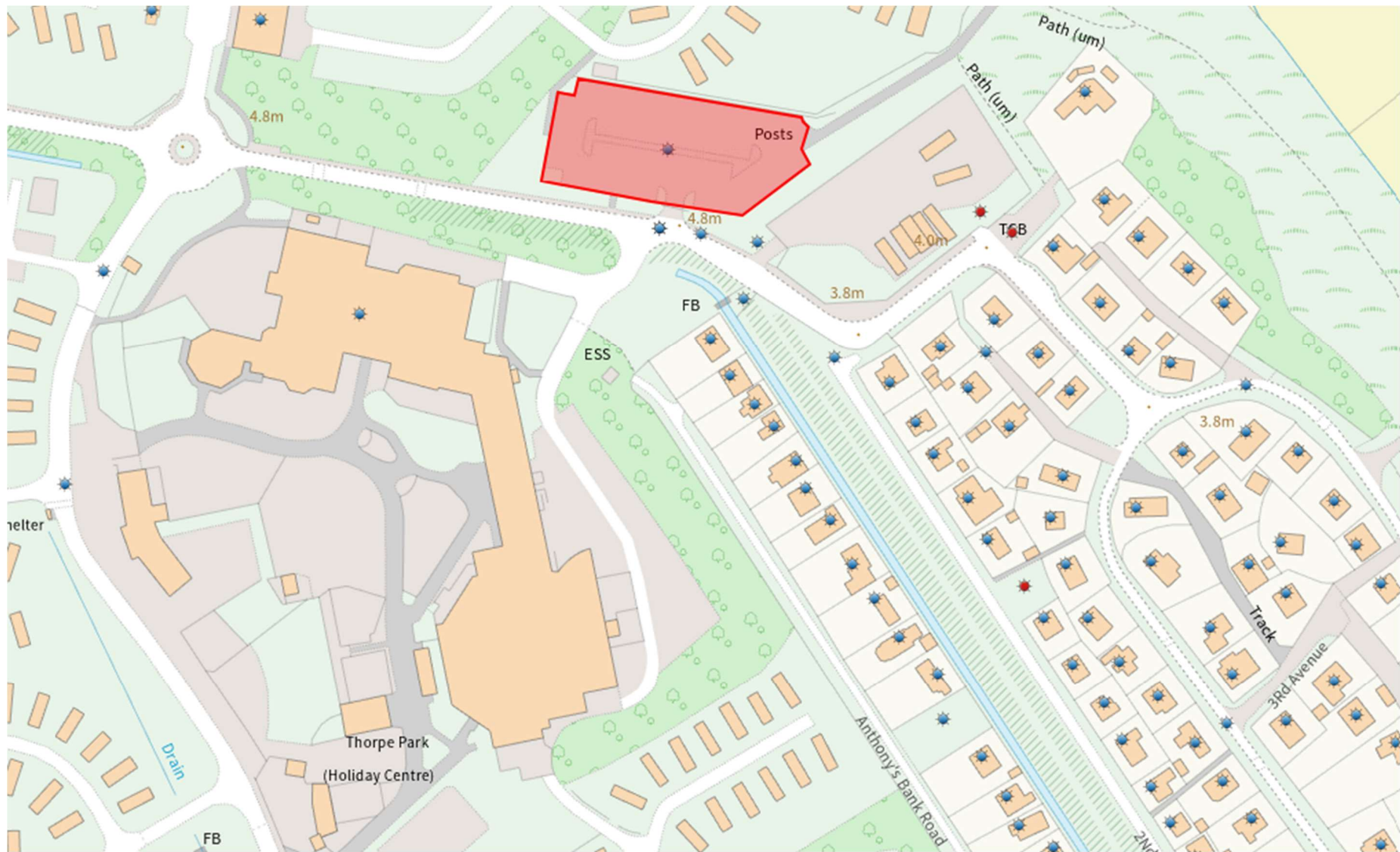
3 Informative

The applicant's attention is drawn to the comments of the Environment Agency and that The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

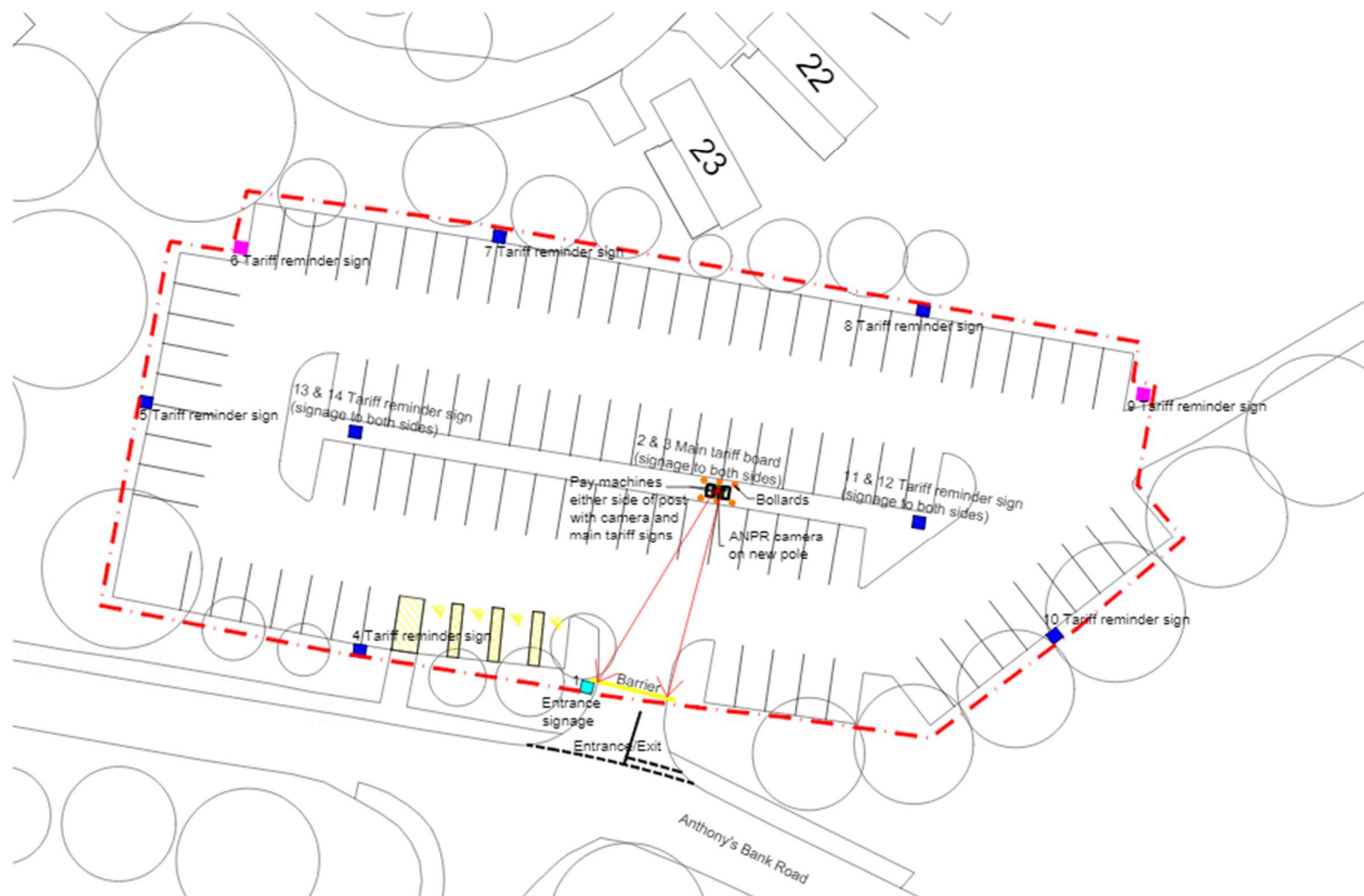
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506

DM/0272/26/FUL – ANTHONY'S BANK CAR PARK, HUMBERSTON



DM/0272/26/FUL – ANTHONY'S BANK CAR PARK, HUMBERSTON



PLANNING COMMITTEE - 2nd September 2026

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

APPLICATION No: DM/0273/26/ADV

APPLICATION TYPE: Advertisement Consent

**APPLICATION SITE: Anthonys Bank Car Park, Humberston, North East
Lincolnshire,**

**PROPOSAL: Display 14 non illuminated pole mounted double sided signs to
include entry sign, tariff details and tariff reminder boards**

APPLICANT:

C/O Agent
Haven Leisure Limited Ltd.
2 Bond Court
Leeds
LS1 2JZ

AGENT:

Miss Naomi Parker
Lichfields
2 Bond Court
Leeds
LS1 2JZ

DEPOSITED: 14th April 2026

ACCEPTED: 15th May 2026

TARGET DATE: 10th July 2026

PUBLICITY EXPIRY: 20th August 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 12th June 2026

CASE OFFICER: Mark Danforth

PROPOSAL

Display 14 non illuminated pole mounted double sided signs to include entry sign, tariff details and tariff reminder boards.

The proposal has been brought to committee for determination due to the numerous letter of objections to the scheme and due to the objection from Humberston Village Council.

SITE

The site lies within a large, long established holiday complex off Anthonys Bank forming a public car park that is tarmaced and surrounded by trees. Nearby holiday uses include

caravan parks to the south west, west and north. Further afield to the south there is the Humberston Fitties chalet site which is a designated conservation area. This site lies outside the Conservation Area.

RELEVANT PLANNING HISTORY

DC/1448/04/HAV - Formation of car park and siting of caravans. Includes a condition that the car park remain public.

DM/0272/26/FUL - associated application for Installation of height restriction barrier, pole mounted Automated Number Plate Recognition (ANPR) parking system, 2 pay machines, bollards and associated works.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DP3 - Key principles for well-designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO39 - Conserve and enhance historic environ

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

Building Regulations - No requirement to install Electric Vehicle charging points.

Heritage Officer - No heritage input required

Drainage Officer - No drainage comments.

Environmental Protection Team - No comment to make.

Ecology - No comment, no known ecological concerns.

Estates - The proposals set out in this application would not constitute any breach of the terms under the lease.

Public Rights Of Way Officer - Proposal does not affect the right of way. The pay and display may put people off using the car park.

Highway Authority - satisfied the proposals will not adversely impact the adopted highway.

Tree officer - No comment

Humberston Village Council - Object on the following grounds;

Negative impact on the area, locals will park elsewhere creating further issues, the car park supports lots of sporting and leisure activities that should be supported and loss to local businesses. Adverse effect towards the Humberston Fitties from the signage boards and visual intrusion.

84 Letters of objection

174 Westward Ho Grimsby DN34 5EN

25 St. Marys Road Wheatley Doncaster DN1 2NR

25 St. Marys Road Doncaster DN1 2NR

Abbey Dr W Grimsby DN32 0HH

23 Hampstead Park Grimsby DN33 3RW

26 David Street Grimsby DN32 9NL

28 Marshall Avenue Grimsby DN34 4AH

30 Wendover rise Cleethorpes DN35 8TR

30 Willoughby Road Scunthorpe DN17 2DQ

311A Main Road Humberston Fitties Grimsby DN36 4HB

41 Pearson Road Cleethorpes DN35 0DR

52 Albatross drive Grimsby DN37 9PE

9 Cranbourne Close Cleethorpes DN35 0TU

Main Road Humberston Fitties Cleethorpes DN36 4HE

150 Main road Humberston Fitties Grimsby DN36 4HE

188 Main rd Fitties Grimsby DN36 4HE

35 Humberston Fitties Grimsby DN36 4EX

77 Grimsby Road Grimsby DN37 0PT

112 first main rd Humberston fitties Grimsby DN36 4EZ

114 First Main Road Humberston Fitties Grimsby DN36 4EZ

Sea-clusion 133 Humberston Fitties Humberston DN36 4EZ

159 Cooper Road Grimsby DN32 8DQ

16 Bygott Walk New Waltham Cleethorpes DN36 4HF

176 First Main Road Humberston Fitties Grimsby DN36 4HE

2 low Road Scrooby Doncaster DN106AJ
227b First Main Rd Humberston Fitties Grimsby DN36 4HE
240 Sandringham Road Cleethorpes DN35 9AD
259 Anthonys Bank Road Humberston Fitties Humberston DN36 4EY
28 Gardenfield Skellingthorpe LN65SZ
295 Hainton Avenue Grimsby DN32 9LT
38 Marlborough Way Cleethorpes DN35 0TR
39 Beverley Crescent Grimsby DN32 9TD
40 Humber Street Cleethorpes DN35 8NN
Horseshoe Close 5 Horseshoe Close Grimsby DN33 3BA
5 Horseshoe Close Scartho DN333BA
50 St Albans Close Scunthorpe DN17 1QY
54 Bradley Road Waltham DN37 0UZ
6 Colonsay Court New waltham Grimsby DN36 4GY
Mrs Kim Tucker: 8 Greenlands Avenue New Waltham DN36 4YE
1 Barncliffe Crescent sheffield S10 4DA
40 Hope Avenue Barnsley S63 9DT
11Chandlers Close New Waltham Grimsby DN36 4WH
16 Woodland Grange Leeds LS7 2FT
29 Lidgard Road Humberston Grimsby DN364XJ
Springfields Vicarage Lane North killingholme DN40 3JL
13 Whimbrel Way New Waltham Grimsby DN36 4YX
: 201 First Main Road Humberston Fitties Grimsby DN36 4HD
36 Richmond rd Cleethorpes DN35 8PE
98 Coniston Crescent Grimsby DN36 4AB
: 139A First Main Road Humberston Fitties Grimsby DN36 4EZ
2 Johnson Street Cleethorpes DN35 7NA
: 2 St Helens Avenue Scartho Grimsby DN33 2AH
241 Humberston Avenue Humberston Grimsby DN36 4JA
92 Mill Road Cleethorpes DN35 8JD
Westport road Cleethorpes DN350QF
1 Garden Drive Grimsby DN36 4LR
10 Swales Road Humberston Grimsby DN36 4UQ
103 Welholme Avenue Grimsby DN32 0BP
107 Tetney Lane Grimsby DN36 5AU
113 Sandringham Road Cleethorpes DN35 9DR
13 Parris Place Cleethorpes DN35 7XA
17 Albery Way New Waltham Grimsby DN36 4WF
18 Woodrow Park Grimsby DN33 2EF
19 Nelson Way Grimsby DN34 5RA
195 Littlefield Lane Grimsby DN34 4QP
2 Badger Close Humberston DN36 4FH
2 Bray Close Grimsby DN33 3SG
22 The Avenue Healing Grimsby DN41 7NE
236 Willingham Street Grimsby DN32 9PY
277 Humberston Fitties Grimsby DN36 4EY

32 Seaford Road Cleethorpes DN35 0ND
34 1st Main Road, Humberston Fitties Grimsby DN36 4EU
36 Trafalgar Park New Waltham Grimsby DN36 4YP
36 Trafalgar Park New Waltham DN364YP
4 Revigo Avenue Grimsby DN32 9RB
49 Mendip Avenue Grimsby DN33 3AE
49 Phelps Street Cleethorpes DN35 7AU
5 Old Fleet Grimsby DN37 9RT
53 Church Lane, Humberston Humberston Grimsby DN36 4HZ
6 Ivy Farm Court Healing Grimsby DN41 7QT
6 Primrose Way Cleethorpes DN35 0SN
7 Welland Avenue Grimsby DN34 5JP
Holly View, Inghams Road Tetney Grimsby DN36 5LW
Roslyn Town Road Tetney DN36 5JE
3 First Main Road Humberston Fitties Chalet Park Humberston, Cleethorpes
77 Elliston Street Cleethorpes DN35 7HW

Main reasons of objection of which only some relate to the signage themselves.

Parking should remain free - impacts all local users dog walkers, kite surfers
paddleboarders, litter pickers, Emergency Services etc
Charging and height barrier will displace vehicles elsewhere -adversely affecting local
amenity and public access, grass verges and the Fitties. Charges will be a barrier to
people attending community events.

Fourteen pole-mounted double-sided signs at a single modest car park is extraordinary
visual clutter. This is an ugly, intrusive precursor to a paid parking experience. Height
barrier may impact the kite surfers/ paddle boarders etc, who use vans to transport their
equipment

Fails to enhance the character and appearance of the area. Can the applicant be
compelled to pay for managed W.C services as there are no facilities.

Loss of Accessibility for the Elderly and Disabled: The alternative free car park on The
Fitties at the Yacht Club is poorly surfaced, uneven, and lacks any suitable, compliant
access to the beach. The anti-social behaviour at the car park is by offenders on bikes or
foot so would not solve the issue.

APPRAISAL

Main Considerations

1) Principle

2 Visual amenity incorporating design

3) Public safety

1) Principle

It is noted that numerous objections have been received from neighbouring and local properties and the Humberston Village Council regarding the overall use of the car park, and charging for this use. This matter is considered under the associated planning application DM/0272/26/FUL. The use of adverts in car parks is acceptable in principle and it is the specifics of those signs which need to be considered.

2) Visual amenity incorporating design

Policy 22 of the NELLP seeks to promote good design and has a specific section, section 4, which relates to adverts. The policy states that proposals for express consent to display advertisements will be permitted if the proposal respects the interest of amenity and public

safety, taking account of cumulative impacts. Policy 39 relates to Conservation Areas and regard is had to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The National Planning Policy Framework (NPPF) states that the quality and character of places can suffer when advertisements are poorly sited and designed and that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

In this instance, there are 14 non-illuminated signs altogether. The signs are to be installed around the car park and include entry signs advising of the proposed ANPR system and that customers need to pay on arrival. Signs 2 and 3 would be fixed to the ANPR camera pole, these would be double sided signs with pay tariff affixed. There would be a further 6 signs in white and black backgrounds to remind customers of the tariff. Mixed in with the aforementioned there would 4 blue tariff boards double sided which would also be a tariff reminder. The signs comprise aluminium composite and measure some 600 mm x 800 mm.

There have been numerous adverse comments received by members of the public these have been mainly directed to the fact that this will now be a pay car park.

The signage will not be appreciable from the Conservation Area due to established screening from the bank of trees and planting around perimeter of the site. The two entrance signs will be most visible from passing traffic and the others from those who would visit and go through the car park. The car park is a link between the road and the beach. The proposed signs will not significantly affect the character of the site or its relationship with the Fitties Conservation Area. They are of an acceptable scale, number and design and what would be expected in a pay and display car park of this nature. It is not considered that there would be an adverse impact on the visual amenity of the area and the proposal accords with Policies 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

3. Public safety

The signs are to be placed around the parking area. It is considered the signage does not represent a safety concern for passing pedestrians or users of the car park in terms of obstruction or distraction. They are a common form of advert for car parks. No objections are raised by the Highways Officer.

The proposal is therefore acceptable in terms of public safety under Policy 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

CONCLUSION

The advertisements are acceptable in size, design and location. They do not result in visual clutter, harm the character or appearance of the wider area or the adjacent Conservation Area and would not prejudice public or highways safety.

As such, the proposal accords with policies 5, 22, and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

This express consent shall expire 5 years from the date of the consent.

Reason

To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

(2) Condition

- (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (ii) No advertisement shall be sited or displayed so as to-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

- (iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- (v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- (vi) The intensity of the illumination of the advertising unit permitted by this consent shall at all times accord with the thresholds set out in the Institute of Lighting Professionals publication "Brightness of Illuminated Advertisements" (PLG05:2015).

Reason

To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

(3) Condition

The adverts shall be displayed in accordance with the following plans:

Site Location Plan - TP/LD19/01

Proposed Site Plan - TP/LD19/02

Signage Detailed Elevations - TP/LD19/03 Rev C

Proposed Plans and Elevations - TP/LD19/04

Reason

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

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 visual amenity or public safety 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 and 39.

2 Added Value Statement

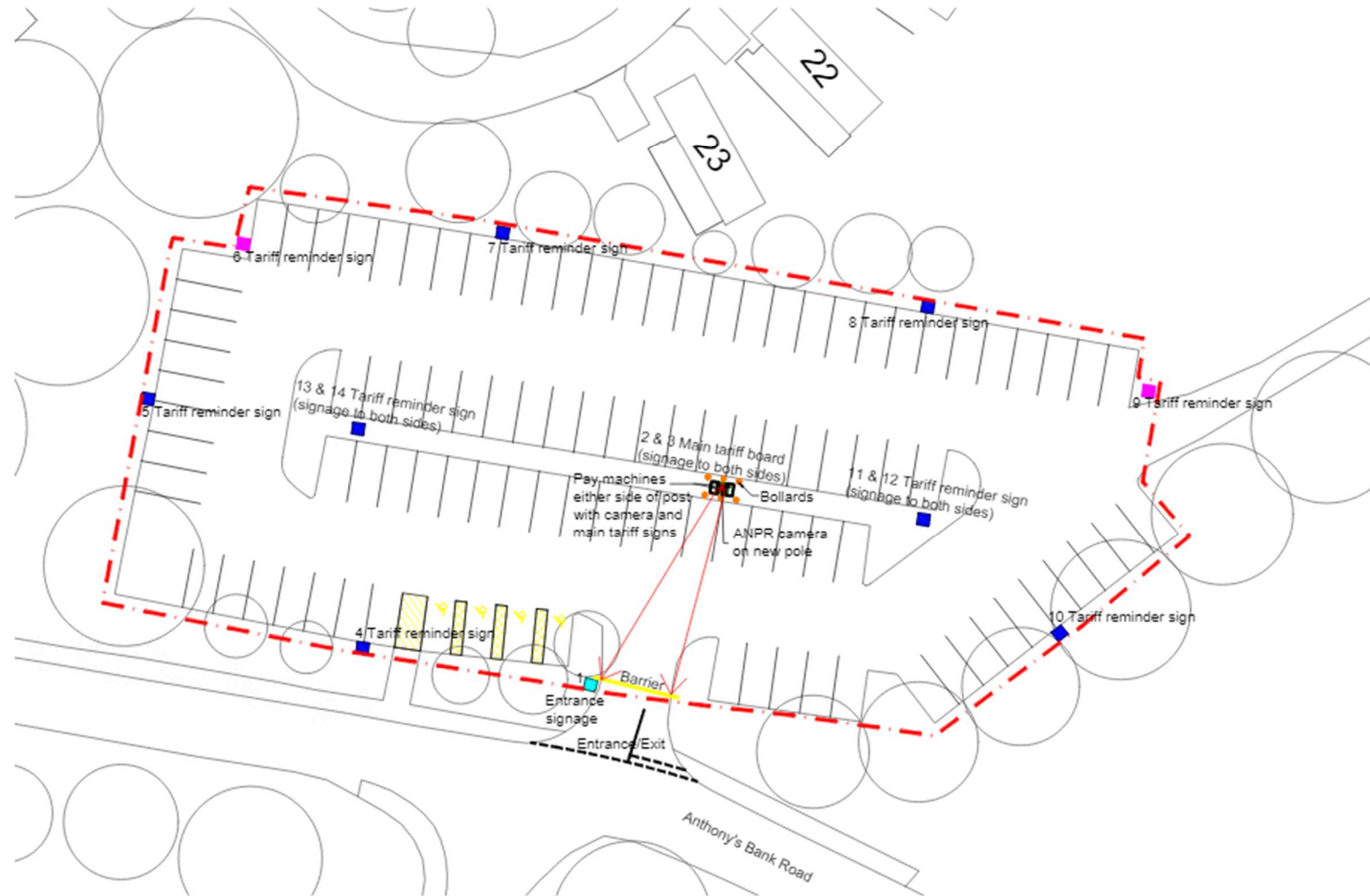
Article 31(1)(cc) Statement - Positive and Proactive Approach

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

DM/0273/26/ADV – ANTHONY'S BANK CAR PARK, HUMBERSTON



DM/0273/26/ADV – ANTHONY'S BANK CAR PARK, HUMBERSTON



PLANNING COMMITTEE - 2nd September 2026

ITEM: 4 **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: 24th
June 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.

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 and attached.

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. 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 attached. 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 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 concerns 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 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.

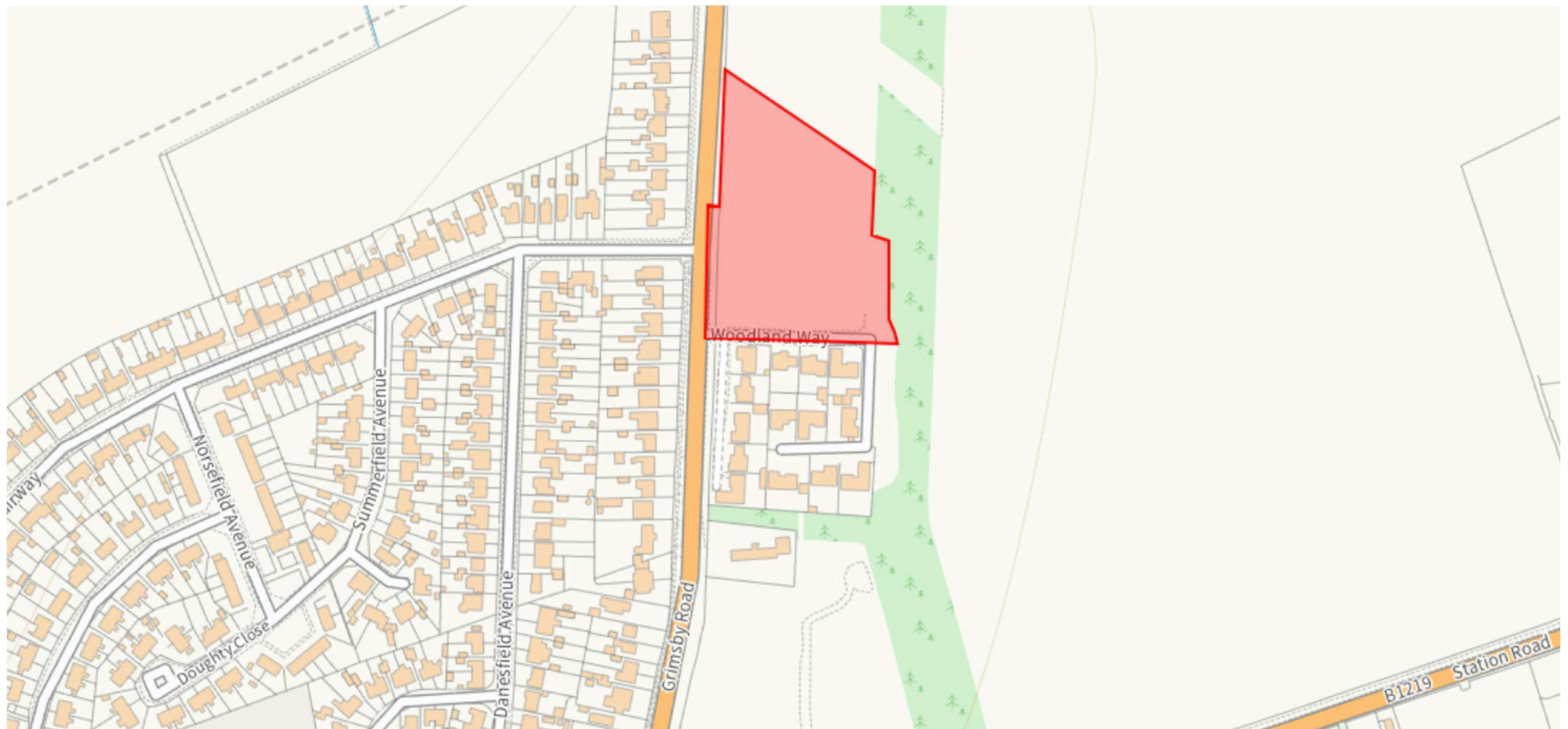
6 Informative

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



12 units (6 detached, 6 semi-detached)

12 parking spaces

Landscaped area with trees and shrubs

Proposed access road

Existing buildings

Road

Railway line

PLANNING COMMITTEE - 2nd September 2026

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

APPLICATION No: DM/0301/24/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Underground Water Pipeline Off, South Marsh Road,
Stallingborough, North East Lincolnshire,**

PROPOSAL: Installation of pump station with underground pipe work into adjacent fields with the erection of fencing, steps, handrail and associated works (HABITAT REGULATIONS ASSESSMENT AND NOISE IMPACT ASSESSMENT REC 02-09-2025)

APPLICANT:

NELC
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
DN31 1HU

AGENT:

Mr Richard Ashley
NELC
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
DN31 1HU

DEPOSITED: 20th March 2024

ACCEPTED: 16th July 2024

TARGET DATE: 15th October 2024

PUBLICITY EXPIRY: 29th September 2025

**AGREED EXTENSION OF TIME DATE: 29th
September 2025**

CONSULTATION EXPIRY: 15th August 2024

CASE OFFICER: Lauren Stinson

PROPOSAL

The proposal seeks planning permission for the installation of a pumping station on land adjacent to South Marsh Road in Stallingborough including underground pipe work to Cress Marsh, the Habitat Mitigation site. The proposal also includes the erection of fencing, steps, handrails and associated works to the pumping station.

The application has been brought to planning committee due to an objection raised by Stallingborough Parish Council.

SITE

The site is situated on land adjacent to South Marsh Road in Stallingborough. There would be the pumping station with the pipe work running into Cress Marsh, the Habitat Mitigation site. Old Fleet Drain also runs to the south east of the site, and further arable fields bound the site to the far south, east and west with a woodland to the far south. To the east of part of the site is BOC and to part of the site to the west is KIA. A railway line also runs to the east of the site.

RELEVANT PLANNING HISTORY

DM/0099/18/FUL - Change of use from arable fields to mitigation area for a quality habitat area for Special Protection Area (SPA) birds with associated works including two water storage lagoons, shallow scrapes and ponds, bunding, a bird hide, footpaths, car parking, cattle and timber fencing, culverts and bridges - Approved with Conditions 29th August 2018.

DM/0734/18/CND - Details in Discharge of Conditions 3 (Road Improvement Works), 7 (Construction Management Plan) and 9 (Written Scheme of Investigation) pursuant to DM/0099/18/FUL (Change of use from arable fields to mitigation area for a quality habitat area for Special Protection Area (SPA) birds with associated works including two water storage lagoons, shallow scrapes and ponds, bunding, a bird hide, footpaths, car parking, cattle and timber fencing, culverts and bridges) - Conditions Discharged 28th September 2018.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

S3 - Presump in favour of sust development
S5 - Principle of develop-outside settlements
DP3 - Key principles for well-designed places
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems, watercourse
NH2 - Local Importance - Nature Conservation
L2 - Making effective use of land

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

PO5 - Development boundaries
PO7 - Employment allocations
PO9 - Habitat Mitigation - South Humber Bank
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Council's Highways Officer - No objections. Any reinstatement works required should be agreed.

Public Rights of Way Officer - No objections. Informative recommended.

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

North East Lindsey Drainage Board - No comments. Land drainage consent already given.

Anglian Water - No comments.

Council's Heritage Officer - No comments.

Council's Ecology Officer - No objections. Adopt HRA. BNG acceptable.

Natural England - No objections following additional information and subject to safeguarding conditions.

Lincolnshire Wildlife Trust - No objections.

Council's Environmental Health Officer - No objections.

Environment Agency - No objections, subject to an informative.

Cadent Gas - No objections.

National Gas Transmission - No objections, subject to a condition for working methodology.

National Grid Electricity Transmission - No objections.

HSE Fire Safety - No comments.

Northern Powergrid - No objections. Informative recommended.

Air Products - No objections following understanding of routing.

Healing Parish Council - No comments.

Stallingborough Parish Council - Objects on the basis that further information is required before making a final comment.

No neighbour representations were received.

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Flood Risk and Drainage
- Ecology
- Impact on Character and Appearance of the Area
- Impact on Neighbouring Amenity
- Highways Impacts and Public Rights of Way
- Other Matters

Principle of Development

The site lies within an Employment Allocation (namely ELR003, Land South of Kiln Lane, a Habitat Mitigation Zone) under Policy 7 of the Local Plan and also falls outside of the development boundary within the open countryside under Policy 5 of the Local Plan and within the South Humber Bank Mitigation site (namely Cress Marsh) under Policy 9 of the Local Plan.

The proposed development relates to drainage improvements at Old Fleet Drain including the installation of a new pumping station and underground pipework into Cress Marsh. The drain itself aids the drainage of a significant area of the borough and so the improvement of the outfalls and water quality across the borough is paramount. The works aid in supporting the Employment Allocation by providing improvements which benefit the area and the Habitat Mitigation Site. The Habitat Mitigation site and its ongoing management allows for growth in the Employment Area.

Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires all development proposals to have regard to flood risk and water quality. In this regard, the proposed works are required to improve water quality to a large area of North East Lincolnshire due to contamination from sea water and also abstract additional water to ensure the wetland habitat, namely Cress Marsh, has optimal conditions to support the wintering and breeding Humber Estuary SPA birds that use the site for

feeding, roosting and loafing, and to future proof against climate change.

Thus, the proposal is justified in this open countryside location and the principle of the development is considered to be acceptable.

Flood Risk and Drainage

The site is within a flood risk area and a Flood Risk Assessment has been provided. This is considered to be proportionate to the works and it is not expected the proposal would result in increases in the risk of flooding. The Environment Agency raise no objections on this basis but recommend a flood warning and evacuation plan. An informative to this effect is recommended.

The proposed works seek to improve and maintain the existing drainage outfalls that are critical to the wider drainage of the area and an existing Habitat Mitigation Site. The works are proposed by North East Lincolnshire Council through consultation with the Drainage Board, internal Drainage/ Lead Local Flood Authority. The works will ensure that the water quality entering Cress Marsh is not contaminated and provide additional water to ensure the wetland habitat thrives.

On this basis it is considered that the proposed development will accord with Policies 5, 9, 33, 34 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Ecology

Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires that regard is had to biodiversity, stating that it should be protected and mitigated where necessary.

The application is accompanied by supporting documents including a shadow Habitat Regulations Assessment and Noise Impact Assessment. The site is in close proximity to the Humber Estuary Special Protection area (SPA) and the Special Area of Conservation (SAC). It is also listed as a Humber Estuary Ramsar site. Works will also be undertaken within a Habitat Mitigation site, namely Cress Marsh.

The Council's Ecology Officer and Natural England have confirmed that the likely disturbance effects of the proposal are from noise and visual activity. It has been concluded that to mitigate for noise and visual disturbance, existing acoustic and visual screening must be used and activities that would impact most visually and acoustically will be timed to take place at times that avoid wintering bird season. The shadow Habitat Regulations Assessment provided confirms this mitigation. This has been reviewed and deemed acceptable and it is confirmed the SHRA is adopted. Subject to conditions, the impacts to ecology can be made acceptable.

In regard to the Mandatory Biodiversity Net Gain (BNG), a metric has been provided which shows that a minimum of 10% on site gains can be achieved through this proposal.

This has been accepted by the Ecology Officer.

Therefore, the proposal accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Character and Appearance of the Area

Policy 5 of the 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'. In terms of visual impacts the majority of the works, including the underground pipe work, would not be viewable. The pipe work, approximately 0.2 metres wide and approximately 0.9 metres below ground, would cover an area of approximately 1.89 hectares from the existing drainage system to Cress Marsh.

The new water pump would be located on existing arable fields and constructed on a concrete base, surrounded with palisade fencing as a protective barrier. The impact is considered to be neutral on the wider visual character of the area given the context of the site and screening around the wider site. In this instance, the proposal therefore accords with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires an assessment on the impact on neighbouring land users. No neighbour representations have been received during the planning process.

The site is located well away from any residential neighbours and will not affect any residential receptors. There are neighbouring land uses along the length of the site, but these are commercial or industrial. The physical development proposed will not affect these land uses.

A Noise Impact Assessment and Construction Phase Plan has been provided and outlines no significant issues would occur. A condition is recommended to secure these details. Furthermore, the Council's Environmental Health Officer has no objections to the scheme.

It is therefore considered that the proposal would not have an adverse impact on neighbouring amenity in this instance and accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Highways Impacts and Public Rights of Way

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires that consideration be given to access and vehicle generation levels.

The application has been reviewed by the Council's Highways Officer, and they have no objections to the scheme. This is given the location and nature of the works. Should any highway reinstatement be necessary, the Highways Officer advises this detail should be agreed.

The application runs along part of the Public Bridleway (34) and as such, the Council's Public Rights of Way Officer has been consulted. They have raised no concerns but outlines that while the works are being undertaken, a closure of the Public Bridleway would be required, and prior authorisation will be required. An informative, to this effect, is recommended.

The proposal therefore accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Other Matters

The works would be undertaken in close proximity to various high pressure pipelines and overhead cables, and therefore National Grid, National Gas Transmission, Cadent Gas and Air Products have been consulted. They have raised no objections to the scheme, subject to conditions and informatives.

CONCLUSION

In conclusion, it is considered that the proposed development would not offer any undue harm to the neighbouring land uses amenities, visual amenity or highway safety and amenity. In regard to drainage and flood risk, the proposal would offer significant benefits. The ecological work undertaken and mitigation measures proposed show that there would not be any significant impacts from the development and the Local Planning Authority can adopt the shadow Habitat Regulations Assessment submitted. It is therefore considered that the development would accord with Policies 5, 7, 9, 22, 33, 34 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 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:

Site Location Plan - HD040-100-CM-SC1 C

Plan View - RWC KMD 01

ISO View - Middle Drain Abstraction Headwall - RWC KMD 02

Middle Drain Side View - RWC KMD 03

Gas Pipe Cross Section - HD043-21 001

National Gas Pipe Cross Section - 001

Flood Risk Assessment - Received 16th July 2024

Planning Statement - Received 2nd August 2024

Design and Access Statement - Received 2nd August 2024

Noise Impact Assessment - C11266-1

Habitat Regulations Assessment - September 2023, Version 3

Construction Phase Plan - Received 9th January 2026

Design Risk Assessment/Hazard Identification Forms - Received 14th January 2026

Reason

For the avoidance of doubt and in the interests of proper planning in accordance with Policies 5, 7, 9, 22, 33, 34 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The development shall be undertaken and monitored in accordance with the Habitat Regulations Assessment (dated September 2025, 3rd Version), the Noise Impact Assessment (ref: C11266-1) and Construction Phase Plan (received 9th January 2026) unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

(4) Condition

No development shall take place until full details and a methodology of safe development in relation to the existing National Gas Transmission pipeline, in strict accordance with their specifications (T/SP/SSW/22 (Safe Working in the Vicinity of National Gas Transmission Pipelines)), have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in strict accordance with the details approved.

Reason

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

(5) Condition

Should any works to the highway be necessary to facilitate the construction of the development, details shall be provided of how the highway will be reinstated and to what specification before such works take place. Once approved, works shall take place in strict accordance with the approved details.

Reason

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

(6) Condition

Prior to any construction commencing, a Landscape Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the approved scheme shall be adhered to at all times during the course of construction. All maintenance shall be undertaken in accordance with the approved scheme.

Reason

In the interests of ecology, landscaping and protecting the natural environment, in accordance with Policies 5 and 41 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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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

1. The application for planning permission was made before 12 February 2024.
 2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
 3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
 4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
- * "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73

planning permissions.

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of

compensating for any impact which do not include the use of biodiversity credits.

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would aid in providing benefits to the area and the Habitat Mitigation Site and would not harm the area character, 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, 7, 9, 22, 33, 34 and 41.

2 Added Value Statement

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

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

3 Informative

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

4 Informative

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

5 Informative

The applicant's attention is drawn to the comments from:

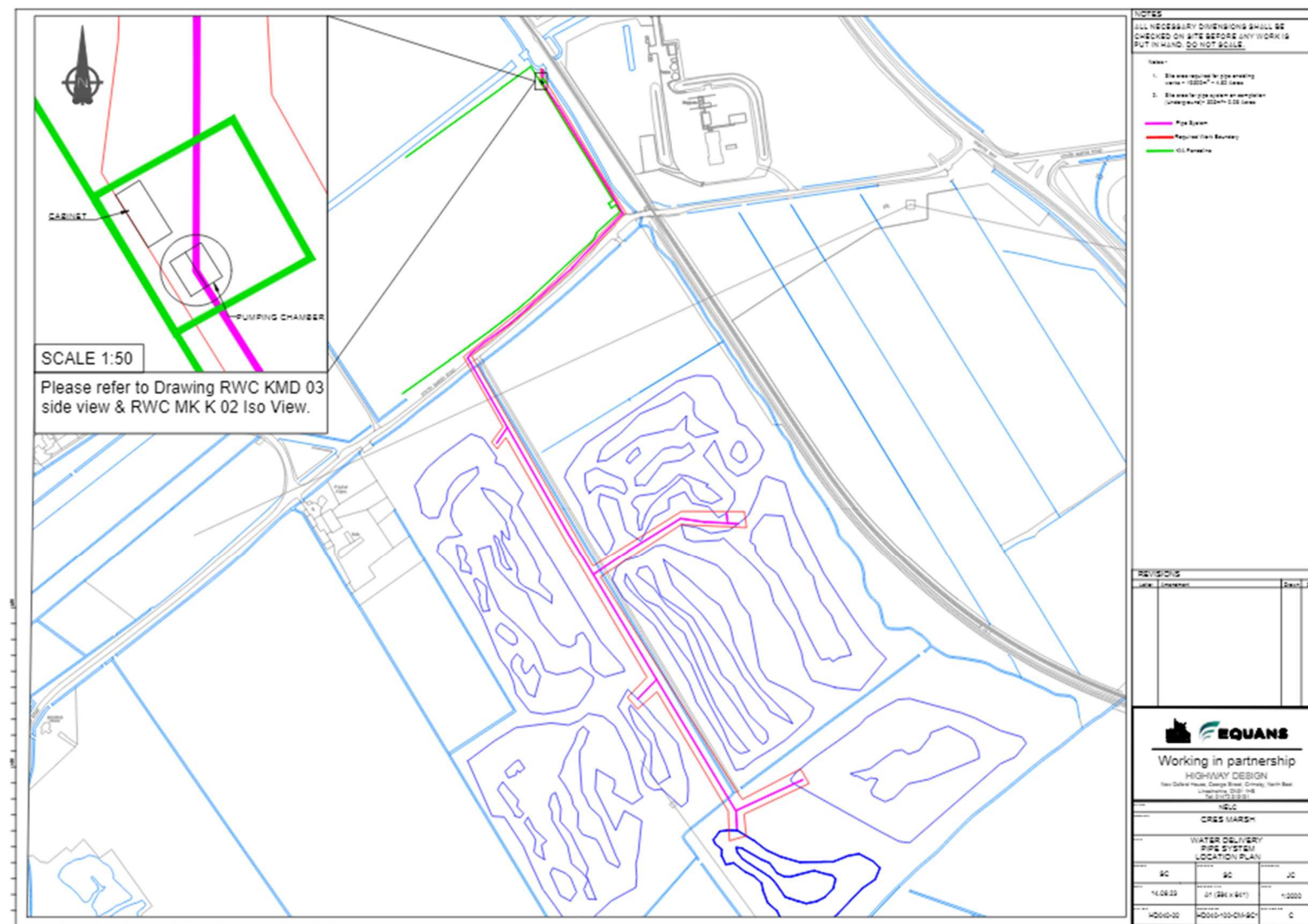
- Council's Public Right of Way Officer
- Council's Drainage Officer
- Environment Agency
- Cadent Gas
- National Grid Electricity Transmission
- Northern Powergrid
- Highways Officer

Please go to www.nelincs.gov.uk to view the comments.

DM/0301/24/FUL - UNDERGROUND WATER PIPELINE OFF SOUTH MARSH ROAD, STALLINGBOROUGH



DM/0301/24/FUL - UNDERGROUND WATER PIPELINE OFF SOUTH MARSH ROAD, STALLINGBOROUGH



PLANNING COMMITTEE - 2nd September 2026

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

APPLICATION No: DM/0390/26/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: 31B Humberston Avenue, Humberston, North East
Lincolnshire, DN36 4SW**

**PROPOSAL: Erect single storey front extension to house sprinkler system
equipment with associated works**

APPLICANT:

Mr And Mrs Bland
31B Humberston Avenue
Humberston
North East Lincolnshire
DN36 4SW

AGENT:

Mr David Hickinson
David Hickinson Architecture
Vba 2 Business Hive
Chapel Court
Brigg
DN20 8JZ

DEPOSITED: 1st June 2026

ACCEPTED: 1st June 2026

TARGET DATE: 27th July 2026

PUBLICITY EXPIRY: 12th July 2026

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

CONSULTATION EXPIRY: 4th July 2026

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to erect a single storey front extension to house sprinkler system equipment with associated works at an existing detached dwelling. Ground works to erect the extension have already taken place and therefore it is part retrospective.

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

SITE

31B Humberston Avenue is an existing detached property located at the end of a lane

accessed from Humberston Avenue. The property is currently undergoing extensive construction works for extensions and alterations which have not yet been completed. The property borders the garden of 33 Humberston Avenue (to the east), 29 Humberston Avenue (to the south) and multiple properties at Grange Farm Lane and Peterson Drive to the west/northwest. The property includes large hedging to some of its boundaries, there is also hedging at the east boundary for the most part up to the existing garage.

RELEVANT PLANNING HISTORY

DM/0165/24/FUL - Extensions and alterations to main dwelling and existing garage to include, replacement dormers, installation of chimneys, removal of bay windows and conservatory, erection of extension to side with dormers and extensions to the garage - Approved with Conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

N2 - Improving the natural environment
F8 - Sustainable drainage systems, watercourse
S3 - Presumption in favour of sustainable development
S4 - Principle of development within settlements
DP3 - Key principles for well-designed places

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

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

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

Drainage Officer - Requests drainage condition. Details provided and soakaway deemed acceptable.

Humberston Village Council - Objects due to works commencing, noise impacts, proximity to the boundary, location of works, contradicts with previous approval and that the development is out of keeping.

Highways Team - Approval no conditions.

Environmental Health - No comment.

Heritage Officer - No input required.

Ecology Officer - Exempt from BNG, no known ecological issues.

Building Control Officer - Confirms requirements for sprinkler system are due to fire safety measures and insufficient water pressure.

Neighbour Representations

An objection has been received from the following address broadly on the grounds of work already starting, proximity to boundary, potential noise and disturbance, impact to residential amenity and better alternative locations available within the site.

29 Humberston Avenue, Humberston

APPRAISAL

The material planning considerations are:

1. Principle of Development
2. Design and Impact to the Character of the Area
3. Impact to Neighbouring Properties
4. Drainage and Flood Risk
5. Other Matters

1. Principle of Development

The application site is within the development area of Humberston (Policy 5) and therefore Part 1 of Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) applies. Policy 5 does not preclude the extension or alteration of a dwelling, 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 and Impact to the Character of the Area

The single storey extension would project from the front wall of the property by around 1.8 metres, covering a maximum width of 5.2 metres. This includes a concrete plinth

which has been installed; this forms the retrospective part of the works. This sits at around 0.4 metres from the lowest ground level, given the slight change in levels within this area. A shallow mono-pitch roof would be incorporated into the design with an eaves height of 2.2 metres and a maximum ridge height of 2.4 metres. This addition would provide an enclosure to accommodate two water tanks, and ancillary equipment, to support the required sprinkler system. There would be a single access door installed to the side.

The extension would be constructed of smooth white render predominantly with a grey GRP roof arrangement, which would be similar in appearance to the existing dwelling which includes both brick and render.

The application has been submitted with supporting information relating to the requirement for the sprinkler system and associated equipment. This has been deemed necessary due to Building Control requirements, in relation to fire safety measures required, given a lack of water pressure to the property. The Building Control Inspector has provided comment to confirm this. The location of the works has been specifically chosen due to the technical and operational requirements to allow for effective usage of the required system.

The extension would be positioned to the front of the host property which is to the south of the plot. The extension would be of a single storey height only with similar design characteristics, which ensures an acceptable scale and design against the existing dwelling. The extension would be contained within the site boundaries however would sit along the side, south boundary. It is not considered its scale, position or design would be unduly harmful in character or visual amenity terms.

It is therefore considered to be in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 12 of the NPPF.

3. Impact on Neighbouring Properties

The most impacted neighbour by the proposal is 29 Humberston Avenue, positioned to the south. The boundaries are made up of fencing and hedging which would provide a partial screening to the extension, once complete, from the neighbours. The works are around 0.5 metres to the southern boundary adjacent to the garden of 29. There would be no openings installed to face this neighbour.

The neighbour has objected to the works on the grounds of the work already starting, the proximity to the boundary, potential noise and disturbance, impact to their residential amenity and that there are better alternative locations available within the site. It is noted that the works have commenced on site, in the form of the plinth, and this has been documented in this report. The planning system allows for applications to regularise works and so the proposal needs to be then considered on its planning merits. The works do sit within close proximity to the boundary however, the extension is considered to be of a design and scale which is acceptable in this position. It has been confirmed that the

equipment would not utilise a generator and would be supplied by a dedicated electrical supply in order to prevent undue impacts in relation to noise and disturbance to the neighbours. Furthermore, the location of the works has been chosen specifically given the free flow of water to assist with the lack of pressure in the area to ensure a safe, effective provision relating to fire safety. This has influenced its position on the site and limits ability for an alternative location.

Given the scale and layout of the properties and indeed, the scale, position and design of the extension, it is not considered that it would, once complete, present an unacceptable arrangement to the residential amenity of neighbours in this instance.

It is therefore considered that the proposal does and would not have an unacceptable impact on residential amenity in this instance and accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 12 of the NPPF.

4. Drainage and Flood Risk

The site is not within a Flood Zone on the Environment Agency's Maps.

The application has been reviewed by Drainage Officers and a sustainable drainage condition had been requested. Further details have been provided to include a new rainwater pipe to feed into the main surface water arrangement for the host dwelling connected to the soakaway. This has been reviewed and confirmed to be acceptable by these Officers.

It is therefore considered that the proposal accords with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 14 of the NPPF.

5. Other Matters

The application is exempt from BNG requirements as it is a householder development. There are no known ecological constraints. The proposal accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 15 of the NPPF.

There are no proposals to impact on any trees and so the proposal accords with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 15 of the NPPF.

CONCLUSION

In conclusion, it is considered that the development would not unduly harm the appearance of the street scene, the wider character of the area or neighbours residential amenities.

It is therefore in accordance with Policies 5, 22, 33, 34, 41 and 42 of the North East

Lincolnshire Local Plan 2013-2032 (adopted 2018) and Sections 12,14 and 15 of the NPPF.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development is approved and shall be completed in accordance with the following plan:

Site Location Plan, Existing and Proposed Site Plans, Floor Plans and Elevations - 856.25.02A

Reason

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

(2) Condition

The proposed development shall be completed using materials specified within the application form received on the 1st June 2026 and as stated on drawing no. 856.25.02A unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) 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 does not 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, 33, 34, 41 and 42.

2 Informative

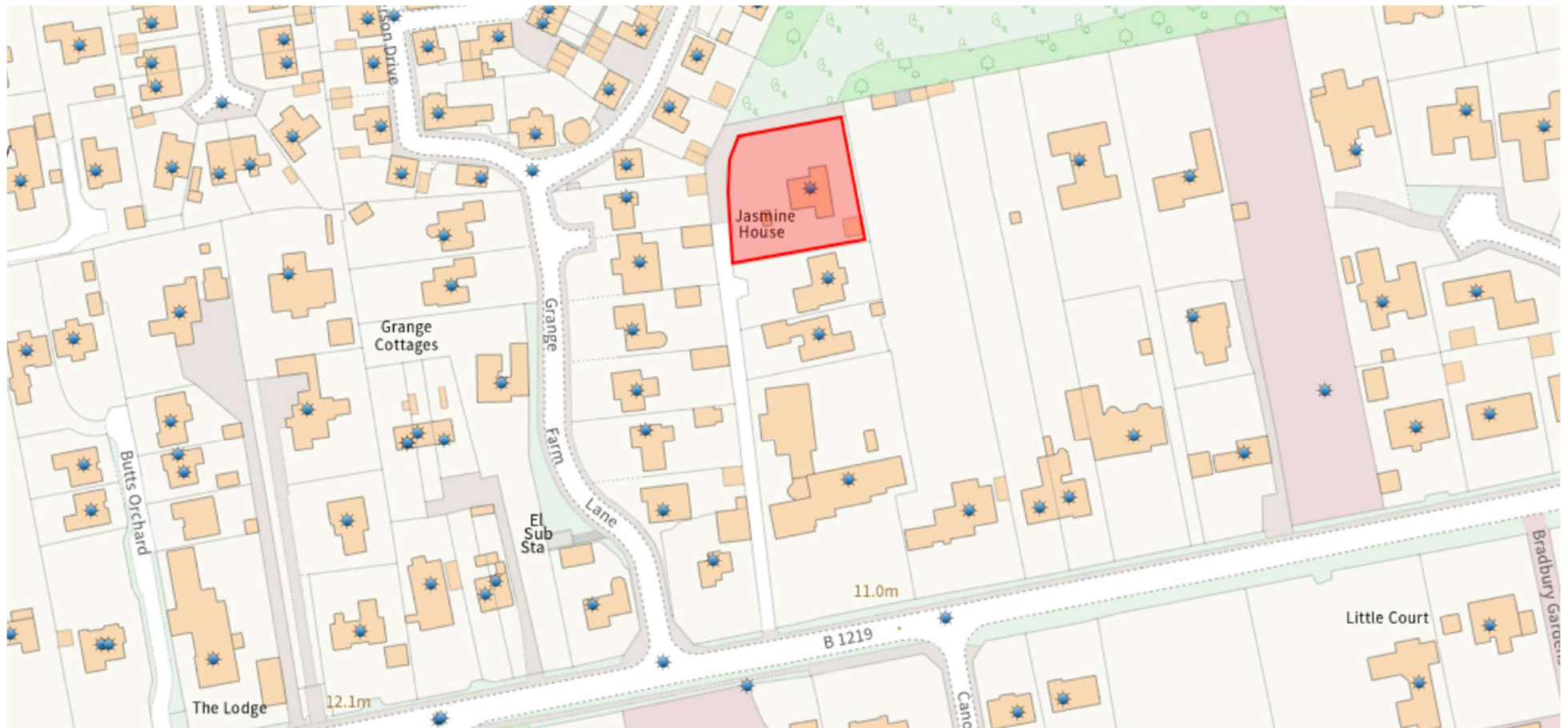
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.

3 Informative

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

DM/0390/26/FUL – 31B HUMBERSTON AVENUE, HUMBERSTON



DM/0390/26/FUL – 31B HUMBERSTON AVENUE, HUMBERSTON



PLANNING COMMITTEE - 2nd September 2026

ITEM: 7 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0888/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Manor Farm, Church Lane, Irby Upon Humber, North East Lincolnshire,

PROPOSAL: Partial demolition of existing outbuildings, extensions and alterations to create 6 residential dwellings, to include creation of first floor with roof lights to units 1,2,4 and 6. Access, parking areas, boundary treatments, installation of biodisc sewerage treatment plant and associated works - amended site plan and foul drainage detail April 2026 - Response to Anglian Water 18th May 26.

APPLICANT:

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

AGENT:

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

DEPOSITED: 17th October 2025

ACCEPTED: 27th January 2026

TARGET DATE: 24th March 2026

PUBLICITY EXPIRY: 11th June 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 28th February 2026 **CASE OFFICER: Richard Limmer**

PROPOSAL

The proposal is for the partial demolition of existing buildings with extensions and alterations to create 6 residential dwellings. The works include the creation of first floor accommodation with roof lights to units 1,2,4 and 6.

The existing access off Church Lane is proposed to be utilised for the development and parking areas, boundary treatments, installation of 3 biodisc sewerage treatment plants and associated works to also be included. All 6 dwellings would have dedicated parking

areas and private gardens.

The application has been brought to Planning Committee for consideration due to the number of objections received from the community and an objection from Irby Upon Humber Parish Council.

SITE

The site is Manor Farm off church Lane in the village of Irby Upon Humber which is located in the Lincolnshire Wolds National Landscape (formerly Area of Outstanding Natural Beauty). The site is set back from the road with access taken from church Lane. To the front of the site there is an area large mature trees and a pond but these sit outside of the site itself. The is located within the Irby upon Humber Conservation Area.

The existing buildings are made up of 3 buildings; building one is a more modern building used as a store built in brick with profiled sheeting to the roof, part of this building would be removed. Building two is a more traditional set of Lincolnshire red brick and pantile barns but have been altered and added to over the years in particular the central crew yard area has been covered. Many of the 'non traditional' additions would be removed as part of the proposed development.

The third building on the site is a timber stable which would be removed as part of the proposed development.

To the north of the site is a residential neighbour The Manor House which is a large detached house, along the boundary with this neighbour is a mixture of vegetation and fencing. To the east of the site is a paddock associated with the host site with an open boundary with stock fencing on it. To the south of the site is another residential neighbour Mount Farm House, on this boundary there is a brick wall which varies in height from approximately 2 to 4 metres, although this is outside of the application site. To the west of the site, opposite the site access is a horse menage.

RELEVANT PLANNING HISTORY

No relevant planning history

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
- HE4 - Secure conservation of heritage assets
- HE5 - Assessing effects on heritage assets

HE7 - Decisions on non-desig.heritage assets
HE9 - Conservation Areas
N2 - Improving the natural environment
N3 - Trees in new development
N4 - Protected Landscapes
N6 - Import areas-biodiversity,geodiversity

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

NELC Ecology - no objections, suggest conditions for ecological protection and enhancements.

Anglian Water - no objections, suggest condition for final details of foul water.

Environment Agency - no comments.

NELC Highways - no objections, suggest conditions for construction, parking provision and bin storage.

NELC Environmental Health - no objections, conditions for construction and demolition management plans and contamination.

NELC Heritage - no objections, recommendation for conditions for materials and archaeological monitoring.

Drainage Board - no comments.

NELC Drainage - no objections, conditions required for final drainage scheme.

Natural England - no comments.

Cadent - no objections.

NELC Tree Officer - no objections, suggest conditions for landscaping and tree protection.

NELC Waste Management - no objections.

Irby upon Humber Parish Council - objects with concerns over access, water availability, foul drainage and ecology.

Neighbours

The Barns - supports the proposed development

The following neighbours have not objected to the principle of development but have raised concerns about the proposed development:

Mount Farm House
End Cottage
Meadow View

The following neighbours have objected to the proposed development:

The Manor House
Keepers Cottage
Dales View
Welbeck Cottage
Sackville Cottage
The White House
Beechwood
Lockwood Cottage
Rothesay Villa
The Brambles

The concerns raised by all neighbours include the following matters:

- Water availability;
- Foul water drainage;
- Access and traffic generation;
- Number of units proposed is too many;
- Impact on ecology and biodiversity;
- Boundary treatments to ensure privacy to immediate neighbours;
- Impact on the character of the village and the Conservation Area.

APPRAISAL

Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Impact on the Conservation Area and Character of the Area
4. Ecology
5. Drainage and Water
6. Contamination
7. Highways

1. Principle of Development

The site is located outside of the defined Development Area Boundaries for Irby upon Humber on the NELLP inset maps and as such is considered to be in the open countryside. Policy 5 of the NELLP does not readily allow for new residential development, however, the NPPF in Policy S5 1(c) allows for new dwellings in the open countryside when utilising existing redundant buildings and Policy HE 7(1) details that where a development would have a positive effect on a non designated heritage asset it should be supported.

The proposed development is for the partial demolition and conversion of existing buildings. The existing buildings are historic farm buildings that are no longer suitable for modern farming practices due to their size and design. They are also considered to be an undesignated heritage asset as they take the form of traditional Lincolnshire farm buildings.

Policy N4 of the NPPF allows for development in Protected Landscapes but seeks to ensure that development is appropriate. The site is located within the Lincolnshire Wolds National Landscape which is defined as a Protected Landscape. This will be considered in the report below.

It is therefore considered that in accordance with the NPPF the proposed development is considered to be acceptable in principle. It therefore falls to be considered against the relevant Policies of the NPPF and NELLP and impacts of the proposed development. These are considered below.

2. Impact on Neighbours

Policy 5 of the NELLP requires regard to be had to the potential impacts of proposed development on neighbouring properties amenities. The site has a few immediate neighbours, to the north is The Manor House and to the South is Irby Mount Farm. To the west, on the far side of Church Lane are The Meadows and The Spinney.

The proposed development would see the existing buildings on the site converted into 6 dwellings. The overall mass of the existing buildings is reduced with various parts removed to allow for the conversion and splitting into the separate units. The built form of the development would not therefore cause any additional impact on the residential amenities of the neighbouring properties. Whilst the proposal would introduce additional openings, including roof lights, to the existing buildings it is considered that these would not cause any detrimental impacts to the neighbours amenities due to their position and the separation between the buildings and the neighbours.

The proposed units 4 and 5 would have garden space created in the space between the existing buildings and the northern boundary with The Manor House. The existing site boundary is a mixture of vegetation and fencing. The introduction of residential curtilage as proposed would not result in a detrimental impact to the adjacent neighbour, such relationships are normal and considered compatible.

To the south the existing buildings are again well separated from the site boundary and the proposal would see this space used as access to units 3, 5 and 6 and also retain an access to the farm land to the east. The existing boundary wall sits outside of the application site. It is considered that the proposed development would not cause an undue impact on the amenities of this neighbour.

The other residential neighbours to the west on church Lane are considered to be reasonably separated that they would not be affected by the proposed development.

Overall it is considered that the proposed development would not unduly affect the residential amenities of the neighbouring properties in regard to the physicality of the development. In regard to the land use the proposal is for residential properties adjacent to existing residential properties, in terms of compatible land uses this is considered to be acceptable. It must be acknowledged that the former use of the site was one of a farm yard which would have had agricultural comings and goings and activity.

The proposal is therefore considered to be in accordance with Policy 5 of the NELLP and the principles of the NPPF.

3. Impact on the Conservation Area and Character of the Area

Policies HE4, HE5, HE7 and HE9 of the NPPF and Policy 39 of the NELLP require that regard is had to the protection and enhancement of heritage assets and conservation areas.

The site is located within the Irby upon Humber Conservation Area, which encompasses the whole village. Whilst the host buildings have been extended and altered they still retain historic form and appearance and are considered to be an undesignated heritage asset. The buildings are in a state of disrepair and appear to have not been used for several years. In their current state it is not considered that they contribute positively to

the character and appearance of the Conservation Area.

The proposed development seeks to retain the majority of the historic fabric of the buildings and removes various elements of modern additions, it also includes the installation of several new openings for windows and creates private amenity spaces. The scheme has been amended to change the more visible boundary treatments from close board fences to Lincolnshire post and rail fences with hedging.

The Heritage Officer has considered the proposed development and in principle supports the reuse of the historic farm buildings and the proposed development. In order to ensure that the scheme is of the quality to enhance the Conservation Area conditions are required to secure the final details of materials and the designs of windows and doors.

With regard to landscaping and trees it is considered that the scheme is acceptable. There are TPO trees which cross the site and conditions are proposed to protect these during implementation works. Landscaping is also proposed to add to the landscape setting of the site.

The proposed development is considered to make a positive impact on the visual amenity of the host buildings and the wider conservation area. This also goes further to the impact on the National Landscape and the requirements of National Policy NH4 to protect the purposes for which it was designated. It is considered that the proposed development would not cause harm to the natural beauty of the area.

It is considered that with the inclusion of conditions the proposed development accords with Policies HE4, HE5, HE7, HE9 and NH4 of the NPPF and 5 and 39 of the NELLP.

4. Ecology

The applicant has confirmed that the proposed development will be for self-build properties and as such would be exempt from Bio-diversity Net Gain. The Council Ecologist has confirmed that this is the case.

Policies 5 and 41 of the NELLP seek to protect and enhance the ecological and biodiversity values through new development proposals. This application has been submitted with Ecology surveys that include consideration of protected and non-protected species. It is noted that neighbours have raised concerns over the potential impact on ecology from the proposed development, there is specific mention of the presence of newts and owls. Specific Bat Surveys have also been carried out.

The recommendations set out in the Preliminary Ecology Appraisal and Bat Survey have been considered by the Council Ecologist and they concur with recommendations set out. The recommendations include mitigation measures for newts and bats through construction and provision of bat boxes in the development. There is also the requirement to provide replacement roost and nesting provision for Barn Owls and this should be provided in advance of the development commencing.

The Council Ecologist has no objections to the proposed development subject to conditions to secure the aforementioned recommendations and mitigation. It is therefore considered that the proposal accords with Policies 5 and 41 of the NELLP.

5. Drainage and Water

It is noted that there have been extensive comments by neighbours in regard to water provision and foul water drainage. Policies 5, 33 and 34 of the NELLP require regard to be had to water consumption, surface and foul water drainage. The proposal includes the provision of foul water package treatment plants to serve the proposed dwellings, this was at the request of Anglian Water as there is no capacity in the adopted foul water network and Laceby Waste Water Recycling Centre. An outline surface water drainage strategy has been submitted with the application which details that the proposed dwellings will have rain water harvesting tanks to reuse the natural rainfall from the site.

Anglian Water, the Environment Agency and the Council Drainage Officers have confirmed that they have no objections to the proposed development subject to conditions for the final details of the foul and surface water drainage schemes. In regard to water usage Policy 34 of the NELLP requires that new dwellings be limited to 110 litres per person per day, it is usual that this is secured by condition. It is noted that Anglian Water have made no comments in regard to water provision.

6. Contamination

Policy 5 of the NELLP requires regard is had in new developments for the potential for contamination. The proposed development includes the partial demolition of the site and given the historic use of the there is the potential for contamination to be present. The Environmental Health Officer has reviewed the proposal and has confirmed that they have no objections but request conditions that include site investigation works, a scheme for remediation if required and also a demolition method statement. With the inclusion of these conditions it is considered that the proposal is acceptable and accords with Policy 5 of the NELLP.

7. Highways

Policy 5 of the NELLP seeks to ensure new development is acceptable in regard to highway safety, amenity and traffic generation. It is noted that neighbours have raised concerns in regard to traffic generation from the proposed development and the impact that would have on the surrounding highway network. The proposed development is to convert the existing buildings into 6 dwellings. Whilst this will attract a different form and more consistent traffic movements to the sites previous use for agriculture, it is considered that the traffic generation would not be significant and would not cause a severe impact on the surrounding highway network. In regard to highway safety the proposal seeks to utilise the existing access into the site which benefits from good visibility in both directions. The proposed development also includes a bin collection point

adjacent to the adopted highway and provision for sufficient parking for the proposed units within the site. The Highways team have considered the proposal and have no objections to raise, conditions are recommended for construction traffic and details of the works to the access. The proposal is therefore considered to accord with Policy 5 of the NELLP.

CONCLUSION

In conclusion, it is considered that the proposed development would not offer any harm to the neighbouring land uses amenities, visual amenity, cause harm to the conservation area, ecology and biodiversity, water usage, surface or foul drainage or highway safety and amenity. The proposal would provide an effective way of securing the future of the host undesignated heritage asset and deliver additional housing in the area.

It is therefore considered that the development would accord with paragraph 84 of the NPPF and the relevant parts of Policies 5, 22, 33, 34, 39 and 41 of the NELLP 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:

- 1355-0001 Rev B - site location plan
- 1355-0002 Rev B - existing block plan
- 1355-0003 Rev C - proposed block plan
- 1355-0004 Rev D - proposed site plan
- 1355-0005 - building 1 existing plans and elevations
- 1355-0006 - building 2 existing plans and elevations
- 1355-0007 - building 1 proposed plans and elevations
- 1355-0008 Rev A - building 2 proposed plans
- 1355-0009 Rev A - building 2 proposed elevations

Reason

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

(3) Condition

No development shall commence until a scheme for the sustainable provision of surface and foul water drainage and a Drainage Maintenance Plan (that details how the drainage systems shall be managed and maintained throughout the lifetime of the development) has been submitted to and approved in writing by the Local Planning Authority. The approved drainage schemes shall be fully installed prior to the first occupation of the development and thereafter maintained in accordance with the approved Drainage Maintenance Plan.

Reason

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

(4) Condition

Development shall not begin until details of the materials and finish for all of the exterior works, including bricks, tiles, windows and doors in the development 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 and the Conservation Area in accordance with Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

Prior to the commencement of development full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the boundary treatments serving it have been fully installed 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 and the Conservation Area in accordance with Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

No development shall take place until the applicant has:

- (i) submitted a Written Scheme of Investigation or Specification for Works, for a programme of archaeological work, to the Local Planning Authority.
- (ii) received written approval of the Written Scheme of Investigation for a programme of archaeological work from the Local Planning Authority.
- (iii) implemented, or secured implementation of the Written Scheme of Investigation for a programme of archaeological work.

Use of the development shall not take place until the applicant has:

- (iv) published, or secured the publishing of the findings resulting from the programme of archaeological work within a suitable media.
- (v) deposited, or secured the deposition of the resulting archive from the programme of archaeological work with an appropriate organisation.

Reason

The site contains a Historic Environment Asset which requires recording prior to alteration or destruction to accord to Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) 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 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 plan for the management and maintenance of all the landscaping and shared areas on the site;
- (e) a detailed scheme for the implementation of the approved landscaping scheme.

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

The development shall then be built out with the approved tree protection measures in place throughout the construction phase of the development. The approved landscaping scheme shall be fully planted out in accordance with the approved details within 12 months of the first occupation of the development (or longer period as may be approved in writing by the Local Planning Authority) and thereafter management and maintenance shall be in accordance with the approved Management and Maintenance 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 Policy 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

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

Reason

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

(9) Condition

Prior to the development commencing a detailed Construction and Demolition Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details. As a minimum the CMP shall contain details of the following:

- Control of noise;
- Control of dust;
- Construction Traffic Management Plan;
- Working and delivery hours;
- Wheel washing facilities and implementation;

Reason

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

(10) Condition

Prior to development commencing a Construction Environmental Management Plan (CEMP) based on the recommendations and advice in the submitted Preliminary Ecological Appraisal and Bat Survey Report shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the details approved.

Reason

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

(11) Condition

Prior to the development commencing a detailed Biodiversity and Ecological Enhancement Plan (BEEP) based on the recommendations and advice in the submitted Preliminary Ecological Appraisal and Bat Survey Report shall be submitted to and approved in writing by the Local Planning Authority. The approved BEEP shall be implemented in accordance with its terms prior to any dwelling being first occupied on the development and shall thereafter be so maintained.

Reason

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

(12) Condition

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 13 to 15 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 16 has been complied with in relation to that contamination.

Reason

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

(13) Condition

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

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

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

Reason

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

(14) Condition

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

Reason

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

(15) Condition

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

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

Reason

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

(16) Condition

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the

requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 15.

Reason

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

(17) Condition

The development shall consist of the conversion of the buildings only and demolition shall only take place in accordance with plan ref: 1355/0011 (demolition plan).

Reason

To ensure that the development is a conversion scheme and it retains the historic fabric of the site in accordance with Policy 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(18) 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).

(19) Biodiversity Net Gain

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

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.5 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 and the National Planning Policy Framework. 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 National Planning Policy Framework and North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 39 and 41.

2 Added Value Statement

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

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

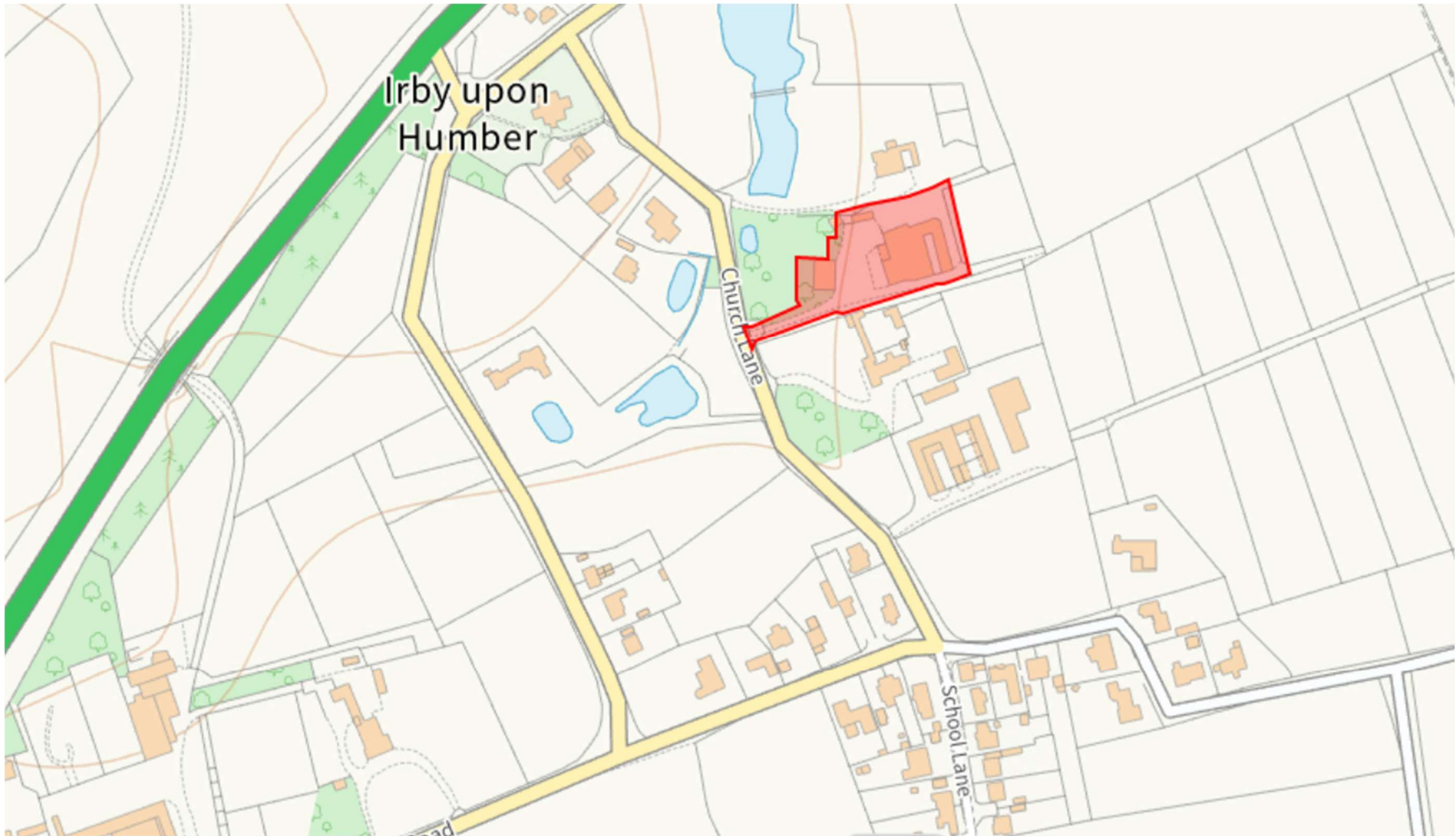
4 Informative:

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

5 Informative

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

DM/0888/25/FUL - MANOR FARM, CHURCH LANE, IRBY UPON HUMBER



DM/0888/25/FUL - MANOR FARM, CHURCH LANE, IRBY UPON HUMBER



PLANNING COMMITTEE - 2nd September 2026

ITEM: 8 **RECOMMENDATION: Refused**

APPLICATION No: DM/0059/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Tetney Road Service Station, Tetney Road, Humberston, North East Lincolnshire, DN36 4JN

PROPOSAL: Part change of use to existing car sales forecourt to include hand car wash and erection of palisade fence with gates to rear.

APPLICANT:

Mr V Marchant
128 Humberston Avenue
Humberston
North East Lincolnshire
DN36 4SY

AGENT:

Mr Byron Smith
By Design
47 The Avenue
Healing
Grimsby
N E Lincolnshire
DN41 7NA

DEPOSITED: 23rd January 2026

ACCEPTED: 13th March 2026

TARGET DATE: 8th May 2026

PUBLICITY EXPIRY: 10th July 2026

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

CONSULTATION EXPIRY: 9th April 2026

CASE OFFICER: Lauren Stinson

PROPOSAL

This proposal seeks planning permission to partially change the use of an existing car sales forecourt at Tetney Road Service Station on Tetney Road in Humberston into a hand car wash and also to erect a palisade fence with gates to the rear of the site.

The application has been brought to planning committee as it has been called in by Councillor Dawkins.

SITE

The proposal site is Tetney Road Service Station on Tetney Road in Humberton. It was an established petrol station and then converted into a car sales site. The site is surrounded by residential properties and adjacent is open countryside. To the rear of the site is Field Cottage, which is a mixed use including residential and a cattery, and the access to this property is to the side of the proposal site.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

S4 - Principle of develop-within settlements
L2 - Making effective use of land
DP3 - Key principles for well-designed places
DP4 - The design process
TR3 - Locating development-sustain locations
TR4 - Street design, access and parking
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems,watercourse
N2 - Improving the natural environment

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

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

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

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

Council's Drainage Officer - No comments.

Anglian Water - No objections, subject to conditions and informatives.

Council's Heritage Officer - No comments.

Council's Tree Officer - No comments.

Council's Ecology Officer - No objections. No BNG required.

Humberston Village Council - No objections.

Public Representations

Grimsby, Cleethorpes & District Civic Society - No objections.

86 Tetney Road, Humberston - Neither support or object but raise concerns regarding land to the rear of the site and issues regarding anti-social behaviour.

88 Tetney Road, Humberston - Objects to the proposal with concerns regarding devaluation of their property, contaminated water residue, vehicle fumes and noise disturbance.

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Impact on Neighbouring Amenity
- Impact on Character and Appearance of the Area
- Highways Safety
- Drainage and Flood Risk
- Ecology

Principle of Development

The proposal is located within the development area of Humberston as designated in Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and relates to the partial change of use of a site from a car sales site into a car wash facility. The site is not allocated for a specific use and therefore the proposal is considered to accord to

Policy 5 in principle, subject to a consideration of the specific details.

Impact on Neighbouring Amenity

The site is located within a predominately residential area with some commercial premises nearby including a cattery to the rear of the site at Field Cottage. Directly adjacent to the site is 88 Tetney Road (to the north). It is noted that they have raised objections regarding noise and disturbance, vehicle fumes and water residue. They also mention a devaluation of their property. Additionally, it is noted that 86 have raised some concern over antisocial behaviour.

It is noted that neighbouring properties including 7 Cottage Yard Lane, Field Cottage and Kirby House are a sufficient distance away from the site and given the activity would be focused to the front of the site, this will ensure no detrimental amenity issues.

However, 88 Tetney Road is immediately adjacent to the site to the north and is set forward in the plot. It has side windows facing the front forecourt. The entrance into the car wash would be via an existing vehicular access which is also adjacent to this neighbour. Due to the proximity of where customers would enter into the site, would wait, and would then be parked to have their cars washed, it is considered this would generate noise, disturbance, fumes and the potential water spray. When visiting the site it was noted that there is a 1.8 metre high boundary treatment and some landscaping on the boundary separating the sites however, these are not considered to mitigate the impact to their amenity given their scale and nature. Whilst the site has had an operational use for car sales this is a relatively low intensity type of use which would not generate the levels of activity associated with a hand car wash which are expected to be much higher. For these reasons, the impact on no.88's amenity would be detrimental.

In relation to the concerns regarding property devaluation, this is not something planning can currently consider.

In terms of the potential for antisocial behaviour, it is noted that some new palisade fencing and gates would be erected to the rear of the site. This would add an element of security for the retained car sales element of the site. The car wash element being at the front of the site would be open to natural surveillance which would limit the opportunities for crime and antisocial behaviour.

The impacts to no.88 are considered to be detrimental and it is not possible to mitigate these impacts through conditions. As such the proposal would be contrary to Policy 5 given its impact to neighbouring amenity.

Impact on Character and Appearance of the Area

The proposal seeks partial change of use of a car sales premises into a car wash facility. The existing buildings on site include a small office and a canopy area. There is also a large area of car parking to the rear, and a small area for car parking to the side. There

are no alterations to the buildings, canopy or car parking area to facilitate the car wash, and therefore the character and appearance of the area would be maintained.

Tetney Road is predominately residential in nature, however there are commercial businesses nearby, and given the existing use of the site as a car sales facility and the former use as a petrol filling station, the proposed partial use change into a car wash is considered acceptable in terms of area character. The proposed fencing would be situated to the rear of the site and therefore would not be viewable within the street scene, again maintaining its appearance.

Therefore, the proposal accords with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in terms of visual impact.

Highways Safety

The details provided identify that the car wash facility would utilise the existing access points on site, including an entry and exit system. The details also demonstrate how the retained car sales use would operate alongside the proposed use, utilising areas to the front and side to display cars. The development also includes areas for customer and staff parking.

Significant consultation has been undertaken with the Council's Highways Officer and the applicant to overcome highway safety concerns. The Council's Highways Officer has confirmed that the proposed internal circulation arrangements, including proposed supplementary directional markings and defined entry/exit access points, together with on-site waiting, parking and manoeuvring space is capable of accommodating the proposed partial change of use, and that the mitigation proposed will minimise the potential for vehicle conflict and risk of overspill queuing back onto the public highway.

On this basis, the proposal accords with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in terms of highways safety and parking.

Drainage and Flood Risk

The site is not located within a flood risk area as identified on the Environment Agency flood maps.

In terms of drainage, the Council's Drainage Officer and Anglian Water have reviewed the details provided, and have no objections subject to safeguarding conditions and informatives. The proposal therefore accords with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Ecology

The Council's Ecology Officer has reviewed the proposal and has confirmed that the proposal does not impact a priority habitat and impacts less than 25 square meters of

onsite habitat with a biodiversity value greater than zero (as measured by the statutory metric) and on less than 5 metres of onsite linear habitat so the de minimis condition is met and the proposal is exempt from the Biodiversity Gain condition.

There are no ecological issues and therefore the proposal accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

In conclusion, although the proposal is acceptable in terms of visual amenity, highways safety, flood risk, drainage and ecology, it is considered that the proposed partial change of use of the site into a car wash would result in an over intensive use of the site resulting in unacceptable noise and disturbance, fumes and water spray to the detriment of residential amenity, namely the amenity of no. 88. The development is therefore contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and is recommended for refusal.

RECOMMENDATION

Refused

(1) The proposed partial change of use of the site into a car wash would be an over intensive use of the site resulting in unacceptable noise and disturbance, fumes and water spray, to the detriment of residential amenity, namely the amenity of no. 88 Tetney Road. As such, the development is contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Informative

This decision relates to the following plans:

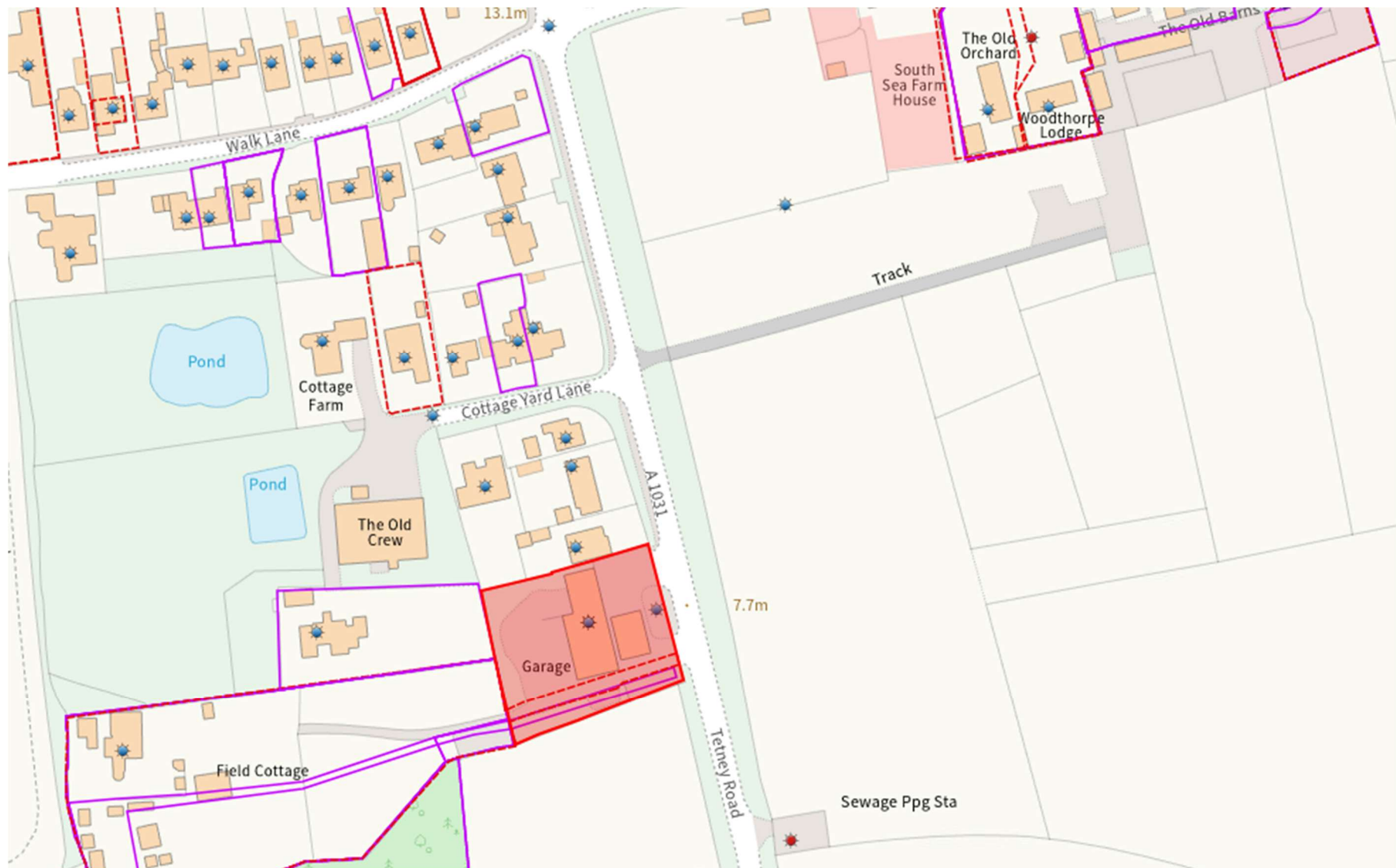
Site Location Plan and Existing Block Plan - 4002.01
Proposed Site Layout and Elevation - 4002.02B

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 information though this did not override the concerns raised over the impact to the neighbour.

DM/0059/26/FUL – TETNEY ROAD SERVICE STATION, TETNEY ROAD, HUMBERSTON



DM/0059/26/FUL – TETNEY ROAD SERVICE STATION, TETNEY ROAD, HUMBERSTON

