

DEVELOPMENT MANAGEMENT

APPEALS LIST - 18TH SEPTEMBER 2026

APPLICATION NUMBER & SITE ADDRESS

APPEAL REFERENCE & STATUS

OFFICER & PROCEDURE

DM/0740/24/CEU 167 Hainton Avenue Grimsby North East Lincolnshire DN32 9LF	AP/006/25 INPROG	Bethany Loring Written Representation
DM/0854/25/CEA 4 Westhill Road Grimsby North East Lincolnshire DN34 4SF	AP/004/26 INPROG	Abigail Hattersley Written Representation
DM/0749/25/OUT Land Off Mushroom Lane Brigsley North East Lincolnshire DN37 0BJ	AP/008/26 INPROG	Lauren Birkwood Written Representation
DM/0189/26/TPO 32 Meadowbank Great Coates North East Lincolnshire DN37 9PG	AP/011/26 INPROG	Paul Chaplin Fast Track
DM/0713/25/FUL 39A And 39B Lord Street Grimsby North East Lincolnshire DN31 2ND	AP/012/26 INPROG	Lauren Birkwood Written Representation

EN/0454/25 Street Record Stallingborough Road Immingham North East Lincolnshire	AP/013/26 INPROG	Martin Ambler Written Representation (ENFORCEMENT)
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DM/0468/25/OUT Land Parcel At Waltham Road Barnoldby Le Beck North East Lincolnshire	AP/014/26 INPROG	Richard Limmer Written Representation
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DM/0980/25/OUT Land West Side Louth Road New Waltham North East Lincolnshire	AP/015/26 INPROG	Bethany Loring Informal Hearing
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Appeal Decision

Site visit made on 11 August 2026 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th September 2026

Appeal Ref: 6008922

Land Adjacent To 9 Ashby Close and 19 Glenfield Road, Grimsby, North East Lincolnshire, DN37 9HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ramella Rameco Ltd against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0806/24/FUL.
 - The development proposed is erection of 4.no dwellings to vacant land.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 4no. dwellings to vacant land at Land Adjacent To 9 Ashby Close and 19 Glenfield Road Grimsby, North East Lincolnshire, DN37 9HJ in accordance with the terms of the application, Ref DM/0806/24/FUL and subject to the conditions in the attached schedule.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description above is taken from the application form. The decision notice refers to the erection of two pairs of two storey semi-detached dwellings totalling four units to include associated tree works, hardstanding and landscaping (Amended plans received 13th March 2026 including revisions and claimed public right of way). I have taken this detail into account, but since it is not fundamentally different to the scheme as set out above, I have not repeated it. The address is taken from the decision notice and appeal form. It reflects more accurately the position of the site rather than being referenced as 19 Glenfield Road which is situated outside of the appeal site.
4. Having reviewed the most recent changes to the National Planning Policy Framework (The Framework), I am satisfied that they do not affect the substance of the main issue in the appeal or the outcome thereof. Since their arguments would not therefore be prejudiced, I have proceeded without further consultation with the main parties.
5. Amendments have recently been made to The Biodiversity Gain (Town and Country Planning) (Amendments and Transitional Provisions) (England) Regulations 2026 and came into effect on 6 August 2026. The amendments

introduced a new 0.2 hectare exemption for small sites. The site area is 0.1075 hectares and therefore the proposal would not be liable for biodiversity net gain.

Main Issue

6. The main issue is whether the proposal would result in the unacceptable loss of public open space with specific regard to the living conditions of local residents.

Reasons for the Recommendation

7. The appeal site is a hard surfaced area that is located between Ashby Close and Glenfield Road. Each road is mainly made up of pairs of semi-detached dwellings. There are bollards on each side of the site that restrict vehicular access but allow pedestrian movement. The site sits alongside other residential properties and a playing field associated with the nearby John Whitgift Academy. Whilst during a weekday, the area was very quiet at the time of my site visit. There was no one using the space.
8. Policy 43 of the North East Lincolnshire Local Plan 2018 (LP) states that the Council will safeguard against any loss of public or private green spaces, sport and recreation and equipped play facilities in recognition of their importance to the health and wellbeing of residents and visitors to the Borough, and their importance to biodiversity. The green spaces, sport and recreation and equipped play facilities that are safeguarded under this Policy are identified on the Policies Map.
9. The appeal site is not a green space, sport and recreation facility and nor is it an equipped play facility. It is not identified as a safeguarded space and is therefore not protected by the policy above. The evidence suggests that historically the intention may have been to use the land as a play area and that it was held as a public open space by the Council. Nevertheless, such a proposal did not come to fruition, and an intention to dispose of the land was issued by the Council.
10. It is important for residents to have access to accessible outdoor space and open space can be any open space of public value. However, there are ample available green spaces within close proximity of the site along Great Coates Road and around the River Freshney that appear to be more visually pleasing and usable than the appeal site. Local residents are able to access these spaces within a short and safe walking distance. Furthermore, on a smaller scale, most of the nearby dwellings have their own private rear gardens and they are not therefore reliant upon communal spaces for outdoor areas.
11. The proposal would therefore not result in the unacceptable loss of a public open space that would be detrimental to the living conditions of the occupants of the nearby residential dwellings. The proposal would therefore comply with Policies 5 and 43 of the LP which are concerned with open space and recreation.

Other Matters

12. Given that it does not form part of the main issue of the appeal scheme and would, for some part, be outside of the development site, any future Traffic Regulation Order (TRO) for the imposition of double yellow lines on Glenfield Road would be outside of the scope of this appeal. The track path analysis over the proposed plans clearly shows a large vehicle movement in the turning head even with a car parked on Glenfield Road. It would be unlikely that road users would park across the driveways for the new plots. Any TRO could be imposed at a later date,

regardless of the outcome of this appeal. The same can be said for any future adoption of the turning head on Glenfield Road.

13. Open space does not need to be in public ownership to be considered as such. However, the circumstances of the Henlow appeal were different in terms of the requirements of the local plan policy that applied to more relevant spaces without a specific designation, the green nature of the site and its use for informal sport. I have set out how there is suitable provision close by, and that the appeal site is not protected by any designation in the development plan.
14. There is a footpath proposed that will continue to provide a link between Ashby Close and Glenfield Road. That being said, and whilst construction is taking place, I fail to see why pedestrians, particularly children using the land as a school route, could not use the alternative route along Larmour Road which would not be significantly further.
15. Concerns relating to safety, noise, pollution and parking during construction are proposed to be addressed by conditions, particularly the construction management plans. The effect of the proposal on the living conditions of the occupants of the nearby properties in terms of noise, privacy and loss of light after construction are not contentious matters in the appeal and I have no reason to disagree with the Council's conclusions thereon. The same can be said for the design of the proposal and the effect upon the character and appearance of the area.

Conditions

16. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty and enforcement. In the interests of the character and appearance of the area, a condition relating to the agreement of materials is necessary. The information should also include details of the boundary treatments and lighting for the footpath in the interests of safety for users. I see no reason why these details should be pre-commencement, and I have therefore recommended that they are submitted prior to any development above slab level.
17. A landscaping plan has been submitted and therefore a condition should be imposed to ensure that it will be carried out in the first planting season after completion. This timescale is more reasonable than twelve months after commencement to ensure that the site is ready for planting. This is in the interest of the appearance of the site and to encourage biodiversity. The Council has suggested a condition for a landscape ecological management plan however given the landscape management proposed along with the ecological enhancements, such a management plan would be unreasonable for a scheme of this size.
18. A condition will also be imposed to ensure that details are submitted for a water efficiency standard of 110 litres per person per day to satisfy the development plan requirements set out in Policy 34 of the LP. The drainage details are shown on the approved plans and there is therefore no need for a further condition thereon. The same can be said for the tree protection details and the ecological enhancements that are already shown on the approved plans. There is therefore no need for further conditions in these respects.
19. The access and parking details are shown on the approved plans however there are further details required to ensure that they are in accordance with Highways

specification and a condition will therefore be imposed to secure the details and to ensure that they are carried out prior to occupation. I have commented on the matter of offsite highway changes. A condition would be necessary to ensure that any contaminated land that is found throughout the course of the construction is identified, and a procedure is followed for its removal. In satisfaction of LP Policy 5.

20. The construction transport management plan has been submitted and in table one states the site opening times. A condition would be reasonable, in the interests of the living conditions of local residents, to ensure that the management plans are adhered to throughout the construction period.
21. The Council has suggested a condition that would remove a number of permitted development rights. However, I have not been provided with any evidence as to why such a condition would be reasonable or necessary given that the site is not within a particularly sensitive area and there is a reasonable separation distance between the proposed and existing dwellings. Similarly, the Council has suggested ensuring that the first floor side windows of plots 2 and 4 are obscure glazed however these windows only serve staircases which would face towards the side gable of the neighbouring properties and therefore such a condition would not be reasonable or necessary.

Conclusion and Recommendation

22. For the reasons given above, the appeal scheme would comply with the development plan and there is nothing compelling to suggest a decision other than in accordance. I therefore recommend that the appeal should be allowed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed. Planning permission is therefore granted, subject to the conditions set out in the attached schedule.

John Morrison

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL(A)050 revision J, PL(A)051 revision J, PL(A)055 revision J, PL(A) 060 revision J, PL(A)150 revision D, PL(A)151 revision G, PL(A)260 revision J, PL(A)250 revision E and the plan showing elevations of plots 3 & 4.
- 3) Notwithstanding the plans hereby approved, no development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. These shall also include details of the boundary treatments and the lighting for the footpath. Development shall be carried out in accordance with the approved details and retained thereafter.
- 4) The landscaping works shall be carried out in accordance with the approved detail shown on drawing number PL(A) 060 revision J during the first planting season immediately following completion of the development. The completed scheme shall be maintained in accordance with the establishment/aftercare details annotated on the plan.
- 5) Prior to the first occupation of the first dwelling hereby permitted, details of how each will adhere to the Water Efficiency Standard of 110 litre per person per day, shall be submitted to and approved in writing by the local planning authority. Once approved, the measures shall be implemented for each dwelling in accordance with the approved details prior to first occupation and retained thereafter.
- 6) Prior to the first occupation of the first dwelling hereby permitted, details of the location, layout, design and method of construction for the access and parking for each shall be submitted to and approved in writing by the local planning authority. The access and parking for each dwelling shall be constructed in accordance with the approved details prior to their first occupation and thereafter retained.
- 7) Any contamination that is found during the course of construction of the approved development shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed.
- 8) The details within the Construction Management Plan and the Construction Transport Management Plan shall be adhered to throughout the construction period for the development.