

SUPPLEMENTARY PLANNING AGENDA - 22ND APRIL 2026

ITEM 1

Addendum to Planning Committee Report Ref: DM/0980/25/OUT

Given certain omissions in the Planning Officers Committee Report, the applicants want the following material planning considerations to be included in the written material before the Planning Committee, when determining this planning application:

Archaeology

- The Planning Officers' Committee Report does not make it clear that the crop marks, which were known and on public record, will be **preserved in situ** in accordance with the outline proposal (Reference: **Land Use Plan/ Sec 106 Legal Agreement**) and that the proposed development, in respect of the crop marks, would therefore comply with the requirements of Policy 39 and could be conditioned accordingly.
- Furthermore, **two separate, independent archaeological specialists** have advised that the archaeological potential on the remainder of the site is considered to be "**low**". (Archaeological Assessment & Geophysical Survey). This is a material consideration which has not been shared in this report.
- Nevertheless, the Heritage Officer has **requested trial trenching at this outline application stage**. This is not NELC's consistent approach with other outline planning applications in the vicinity of this site. The applicants do not consider this request to be **proportionate** and in accordance with the NPPF.
- Nevertheless, in response to this request, the applicants have reasonably proposed **phased targeted trenching** specifically around the areas of the "anomalies", to further the archaeological information for all parties. The applicants are awaiting the Heritage Officer's earliest response so that this can be implemented. This will occur post-determination at the Committee.
- In any event, the protection of any archaeological findings on site could be ensured by a **pre-commencement planning condition** imposed on the grant of an outline permission, which provides the Council with full comfort. This approach has been taken by NELC on other application sites, in close proximity to the site.

Ecology: WBS

- The Officers' Committee Report refers somewhat misleadingly to the applicants having undertaken "only one survey". For the avoidance of doubt, the applicants were not requested to undertake a WBS upon submission of the planning application. Nor was it required for validation purposes, given the site's distance from the SPA.
- The applicants did not receive a request to provide a WBS until 7th April. (After the survey period).

- As a precautionary measure, the applicants nonetheless undertook a WBS.
- This Wintering Bird Survey was undertaken from **November 2025 to February 2026** and comprises **8 separate surveys**.
- The WBS fully demonstrates that no protected SPA bird species were found in sufficient numbers to breach the Natural England 1% threshold (**0.84%**).
- Therefore, the applicants have undertaken a full and proper WBS, which has demonstrated that the application site, on the edge of the urban area of Grimsby and more than 5 km from the SPA, is not Functionally Linked Land to the SPA and therefore, the development will have a **negligible impact** on the SPA.
- Notwithstanding that a WBS has been submitted, which demonstrates a negligible impact, the Officers are now requesting a second WBS for 2026/27.
- There is no justification for seeking a substantial delay to much-needed housing development in these circumstances.

ITEM 1 - DM/0980/25/OUT

From: Phil O'Hara
Sent: 20 April 2026 10:46
To: Planning - IGE <planning@nelincs.gov.uk>
Subject: Proposed 300 houses

Dear commttee members,

Given Cyden homes have so many ongoing and unfinished sites, ours, Springfield Park, still has 5 years to run or more, according to the company, subjecting the residents to noise dust and nuisance. We feel as do many Scartho residents that giving this permission will subject everyone to further inconvenience notwithstanding the extra volume in traffic , the roads are already in a state , the highways dept can't keep up with repairs as it is so what chance will they have with an extra 450 vehicles (averaging 1.5 vehicles per home). Then there are infrastructure considerations ,doctors dentists etc. These services are at breaking point now. Given these points and the green space requirements we urge the committee to refuse this application for the sake of the electorate.

Yours Sincerely

Philip O'Hara
Patricia Jackson
1 Pearmain Gardens
Grimsby
DN333FX

Supplementary Planning Agenda – 22nd April 2026

ITEM 2 – DM/0455/25/FUL

Proposed additional condition:

Condition

Prior to development commencing final details of the finished site levels for the BESS and HVSS site area shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in full accordance with the approved details.

Reason

In the interest of visual amenity and ground condition protection in accordance with Policies 5, 22 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Sent by e-mail on 15th April 2026

Dear Mr Limmer and Mr Turner,

Planning application refs. DM/0455/25/FUL and WL/2025/00667

I am writing from Riby Grange Farm, as the landowner for the proposed Grange Energy Park between Stallingborough and Keelby, to explain why we support this proposal. We have not agreed to work with Island Green Power without careful consideration. My family has been farming in this area for over 50 years and we are committed to this area and we care about it deeply.

The farm operates on approximately 1,600 acres of land, with three blocks of land at Riby, Tetney and Stallingborough, as well as other isolated fields. The solar farm would cover 387 acres, leaving more than 1,200 acres in agricultural production.

The income from hosting solar will support the future viability and sustainability of our farming business greatly which we certainly need in such uncertain times, experienced in the past, now and undoubtedly in the future. Farming operates on a world market, so we have no control over what our product will be worth when it comes to selling it.

Furthermore, most of our inputs – fertiliser, sprays and diesel – are all manufactured abroad. Fertiliser, being our biggest cost, is linked to the price of gas, so when the price of oil and gas rocket so does the price of fertilisers. This was seen when Russia invaded Ukraine and again now with war in Iran. As an example, we have seen the price of Urea go from £400 per tonne to £600 per tonnes in 3 weeks, a 50% increase in our main cost. The price of wheat however has gone up £5 per tonne, from £170, to £175, a small increase compared to input costs. This just shows how higher input costs are not reflected in prices paid to farmers. Instead, we are encouraged to diversify to ensure financial sustainability. To do that, farming needs the support of local councillors when – as now – you have the power to veto those diversification plans.

If you approve it, the income from this solar scheme will be predictable and consistent, supporting us to keep farming, and to keep employing the 5 people who work this land with us.

The land we have put forward for solar is not our most productive. It is some of our heaviest clay land, which often is too wet to plant. If weather permits and we do manage

to plant a crop, we have seen numerous crop failures due to again wet weather and heavy weed burdens in the soil, namely black grass, a weed that is extremely hard to control in arable rotation. Long periods of grass fallow would seem very beneficial to the soil to add structure and lower the weed burden, so future arable production on the land can thrive.

This is not a permanent change of use. Solar panels are not very disruptive to the underlying land and, as I said before, the long-term fallow of fields under panels can benefit the soil when those fields return to agricultural production, as they will at the end of the consent period. Solar does not mean the end of agricultural production, it will just change the product produced. We are not just arable farmers, but have livestock too. This being beef cows and a small flock of sheep. The sheep flock we plan to expand in coming years, due to increased demand for good quality British lamb. In the event of solar been installed on the land, we are exploring opportunities to graze sheep on the land, retaining some agricultural production alongside energy production.

We have also chosen to partner with Island Green Power because we are confident that, if they are able to build this solar farm, they will do so properly and well.

Their plans include new hedgerows, restoring an historical block of woodland, planting to screen the solar panel areas and fields managed for wildlife. They have considered carefully the geography, ecology and history of the site.

These are the plans of a responsible developer, who will respect our land, our community and our area, while ensuring that an established local farming business can continue to grow British food, alongside British energy.

Yours faithfully

Harry Burt

Riby Grange Farm

ITEM 2 - DM/0455/25/FUL

From: [james](#)

Sent: 17 April 2026 14:07

To: Planning - IGE <planning@nelincs.gov.uk>

Subject: Re solar farm application - planning committee (April 22, 2026)

Dear Planning Department.

I have missed the deadline to submit comments in respect of the solar farm application that is due to be considered at the NELC planning committee meeting on Wednesday April 22.

I hope my request (below) might be added to the supplementary agenda.

Many thanks

J. Wright

Dear Richard Limmer

In the breeding bird survey of Riverdale Ecology's Environmental Impact Assessment (3.5.46), it states:

"Swifts were routinely recorded foraging above the fields within the application site but are not considered to be nesting due to the absence of any suitable buildings within the red line boundary."

This presents a significant opportunity.

If the applicant installs a swift tower (a structure with numerous nest cavities), this would provide much-needed habitat for a Red-listed species that is probably even more vulnerable to loss of nesting sites than the Skylark.

Such a venture would be:

- a) of potential biodiversity merit
- b) of scientific significance
- c) of PR value to both the applicant and to NELC.

I am not requesting that this proposal should be a formal planning condition (though it would be welcome), but I hope it might be submitted to the applicant and added as an 'informative' should planning consent be granted to the application.

Many thanks.

Best regards

Jim Wright

27a Parker Street
Cleethorpes

Supplementary Item 3

A further twenty four of these letters were received from residents on streets including, Glenfield Road, Ashby Close, Larmour Road.

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

Dear Sir/Madam,

I am writing to formally object to any plans to sell or develop the recreational ground located between Ashby Close and Glenfield Road.

I have resided
at 9 Larmor Road, Gy.
..... since: ~~19~~ 2007

During this time, I have witnessed firsthand the importance of this space to our community.

This area has been designated as a recreational ground since the construction of the houses in the 1970s. Prospective homeowners were informed that this area would remain a recreational space. For over 50 years, it has been utilized by residents for walking, socializing, and various recreational activities. This space provides essential recreational opportunities for residents of all ages, promoting community cohesion and well-being. Residents regularly maintain the area.

Bollards have always been in place to prevent vehicle access, ensuring the safety of pedestrians and maintaining the integrity of the space.

Furthermore, we have applied to establish the path as a public right of way. The path provides a safe, direct route for students walking to \[School Name], avoiding the need to cross busy roads. The public has used it frequently for at least 50 years.

Given the historical designation, continuous community use, and the importance of this land for recreation and safe passage, I urge the council to reject any proposals that would involve selling or developing this vital community asset.

Sincerely,

Name: LORNA INGLIS

Sign:

Date: 5.7.25

I have lived on the Estate 56 years, I attended Whitgift, my mates all lived round this area, we always played football on this land at end of Glenfield, even before it was all built, there has never been any cars or anything on that land, its always used by peoples small children for balls and bikes, including my own children + Grandson, I taught him to ride his bike on there, its safe.

Paul G. [redacted]

To whom this concerns

regarding the land at the side of Glenfield road, I have lived on the willows my whole life, 20 of which have been on Glenfield Road. That land has always been played on, I've never even known a car to illegally park on there. My son used it for playing Tennis on + other games, more recently my grandson uses it for playing ball, he learnt to ride his bike on there.

In a world where there

are very few safe areas for small children, why would building anything there even be considered.

I hope you think thoughtfully about any decisions made

Thank you

Tina Hallam-Gravells

17 Glenfield
Rd.

Supplementary Agenda – 22nd April 2026

Item 5 – DM/0010/26/FUL 52 Littlefield Lane

Proposal to amend condition 7. Condition 7 of the committee report said:

Condition

Prior to operation of the use, a Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the use shall operate in accordance with the Waste Management Plan.

Reason

In the interests of amenity and in accordance with Policies 5, 23 and 28 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Proposed amended condition 7 listed below:

Condition

The use shall operate and be managed in strict accordance with the Waste Management Plan (RD6126), unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of amenity and in accordance with Policies 5, 23 and 28 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

1. Introduction

1.1. This Statement has been prepared in support of a planning application to vary a section 106 Agreement dated 6 April 2023 between North East Lincolnshire Council, Ronald Kirk and Snape Properties Ltd relating to land off Torbay Drive, Waltham to provide for 8 almshouses as part of the social housing requirement of the development on terms similar to that agreed by Southwark Council for the development of almshouses and their management by an almshouse charity, as set out further below.

2. Context

Almshouses

2.1. Almshouses are the oldest form of community housing, offering affordable housing for those in need since the medieval period. They are often the only form of genuinely affordable housing available in small towns and particularly in rural areas, enabling communities to remain cohesive and vibrant.

2.2. Almshouses hold charitable status and are managed and run by local volunteer trustees. They are exempt from the 'Right to Buy' and, because of their small scale and ethos of creating communities of good neighbours, they are proven to add significantly to the wellbeing of residents leading to reduced demands on local resources.

- Today there are over 1,600 independent almshouse charities, 80% of which have fewer than 20 homes, yet collectively they offer 36,000 residents a genuinely affordable home based on the payment of a Weekly Maintenance Contribution usually set at below the level of Local Housing Allowance.
- Almshouse charities are unique in status and must comply with the terms of the definition as supplied by the Charity Commission. They are completely non-profit making, have a unique legal status and operate under a consistent ethos and a clear transparent governance model.
- Almshouse charities are led by approximately 10,000 volunteer trustees who adhere to a detailed and comprehensive set of practices as detailed in the 'The Standards of Almshouse Management', a complete management guide, which is reviewed annually and endorsed by the Charity Commission and written by lawyers and professionals in the sector.
- Evidence shows that those living in almshouses live longer, happier lives than people in the same demographic, with reduced isolation and loneliness and a greater sense of wellbeing^{1 2}.
- Today, newly built almshouses are some of the lowest carbon and most advanced forms of housing available, such as Appleby Blue Almshouses in Southwark and Dover Court in Girton, Cambridge.

¹ [Almshouse Longevity Study: Can living in an almshouse lead to a longer life?, Bayes Business School, City, University of London, May 2023](#)

² [Assessment of the evidence of financial benefits provided by almshouses, Housing Learning and Improvement Network, November 2021](#)

- 2.3. Southwark Council permitted the development of almshouses under a s106 agreement. The report to the Planning Committee³ showed an objection on the basis that there was a concern that the almshouses could eventually be sold off for private use. Southwark Council addressed this concern by securing the almshouses in perpetuity in the s106 agreement.
- 2.4. The wording of the 185 Park Street Legal Agreement with Southwark Council states that the *“affordable Housing will be made available on Social Rented Terms or in the case of provision by United St Saviour Charity, on such terms approved in writing by the Council and which are deemed by the Council to be reasonably equivalent”*⁴. The agreed wording allows for the Southwark Park Road development to be provided as 100% Social Rent or a rent equivalent to it that would be approved by Southwark Council. This wording is required to accommodate United Saint Saviours Charity, which has charitable status and as such does not operate on normal commercial rental terms. This is a legal position and in practice, the scheme would operate as a Social Rent development as stated in the report.

The Grimsby Sailors & Fishing Charity

- 2.5. The Grimsby Sailors & Fishing Charity (**the Charity**) was established in 2005 through the amalgamation of the Grimsby Fishermen’s Dependents’ Fund, the Grimsby and District Homes for the Poor and Aged Workers Fish Trade, the Fishermen and Sailors Almshouse Trust, and Diamond Jubilee Provident Homes, the latter body being formed in 1899.
- 2.6. The Charity provides housing for the poor and needy who are resident in or connected with Grimsby or Cleethorpes with priority given to officers, sailors and fishermen who have sailed from the Port of Grimsby, people who have worked in the fishing industry in Grimsby, and/or their dependents. There have been between 70-100 people on the Charity’s waiting list in the last two years.
- 2.7. The Charity currently owns 154 properties across Grimsby, Scartho, New Waltham, Waltham and Cleethorpes.
- 2.8. The current trustees are:-
- Mr Duncan Watt (Chairman)
 - Mr Andrew Allard
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- 2.9. The Charity provides accommodation to residents by way of a letter of appointment setting out the terms of occupation. A copy is annexed to this document.
- 2.10. Fair rent assessments are undertaken every three years. Maintenance contribution amounts are less than the fair rent standard set for each area.

³ [Report 94 - 116 Southwark Park Road, London, SE16 3RR](#)

⁴ [Supplement Addendum No.1](#)

3. Planning Policy

National Planning Policy Framework (December 2024)

The National Planning Policy Framework (**the NPPF**) (December 2024) sets out the Government's planning policies for England and is a material consideration in the determination of this application.

3.1. Sustainable Development

Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8(b) identifies the social objective of sustainable development as supporting strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

Paragraph 11 establishes the presumption in favour of sustainable development and confirms that development proposals which accord with an up-to-date development plan should be approved without delay.

The delivery of affordable housing forms a central part of these social objectives.

3.2. Delivering Affordable Housing and Social Rent

Paragraph 61 confirms the Government's objective of significantly boosting the supply of homes.

Paragraph 62 requires strategic policies to be informed by a local housing need assessment in order to identify the minimum number of homes required.

Paragraph 63 states that, in establishing housing need, the size, type and tenure of housing required for different groups in the community must be assessed and reflected in planning policies. These groups expressly include those who require affordable housing, including Social Rented, and older people.

Paragraph 64 provides that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, including the minimum proportion of Social Rent homes, and expect it to be delivered on-site unless an alternative approach can be robustly justified and contributes to mixed and balanced communities.

Paragraph 66 further confirms that, for major development involving housing, the mix of affordable housing required should meet identified local needs across Social Rent, other affordable housing for rent and affordable home ownership tenures.

3.3. Definition of Affordable Housing

Annex 2 of the NPPF defines Affordable Housing as housing for sale or rent for those whose needs are not met by the market and which remains affordable for future eligible households.

Social Rent is defined as housing where rent is set in accordance with Government rent policy and provided by a registered provider, with provisions to ensure long-term affordability or recycling of subsidy.

The NPPF therefore focuses on:

- Meeting identified affordable housing need;
- Securing long-term affordability; and
- Delivering appropriate tenure mix.

The Framework does not prescribe a single delivery mechanism beyond requiring that affordable housing outcomes are secured in accordance with policy and legal agreement.

North East Lincolnshire Local Plan (Adopted 2018)

The North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) forms the statutory development plan for the area.

3.4. Policy 5 – Housing Delivery

Policy 5 sets out the Council's strategy for delivering new homes to meet the Borough's objectively assessed housing needs. It requires proposals to contribute towards meeting housing requirements and to provide a range of dwelling sizes, types and tenures appropriate to identified need.

The policy supports housing delivery that responds to local evidence and contributes to sustainable communities.

3.5. Policy 15 – Housing Mix

Policy 15 requires developers to adopt an approach that establishes sustainable communities and provides a choice of homes to meet an appropriate range of housing needs. A mix of housing tenures, types and sizes should be provided, appropriate to the site's characteristics and location.

This policy supports flexibility in the delivery of tenure mix, provided the development responds to identified needs.

3.6. Policy 16 – Provision for Elderly Persons' Housing Needs

Policy 16 supports the provision of housing that maximises independence and choice for older people and others with specific needs. In assessing such proposals, the Council will have regard to:

- Local need;
- Accessibility to essential services;
- Impact on the local environment; and
- Avoidance of undue concentration.

Almshouses, which traditionally provide secure and affordable accommodation for older or vulnerable residents within a managed charitable framework, align closely with the objectives of this policy.

3.7. Policy 18 – Affordable Housing

Policy 18 confirms that the Council will seek to address affordable housing need by increasing the provision of affordable homes through the planning system.

On qualifying sites, a proportion of dwellings is required to be provided as affordable housing. The policy allows for the tenure mix and approach to delivery to be considered having regard to:

- Evidence of local need;
- Viability considerations; and
- The objective of securing affordable homes.

The policy does not prescribe a specific provider model, but instead focuses on ensuring that affordable housing is delivered, secured and meets identified needs.

Policy Context and Relevance to the Proposal

3.8. Taken together, the NPPF and the North East Lincolnshire Local Plan establish that:

- Affordable housing delivery is a central objective of national and local policy;
- Social Rent is a recognised and supported tenure;
- The mix and type of affordable housing should respond to identified local needs;
- Long-term affordability must be secured; and
- Planning policy is concerned with outcomes – delivery, affordability and need – rather than mandating a single provider structure.

3.9. The proposed variation to allow the Social Rent Housing requirement secured under the s106 Agreement to be delivered through almshouses:

- Maintains the quantum of affordable housing secured on the site;
- Delivers homes for households whose needs are not met by the market;
- Secures long-term affordability through charitable governance and legal controls;
- Responds to identified local need for Social Rented accommodation; and
- Aligns with Policies 5, 15, 16 and 18 of the Local Plan and paragraphs 63, 64 and 66 of the NPPF.

3.10. Accordingly, the proposal is consistent with the objectives of both national and local planning policy.

4. Planning History

The application site comprises land off Torbay Drive, Waltham, North East Lincolnshire.

4.1. DM/0285/22/FUL – Erection of 64 Dwellings

Proposal: Erect 64 dwellings with associated access and landscaping.

Decision: Refused

Date: 4 November 2022

The reasons for refusal were summarised as follows:

1. The site lies outside the defined development boundary within the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). The proposal was considered to extend into the open countryside and intrude into a strategic green infrastructure corridor, resulting in harm to the visual character and appearance of the area. It was concluded that the adverse impacts were not justified by the housing land supply position and therefore represented an unsustainable form of development, contrary to Policies 5, 22, 40 and 42 of the Local Plan and the NPPF.
2. The proposal, by reason of its intensity and point of access, was considered to have a detrimental impact on the capacity of the highway network and highway safety, contrary to Policy 5 of the Local Plan and the core principles of the NPPF.

4.2. Appeal Decision – APP/B2002/W/22/3311282

Following the refusal of planning permission under DM/0285/22/FUL, an appeal was lodged with the Secretary of State under reference APP/B2002/W/22/3311282.

The appeal was allowed, and planning permission was granted subject to conditions. The Inspector concluded that, notwithstanding the Council's concerns, the proposal was acceptable in principle and that the identified harms did not significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the development plan and the NPPF taken as a whole.

The appeal decision therefore:

- Established the principle of residential development on the site;
- Secured the development subject to planning conditions; and
- Formed the basis for the subsequent completion of the s106 Agreement dated 6 April 2023.

The appeal decision remains extant and implementable.

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³ [Report 94 - 116 Southwark Park Road, London, SE16 3RR](#)

⁴ [Supplement Addendum No.1](#)

3. Planning Policy

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- Securing long-term affordability; and
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The policy supports housing delivery that responds to local evidence and contributes to sustainable communities.

3.5. Policy 15 – Housing Mix

Policy 15 requires developers to adopt an approach that establishes sustainable communities and provides a choice of homes to meet an appropriate range of housing needs. A mix of housing tenures, types and sizes should be provided, appropriate to the site's characteristics and location.

This policy supports flexibility in the delivery of tenure mix, provided the development responds to identified needs.

3.6. Policy 16 – Provision for Elderly Persons' Housing Needs

Policy 16 supports the provision of housing that maximises independence and choice for older people and others with specific needs. In assessing such proposals, the Council will have regard to:

- Local need;
- Accessibility to essential services;
- Impact on the local environment; and
- Avoidance of undue concentration.

Almshouses, which traditionally provide secure and affordable accommodation for older or vulnerable residents within a managed charitable framework, align closely with the objectives of this policy.

3.7. Policy 18 – Affordable Housing

Policy 18 confirms that the Council will seek to address affordable housing need by increasing the provision of affordable homes through the planning system.

On qualifying sites, a proportion of dwellings is required to be provided as affordable housing. The policy allows for the tenure mix and approach to delivery to be considered having regard to:

- Evidence of local need;
- Viability considerations; and
- The objective of securing affordable homes.

The policy does not prescribe a specific provider model, but instead focuses on ensuring that affordable housing is delivered, secured and meets identified needs.

Policy Context and Relevance to the Proposal

3.8. Taken together, the NPPF and the North East Lincolnshire Local Plan establish that:

- Affordable housing delivery is a central objective of national and local policy;
- Social Rent is a recognised and supported tenure;
- The mix and type of affordable housing should respond to identified local needs;
- Long-term affordability must be secured; and
- Planning policy is concerned with outcomes – delivery, affordability and need – rather than mandating a single provider structure.

3.9. The proposed variation to allow the Social Rent Housing requirement secured under the s106 Agreement to be delivered through almshouses:

- Maintains the quantum of affordable housing secured on the site;
- Delivers homes for households whose needs are not met by the market;
- Secures long-term affordability through charitable governance and legal controls;
- Responds to identified local need for Social Rented accommodation; and
- Aligns with Policies 5, 15, 16 and 18 of the Local Plan and paragraphs 63, 64 and 66 of the NPPF.

3.10. Accordingly, the proposal is consistent with the objectives of both national and local planning policy.

4. Planning History

The application site comprises land off Torbay Drive, Waltham, North East Lincolnshire.

4.1. DM/0285/22/FUL – Erection of 64 Dwellings

Proposal: Erect 64 dwellings with associated access and landscaping.

Decision: Refused

Date: 4 November 2022

The reasons for refusal were summarised as follows:

1. The site lies outside the defined development boundary within the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). The proposal was considered to extend into the open countryside and intrude into a strategic green infrastructure corridor, resulting in harm to the visual character and appearance of the area. It was concluded that the adverse impacts were not justified by the housing land supply position and therefore represented an unsustainable form of development, contrary to Policies 5, 22, 40 and 42 of the Local Plan and the NPPF.
2. The proposal, by reason of its intensity and point of access, was considered to have a detrimental impact on the capacity of the highway network and highway safety, contrary to Policy 5 of the Local Plan and the core principles of the NPPF.

4.2. Appeal Decision – APP/B2002/W/22/3311282

Following the refusal of planning permission under DM/0285/22/FUL, an appeal was lodged with the Secretary of State under reference APP/B2002/W/22/3311282.

The appeal was allowed, and planning permission was granted subject to conditions. The Inspector concluded that, notwithstanding the Council's concerns, the proposal was acceptable in principle and that the identified harms did not significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies of the development plan and the NPPF taken as a whole.

The appeal decision therefore:

- Established the principle of residential development on the site;
- Secured the development subject to planning conditions; and
- Formed the basis for the subsequent completion of the s106 Agreement dated 6 April 2023.

The appeal decision remains extant and implementable.

The permission approved a revised site layout and updated house types while maintaining compliance with previously discharged engineering, drainage, landscaping and ecological details.

The decision confirmed that the amended scheme was acceptable under the policies of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4.6. Summary

In summary:

- The initial application (DM/0285/22/FUL) was refused.
- The subsequent appeal (APP/B2002/W/22/3311282) was allowed, establishing the principle of development.
- A s106 Agreement dated 6 April 2023 secures the affordable housing obligations.
- Conditions have been discharged under DM/0292/24/CND.
- Amendments to layout and house types have been approved under DM/0864/24/FUL.

The site therefore benefits from an extant and implementable planning permission for residential development.

The current application is limited to varying the affordable housing provisions within the s106 Agreement and does not revisit the established principle of development on the site.

4.3. Section 106 Agreement – Land Off Torbay Drive

Following the grant of planning permission on appeal, a s106 Agreement (**the Agreement**) dated 6 April 2023 was completed between North East Lincolnshire Council, Ronald Kirk and Snape Properties Ltd.

The Agreement secured, amongst other matters:

- 3 First Homes; and
- 9 Affordable Dwellings comprising a mix of Social Rented, Affordable Rented and Intermediate Affordable Housing.

The definitions within the Agreement are of direct relevance to the current application, including:

- “Social Rented Housing”, which includes rented housing owned or managed by other persons and provided under equivalent rental arrangements as agreed with the Council or Homes England; and
- “Registered Provider”, which allows for a company or other body proposed by the Owner and approved by the Council.

The current application seeks to vary the affordable housing provisions secured under this Agreement.

4.4. DM/0292/24/CND – Discharge of Conditions

Proposal: Discharge of multiple conditions attached to the appeal decision (APP/B2002/W/22/3311282 / DM/0285/22/FUL).

Decision: Conditions discharged

Date: 19 July 2024

Under application ref. DM/0292/24/CND, details were submitted to discharge conditions relating to construction management, highways, materials, air quality, finished levels, ecology, drainage, landscaping, open space management and the residential travel plan.

North East Lincolnshire Council confirmed that the submitted details were sufficient to discharge the relevant conditions.

This formal discharge enabled the development to proceed in accordance with the approved technical details.

4.5. DM/0864/24/FUL – Variation of Condition 2 (Approved Plans)

Proposal: Variation of Condition 2 (Approved Plans) following DM/0285/22/FUL to revise layout for plots including dwellings, garages, roads and landscaping and to revise house types on specified plots.

Decision: Granted subject to conditions

Date: 28 February 2025

Planning permission was granted under application ref. DM/0864/24/FUL to amend the approved plans and revise aspects of the layout and house types.

The permission approved a revised site layout and updated house types while maintaining compliance with previously discharged engineering, drainage, landscaping and ecological details.

The decision confirmed that the amended scheme was acceptable under the policies of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4.6. Summary

In summary:

- The initial application (DM/0285/22/FUL) was refused.
- The subsequent appeal (APP/B2002/W/22/3311282) was allowed, establishing the principle of development.
- A s106 Agreement dated 6 April 2023 secures the affordable housing obligations.
- Conditions have been discharged under DM/0292/24/CND.
- Amendments to layout and house types have been approved under DM/0864/24/FUL.

The site therefore benefits from an extant and implementable planning permission for residential development.

The current application is limited to varying the affordable housing provisions within the s106 Agreement and does not revisit the established principle of development on the site.

5. Proposals

5.1. The current Agreement provides for the development to include:-

- 3 First Homes; and
- 9 Affordable Dwellings, comprising a mix of Social Rented, Affordable Rented, and Intermediate Affordable Housing.

5.2. Snape Properties Ltd and the Charity are proposing to vary the Agreement to provide:-

- 8 Affordable Dwellings to be Social Rented Housing in the form of almshouses managed by the Charity; and
- 4 First Homes.

5.3. The almshouses would be a row of 6 semi-detached accessible bungalows towards the rear of the development and two further semi-detached accessible bungalows as shown on the enclosed revised site plan.

5.4. Social Rented Housing is defined in the Agreement as:-

*“rented housing owned and managed by local authorities and Registered Providers, as defined in s80 of the Housing and Regeneration Act 2008 for which guideline target rents are determined through the national rent regime **and may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the Council or with Homes England**”* (emphasis added)

5.5. Registered Provider is defined in the Agreement as:-

*“a registered provider as defined by and registered under the provisions of the Housing and Regeneration Act 2008 **or any company or other body as may be proposed by the Owner and approved by the Council.**”* (emphasis added).

5.6. It is proposed that the Council approve the Charity as the owner and provider of the 8 Affordable Dwellings by way of a s106 agreement:-

- (a) securing the use of the dwellings as almshouses for a period of 50 years and that such proceeds of sale on any disposal be used only for the provision of further almshouses in the Borough;
- (b) providing that the Affordable Dwellings be made available on such terms approved in writing by the Council which are reasonably equivalent occupation terms to Social Rented Housing

Appendix A – Proposed Site Plan



Appendix B – Grimsby Sailors & Fishing Charity – Letter of Appointment



GRIMSBY SAILORS & FISHING CHARITY

Registered Charity No. 500816

General Manager: Mrs. Judi Coultas
Charity Administrator: Ms. Samantha Kirby
Office Hours: Mon – Fri 09:00-13:00

Alexandra Dock Business Centre
Suite 1
Fisherman's Wharf
Grimsby
N.E. Lincs DN31 1UL
Tel: (01472) 347914

LETTER OF APPOINTMENT

Dear ,

I am pleased to advise you, that the trustees of the Grimsby Sailors & Fishing Charity, which is a Charity registered with the Charity Commission, (No. 500816), have considered your application for accommodation and have decided to appoint you as a beneficiary (resident) of the Charity with effect from **2026** at , **Grimsby, N E Lincolnshire,**

It must be noted that residents occupy an almshouse under license in accordance with Charity Law and as a beneficiary of the Charity. Neither the resident(s) nor any relation or guest of his/her/theirs will be a tenant of the Charity or have any legal interest in his/her/their almshouse.

This appointment is personal to the person(s) named above. No other person is allowed to live at the dwelling unless they have formally applied to the Charity and been granted beneficiary status in their own right and you have been jointly allocated the same dwelling.

There is no right to an allocated parking space with this property.

A weekly maintenance contribution (WMC) of £ is payable in advance weekly towards the upkeep of the dwelling and this figure may be increased upon one month's notice. It is a condition of occupancy that the WMC should be paid by standing order to the Charity. The WMC will be payable from the commencement of the week during which you take occupation. Please set up a standing order payment with your bank. The level of WMC is usually reviewed annually but the Charity reserves the right to review this more frequently if it is in the Charity's best interests.

It is a condition of occupancy that the full amount of weekly maintenance contribution is paid regardless of the services or support elements used by the residents.

If entitled to Housing Benefit/Local Housing Allowance, it is advisable to make an application now to the council in this regard. If any difficulty in claiming is experienced, please let the Charity know.

The Resident will be responsible for payment of the utility bills, tv license and council tax relating to their dwelling. The Charity will pay the residents water rates.

Should a resident choose another utility provider he/she should provide the Charity with details in case of emergency.

The following regulations for residents are to ensure the smooth running of the almshouse:

1. Residents may expect to continue in occupation for as long as they need the accommodation providing, they continue to qualify as a beneficiary, are able to look after themselves and their appointment as a beneficiary is not set aside. If health deteriorates, they must be willing to accept advice and guidance from the Charity, who will also consult with the next of kin, Social Services, and other agencies if necessary.
2. Residents should provide the Charity with authority to contact their doctor and next of kin directly in the event of emergency by signing an authorisation form provided by the Charity.
3. The name and address of the next of kin, or a nominated representative, should be supplied to the Charity. It is strongly recommended that residents make a Will and advise the Charity where it is deposited.
4. Residents are required to occupy the property quietly and with thought for other residents and/or neighbours. No radio, TV or music system should be operated in such a manner as to cause a disturbance, nor shall anything be done in, upon or about the premises which shall be a nuisance, annoyance, or disturbance to the occupants of other almshouses or to the general public including members of staff of the Charity.
5. The trustees undertake to carry out all repairs, including external decorations. Residents are responsible to keep and maintain internal decoration in good condition. Residents are not allowed to make any structural alteration to the dwellings, nor alter the plumbing or electrical installation. No shelves, cupboards, locks or fittings shall be fixed or removed, nor shall any alteration be made to any room or its fittings without prior consent of the Charity. Any changes to fixtures and fittings approved by the Charity shall remain as property of the Charity when the resident vacates.
6. The Charity retains the power to set aside a resident's appointment with good cause, e.g., in the case of serious misconduct, non-payment of WMC, a serious breach of regulations, in any of the circumstances described in the Charity's Governing documents, or if the resident is no longer a qualified beneficiary or is no longer able to live independently.
7. Whilst, at all times, the Charity will respect the privacy of the residents, it is a condition of residency that residents allow reasonable and regular access to their almshouses for repairs and inspections to be carried out. Representatives of the Charity will visit from time to time by prior appointment but reserve a right of entry by its own key or a key safe box if fitted in cases of urgency or non-cooperation by the resident.

8. Residents should keep their almshouse clean and tidy and avoid storage of excess or unnecessary items. Hoarding of excess goods in extreme cases may be grounds for setting aside an appointment. All defects which become apparent in the property should be reported to the General Manager.
9. The use of paraffin oil and portable gas heaters is strictly prohibited. The General Manager or the trustees should be consulted if additional heating is required.
10. Residents must live in the almshouse as their permanent residence and not be absent from the dwelling for more than 28 consecutive days in any year without the prior consent of the Charity and should inform the General Manager whenever they plan to be absent overnight in order that all residents may be accounted for in case of emergency.
11. The resident's attention is drawn to the Complaints Procedure of the Charity which is provided to the resident on the signing of this Letter of Appointment, but which may be amended by the Charity from time to time and distributed to each resident.
12. Occasional overnight visitors are permitted to stay in the almshouse, but these must not be regular occurrences and residents must advise the Charity of any overnight visitors for safety and security reasons.
13. Residents must comply with any policy on keeping pets which may be introduced from time to time by the Charity.
14. Smoking is prohibited in all communal areas, including the entrance hall, corridors and common rooms.
15. Residents are prohibited from spreading misleading or malicious information about the Charity, its trustees, staff or other residents through traditional or social media channels. Where a resident has concerns about the Charity, its trustees, staff or other residents, these should be addressed through formal channels as set out in the Complaints Procedure.
16. The Charity may alter the rules as necessary for the administration of the Trust and for the resident's welfare. Any alteration to the rules will be notified in writing to each resident.
17. There may be circumstances, for example during extensive refurbishment, when the Charity will need to ask a resident(s) to vacate the dwelling and move, either temporarily or permanently, to another dwelling. The Charity reserve the right to do so, after full consultation with the resident.
18. Should a resident wish to leave his/her dwelling to live elsewhere, not less than one calendar months' notice in writing must be given to the Charity. Maintenance contributions remain payable until the notice period expires and the dwelling is vacated and cleared of furniture and possessions.
19. When the resident vacates the almshouse for whatever reason, all items belonging to the resident should be removed by him or her forthwith. Weekly

maintenance contributions and utility bills must be paid up to the departure date. Should a resident ask to vacate the dwelling forthwith, the weekly maintenance contribution must be paid to the end of the notice period.

20. In the unlikely event that any possessions, chattels, or goods are, without the written agreement of the Charity, left abandoned by the resident in the almshouse after the resident has vacated, the Charity will remove these items and if requested by the Charity may ask the resident agrees to pay expenses such as disposal and removal costs.
21. It is the resident's responsibility to notify the Charity if their circumstances change. However, unless the income of the resident(s) was to substantially increase to the extent that they no longer qualify as a beneficiary, the likelihood is that they would be allowed to remain in the dwelling. The Charity reserves the right to review residents' financial circumstances from time to time.
22. With the permission of the Charity, residents may be allowed to work from their almshouse, provided planning permission is not required. However, they must guarantee that this will not be disruptive for other residents and that it will not involve delivery or storage of items and/or visitors to the buildings.
23. Residents may apply to keep a mobility scooter at the Charity's premises. All such vehicles are kept by the residents entirely and solely at the resident's risk and must comply with any Health and Safety information provided by the Charity. Any storage shed or similar for the scooter must be supplied at the resident's cost, but the Charity will provide an electric socket connection and carry out annual inspections. Proof of insurance should be provided to the Charity if requested.
24. The resident may, at their cost, install a suitable alarm monitoring system, i.e., Carelink, if they choose to do so, and must comply with any relevant policy or rules of the Charity.
25. It is a condition of occupancy that a new resident signs a copy of this Letter of Appointment, (copy enclosed), signifying their willingness to abide by the above rules, before taking up occupation and that they have read and are happy to comply with the rules as laid down in this letter.
26. In the event of an appointment being made with two persons, both should sign the copy letter. A second copy/second copies is/are enclosed for the resident(s) retention. In the event of the death or departure of one partner, the Charity reserves the right to ask the remaining resident to move to a smaller dwelling.
27. This letter of appointment will be reviewed periodically and may be amended by the Charity in full consultation with the resident(s).

Signature: Date: /2026