

DEVELOPMENT MANAGEMENT

APPEALS LIST - 21ST AUGUST 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/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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DM/0713/25/FUL 39A And 39B Lord Street Grimsby North East Lincolnshire DN31 2ND	AP/012/26 INPROG	Lauren Birkwood Written Representation
 Street Record Stallingborough Road Immingham North East Lincolnshire	AP/013/26 INPROG	Martin Ambler Written Representation (ENFORCEMENT)
DM/0468/25/OUT Land Parcel At Waltham Road Barnoldby Le Beck North East Lincolnshire	AP/014/26 INPROG	Richard Limmer Written Representation
DM/0980/25/OUT Land West Side Louth Road New Waltham North East Lincolnshire	AP/015/26 INPROG	Bethany Loring Informal Hearing



Appeal Decision

Site visit made on 22 July 2026

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2026

Appeal Ref: 6008114

17 Walker Avenue, Grimsby, North East Lincolnshire DN33 2LL

- 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 Jasjit Binopal, Our Avenue Limited against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0919/25/FUL.
 - The development proposed is the change of use from dwelling house (C3) to Children's Care Home (C2) for 2 children.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from a dwelling house (C3) to a Children's Care Home (C2) for 2 children at 17 Walker Avenue, Grimsby, North East Lincolnshire DN33 2LL in accordance with the terms of the application, Ref DM/0919/25/FUL, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is whether the proposal would provide suitable living conditions for its future occupiers by way of internal space and layout, and the provision of outdoor amenity space.

Reasons

3. The appeal property comprises a predominantly 2 storey house that is located at the end of a short terrace. There is a small front garden area and a larger enclosed garden area to the rear. A parking space is found to the side of the front garden. This area extends in a narrower fashion down the side of the house, where the bins are stored. The site lies in a residential area.
4. The ground floor of the property consists of a lounge area which is separate from a larger open plan living/dining room/kitchen. The kitchen contains the usual modern appliances. Upstairs there are 2 fairly large bedrooms with a smaller boxroom. There is also a bathroom which includes a shower over the bath, as well as the sink and toilet, and there is a separate downstairs toilet room and sink. The inside of the house has been the subject of comprehensive redecoration and new fittings.
5. The rooms in the house are connected by a hallway, stairs and a top landing area, which ably allow for circulation around the house. In addition, all of the habitable rooms benefit from natural light. Indeed, the lounge has a large bay window, while the living/dining room has patio doors and associated glazed side panels. Both upstairs bedrooms also have relatively large windows.

6. As the maximum occupation would be two children, each with their own well-sized bedroom, two carers on a rota basis and a manager during usual working hours, the internal space would not be constrained. While the boxroom is modest, it would be used as an office and not as living space. Having a separate lounge to the living/dining room area would provide a decent level of accommodation at the ground floor level for communal activities. The layout would allow for the separation of usual domestic activities, especially as the bedroom space and the bathroom would be found at first floor level. The natural light that the habitable rooms would receive would aid with their use.
7. The rear garden area would be the primary outdoor amenity space. It contains an area of hardstanding nearest the rear of the house and then an area of grass and vegetation. It is of a not insignificant size that would readily allow for it to be used beneficially and to the enjoyment of the future occupiers. Its enclosed nature would also mean it would be suitable for use by children and it can be readily accessed through the patio doors or else via a door off the kitchen. At the time of my site visit it was somewhat overgrown, but the usual domestic garden maintenance would enable it to be used effectively and so it would not need any further planning control.
8. While I note the concerns of the Council's Head of Children's Commissioning and I accept that it would not be occupied by a more typical family household, it is not evident why the proposal would not have the space to function effectively as a Children's Care Home, with two children in occupation. Based on the size and layout, it would be appropriate for the needs of looked after children in providing a sufficiently supportive and functional requirement, even if those needs prove to be more complex.
9. I have been referred to other regulatory regimes, but both main parties rightly indicate that my decision should be a matter of planning judgment, based on all of the evidence before me. In this instance, Policy 5 of the Council's North East Lincolnshire Local Plan 2013 to 2032 (2018) (Local Plan) is not prescriptive over the size of the accommodation or the layout. The same applies for the National Planning Policy Framework because it more broadly provides for a high standard of amenity for existing and future users, and that specific housing needs including children need to be addressed. The National Design Guide also simply sets out that a good standard and quality of internal space should be provided, rather than which precise thresholds should be met for such a use.
10. In considering the totality of these factors together, as a planning judgment, the proposal would not fail to provide suitable accommodation to meet the identified needs required for a Children's Care Home in terms of size and functionality. In these terms, it would be unlikely to harm the well-being of the children. There is not a conflict with either development plan or national planning policy.
11. I conclude that the proposal would provide suitable living conditions for its future occupiers by way of internal space and layout, and the provision of outdoor amenity space. As such, it would comply with Policy 5 of the Local Plan where it refers to suitability and sustainability, having regard to size, amongst other considerations.

Other Matters

12. In relation to highway safety, the proposal involves the widening of the driveway to provide two off-street car parking spaces. It also includes cycle storage that would

encourage the use of modes of transport other than the car. Walker Avenue and the adjoining Spurn Avenue are fairly narrow, especially when cars are parked on the highway, but I am not persuaded the likely levels of traffic generation from the proposal would warrant it unacceptable or that emergency vehicles would be unduly hindered, over and above current traffic conditions. Footfall would also be unlikely to substantially increase.

13. With the level of occupation, the living conditions of the occupiers of neighbouring properties would not be unacceptably affected by way of noise and disturbance from the proposal. The use of the house and rear garden would not be appreciably different in this regard than by two children as part of a family occupying a Use Class C3 dwelling, while the comings and goings would be unlikely to be at a level that would cause unreasonable intrusion. Based on my conclusions above, the operation would not be over intensive. External changes to the property would be limited as viewed from the streetscene to the removal of part of the front boundary enclosure to accommodate the second parking space and potentially more distant views of the cycle parking. These alterations would not be out of character in a residential area.

Conditions

14. In addition to a condition concerning the statutory timescale for implementation, I have imposed a condition concerning the approved plans in the interests of certainty. I have also imposed conditions both concerning the Use Class of the proposal and the adherence with the operation and management as set out in the Supporting Statement, as well as limiting the occupancy level, in the interests of protecting the living conditions of the future occupiers and the occupiers of the neighbouring residential properties.
15. I have imposed a condition concerning the proposed off-street car parking provision in the interests of highway safety, and a condition over the proposed cycle parking in order to encourage the use of modes of transport other than the car.
16. I have not imposed a condition related to biodiversity net gain because the proposal would be subject to the de minimis exemption, based on the details provided on the planning application form. There is no substantive evidence to the contrary.
17. Where I have altered the wording of the remaining conditions put forward by the Council, I have done so in the interests of precision and without changing their overall intention.

Conclusion

18. For the reasons given above the appeal should be allowed, subject to the conditions.

Darren Hendley

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 drawing nos Location Plan 1:1250, Existing Site Block Plan 1:500, Existing Plans 1:100, Existing Elevations and Section AA 1:100, P001 Proposed plans 1:100, S.BP Proposed Block Plan 1:200.
- 3) The premises shall be used for a Children's Care Home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 4) The development hereby permitted shall be operated and managed in accordance with the Supporting Statement (received by the Local Planning Authority on 24 October 2025) and shall be limited to a maximum child occupancy of no more than two at any one time.
- 5) The development hereby permitted shall not be brought into use until the vehicle parking spaces within the site boundary have been provided in accordance with drawing nos. P001 Proposed plans 1:100 and S.BP Proposed Block Plan 1:200. Thereafter those spaces shall be retained for the parking of vehicles only.
- 6) The development hereby permitted shall not be brought into use until space has been laid out within the site in accordance with drawing nos. P001 Proposed plans 1:100 and S.BP Proposed Block Plan 1:200 for bicycles to be stored and that space shall thereafter be kept available for the storage of bicycles.