



DEVELOPMENT MANAGEMENT

APPEALS LIST - 28TH MAY 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/1053/24/FUL Grange Farm House Waltham Road Barnoldby Le Beck North East Lincolnshire DN37 0AR	AP/001/26 INPROG	Abigail Hattersley Written Representation
DM/0854/25/CEA 4 Westhill Road Grimsby North East Lincolnshire DN34 4SF	AP/004/26 INPROG	Abigail Hattersley Written Representation
DM/0721/25/FULA Woodland View Old Main Road Barnoldby Le Beck North East Lincolnshire DN37 0BE	AP/005/26 INPROG	Mark Danforth Fast Track
DM/0536/23/FULA 119 Humberston Fitties Humberston North East Lincolnshire DN36 4EZ	AP/006/26 INPROG	Mark Danforth Written Representation

DM/0919/25/FUL 17 Walker Avenue Grimsby North East Lincolnshire DN33 2LL	AP/007/26 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/0806/24/FUL Land Adjacent To 9 Ashby Close And 19 Glenfield Road Grimsby North East Lincolnshire	AP/009/26 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

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Appeal Decision

Site visit made on 17 April 2026

by **J Symmons BSc (Hons) CEng MICE**

an Inspector appointed by the Secretary of State

Decision date: 5 May 2026

Appeal Ref: APP/B2002/D/25/3368305

160 Humberston Fitties, Humberston, North East Lincolnshire DN36 4HE

- 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 Mr P Chapman against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0208/25/FUL.
 - The development proposed is fencing including the reduction of the existing close boarded fence to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for fencing including the reduction of the existing close boarded fence to the rear at 160 Humberston Fitties, Humberston, North East Lincolnshire, DN36 4HE in accordance with the terms of the application, Ref DM/0208/25/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with Drawing Nos 1B, titled 'Proposed Fencing Plan/Elevations' dated March 2025 and 2, titled 'Existing Fencing Plan/Elevations' dated September 2024.
 - 2) Unless within five months of the date of this decision, the existing 2.0-metre-high rear boundary fence has been reduced to a height of 1.5 metres, in accordance with the approved drawings, the existing fence and all its posts and fittings shall be removed in their entirety. The reduced height fencing shall be maintained in accordance with the approved drawings thereafter.

In the event of a legal challenge to this decision, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Preliminary Matters

2. I have removed the words "retention" in the description of development, as this does not constitute development.
3. The timber fencing already exists on site. However, the proposal includes a reduction in the height of the rear close-boarded fence from 2 metres (m) to 1.5m. While much of the fencing is therefore retrospective, the alteration to the rear fence represents an active element of the proposal. I have accordingly considered the appeal on the basis of the development as proposed and, for the avoidance of doubt, determined it with reference to the submitted drawings.
4. The Council accepts the existing 1m high picket-style timber fencing to the front and sides of the appeal site. As this reflects the prevailing frontage character of the

area, I have no reason to reach a different conclusion. Consequently, the acceptability of this element is not in dispute and has not formed part of my determination of the appeal.

Main Issues

5. The main issues in determination of the appeal are the effect of the development on:
 - the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Humberston Fitties Conservation Area; and
 - flood risk.

Reasons

Character and appearance

6. The appeal site is within the Humberton Fitties Conservation Area (CA) and I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The significance of the CA derives from its origins as a former military encampment on reclaimed salt marsh land beside the Humber Estuary and its subsequent informal evolution into a holiday chalet settlement. Following the First World War, former camp huts and later chalets were adapted or constructed in a piecemeal manner, resulting in a highly varied and individual character. Defining features of the CA include the use of diverse materials, the absence of uniform design, and its general open 'plotland' character. This informality, individuality and openness make a positive contribution to the character and appearance of the CA, and the conservation of its significance depends on preserving these qualities and limiting the introduction of intrusive modern materials.
8. The appeal site comprises a chalet plot fronting Main Road. Similar chalet plots sit immediately to either side of the it and extend along, and beyond, the opposite side of the road. To the rear of the plot, serving an adjacent watercourse, lies an unsurfaced and raised maintenance and emergency access track, which runs parallel to the appeal site's boundary and is also used as a public path. Beyond this, and outside of the CA, the neighbouring development is typically a static caravan park and some commercial premises.
9. The rear boundary treatments immediately adjoining the appeal site comprise a 1.5m high close-boarded timber fence on one side and a low picket-style fence on the other. At slightly greater distances, rear boundaries typically comprise a combination of low-height close-boarded fencing and more substantial and taller boundary planting.
10. I recognise the importance of protecting and enhancing the informality, individuality and openness that characterise the CA. However, the rear boundary of the appeal site lies at the outer edge of the CA, beyond which the chalet development does not continue. The proposed reduction in the height of the rear fence would align it with one of the neighbouring rear boundary treatments and, within this context, it

would neither appear unduly prominent nor overly domestic in character. Although it would remain taller and of a different form to the other adjoining rear boundary, this variation reflects the prevailing informal and non-uniform approach to boundary treatments and the variation in openness that exists in this part of the CA. The visual change between the height and form of the lower neighbouring fence and the proposed fence would also be broken to some degree by the various shed type structures that exist to this boundary.

11. The proposed rear fence would not be visually prominent when experienced from within the CA. This is due to the physical separation created by intervening chalets and other built form, which fragments views and limits the fence's visibility. In addition, open and attractive views of the vegetation on the opposite watercourse bank would be maintained, providing a further effective visual backdrop that prevents the proposal from appearing visually dominant. Even from the public path along the access track, the raised position and visual containment afforded by surrounding development prevents the proposed fence from adversely effecting views into the CA.
12. Overall, being on the periphery of the CA and similar in size and form to adjacent fencing, the proposed reduced rear fence would not harm the informality, individuality or openness that characterise the CA.
13. Reference is made to the proposal not meeting the Chalet Design Guide (1997), which sets out that all plots should be enclosed by a timber fence not exceeding one metre in height. However, this requirement is detailed as only applying specifically to boundary treatments forward of the front building line of chalets. As the issue with the proposal relates solely to the rear boundary, this requirement is not directly applicable.
14. Both Humberston Village Council and the Grimsby, Cleethorpes and District Civic Society objected to the proposal based on the Council's heritage comments and an assumption that it conflicted with the Chalet Design Guide. No additional harm was identified. For the reasons set out above, these objections do not alter my consideration of the above.
15. Taking the above into account, the proposal would preserve the CA's character and appearance. Consequently, it would meet the requirements of section 72(1) of the Act and would not harm the significance of this designated heritage asset. It would also not conflict with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 to 2032 (2018) (LP) which seek new development to be to a good design which protects and enhances heritage assets, including character and local distinctiveness.

Flood risk

16. The Environment Agency (EA) objects to the proposed rear fence on the basis that it could impede access to the sea defences and, as a consequence, increase flood risk. It advises that, as the works would be located within 16m of a flood defence, any activity would require a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016. The EA also indicates that, on the basis of the current proposal, it is unlikely that such a permit would be granted. The Council itself raises no separate or additional flood risk concerns.

17. As noted previously, the boundaries adjacent to the sea defences in the vicinity of the appeal site are characterised by a varied and informal mix of rear boundary treatments, including sections of fencing of varying and comparable height, dense planting and occasional shed-type structures. The proposed fence would follow the established historic line of the appeal site's rear boundary and would align with neighbouring rear boundaries. Against this existing baseline, the proposal would result in only a very limited change to current conditions and would not significantly alter the nature or availability of access along the maintenance track. It would not introduce any significant or unusual obstruction to the sea defences access beyond that which already exists.
18. While I take account of the EA's recommendation to reduce the fence height, use a post-and-rail or picket type fencing and include a 1m setback from the toe of the sea defences, no substantive or site-specific evidence has been provided to demonstrate that the proposal, as submitted, would hinder access to the sea defences. Nor has it been shown that the existing boundary treatments along this stretch are presently giving rise to any access difficulties. In particular, the EA has not explained how the proposal would create any greater impediment to access than the current arrangement. In the absence of clear evidence of an increased or unacceptable impact, I am not persuaded that the proposal would compromise the EA's ability to maintain or access the sea defences, or that it would result in any increase in flood risk when compared with the existing situation.
19. Notwithstanding the above, I am mindful that the proposed development would require a flood risk activity permit from the EA. However, the permitting process operates under a separate legislative regime to the planning system. The role of this decision is to assess whether the proposal is acceptable in planning terms, rather than to determine whether it would ultimately secure all necessary permits. Moreover, the EA has not categorically confirmed that it would not grant a permit. If I was minded to grant planning permission, this would not override or prejudice the EA's separate regulatory functions, and it would remain for the appellant to obtain any required consents before the development could lawfully proceed.
20. Accordingly, the proposal would not increase flood risk and would accord with Policy 33 of the LP, which requires new development not to increase flood risk to itself or to existing properties.

Other Matters

21. Appeal reference APP/B2002/W/25/3366710, relating to 124 Humberston Fitties, was submitted as information for the appeal. While this site lies within the CA, the appeal concerned alterations to a replacement chalet and arose for different circumstances to the appeal before me. It is therefore not directly relevant and does not alter my conclusions.

Conditions

22. The Council has suggested the imposing of a condition requiring the development to be carried out in accordance with the approved plans. I have considered this and, in the interests of certainty, have imposed such a condition. As the development is largely retrospective, a standard time-limit condition for commencement is neither necessary nor appropriate. However, as the acceptability of the proposal depends on the reduction in the height of the existing rear fence, I have imposed a condition requiring this alteration be completed within

a specified period. This is necessary to ensure that the development is brought into compliance with the approved scheme and that the reduced fence height can be effectively enforced.

Conclusion

23. For the reasons given above and considering all other matters raised, I conclude that the appeal should be allowed.

J Symmons

INSPECTOR

Appeal Decision

Hearing held on 24 March 2026

Site visit made on 24 March 2026

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 07 May 2026

Appeal Ref: 6002869

Land off Station Road, New Waltham DN36 4RZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (Act) against a refusal to grant outline planning permission.
 - The appeal is made by Snape Properties Ltd (Developer) and Lydia Tyler (Owner) against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0322/25/OUT.
 - The development proposed is Outline Planning Application for up to 120 dwellings with associated landscaping and infrastructure with means of access to be considered only, with all other matters reserved.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved for future consideration except access. I have therefore assessed the appeal on the basis of the Location Plan 01.381.25 A and Proposed Site Access Arrangements NTP25003-001 Rev D.
3. I have considered the Proposed Site Layout Plan 02.381.25 Rev L on an indicative but informative basis insofar as it relates to all matters except access.
4. I have taken the description of development in the banner heading above from the decision notice as agreed with the Appellant in the interests of certainty.
5. The application was determined on the basis of drawing numbers NTP25003-001 Rev D to NTP25003-006 Rev D which relate to the proposed access. A Revision E version set of the same plans were submitted to the Council prior to determination and both sets of plans were submitted as part of the appeal. As the Revision E drawings contain amendments to the access design that involve a substantial difference and would prejudice those who have not been consulted of the changes, the opportunity to do so, I have considered the appeal on the basis of the Revision D set of drawings that were the basis of the Council's determination of the application.

Main Issues

6. During the course of the appeal, a signed and dated planning obligation made under s106 of the Act (s106) was submitted which the parties agree addresses the reason for refusal relating to education provision and affordable housing. I have

taken the s106 into account and see no reason to disagree. Therefore, the main issues are:

- whether the proposal would accord with the Council's development plan strategy for the location of housing with particular regard to the character and appearance of the area and the strategic green infrastructure corridor between Waltham and New Waltham;
- the effect of the proposal on heritage assets with particular regard to archaeology; and
- the effect of the proposal on highway safety.

Reasons

Location

7. The site lies outside of the development boundary as defined in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) (LP). LP Policy 5 part 3 sets out the circumstances where development beyond development boundaries would be supported subject a number of considerations. As the proposal would not meet any of the circumstances set out within the Policy, the parties agree that the scheme would conflict with the development plan in this particular respect.
8. LP Policy 40 seeks, among other things, in pursuance of a principle of maintaining strategic gaps, to protect the setting and separate identity of settlements; prevent coalescence of settlements; retain the openness of land; and control the nature and scale of urban and rural development. The policy goes on to require special protection to be afforded to open areas including between Waltham and Grimsby and New Waltham.
9. The site lies roughly halfway between the development boundaries of Waltham and New Waltham to the north of Station Road. Station Road is a busy road that connects Waltham and New Waltham. It is primarily via this road that the separation of the two settlements is experienced by the public. Station Road and Louth Road intersect at the Toll Bar Roundabout (Roundabout). The development boundary of New Waltham follows Louth Road and turns westward at the Roundabout to contain the allocated housing site to the south of Station Road. The housing at the allocated site appeared to be largely built or under construction at the time of my site visit. On the north side of Station Road, the character of the area changes from a residential character to the east of the roundabout within the development boundary, to the educational feel of the sports pitches of the school to the northwest of the roundabout.
10. To the west of the school lies Grove Farm Cottage and Grove Farm, the open character of which can be glimpsed between the vegetation along Station Road. Grove Farm is also occupied by large barns near the road and to the west of the farm lies a residential home (Newgrove House). These buildings are either set in relatively large plots or have an agricultural character.
11. The new housing development on the south side of Station Road stretches from Louth Road roughly to the end of the school premises. As such the built up area of New Waltham visually appears to start at the school and new housing area and extends eastward.

12. The character of the area becomes more rural in feel heading westward from the school despite the busy character of the road. Moreover, opposite to Grove Farm on the other side of Station Road are modest dwellings in large plots that contribute to the more open feel of this stretch of Station Road. Accordingly, the stretch of Station Road from the school to the residential home has a transitional and more open feel compared with New Waltham to the east of the roundabout.
13. The open sports grounds of the school lie to the north of the school buildings and can be seen from Louth Road. Moreover, the lack of built development beyond the sports fields towards the site to the west can also be seen from this view.
14. Turning to the site, it is a generally flat, open, agricultural field used as a large paddock for horses and includes Grove Farm and the area to the north of Grove Farm Cottage and Newgrove House with access from Station Road. The main part of the site comprises open pasture and there is hedgerow along the western and northern field boundaries. The site, therefore, has an open rural character in keeping with the areas to the west and north which are also agricultural fields.
15. The site lies in Landscape Type 4: Flat Open Farmland and Sub Unit *GC(xi)* identified within the North East Lincolnshire Landscape Character Assessment, Sensitivity and Capacity Study, 2015. The site is in keeping with the identified key characteristics including medium to large scale open arable farmland.
16. The Landscape and Visual Appraisal (LVA) considers that the urbanising effects of overhead powerlines, a busy road network and dominance of existing and emerging residential development warrant the site sensitivity to be assessed as being low. While the overhead power lines can be seen near the site, these do not appear as a dominating feature in the skyline. Similarly, the existing and developing residential development is mostly to the east of the Roundabout and to the south of Station Road, while the buildings of Grove Farm, Grove Farm Cottage and Newgrove House are set in relatively large plots or have an agricultural character. As such, the site is not primarily experienced in the context of substantial residential development, is in keeping with the rural character of the fields to the north and west, and is accessed from the stretch of Station Road which has a transitional character.
17. The proposal for up to 120 dwellings would introduce a significant amount of built development, along with hard landscaping and domestic paraphernalia. While scale, layout, appearance and landscaping are matters for future consideration, the proposal would nonetheless urbanise the site, adversely affecting its open rural character.
18. Given the open fields to the west and north of the site, and the open sports ground to the east, the proposal would appear to intrude into the open undeveloped area that separate Waltham and New Waltham.
19. This urbanising effect would be seen from Viewpoint 1 identified with the LVA, from Station Road near Grove Farm Cottage, across its lawned grounds. Although views would be filtered by the boundary vegetation along the southern and northern boundary of the property, the upper part of dwellings and the presence of residential development across the site would be seen. This would introduce significant built development substantially closer to Waltham thereby unacceptably diminishing the gap between the settlements. Moreover, the scheme would

- harmfully alter the identified key characteristics of Landscape Type 4 including medium to large scale open arable farmland.
20. Viewpoint 5 of the LVA looks towards the site from Station Road, from within the field which is not publicly accessible. From the footpath of Station Road near Viewpoint 5 the scheme would be seen extending a significant distance into the open fields that separate Waltham and New Waltham. The proposed dwellings may be partially screened by trees and vegetation both along Station Road and along the western boundary of the site. Nonetheless, the permanence of the vegetation and level of screening along Station Road cannot be guaranteed.
 21. Layout and landscaping are reserved for future consideration and a landscaping buffer within the site could reduce views to the site from this viewpoint, as indicated on the indicative Proposed Site Layout drawing. However, it is likely that even with a landscaping buffer, some of the roofscape of the scheme would be visible from this view. Proposed landscaping would also take some time to provide any screening effects.
 22. When travelling towards New Waltham from Waltham on Station Road, the proposed dwellings would be seen extending northward and intruding into the open space between settlements. While vegetation along Station Road will screen some views, the permanence and level of screening along the length of Station Road cannot be guaranteed. Therefore, the built up area of New Waltham would become apparent at a far earlier point along the journey from Waltham to New Waltham compared with the existing situation. As such, the urbanising effect of the proposal would result in the appearance of the settlement of New Waltham extending closer to Waltham, harmfully reducing the settlement gap.
 23. Viewpoint 2 of the LVA looking west from Toll Bar Farm Residential Development looks across the school grounds towards the site. The view is through the fencing of the school grounds and the boundary vegetation between the school grounds and the site consists of a number of gaps such that the proposed scheme would be visible in this viewpoint. As with the other views, landscaping buffers could be considered at reserved matters stage that may reduce the visibility of the buildings. However, given the number of dwellings proposed and the extent of the site northward, the roofscape of the proposed dwellings are likely to be seen and the proposal would appear as a northerly intrusion into the undeveloped fields that separate the two settlements.
 24. The site lies roughly halfway between Louth Road and the settlement boundary of Waltham in terms of the LP development boundaries. Other than the school, Grove Farm Cottage, Grove Farm and the residential home, the land to the north of Station Road between Louth Road and Waltham is largely open and undeveloped. Given the fairly close proximity of the two settlements, the open land in between serves an important purpose in preventing the coalescence of the settlements. This is reflected in the special protection afforded to the open land in LP Policy 40.
 25. The LVA considers the overall effects of the proposal to be minor adverse. However, the topography of the area is generally flat and the proposal is heavily dependent on landscaping both within and outside the site for screening from public views. Landscaping is matter for future consideration as is scale and layout. However, landscaping outside the site is beyond the control of the Appellant and would take time to mature. Therefore, the proposal would not appear as an

extension to existing residential development and would protrude into the open space roughly halfway between development boundaries of New Waltham and Waltham to the north of Station Road.

26. Therefore, given the number of dwellings proposed, it is unlikely that the proposed residential development could be screened to such a degree that the gap between the settlements is not harmfully diminished. In addition, the setting of New Waltham in particular would be harmed by the scheme. Accordingly, the proposal would harm the landscape character of the area and would unacceptably diminish the open space separating the settlements of Waltham and New Waltham. Therefore, I attribute very significant weight to this harm.
27. Consequently, the proposal would conflict with the Council's development plan strategy for the location of housing with particular regard to the character and appearance of the area and the strategic green infrastructure corridor between Waltham and New Waltham. Therefore, it would conflict with LP Policies 5, 22, 40 and 42 which seek development that, among other things, recognise the distinctive open character, a thorough consideration of the particular site's context, protect the setting and separate identity of settlements and has regard to the landscape context.

Archaeology

28. The Council advised that the site lies adjacent to a complex of cropmarks tentatively dated as iron age or Roman. The cropmarks could extend onto the proposed development site suggesting buried archaeological remains.
29. An Archaeological Geophysical Survey (Survey) was submitted during the application which indicated a number of anomalies that are suggestive of anthropogenic activity.
30. Paragraph 207 of the National Planning Policy Framework (Framework) states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
31. The (Survey) states that taken as a whole, Anomalies A and B suggest the presence of anthropogenic activity or features across a significant part of the site. However, the exact cause or type of activity is not certain.
32. Layout is a matter for future consideration, and the proposal is for up to 120 dwellings. Therefore, it may be possible that future consideration of layout could enable the preservation of some archaeological assets in situ if required. The anomalies may not translate to archaeological remains and the anomalies appear to have no clear form to suggest significant structures or features. However, given the quantity and spread of the identified anomalies across the site, and the possibility that the anomalies could indicate anthropogenic activity, there can be no certainty that a condition requiring field evaluation such as trenching would make the scheme acceptable.
33. Consequently, in the absence of evidence to demonstrate otherwise, the proposal would harm heritage assets with particular regard to archaeology. Therefore, it

would conflict with LP Policy 39 which seek to protect the significance of heritage assets.

Highway safety

34. The proposed access to the site comprises a signal controlled junction off Station Road into the site. The proposed alterations to the highway and junction layout was designed on the basis of topographical information and the extent of the public highway from the Highways Search Extent Plan. Accordingly, I am satisfied that the proposed lane widths and space for traffic signals and bus stop can be provided as per the drawings.
35. Furthermore, there is no reason why corduroy paving for a segregated footway/cycleway and relocation of a lamp column as well as an area of hardstanding at the bus stop cannot be provided as part of a condition. The drawings indicate the 30mph speed limit sign to be relocated. However, this would be subject to a Traffic Regulation Order (TRO). There is no evidence before me to indicate that it is unlikely that a TRO would be granted, or that the proposed access arrangement would result in an unacceptable impact on highway safety without the relocation of the sign.
36. In any event, I am satisfied that the proposed access as shown on drawings NTP25003-001 Rev D to NTP25003-006 Rev D can be provided and, subject to conditions, would not result in an unacceptable impact on highway safety or severe residual cumulative impacts on the road network.
37. Consequently, the proposal would not unacceptably impact highway safety. Therefore, it would not conflict with LP Policy 5 in this particular respect which seeks, among other things, development proposals to have regard to access and traffic generation.

Other Matters

38. I note the comments of the Inspectors for the cases at Torbay Drive¹, Land south of Millennium Park² and Humberston³. With regard to the Torbay Drive case, existing residential development extended along the site's northern and eastern boundary. In the Millenium Park case, there was modern residential development to the north and west, both adjacent to the site. The site in the Humberston case was immediately east of existing housing. The locations of the sites for these cases in terms of the character and appearance of the area are materially different to the appeal site which is bordered on three sides by undeveloped land. These cases are therefore not directly comparable to this appeal and have not altered my overall decision.
39. I also note the approval of planning permission for 8 dwellings on land to the south of the site. As it is for a much smaller development, that case is not directly comparable to this appeal and has not altered my overall decision.

Planning Balance

40. The Council cannot demonstrate a five year supply of housing. The housing supply figure is 3.6 years. Accordingly, paragraph 11dii of the Framework is engaged

¹ Appeal Ref: APP/B2002/W/22/3311282

² Appeal Ref: APP/B2002/W/23/3330854

³ Appeal Ref: APP/B2002/W/25/335967

which requires that permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits.

41. The proposed scheme for up to 120 dwellings would provide a significant contribution to the local housing supply. 20% of the housing would be affordable housing. Future residents would provide an economic benefit to the local services and facilities and would provide a social benefit to the local community. In addition, there would be temporary economic benefits during the construction phase. The scheme would also provide environmental benefits through the delivery of Biodiversity Net Gain and landscaping which would be considered at reserved matters stage. Given the scale of the proposal, I attribute significant weight to these benefits.
42. The proposal would be contrary to the development plan objective of directing new housing to within development boundaries. Moreover, it would harmfully urbanise an undeveloped site and would intrude into the open area that separates the settlements of New Waltham and Waltham. The landscape effect is described as minor in the LVA. However, LP Policy 40 requires specific protection to be afforded to the open areas between Waltham and New Waltham. Therefore, given the importance of the strategic green infrastructure corridor between Waltham and New Waltham identified in the LP and the location of the site separated from significant existing and developing residential areas, the proposal would significantly harm the rural feel of the site and its vicinity and would result in very significant harm to the strategic gap between settlements. Accordingly, I attribute very significant weight to this harm.
43. The scheme would also result in harm to heritage assets in the absence of evidence to indicate otherwise, to which I attribute moderate weight given the uncertainty regarding the nature of the anomalies. Accordingly, the proposal would conflict with the development plan as a whole.
44. The very significant weight attributed to the conflict with the development plan strategy for the location of housing with particular regard to the character and appearance of the area and the strategic green infrastructure corridor between Waltham and New Waltham, and the moderate weight attributed to the harm to heritage assets, significantly and demonstrably outweigh the benefits.

Conclusion

45. The proposal would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mark Johnson BSC(Hons) MRTPI, MRICS - Director, Johnson Mowat

Jennie Hanbidge - Senior Planner, Johnson Mowat

Mike Estell BA (Hons) Landscape Architecture, DipLA, CMLI - Director of DRaW (UK) Ltd

Phil Moore BA (Hons) Principal - Heritage Consultant - BWB Consulting Limited

John Vernon BA(Hons), MSc, - Director, Northern Transport Planning Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Cheryl Jarvis – Planning officer, North East Lincolnshire Council

Lauren Birkwood – Supervising officer, North East Lincolnshire Council

Louise Jennings – Heritage officer, North East Lincolnshire Council

Lara Hattle – Highways officer, North East Lincolnshire Council

Jonathon Skill – Highways, North East Lincolnshire Council

INTERESTED PARTIES:

Cllr Philip Jackson – Leader of the Council

DOCUMENTS

Signed legal agreement

CIL Compliance Statement

Wording for suggested condition 16.



Appeal Decision

Site visit made on 17 April 2026

by **J Symmons BSc (Hons) CEng MICE**

an Inspector appointed by the Secretary of State

Decision date: 7 May 2026

Appeal Ref: APP/B2002/Z/25/3377073

Grimsby Truck Stop and Wash, Estate Road 1, Grimsby

North East Lincolnshire DN31 2TB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Connexin Limited against the decision of North East Lincolnshire Council.
 - The application Ref DM/0722/25/ADV.
 - The advertisement proposed is 2No back to back static digital screens.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations¹, National Planning Policy Framework dated December 2024 (the Framework) and the Planning Practice Guidance (PPG) make it clear that advertisements should be subject to control only in the interests of public safety and amenity. I have had regard to the policies of the development plan and supplementary guidance only in so far as they are a material consideration relevant to matters before me.
3. A Highway Safety Report (Reference: MAL/A180 GTP LED Rev 0) titled 'LED Signage Proposal A180 Grimsby Truck Stop and Wash' (Highway Safety Report) by Meraki Alliance was issued in support of the appeal. However, this report represents new information not submitted at the application stage and therefore not considered by the Council or interested parties including the Highway Authority, National Highways and Humberside Police.
4. The 'Procedural Guide: Planning Appeals – England (for appeals relating to applications dated on or before 31 March 2026)' makes clear that, in appeals against the refusal of express advertisement consent, other than setting out the grounds of appeal, the appellant will not normally be able to submit further material unless it is specifically requested by the Inspector. The same restriction applies to the Council. Interested parties are also advised that, at the appeal stage, they will not normally have a further opportunity to make representations.
5. The guidance also allows for the submission of 'any other essential supporting documents' which I consider covers such things as material necessary to explain the appeal, to clarify information that has already been before the Council and interested parties, or to address genuinely significant changes in circumstances.

¹ Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

However, other than the Highway Safety Report responding to a reason for refusal, no justification to explain why it was not submitted at the application stage or why it should be accepted at the appeal stage has been provided. Nor has any evidence been presented to show that the Council or interested parties have had an opportunity to consider and comment on it. As such, accepting this material at the appeal stage would risk procedural unfairness and prejudice the Council and interested parties. Accordingly, the Highway Safety Report cannot be accepted, and I have considered the appeal based on the plans and documents originally before the Council and consulted on by interested parties.

Main Issues

6. The main issues in the determination of the appeal are the effect the proposal would have on:
 - the visual amenity of the area; and
 - public safety.

Reasons

Visual amenity

7. The proposal comprises two back-to-back static digital display screens positioned within the Grimsby Truck Stop & Wash site, close to the boundary with the A180. In this location, the site's southern boundary with the A180 is largely open in character, allowing clear views from the carriageway across parts of the surrounding commercial and industrial estate and towards the wider skyline. The A180 corridor here contains limited signage and lighting and, aside from a large Grimsby Truck Stop advertisement on the north side of the road, a large directional traffic sign on the south side and some modest speed-related signage, there is a general absence of other large-scale advertising or highway signage in the vicinity.
8. In this locality, the commercial and industrial buildings are clearly visible and form a recognisable element within views from the A180. The closer-range views are of a utilitarian-built form reflecting the area's commercial character. Due to the fast-moving highway environment, the A180's slightly elevated alignment, the wider skyline backdrop and the generally muted colouring of the buildings, the prominence of this is somewhat subdued and it is not overly distracting.
9. The introduction of two very large, back-to-back static digital display screens in proximity to, and directly within, views from the A180 would result in a visually dominant feature. Owing to their size, height, illumination and close relationship with the carriageway, and in the absence of comparable large-scale advertising or other solid vertical features in the vicinity, the screens would introduce visual clutter and draw disproportionate attention. They would visually compete with the established commercial context and would appear as an incongruous and visually intrusive feature, detracting from the existing visual character of the area.
10. The PPG² indicates that large poster-hoarding may be acceptable in industrial or commercial areas of major cities, but only where they do not adversely affect visual amenity of the neighbourhood. It therefore follows that advertisements must

² PPG Paragraph: 079 Reference ID: 18b-079-20140306

be assessed on their own merits and in their specific context. In this case I have considered the proposal on this basis and found visual amenity harm.

11. For the reasons given above, the proposed advertisement would have a detrimental effect on visual amenity. Accordingly, so far as relevant to amenity, it would conflict with Policy 22 of the North East Lincolnshire Local Plan 2013 to 2032 (2018) (LP), which seeks, amongst other matters, to ensure that advertisements respect the interests of amenity.

Public safety

12. The proposal would be located on a straight section of the A180, which is subject to a 70 miles per hour (mph) speed limit. However, it would also be sited close to the eastbound deceleration zone serving the Pyewipe Roundabout, where drivers are required to anticipate changes in traffic conditions and adjust speed and lane position.
13. In this context, while no formal objection was raised on highway safety grounds at the application stage, National Highways, the Highway Authority, and the Humberside Police Traffic Management Officer all expressed concern that the proposal could give rise to driver distraction. These concerns related specifically to the potential for unexpected queuing traffic in the vicinity of the roundabout, at a location where a high level of driver concentration is required.
14. From my site visit, albeit representing a snapshot in time, I observed vehicles travelling past the appeal site at high speeds (in the order of 70mph) before entering the deceleration zone, where drivers were required to reduce speed and change lanes. This reinforces the sensitivity of the location and the importance of minimising features that could distract drivers at this point on the highway.
15. No evidence has been submitted at the application stage to show the concerns raised regarding highway safety were addressed. While a Highway Safety Report has been provided at this appeal stage, due to the details set out above I have not taken it into account. Therefore, based on the plans and information that were before the Council, I conclude that the proposed digital display screens would introduce a visually prominent and distracting feature at an extremely sensitive location on the A180. Given the high-speed nature of the road and its proximity to the Pyewipe Roundabout's deceleration zone, the potential for driver distraction cannot be discounted. In these circumstances, the proposal would adversely affect highway safety.
16. Although the proposal would not obstruct sightlines or interfere with the physical operation of the A180, this does not remove its capacity to distract drivers' attention and adversely affect highway safety.
17. While the PPG³ indicates that advertisements located within commercial or industrial areas are less likely to give rise to road safety concerns, it does not suggest that such locations are automatically acceptable. Each proposal must still be assessed on its own merits, having regard to its specific siting, scale and relationship with the highway environment. This does not therefore change my view on the adverse effects the proposal would have on highway safety.

³ PPG Paragraph: 067 Reference ID: 18b-067-20140306

18. For the above reasons, the proposed advertisement would be detrimental to public safety. Accordingly, so far as it is relevant to public safety, it would conflict with Policy 22 of the LP which seeks advertisements to respect public safety.

Other Matters

19. It is indicated that the displays would incorporate measures such as ambient light sensors to regulate brightness, static imagery, and smooth transitions between images. However, given the size, siting and visual prominence of the screens these features would not acceptably mitigate the adverse visual and highway safety impacts of the proposal.
20. The proposal would be monitored remotely at all times and maintenance would be undertaken to address any issues that arise. It is also detailed that no residential properties would be affected. However, these matters would not address or mitigate the identified harm to visual amenity and highway safety.
21. Reference has been made to a digital display screen located within a commercial and industrial area in Hull alongside the A63. However, beyond a single photograph, no substantive details of its scale, siting, design or context have been provided. I am therefore unable to conclude that it is directly comparable to the proposal before me. In any event, each case must be assessed on its own individual merits, and for the reasons given above, I have found that the proposal in this instance would result in harm.
22. The Framework indicates that significant weight should be given to development that achieves high levels of sustainability, particularly where it demonstrates high-quality design and successful integration with its surroundings. However, as set out above, the proposal would fail to integrate successfully into its surroundings. Moreover, it has not been shown that the proposal would deliver anything more than a limited level of advertising or public benefit within the local authority area, nor that less harmful alternative locations have been adequately explored. As such, it has not been demonstrated that the proposal's sustainability credentials are of sufficient substance to outweigh the identified harm to visual amenity and public safety.

Conclusion

23. For the reasons given above the appeal should be dismissed.

J Symmons

INSPECTOR