

Planning Committee Dated: 8th July 2026

Summary List of Detailed Plans and Applications

Recommendation: Approve with conditions following resolution of mitigation and signing of S106

Item: 1

Application No: DM/1109/22/FUL

Application Type: Full Application

Application Site: Former Pleasure Island Theme Park Kings Road Cleethorpes North East Lincolnshire

Proposal: Demolition and removal of all existing buildings and structures on site, alteration to existing access from Kings Road and formation of new points of access from Kings Road, installation of hardstanding bases to accommodate up to 272 holiday lodges with associated parking, access roads, servicing, hard and soft landscaping (including creation of outdoor activity space), replacement bridge over buck beck and erection of ancillary holiday resort buildings, erection of 2 x hotels, restaurants and cafes, a leisure unit (size increased), 2 x retail units (one with garden centre) and drive thru coffee unit all with car parking, access roads, servicing areas, hard and soft landscaping and use of the existing lake for fishing with associated erection of angler hub (see cover letter Jan 25 for detailed breakdown). Amended Information June 25 - Retail and Leisure Study, Sequential Test, FRA, NPPF Note. Amended Plans for Coffee Unit Feb 26 and Amended HRA March 26

Applicant: Lidl GB Ltd, YPG FAB 2 Ltd, Seaside Getaways Ltd And Church Lane Humberston Limited

Case Officer: Cheryl Jarvis

	Recommendation: Approved with Conditions
Item:	2
Application No:	DM/0269/25/OUT
Application Type:	Outline Application
Application Site:	R/O 33-35 Humberston Avenue Humberston North East Lincolnshire DN36 4SW
Proposal:	Outline planning application for the erection of four dwellings with access, landscaping and scale to be considered (ADDITIONAL INFORMATION - DRAINAGE - REC 23-04-26)
Applicant:	Mrs Louisa Pungi
Case Officer:	Lauren Birkwood

	Recommendation: Approved Limited Period
Item:	3
Application No:	DM/0199/26/FUL
Application Type:	Full Application
Application Site:	13 Orkney Place Immingham North East Lincolnshire DN40 1RL
Proposal:	Change of use and alterations of domestic garage to form cattery (Noise Impact Assessment received May 2026 and Odour Management Plan received April 2026)
Applicant:	Lisa Thompson
Case Officer:	Becca Soulsby

	Recommendation: Approved with Conditions
Item:	4
Application No:	DM/0369/25/FUL
Application Type:	Full Application
Application Site:	Land Adj To Bradley Woodlands Independent Hospital Bradley Road Bradley North East Lincolnshire
Proposal:	Demolish existing farm buildings and erect one detached dwelling (NPPF - Paragraph 84), creation of vehicular access with new access gates, pillars and fencing, and associated landscaping and various works - AMENDED DESCRIPTION & FURTHER INFO REC 27-04-2026
Applicant:	Mr And Mrs Cain
Case Officer:	Lauren Birkwood

Recommendation: Refused	
Item:	5
Application No:	DM/0960/25/FUL
Application Type:	Full Application
Application Site:	Bull Rush Lakes Tetney Road Humberston North East Lincolnshire
Proposal:	Erection of a fishing holiday lodge on an established commercial fishing pond site with drainage and associated works
Applicant:	Mr Adam Rowlands
Case Officer:	Becca Soulsby

Recommendation: Approved with Conditions	
Item:	6
Application No:	DM/0226/26/FUL
Application Type:	Full Application
Application Site:	Willow Lakes Ashby Hill Top Farm Barton Street Ashby Cum Fenby North East Lincolnshire
Proposal:	Variation of Condition 2 (Plans) following DM/0986/18/FUL to alter site layout to amend lodge positions
Applicant:	Mr J Collis
Case Officer:	Bethany Loring

Recommendation: Approved with Conditions	
Item:	7
Application No:	DM/0397/25/FUL
Application Type:	Full Application
Application Site:	28 Heneage Road Grimsby North East Lincolnshire DN32 9ES
Proposal:	Change of use from a single residential dwelling (C3) to residential supported living accommodation (C2)
Applicant:	Miss Nadine Buttigieg
Case Officer:	Lauren Birkwood

PLANNING COMMITTEE - 8th July 2026

ITEM: 1 **RECOMMENDATION: Approved Conditions and signing of S106**

APPLICATION No: DM/1109/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Former Pleasure Island Theme Park, Kings Road, Cleethorpes, North East Lincolnshire, DN35 0PL

PROPOSAL: Demolition and removal of all existing buildings and structures on site, alteration to existing access from Kings Road and formation of new points of access from Kings Road, installation of hardstanding bases to accommodate up to 272 holiday lodges with associated parking, access roads, servicing, hard and soft landscaping (including creation of outdoor activity space), replacement bridge over buck beck and erection of ancillary holiday resort buildings, erection of 2 x hotels, restaurants and cafes, a leisure unit (size increased), 2 x retail units (one with garden centre) and drive thru coffee unit all with car parking, access roads, servicing areas, hard and soft landscaping and use of the existing lake for fishing with associated erection of angler hub (see cover letter Jan 25 for detailed breakdown). Amended Information June 25 - Retail and Leisure Study, Sequential Test, FRA, NPPF Note. Amended Plans for Coffee Unit Feb 26 and Amended HRA March 26

APPLICANT:

Lidl GB Ltd, YPG FAB 2 Ltd, Seaside
Getaways Ltd And Church Lane Humberston
Limited
C/o Lichfields

AGENT:

Mr James Cox
Lichfields
St Pauls Street
Leeds
LS1 2JG

DEPOSITED: 22nd December 2022

ACCEPTED: 26th January 2023

TARGET DATE: 27th April 2023

PUBLICITY EXPIRY: 23rd April 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 20th February 2023 **CASE OFFICER: Cheryl Jarvis**

PROPOSAL

The proposal comprises a major redevelopment of the former Pleasure Island Theme Park, including additional land to the north-east and south-east to provide a mixed-use retail and leisure development complex. Most of the existing structures and buildings on the main Pleasure Island site are proposed to be demolished. A total of four accesses would be positioned on Kings Road with a further one onto Anthony's Bank Road. There are a number of individual components to the scheme, these are as follows, starting at the north and continuing to the south.

Unit 1 - Leisure Unit

Situated to the far north, this building is rectangular in footprint and two storeys in scale with a parapet wall with inset roof behind. The main entrance is proposed to face south into the site and parking, including its own dedicated disabled bays, is proposed to the west. A mixed pallet of materials are identified and these include composite wall cladding and brick amongst others.

To the west of the Leisure Unit (Unit 1), the existing substation is to be retained. To the east of the Leisure Unit, the existing telecommunications mast would be retained. This would be accommodated within an enclosed external plant area.

Unit 2 - Drive Thru Coffee Shop

Situated to the far north-west, this building is rectangular in footprint and single storey in scale. It is proposed with a curved roof with varied eaves and ridge heights. Additionally, projections to the roof are proposed in some areas. The main entrance is proposed to face east with the drive thru window facing west towards Kings Road. The external plant and bin store which is proposed to be enclosed is proposed to the south side of the building. Parking is proposed to the east including own dedicated disabled and EV charging bays. A mixed pallet of materials are identified and these include a metal panel system for the roof, external composite wall cladding, timber and brick amongst others.

Units 3a and 3b - Hotel

Hotel with 58 bedrooms, bar and restaurant (single build). The bar and restaurant would be open to non-guests. This building would be rectangular in footprint and have 5 floors. The building is proposed with a parapet roof with inset roof behind. The main entrance would be east facing. Parking is proposed to the east including its own dedicated disabled bays and service drop off area. There are also some parking bays for the hotel proposed to the north-east in front of the enclosed plant area. A small external plant area serving the hotel is also proposed and this is shown to the south-east. Cycle parking is proposed to the west side of the building. A mixed pallet of materials are identified and these include composite wall cladding, black brickwork, aluminium curtain walling and powder coated aluminium parapet capping amongst others.

Unit 4 - Retail Store (identified as Lidl)

This building would be rectangular in footprint and single storey in scale. The building is proposed with a mono-pitched roof. The main entrance would be south facing. Parking is

proposed to the south and west including its own dedicated disabled, family and EV charging bays and trolley store. A service road is proposed to the eastern side where there would be an external plant area. Extending north the service road would lead to a full-service yard. This is proposed to be used to serve retail store (identified as Lidl) and the retail unit and garden centre which sits south of it. Cycle parking is proposed to the west side of the building. A mixed pallet of materials are identified and these include composite wall cladding, concrete render panels, aluminium curtain walling and eaves and parapet capping amongst others.

Units 5a and 5b - Retail Unit and Garden Centre

Unit 5a would be relatively square in plan form and 5b would be more irregular in shape, they would comprise a single entity. The building would be single storey in scale with a parapet roof. The main sales area would be to the west where the entrance would be located with the garden centre element to the east. Parking is proposed to the west and includes its own dedicated disabled and EV charging bays along with a trolley store. The service yard would be shared with retail store (identified as Lidl) to the north. A mixed pallet of materials are identified including composite wall cladding, black brickwork, with brickwork pier and aluminium curtain walling amongst others.

A pop-up events space is located south of Units 5a and 5b. Pedestrian links from Kings Road to the lake extend through this area.

Units 6a, 6b and 6c - Hotel, Conference Centre and Casino

Hotel with 148 bedrooms, Conference Centre and Casino in a single building. The Conference Centre would be at ground floor level and would be for events and conferences. The casino would be at first floor level. The building would be in a slight 'L' shaped plan form and have 5 floors. The building would have a parapet roof with a flat roof behind. The main entrance would be west facing. Parking would be to the west including its own dedicated disabled bays. A mixed pallet of materials are indicated including aluminium wall cladding, white brick with stone effect screen among others are proposed.

Pedestrian links from Kings Road to the lake and activity space run through this area to the south of the hotel. This is designed to be for transient activities through the year which may include amusements, rides, crazy golf etc.

Unit 7 - Food and Drink Unit

This would be a food hub style outlet, with individual operators being able to use individual kitchen space for pop up food and drink options, with communal seating. This building would have an irregular footprint comprising of a ground floor with a mezzanine level above. The building would have a sloping roof set behind a parapet with an overhang. There are multiple entrances to this building. Parking would be to the west, which would be shared with Unit 8. This includes disabled bays. A mixed pallet of materials are indicated including corten effect cladding, aluminium curtain walling and grey brick amongst others.

Unit 8 - Food and Drink Unit

This would be a traditional restaurant and bar offer. This building would be rectangular in footprint and two storeys in scale. The building would have a sloping roof set behind a parapet with an overhang. The main entrance would be to the north-western corner. Parking would be to the west, which would be shared with Unit 7. This includes disabled bays. A mixed pallet of materials are identified including corten effect cladding, aluminium curtain walling and grey brick amongst others.

Unit 9 - Cycle Hire Centre

This building would be rectangular in shape with a pitched roof and with rooflights to the side roof slopes and a canopy. It would comprise of ground floor accommodation with a mezzanine level above and includes a main reception, office and bike repair workshop. A mixed pallet of materials are identified including composite wall cladding, profiled aluminium for the canopy, aluminium curtain walling, and aluminium cladding amongst others.

Unit 10 - Lodge Reception with Managers Accommodation

This building is rectangular in footprint with a pitched roof and with rooflights to the side roof slopes and an overhang. It comprises of a main reception, store and laundry on the ground floor with a manager's apartment at first floor level. Parking would be to the north of this building. A mixed pallet of materials are identified including composite wall cladding, timber shingles and aluminium curtain walling amongst others.

The existing footpath connection that runs through the site currently from the Kings Road roundabout to Meridian car park would be retained. Equally the central lake would remain.

Unit 11 - Anglers Hub

This would sit alongside the lake. This in essence would provide toilet and changing facilities, a reception with kitchen and lockers with a storage area to the rear. As a series of four connected container type structures these would be set out in a staggered manner with decking at the front and timber columns creating a pergola type appearance.

Lodges

The remainder of the site is proposed to be used for siting of 272 pitches for lodges accessed from a series of spine roads and small cul-de-sac type arrangements accessed from either Kings Road or Anthonys Bank Road.

The land to accommodate the lodges extends north of buck beck, which is to be connected via a replacement bridge over the Beck. The lodges would be set in landscaping with an adventure playground to the north, close to Buck Beck and a natural play park to the south.

The lodges would be split into Areas A, B and C. The indicative details show there are 5 types of lodges labelled A-E. The indicative details show these as follows:

- A - 4 bed
- B - 4 bed
- C - 4 bed
- D - 3 bed
- E - 2 bed

Each lodge type is indicatively shown to have its own form, character, materials and some include an enclosed roof terrace.

A series of pathways with landscaping are proposed to extend along the main Kings Road/Anthony's Bank Road frontage to the site creating a linear park parallel with these roads.

The application is brought to Planning Committee due to the number of objections received from the public. It also represents a departure from the NELLP and there is an officer recommendation for approval, the details of which are set out in the appraisal section of the report.

SITE

The site comprises of approximately 23.7 ha of land. Encompassing the former theme park site (approximately 10.65 ha), it also extends to the north-east to include land north of Buck Beck and land to the south-east which was previously used as the overflow car park for Pleasure Island.

The main site still includes a number of buildings, hard surfaces and equipment associated with the former use, though the site is now substantially overgrown. The rides have been dismantled and taken away from site. A number of trees remain on the main Pleasure Island part of the site. There is also a telecommunications mast to the north. Setback, the former car park is to the west of the site and extends in a linear manner parallel to Kings Road. It remains hard surfaced but is unmarked and in parts, overgrown. Vehicular access is from the far northwestern corner of the site as existing, and there are then a further two vehicular accesses to the south and south-west. The site is secured and along the Kings Road frontage a number of trees are set back, denoting the original theme park boundary that separated it from the car park. The site includes an important pedestrian footpath that links Kings Road to Meridian Road over a footbridge over Buck Beck.

The northern portion of the site beyond Buck Beck is essentially a grassed embankment with varied levels that people have used for recreational activities such as biking. Access is mostly unrestricted from Meridian Road. There are a number of trees in this area.

The southern most portion of the site was the former overflow car park for the Pleasure Island site. This as with other areas of the site has been left and is now overgrown. It is gated at its access from the mini roundabout.

Centrally, part of the lake still exists.

In terms of context the site sits within the main resort area for Cleethorpes with a range of commercial, and residential uses apparent. Haven Cleethorpes Beach Holiday Park (formerly Thorpe Park) is located to the south of the site. Cleethorpes Pearl Holiday Park (formerly The Beachcomber) sits to the south-west. To the west there are residential dwellings at Kings Mews and Fairway Court along with Cleethorpes Golf Club. To the north is the Meridian Showground Events Arena. Beyond the railway line to the north-east is a raised embankment with day chalets, with a public car park at the south-eastern end as well as the beach and Estuary.

RELEVANT PLANNING HISTORY

Main site:

Various historic planning permissions relating to buildings and rides associated with the former theme park use.

Land to the south, beyond the footpath:

DC/1051/04/HAV - Change of use from former touring caravan site to holiday caravan park for 100 static holiday caravans. Approved with conditions. This permission is extant. Importantly condition 2 stated:

'The caravans on caravan site hereby approved shall only be occupied between 1st April and 31st October....In the interests of flood risk and public safety'.

Site subject to this application:

DM/1016/22/SCR - Request for EIA Screening opinion for the proposed redevelopment of the site as part of a leisure-led mixed-use development.

This Environmental Impact Assessment (EIA) request was submitted prior to the submission of this planning application (DM/1109/22/FUL). The Council confirmed on the 15th of December 2022 that the development was 'EIA negative'. This was based on the supporting documentation from Lichfields (dated 16th November 2022), which set out a mitigation package meaning the development did not require EIA, subject to such measures being included in any future planning submission.

An Officer EIA Screening has been undertaken in response to the amendments made to this application now that the final scheme has been determined under DM/0465/26/SCR. The Council determined on 26th June 2026 that the development was 'EIA negative'. This is based on the information provided within this planning submission, which includes a package of mitigation measures which have been agreed with the relevant stakeholders.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF2 - Achieving sustainable development
- NPPF6 - Building a strong, competitive economy
- NPPF9 - Promoting sustainable transport
- NPPF11 - Making effective use of land
- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.
- NPPF16 - Conserv. & enhance the historic environ.

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

- PO5 - Development boundaries
- PO12 - Tourism and visitor economy
- PO22 - Good design in new developments
- PO23 - Retail hierarchy and town centre develop
- PO29 - Social and cultural places
- PO33 - Flood risk
- PO34 - Water management
- PO36 - Promoting sustainable transport
- PO38 - Parking
- PO39 - Conserve and enhance historic environ
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape
- PO44 - Safeguard minerals/related infrastru

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

REPRESENTATIONS RECEIVED

Various consultations have been undertaken on the application with consultees and the public over the course of 2023, 2024, 2025 and 2026 following amendments which have been made to the scheme. Below is a brief summary of those responses.

The application was advertised as a major development and as a departure. It was also advertised because of its proximity to a public right of way along Kings Road and

Anthony's Bank Road.

Natural England - Originally objected to the scheme with concerns over the mitigation measures, survey information and overall assessment, primarily in relation to the HRA. Following additional and amended information, they now raise no objections, subject to appropriate mitigation being secured.

Environmental Protection - Note the submitted reports. Content with the Air Quality Assessment. Content with the Noise Report, methodology and findings. Recommend conditions relating to hours of demolition and construction, submission of a construction and demolition management plan, ground contamination risk assessment and remediation, lighting details, acoustic performance details, acoustic ventilation details, hours of opening restrictions for the drive thru and the submission of details for piling and foundations. Additional informative advice provided on asbestos and potential for noise to the lodges from outdoor activities.

Trees and Woodlands Officer - Previous objections overcome following additional information. A landscape phasing plan is required. Advise that the final landscape scheme can be conditioned. Comments are provided on the delivery of the landscape scheme and management responsibilities which should be considered.

Humberside Fire and Rescue - Provides informative advice on access and water supplies for firefighting.

North East Lindsey Drainage Board - No objections to the development. Suggests the Local Authority and the Environment Agency must be satisfied with any ground raising. Notes the requirements to secure the relevant consents and permits from the Environment Agency. A strip of land to the top of the Beck should be provided for future maintenance. Access arrangements should be secured. Any changes to the detail submitted would warrant further consideration.

Drainage - No objections are raised. An initial assessment of the drainage proposals suggest they are satisfactory. Further assessment of the final details will be required and a condition for full drainage details is required. Appropriate groundwater quality remediation will also be required on the part of the development to the north of Buck Beck and there will be a need for some surface water quality improvement measures.

Environment Agency - Originally objected to the scheme with concerns primarily in regard to modelling data and risk but also on the additional bridge to be erected over the Beck. Objections since withdrawn and the additional bridge has been removed from the scheme. A seasonal restriction on the lodge development and managers accommodation is recommended. A condition securing levels is recommended. Conditions relating to piling, groundwater and contamination are equally requested. Advise that access to the Beck should be retained to allow for maintenance. Emergency evacuation is critical to managing flood risk and a thorough assessment will be needed and this should be agreed with the Emergency Planners. An EA permit may be required. Consideration of

landfill gas alongside the relevant officers is needed. Further guidance on flood risk resilience and resistance is recommended.

Waste Services Manager - Advise that as a commercial development, the site will not be served by NELC Waste Services.

Police - Comments provided on layout and security considerations.

Anglian Water - No objections. Previous objections withdrawn following further engagement and pre-planning discussions on connections. Advise that the foul drainage network has the capacity for the flows arising from this development and a connection point has been agreed, a condition is recommended to secure this. Informatives relating to their assets and connections to their network are recommended. They have no comments to make on the surface water strategy.

Heritage Officer - Advise that no heritage input is required.

HSE - Advise that the proposal does not meet the criteria for consultation with them.

Marine Management Organisation - Provide informative advice on proposals which require a marine license and the process to be followed in that circumstance.

Public Rights of Way Officer - Confirms the proposal does not directly impact on any public right of way. No concerns are raised regarding existing pathways and the proposal. Informative advice on designations is provided along with suggestions on potential connections.

Northern Power Grid - Provide informative advice on their apparatus and health and safety information which applies.

Ecology Officer - No objections to the landscape plans and species choice. The Bat Survey, Ecological Impact Assessment and Tree retention and Removal Plan are acceptable. The recommendations in the Ecological Impact Assessment will need to be implemented. Consider a Management Plan is required for construction and operation. A Construction Environmental Management Plan is required. The updated sHRA is acceptable provided the mitigation measures outlined are secured. Mitigation for recreational disturbance should be implemented prior to the occupation of the leisure element of the scheme. An INNS management plan is required for Japanese knotweed. Light spill will be a particular consideration for any lighting to be installed. The bridge construction will need to mitigate impacts on the watercourse.

Lincolnshire Wildlife Trust - No formal objection but concerns are raised regarding butterflies and consider that the proposal has the potential to lead to a gradual loss or displacement of the species. Note that further details on the specifics regarding light spill, ecological buffers and visual barriers is required. Raise concern in relation to lodge area A, the replacement bridge and play park in particular with regards to the Buck Beck

Wildlife Site relative to boundary treatments and protective measures. Consider a perimeter fence is required in addition to the earth bund illustrated in mitigating on-going disturbance impacts and recommend a condition is used to secure this.

Humberston Village Council - Supports the principle of redevelopment of the site given its current condition and notes amendments to the scheme which have addressed some of their earlier concerns. Notwithstanding this, major concerns remain in relation to traffic particularly during the summer and request further traffic data. Wishes Meridian Road to remain open to ensure access to the car park remains. Question the availability of some of the development to local people, noting that access for locals would make the development more sustainable during off peak holiday times. Would wish occupancy conditions on the lodges restricting residential occupancy and the period in which these could be occupied. Would wish Natural England comments to be satisfied if permission is to be granted. Support the Rights of Way Officer comments.

Highways - No objections on the grounds of safety, parking, capacity nor sustainability. Considers access points to be suitable and notes the lawful planning status of the site as a theme park (for the main site) which generated its own trips when in operation. No detrimental impacts are concluded. Conditions are recommended for access and parking construction details, implementation of the main site access, travel plans for each element of the proposal, submission of construction traffic management plans including details of construction phasing, parking implementation and details of the bus stop relocation.

North East Lincolnshire Tourism Team - Welcome the development. Comments provided on the type of leisure and retail to be provided including reservations on some elements such as the casino. Strongly support the cycle hire building and angler's hub. Comments and concerns on the suitability and potential congestion of Meridian Road are outlined given the proximity to Meridian Showground in earlier comments. Advise that the noise generated from the events arena needs to be fully considered in the assessment process.

RSPB - Object to the proposal on the basis of the information required to support the HRA including changes in visitor numbers, cumulative impacts, disturbance, impact on SAC habitat and effectiveness of the scheme to mitigate impacts.

Public Representations:

Objections received from the following:

Tesco Stores Limited, represented by Martin Robeson Planning Practice
Aldi, represented by Avison Young
20 Church Lane, Humberston
25, 27, 29, 33 Fairway Court & One anonymous number in Fairway Court, Cleethorpes
4 Queens Parade, Cleethorpes
86, 101, 324A, 263 Humberston Fitties, Humberston

58, 77 Elliston Street, Cleethorpes
185 Humberston Road, Cleethorpes
1 Phoenix Pastures, Keighley
3 Carnarvon Avenue, Grimsby
7 Garbutt Place, Cleethorpes
9 The Green, Brailsford
32 Cross Street, Langold
11 Townsend Close, Humberston
113 Peaks Avenue, New Waltham
1 Anonymous - no address listed
The Hay Barn, 24 Cooks Lane, Great Coates
19 Bramley Close, Louth
62, 145 North Sea Lane, Cleethorpes
38 Fairfield Road, Grimsby
76 Duncombe Street, Grimsby
56 Seaford Road, Cleethorpes
6 Derwent Drive, Humberston
20 Viscount Way, Humberston
Apartment 5, Oxford Court, Bark Street, Cleethorpes
191 Clee Road, Cleethorpes
68 Second Avenue, Grimsby
67 Colin Avenue, Cleethorpes
Geo Way, Cleethorpes (anonymous number)
132 Cooper Road, Grimsby
14 Picksley Crescent, Holton Le Clay
2 Kew Road, Cleethorpes
37 Antrim Way, Grimsby
37a St Peters Avenue, Cleethorpes
9 Prystie Place, Cleethorpes
93 Queens Parade, Cleethorpes
Grimsby, Cleethorpes and District Civic Society
23 Uplands Road, Leicester (this comment has been submitted as a support comment, but the content relates to objections. It has therefore been included in the list of objectors).

Objections raised are broadly on the grounds of:

- Adverse retail impact on existing retail providers, retail assessment in regard to the sequential test and the adequacy of the assessment;
- The nature and type of the uses proposed;
- The limited number of car parking spaces for the disabled;
- The length of construction, including nuisance and general disturbance and associated temporary traffic impacts;
- Increased traffic, congestion and highway safety concerns;
- Site security and safety and the potential for antisocial behaviour;
- Concern over permanent occupancy of the lodges;

- Conflicts with planning policies and the Local Plan;
- Flood risk, sequential and exception test concerns, including an inadequacy in the information submitted;
- Detrimental impacts on wildlife, the estuary and trees and loss of habitat;
- Adverse character and landscape impacts;
- Concerns about lack of access for local people;
- Extent of retail over leisure uses;
- Unsympathetic design and style of lodges;
- The unsuitability of Meridian Road to access lodge area A;
- Competition with existing retail operators;
- Noise, air, dust and light pollution during both construction and operation;
- Lack of credibility or deliverability, including the time taken to deliver the scheme;
- Lack of demand or need for the type of uses proposed;
- Overlooking and loss of privacy from hotel rooms;
- Impacts on human health;
- Increased litter;
- Failure to meet Biodiversity Net Gain;
- Unsatisfactory HRA - lack of surveys and information to support it;
- Concerns over the implementation of a no dog policy and longevity/confidence in the long term delivery of mitigation measures;
- Land grabbing and overdevelopment;
- Adverse impacts on infrastructure;
- Precedent should all round occupancy be permitted;
- Future changes through variations will diminish the scheme.

Support received from the following:

23, 51 Lindsey Road, Cleethorpes
 43 Fairway Court, Cleethorpes, Cleethorpes
 York House, York Road, Brookenby
 170 North Sea Lane, Humberston
 110 Seaford Road, Cleethorpes
 5 Crampin Road, Cleethorpes
 5 Montgomery, Cleethorpes
 62 Mill Road, Cleethorpes
 1 Goring Place, Cleethorpes
 11 Spratton Court, Grimsby
 2 Bargate Avenue, Grimsby
 2 Church Lane, Grimsby
 23 Cheapside, Waltham
 238 Grimsby Road, Cleethorpes
 3 Hart Street, Cleethorpes
 3 Strubby Close, Cleethorpes
 4 Green Hill, Cleethorpes
 79 Chichester Road, Cleethorpes
 The Chestnuts, Church Lane, Tetney

1 Kenilworth Road, Cleethorpes
105 Lovett Street, Cleethorpes
13 Silvergarth, Grimsby
14 York Road, Brookenby
162 Brereton Avenue, Cleethorpes
27 Warwick Avenue, Grimsby
28 Station Road, Great Coates
29 Blacker Lane, Wakefield
3 Warren Drive, Ackton
33 Whites Road, Cleethorpes
340 Grimsby Road, Cleethorpes
38 Marlborough Way, Cleethorpes
38 Station Avenue, New Waltham
39 Chichester Road, Cleethorpes
5 Haigh Court, Grimsby
6 Paynter Walk, Grimsby
62 Highgate, Cleethorpes
71 Lady Frances Crescent, Cleethorpes
9 Brampton Way, Cleethorpes
94 Taylors Avenue, Cleethorpes
Flat 4, Eastcliffe, 10-11 High Cliff Road, Cleethorpes
Anonymous, with no address at Cleethorpes

Support is offered broadly on the grounds of:

- Positive investment into the site and wider area;
- Job creation;
- Visual betterment;
- The former use was more disruptive to the environment;
- Benefits to the local community;
- The need for a modern, attractive development;
- Mixed uses provide the best chance of commercial success;
- Contributes to growth of NELC and seaside town;
- Increased tourism;
- Retention of inward investment in NELC;
- Positive retention of the lake;
- Do not agree with stance of Natural England;
- Support retention of the pathway from North Sea Lane.

Neutral or unspecified comments received from the following addresses:

10 Fairway Court, Cleethorpes
1 Wildflower Close, Rossington
27, 27A Parker Street, Cleethorpes
23 Uploads Road, Leicester
67 Colin Avenue, Grimsby

La Corbiere Lock Road, North Coates
33 Johnson Street, Cleethorpes
38 Humberston Fitties, Humberston
70 Marlborough Way, Cleethorpes
102 Thorganby Road, Cleethorpes

Comments broadly on the grounds of:

- Concerns if the well used pathway to the beach is to be lost;
- Impact on wildlife and biodiversity;
- Consideration of accessibility for the lodges for those with mobility issues;
- Number of disability spaces;
- Objections if no bat roost relocation is available;
- Questions on the footpath between the Premier Inn and the Country Park and the procedural impact of including this;
- Disapprove of the lodges, as consider this would negatively impact on existing neighbouring holiday facilities;
- Visibility of comments online;
- Question the date of surveys relative to ecology. Any loss of reed warblers would be disappointing and cuckoos. No mitigation for these is provided;
- Commentary in relation to trees and their value;
- Comments provided on the removable bollards and how this would be managed with Meridian Road;
- Fencing concerns for the garden centre given its height;
- Length of time for construction;
- Security - particularly during construction;
- Consider the need to restrict lodges for holiday accommodation only;
- Site visit recommended for committee members if it is to be determined in this manner;
- Recommendations for no site clearance in a particular phase until development comes forward;
- Specific questions and observations over the mitigation in the HRA.

APPRAISAL

The material planning considerations are considered to be:

1. Principle of Development and Retail Impact
2. Character, Design, Layout and Visual Amenity
3. Impact on Local and Neighbouring Amenity
4. Ecology
5. Landscaping
6. Highways, Access and Parking
7. Flood Risk and Drainage
8. Environmental Matters
9. Other Matters

1. Principle of Development and Retail Impact

In terms of the principle of development, the application is supported by a Site Marketing Update, Retail and Leisure Study, Retail and Leisure Statement, Response to Retail Issues Document, Supplementary NPPF Update Note, Planning and Economic Statement and Design, Access and Sustainability Statement. These are noted in making this assessment.

It is acknowledged that some of the public representations received in objection to the application cite principle matters regarding some or all of the intended uses as concerns. It is equally acknowledged that several public representations received in support of the application cite the positive benefit and range of uses to be provided. All representations are noted and the content given full regard in considering the principle of development.

The site sits outside, but opposite the development boundary in the NELLP. Principally, there is nothing under Policy 5 (1); subject to a site-specific assessment of the potential impacts to determine its suitability and sustainability, which restricts the type of development proposed in this mixed-use retail and leisure scheme.

Policy 5 (2) does not apply to this location.

The application has been advertised as a Departure from the NELLP and this, in part, relates to Policy 5 (3). In relation to Policy 5, point 3 relates to development beyond the development boundary being regarded as 'open countryside' and sets out the type of uses which will be permitted. The proposal is not for the exceptions listed however, in this case this somewhat conflicts with the site's position within the allocated resort area (Policy 12) and the fact the site is not considered to be 'countryside' in terms of position, use nor appearance. Thus, whilst the proposal forms a departure in terms of this technicality in relation to Policy 5 this does not weigh against the scheme and it is Policy 12 that is the more determinant Policy in principle terms as this is the site's formal allocation (along with those additional policies listed). The suitability and sustainability under Policy 5 (1) will be addressed against the site-specific considerations through this report.

The site, as discussed, sits within the allocated resort area. Policy 12 is primarily to support the tourist economy and increase the profile of NELC more widely, whilst seeking to protect important historic and ecological designations. It does not set out which specific types of leisure and tourism uses will be permitted. The proposal which is a mixed-use scheme for leisure, food and retail uses would only depart from the NELLP insofar as the retail aspect is concerned, in that it is not considered to be strictly tourism or leisure related. That said, it is considered in principle that a large proportion of the scheme, if not all of it, would support tourism and the visitor economy in line with the Policy aims, widening the choice and availability of such uses as a comprehensive scheme. The main site and overflow car park have been vacant for many years since the unfortunate closure of Pleasure Island in 2016. The main site has a derelict appearance which is now beginning to degrade the character and appearance on this key route

through the resort.

Whilst several of the representations received allude to the need for specific types of resort uses and activity, it is important to note a privately owned site of this size needs to be viable and have sufficient commercial interest and demand to make it deliverable as a scheme. To that end, a Site Marketing Update is included in the planning documents. This sought to demonstrate the range and type of operators who have been targeted as potential operators for the site and this has aided in defining the scope of proposed uses. As set out, Policy 12 does not specify the exact uses which will be permitted but is a more generic policy that seeks to support and enhance the resort and visitor offer and attraction. It is important that this offer is also attractive to the people of North East Lincolnshire to support its overall viability. The scheme as presented across the entire site is a mixed-use development with a good balance of leisure, commercial and retail offers which would contribute to the visitor and tourism economy to lesser and greater degrees, as well as providing in some instances, facilities and areas that would equally support residents of NELC. As such the principle of this mixed-use development under Policy 12 is considered to be acceptable.

The comments of NELC's tourism team are noted and the Site Marketing update adequately provides the narrative required around the proposed uses.

Subject to the specific impacts therefore, and the tests required under the retail hierarchy policy being met for retail in this location, the proposal can be considered acceptable in this location. The specific considerations under Policy 12 (1) will be addressed later in the report.

Policy 12 (2) does not apply to this location.

Policy 23 also applies to the principle of development. This policy sets out the retail hierarchy for the Borough recognising the sub-regional centre, main town centre, small town centre, district centre and local centres and the expectation of development to contribute to their role and function.

Under Policy 23 (4) proposals for main town centre uses; including retail and leisure which exceed 200 sqm, will only be permitted whereby:

A. the development cannot be accommodated on a suitable site within first, the identified primary shopping frontages, then, within the defined town centre boundary, including identified opportunity sites, or finally close to, the town centre boundary (sequential test); and,

B. the proposed site is accessible and well-connected to the town centre; and,

C. development will not adversely impact upon the vitality and viability of any of the town centres, (impact test) having regard to:

- i. committed, planned or proposed public and private investment in the town centres;
- ii. evidence as to retail expenditure capacity which shows that the development would not adversely impact upon consumer choice and existing town centre trading levels.

Where development cannot meet these requirements, it would comprise a departure from the NELLP.

The objections from Aldi and Tesco in particular are noted in the context and consideration of this Policy, but it is noted that a number of other public representations cite competition and impact on other retail operators in the Borough as concerns.

A Retail and Leisure Study accompany the application, and this has been updated during consideration of this application. A thorough assessment has been made on whether the proposed uses could be accommodated elsewhere in accordance with A) above. It has also been demonstrated that the two retail uses (in isolation) could not be accommodated elsewhere. The Council have obtained independent advice on the sequential assessment of other available sites. The advice concludes that 'no sequentially preferable sites in these locations is available'. Many alternative sites considered benefit from extant permissions, are being built out or are indeed not within the above defined locations. This proposal equally forms a comprehensive redevelopment and regeneration scheme which could not be realised in any other location in scale or impact. Thus, the principle of the uses in this location is justified under 4 (A) of Policy 23.

In relation to 4 (B) of Policy 23, the site is well connected by foot, by car and by bus. There are bus stops directly outside the site on Kings Road which operate in both directions. The site is on good walking and cycle routes. The site is approximately 2 miles from Cleethorpes main shopping area where there is also a railway station. The site is therefore considered to be in an assessable and sustainable location to accord with 4 (B).

In relation to 4 (C) of Policy 23, a full assessment on the impact on the viability and vitality of the town centres is provided. The assessment sets out that the most significant diversion of convenience goods trade will be from Tesco Extra in Cleethorpes at around 6%. Tesco Extra is not within a town centre or allocated local centre and therefore is not protected under Policy and should not be considered from a viability and vitality perspective in terms of the specific Policy test under (C). Since Tesco's original objection, Tesco have not made any further comments following the subsequent rounds of consultation which have been undertaken which has included consultation on the updated Studies and Supporting information for retail and the sequential assessment.

The impact as set out in the supporting information for Cleethorpes Town Centre in terms of convenience trade is 2%. Cleethorpes Town Centre is noted as performing well, with below national average vacancy and which already benefits from a Sainsburys Local and a Co-Op including generally smaller more independent facilities. No significant adverse impact on it is identified.

The ALDI stores at Cleethorpe Road and Matthew Telford Park are demonstrating impacts of 4% and 6% in the assessment but it should be noted that as with Tesco, these are also not within a town centre or allocated local centre and therefore are not protected under Policy and should not be considered from a viability and vitality perspective in terms of the specific Policy test under (C). Though, it is noted the ALDI at Matthew Telford Park does function as part of a new local centre which is being developed at Scartho Top. Since their original objection, ALDI have not made any further comments following the subsequent rounds of consultation which have been undertaken which has included consultation on the updated Studies and Supporting information for retail and the sequential assessment.

Impacts on Lidl's own store which is in an allocated local centre at Ladysmith Road are noted, but given the current operation, which is performing well above the company average, Lidl consider this proposal would take some of the pressure off this existing store, better serving the Cleethorpes Catchment area.

For the remaining convenience impacts including those in other areas of the borough, the impacts are noted in the report and the conclusions are that there would be no significant adverse effects. The Council's independent advice confirms that there are no objections to the conclusions of the report and agree no likely adverse effects on vitality and viability in this regard.

In terms of comparison goods, the impacts are well documented. Briefly, for Grimsby Town Centre this would result in approximately 0.7% comparison goods trade diversion and 0.9% for Cleethorpes. Several other sites including Meridian Park have also been assessed (0.8% impact) and the report details these.

The Council in seeking their independent retail advice has confirmed that they 'do not consider that the loss of trade from any of these stores will have any material impact on their overall viability'. Equally in terms of customer choice and availability there is an acknowledgement that the proposal would extend the range of shopping facilities to residents (and tourists) who may not have direct or convenient access to travel. The impact is identified as being 'not so adverse as to have a significant adverse effect', which is the test set out in the National Planning Policy Framework. This is considered to meet (i) and ii) of (C).

As the scheme has been assessed specifically on the amount of development and its impacts on vitality and viability, it is considered necessary to impose conditions on the retail aspects of the scheme. Without this, any changes to the retail provision could affect the basis of this assessment and its conclusions and in fact could make the site more attractive to a wider range of operators who would otherwise reside in town or local centres. These follow advice from the Council's independent retail advisor.

Subject to conditions, it is considered that the proposal complies with the tests set out in Policy 23 under (A), (B) and (C) and is acceptable in principle, based on the information provided.

In relation to the principle of development, Policy 29 of the NELLP relates to social and cultural places and supports in general proposals which support new social facilities. The proposal through the range of uses, play areas, activity and events space offer the opportunity to create a new opportunity for social space, promoting opportunities for social interaction. Thus, is supported under this Policy.

In supporting the principle of development consideration is also given to the economic benefits of the proposal. These are set out in the Planning and Economic Statement and include construction and operational economic benefits. Construction costs are estimated at the time of their report to be approximately £71.2 million. The Statement sets out that it is estimated that there will be approximately 885 full time equivalent people employed through the construction period (which will extend over a number of years). There would also be the economic impact through sourcing of materials and equipment and knock on benefits to local supply chains. From direct employment at the operational stage the Statement estimates approximately 325 jobs created overall across the site. It goes onto summarise additional benefits from an approximate 404,760 visitor nights per annum and an estimated £26.2 million of visitor expenditure per annum. The National Planning Policy Framework (NPPF) sets out at para. 85 that 'Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'. These benefits weigh in support of the principle of development.

2. Character, Design, Layout and Visual Amenity

Policy 5 requires a site-specific assessment to be undertaken in regard to a proposals suitability and sustainability. Policy 22 seeks to achieve good design on planning proposals, part of which includes the need to reduce crime and the fear of crime amongst other criteria. Policy 29 seeks to provide quality public realm space which is safe and accessible, and which provides active frontages. Policy 40 seeks to improve green infrastructure, noting the multiple functionality of green space.

In assessing the application due regard is given to the Planning and Economic Statement, Landscape and Visual Appraisal and the Design, Access and Sustainability Statement which set out the specific detail of the proposals and rationale for the scheme in addition to the many supporting documents relating to the application.

It is acknowledged that some of the public representations received to the application cite design, scale and layout concerns. Equally, a number of public representations support the visual betterment the proposal would result in. All representations are noted and the content given full regard in considering the character, design, layout and visual amenity considerations.

The proposal is an extensive development which encompasses a large area of land in a prominent position in the resort. The most prominent views of the development for the public are likely to be from Kings Road, Anthonys Bank Road and Meridian Road but

inevitably wider views would be apparent from elsewhere in the resort, coast and within the nearby residential areas.

The buildings would be set back from existing roads to the west of the site. A linear park would extend along the site frontage to Kings Road and Anthonys Bank Road. Set behind would be the parking areas serving each component of the scheme. Landscaping will be dealt with separately in a subsequent section of this appraisal.

In terms of scale, the buildings on the site would be between 1 and 5 storeys in height, the hotels being the most significant in scale. Importantly, the site is relatively stand alone in its context, with the events arena to the north and a holiday park to the far south of the site. The variation in the scale of development across such an extensive site would add visual interest and character through individual scale but without undue dominance. The visuals which accompany the application show how the mass of individual buildings are broken up and this is achieved in a number of ways, such as through canopies, roof projections, parapets and through changes in the materials. It is considered in this setting, the variations and increase in scale can be accommodated.

Each building would have its own form and function, and to an extent this influences the individual design concepts. That being said, the variations in scale, footprint and individual design for each building would add to the sites character, appearance and contribution to the locality and wider resort area. Additionally, the design ethos across the entire site would have some synergies, particularly where materials are concerned which would give a consistency to each component as it is brought forward.

The lodges would be set behind the main building line of development. The cycle hire and lodge reception which would be to the south at the access. The lodges, based on their indicative details, are contemporary in style and design and are a different offer to the other forms of holiday accommodation in the resort which if completed in this manner, would add to the range of accommodation the resort has to offer. There are 5 different styles which are indicatively proposed and some have external stairs with enclosed roof terraces. A condition securing principles for the lodges is recommended.

In representations, it is noted that commercial competition is mentioned. Commercial competition is not considered to weigh against this proposal.

Additionally, the area does not have a set character or form and benefits from a range of uses in the locality. In a diverse setting, buildings of varying heights, designs and forms would not be out of keeping. Indeed, many of the building types are ones which can be attributed to resort areas and settings close to coastal locations. In supporting the requirements in Policy 12, the frontage buildings in particular provide the opportunity for a year-round all weather economy. The sustainability credentials of the scheme are also noted in the Design, Access and Sustainability Statement which support resource efficiency and overall sustainability.

Set between Lodge areas B and C is the retained footpath which currently runs from the

mini roundabout to the south-west through the site, over Buck Beck and out to the north where the public car park is located, close to the Cleethorpes Light Railway line. The proposals incorporate this key footpath which is noted in many of the representations as being important to local people. It equally provides good pedestrian connectivity to walking routes. A condition is recommended for its retention though the condition notes that there may be some temporary disruption during construction of the replacement bridge. It is important to note this path is not a Public Right of Way and the Public Rights of Way Officer states there are no conflicts with any Public Rights of Way. The Officer does recommend consideration for designation however, and an informative note to the applicant is recommended.

The environment in which the development would sit would be high quality from new pedestrian walkways, landscaping and natural play areas. The lake would remain central to the development and would be open for public access. Buck Beck runs through a proportion of the site, and this would remain a key natural feature of the site at its northern end.

Whilst some areas of land which form part of the application are essentially undeveloped, overall, the proposal would introduce a sensitive redevelopment of the entire site. Particularly those undeveloped areas at the north where the land is closer to the Estuary. In noting the conclusions of the Landscape and Visual Appraisal, the report categorises the potential levels of impact. In doing so, it notes that in the main, the impacts are categorised as minor beneficial to neutral, but where the site is more exposed particularly to coastal viewpoints, this would change to minor adverse. Notwithstanding the economic and physical benefits regeneration of this kind can bring in visual terms, any adverse impacts of doing so need to be carefully considered. To this end, the scheme has been considered in detail against the plans and supporting information and weight given to the representations received both for and against the development on these grounds. It is considered that where minor adverse harm has been identified in the submitted information, this limited harm is outweighed by the positive benefits that regeneration activity and the overall design of the scheme will bring.

External finishes will be a key and material factor in the overall acceptability of this development. Whilst material details are noted on the submitted plans, final details including samples will be required to ensure a satisfactory and durable finish at this location. A condition securing materials for each area of development is recommended as it is noted each area will likely come forward independently.

In discussions with the Crime Reduction Officer, there will need to secure a robust security strategy for the site and individual buildings to reduce crime and the fear of crime. This equally extends to the spaces around the buildings and consideration of appropriate boundaries and furniture. It is noted that buildings in the main would front onto the main roads, which would provide a degree of natural surveillance and active frontages which would operate both in the day and into the evenings. The buildings and lodges would equally all look out onto their own parking areas providing surveillance. A condition has been agreed which requires security details to be submitted and agreed

before use or occupation occurs and this is set out in the recommendation. Conditions for boundaries and public realm are also recommended.

Site management and litter have been discussed in the representations received. This will be captured as part of a wider Site Management Plan, the requirements of which are set out in the recommended conditions. With this in place, appropriate arrangements can be secured to ensure the visual amenity and character of the site can be upheld.

Subject to conditions, the development is considered acceptable with regard to character, design, layout and visual amenity considerations and would result in an efficient use of the land available in accordance with Policies 5, 12, 22 and 40 of the NELLP.

3. Impact on Local and Neighbouring Amenity

Policy 5 of the NELLP requires an assessment on the impact of development to neighbouring land users.

It is acknowledged that some of the public representations received to the application cite massing and overlooking as areas of concern as well as noise. All representations are noted and the content given full regard in considering the impacts on local and neighbouring amenity.

The site is extensive and is largely self-contained in nature. Key neighbours to the site include Haven Cleethorpes Beach Holiday Park (formerly Thorpe Park), this well-established holiday park sits to the south of the site. To the south-west is the boundary with Cleethorpes Pearl Holiday Park (formerly The Beachcomber). West and facing the site on Kings Road are residential dwellings at Kings Mews, the rear of properties on Fairway Court and Cleethorpes Golf Club; whose grounds extend northwards to the boundary with Buck Beck on the west side of the road. To the north of the site beyond Buck Beck is the Meridian Showground Events Arena. To the north and east is Meridian Road which extends southwards down to St Anthony's Bank Car Park.

In terms of layout, the buildings are set in from the site's western boundary. This separation is created by the landscaping and walkways to the frontage but also the associated car parking for the units. This creates a substantial buffer between the buildings and the residential properties and the Golf Club which sit to the west, parallel with Kings Road. The buildings which sit directly opposite these neighbours include the large hotel, two food and drink outlets, the cycle hire and the lodge reception (including associated access points). Being in the resort area a degree of activity is expected in such locations and indeed this part of the site would have been exceptionally active when Pleasure Island was operational. Thus, whilst there would be an element of impact created by the physical presence of the buildings and more so, the hotel building, such impacts would not be detrimental at the levels of separation presented.

Additionally, the frontage to the site was historically a well-used car park and this proposal would reintroduce this element. Whilst more extensive in area, the levels of

separation including boundary treatments securing neighbouring sites would ensure no undue adverse effects from disturbance or cars entering and leaving the site from the accesses.

In relation to Haven Cleethorpes Beach Holiday Park, it is noted that they have caravans on their site that extend up to the site's southern boundary. In terms of the proposed layout, the holiday lodge pitches are proposed directly adjacent to the boundary which would reflect a similar land use with similar levels of activity reducing opportunities for conflict and adverse impacts. The lodge pitches have been set in from the boundary, and the landscape plan shows how the treatment to the boundary could provide a natural buffer between the two sites further limiting impacts.

The land north-east of the site comprises the St Anthonys Car Park and part of the Cleethorpes Coast Light Railway. Meridian Road provides access to the car park, and it is noted that there are beach huts along the embankment beyond the road to the north-east. The area to the north of the site is proposed for lodges and these pitches are interspersed across the land adjacent. The lodges themselves are unlikely to compromise any of these facilities from an operational perspective and it is more the physical change from the land use that will be the most prevalent. This in itself however, is not considered to be adverse.

North of the site is the Meridian Showground. Meridian showground caters for a wide range of events and concerts and is an important asset to NELC and the tourism economy. This is reflected in the comments from NELC Tourism Team. Concerns had been raised from them about the sensitivity of the use in relation to what can be a very noisy venue by virtue of the type of events it caters for; some of which extend into the evenings. A Noise Assessment accompanies the application and accounts for the presence and proximity of the Showground. It also notes the proximity of another caravan park which sits a similar distance away to the north of it in terms of a comparable type of arrangement. The Environmental Health Team have reviewed the assessment and concur with the monitoring, methodology and findings. On the basis of the technical information presented which has been accepted by the Environmental Health Team and the relationship between the sites and the land uses, the proposal is therefore considered to be compatible without detriment on either the application site or indeed the operators of the showground. Informative advice to the developer to ensure occupiers of the lodges are aware of the proximity to the showground has been recommended, however.

The Noise Assessment also considers the operational phase of development, including noise in the day and night, confirming the proposal would not give rise to an adverse impact at the closest existing and proposed receptors. It also sets out how suitable design standards can be adopted to ensure that comfortable levels can be achieved inside the proposed accommodation for future users. Acoustic ventilation will be required in some areas of the development to ensure suitable levels can be achieved. As set out, the Environmental Health Officer agrees with the methodology of the Assessment and the overall conclusions of the report. Conditions to secure the mitigation measures, where identified, are recommended to accord with Policy 5 of the NELLP.

Subject to conditions, the proposal would not result in detrimental impacts and is considered to accord with Policy 5 of the NELLP in relation to the impact on local amenity and neighbouring land users. It would also serve to cater appropriately for the occupiers of the lodge development and the hotels.

4. Ecology

Policy 5 of the NELLP seeks at (I) to consider the 'impact on areas of heritage, landscape, biodiversity and geodiversity value, including open land that contributes to settlement character'. Policy 12 seeks to protect and enhance sites of biodiversity and geodiversity importance including designated sites. Policy 40 notes the role of green spaces in providing a green infrastructure network which can contribute to mitigating the effects of recreational disturbance, particularly where there may be an increase in visitors. Policy 41 of the NELLP seeks to conserve and enhance biodiversity and the natural environment.

The application is supported by a Habitat Regulations Assessment (HRA), an Ecological Impact Assessment and individual species surveys. These are given due consideration in making this assessment.

It is acknowledged that several of the public representations received to the application cite impact and loss of ecology and biodiversity as concerns, equally some of the support comments note the historic use of part of the site and the ecological implications this would have had; over and above that proposed. These are acknowledged.

Biodiversity Net Gain has been stated in some of the representations received and the fact that this is not provided for. Mandatory Biodiversity Net Gain came into force for major developments received on or after 12th February 2024. Whilst this application is a major development, it was received on 22/12/2022, well in advance of the Regulations coming into force. It is therefore not a mandatory requirement for this application. That being said, ecology and the impacts to it are material considerations and will be discussed below.

Policy 12, 1 (H) aims to support development which 'maintains the integrity of the designated Humber Estuary Natura 2000 sites and features of interest associated with the Humber Estuary SSSI. Securing appropriate, effective and timely mitigation when necessary; including a commitment to further development of the Cleethorpes Habitat Management Plan to manage increasing recreational pressures and access to sensitive areas. Any mitigation or management measures will be implemented prior to impacts occurring'.

The site is close to the Humber Estuary which affords protection as a designated site. Where development may lead to likely significant effects, it should first be screened through a HRA and where significant effects are likely, it should then proceed to the appropriate assessment stage to determine any suitable mitigation measures. The

application is accompanied by a detailed HRA which throughout the consideration of this application has undergone a series of iterations following consultation with the Council's Ecologist, RSPB and Natural England. This has been to ensure impacts can be fully understood and where necessary, intended mitigation can be fully considered.

The HRA recognises recreational disturbance as one of the key issues that is pivotal to this application as the proposal, particularly the leisure aspects of the scheme, have the potential to increase recreational disturbance which could, if not properly mitigated, have a detrimental impact on the designated site. The HRA goes into detail on what these impacts could be both for construction and operation. In detailing the impacts, a mitigation package has been developed in consultation with Natural England, the Council's Ecologist and the RSPB. The HRA sets out that the aim is to achieve no net increase from the development on recreational disturbance. In brief, this mitigation set out in Section 5 of the HRA details that for operation this includes the following core mitigation:

- Enhanced connectivity to Cleethorpes Country Park to provide alternative areas for walking, cycling and recreational activities. This will mainly be in the form of wayfinding signage but information packs to the lodges will also contain this information.
- Limiting occupation of the lodge development to 1 November (or the following Sunday, if half terms extends into November) in any one year and 14 March in the next year as this is when disturbance to over wintering birds using the estuary is more likely.

Specific to the lodge development and in addition to those listed above, the following additional core mitigation is required:

- Funding (circa £22,264.10/per annum/in line with inflation) for a part time ranger role for the lifetime of the holiday lodge development, employed by a responsible body such as the Humber Nature Partnership. A draft job specification is provided in the HRA.

Additional mitigation is also proposed for the whole site which includes:

- Promotion of onsite leisure activities.
- The use of an onsite mascot which could include a curlew to educate on the local bird population.
- Promotion of activities and recreational activities away from the coast.
- A detailed site and landscaping scheme to mitigate noise and light pollution.
- A no dog policy for the lodge development and hotels.
- Parking restrictions. And;
- Signage and interpretation boards.

In terms of construction mitigation, the following measures are recommended:

- The submission of a Construction and Environmental Management Plan (CEMP) to address on site working;
- Ornithological and disturbance monitoring. And;

- An Ecological Clerk of Works (ECoW) to oversee construction works and monitor the CEMP.

The Council's Ecologist has confirmed that as competent authority, it is content to accept the HRA. The measures therein are proposed to be secured through planning conditions and the signing of a S106 for the financial contribution to fund the part time ranger role. Following extensive engagement, Natural England have now withdrawn earlier objections to the development and now provide 'no objections' based on the amended HRA and the mitigation measures as set out being secured.

Policy 6 of the NELLP states that contributions towards infrastructure will be based on the demands of the development. Under (C) ii, this can include habitat mitigation provision. As set out, there are proposals identified in the HRA to mitigate recreational disturbance created by this development including a financial contribution to the lodge area of the development for a 'ranger role'. This is a necessary part of the development's overall acceptability. This requirement is also supported by Policy 41 which sets out under (2) that 'any development which would, either individually or cumulatively, result in significant harm to biodiversity which cannot be avoided, adequately mitigated or as a last resort compensated for, will be refused'. The mitigation proposed and agreed would ensure no significant harm to the Estuary in line with Policy 41 and is considered to be justified under Policy 6, thus meeting the legal tests to be secured through a S106 agreement. In the event of a resolution to approve, planning permission should not be issued until an acceptable agreement has been reached and signed.

Whilst the RSPB have been involved in discussions over the core mitigation for the ranger role, it is noted that they have not sought to respond to the updated HRA through any of the additional consultations and their original concerns are therefore still noted.

In addition to the above, the site has also been assessed in the HRA to ascertain if it results in the loss of habitat within the Humber Estuary Designated Site or within land functionally linked land to it. This includes bird survey data and an assessment of the on-site habitats. The conclusions of the HRA are that the development neither results in the loss to habitat within the designated site or land which is deemed to be 'functionally linked' to it. It is noted that some representations received refer to the survey data that has been used, or more specifically the lack of data. Following various iterations of the HRA, the Council's Ecologist and Natural England have now confirmed their acceptance to the extent and nature of survey data and the conclusions on this matter.

In addition to the ecological considerations relating to the Estuary, it is also important that the potential for protected species and their habitats, including any potential for them; given the site conditions, is fully considered. Each ecological report discusses the likely impacts because of the proposed development on existing habitats or features. Each report then discusses the findings and where impacts are identified, mitigation measures are set out. Some of the public representations received refer to the timing of the reports. In response, these reports have been updated where necessary during the consideration of this application to ensure they contain the most up to date site conditions

and assessment relative to the species being assessed.

The Council's Ecologist accepts the findings of these reports and recommends that in the event permission is granted, conditions are utilised to secure the mitigation measures set out in the reports. Accordingly, the conditions recommended in this report reflect the recommendations set out in the various ecological reports. This includes measures for construction and operation. Additionally, there are conditions recommended for lighting details to ensure any proposed lighting is acceptable in ecological terms, full construction details are provided with a methodology for the replacement bridge over Buck Beck to limit any pollution and a Management Plan for Japanese Knotweed. The Ecologist has not identified the need for any other species surveys in response to representations received.

The comments from Lincolnshire Wildlife Trust are noted and it is acknowledged that their position which raises concerns remains. Whilst noting their comments and potential impacts, the Ecology Officer has not sought to raise concerns in this regard. Equally, whilst temporary impacts are likely for an extended period during demolition, construction and indeed establishment, the proposal offers the opportunity in the long term through new planting and a varied species choice to mitigate impacts. The proposals impacts are deemed to be acceptable.

On the basis of the information provided and the up to date position of Natural England and the Council's Ecologist, whilst noting there will be impacts arising, with appropriate measures secured through conditions and the signing of a S106, the proposal can be made acceptable to accord with Policies 5, 12, 40 and 41 of the NELLP.

5. Landscaping

Policy 5 notes the requirement to consider the impact on landscape. Policy 22 recognises the need to achieve climate change resilience and high-quality public realm and landscaping is a key component of this. It is noted that Landscape Character Assessments should be used where relevant to understand impacts. Policy 40 seeks to improve green infrastructure. Policy 42 of the NELLP seeks to conserve and enhance the natural environment and recognise the value in green landscapes.

The application is supported by a Landscape and Visual Appraisal as discussed, along with a Tree Report, Arboricultural Impact and Method Assessment, Landscape Management Plan, Illustrative Landscape Masterplan and a Tree Retention and Removal Plan.

It is acknowledged that several of the public representations received to the application cite the impact on the landscape and impact/loss of trees as particular concerns. Additionally, some representations refer to visual betterment, and this could extend to the landscaping proposals. All representations are noted and the content given full regard in considering the landscaping considerations.

The tree retention and removal plan sets out which trees including any groups of trees are proposed to be retained or removed. The most significant area of removal would be towards Kings Road to the north-west. This is where the car park and buildings would be located. Whilst the amount of loss is acknowledged, so is the level of retention which remains high across the entire site. Trees are categorised in the accompanying Tree Report. The Arboricultural Impact Assessment provides a wider narrative of the impact of the proposals and the relationship with trees. Importantly no individual Category A trees with high value are proposed to be removed, 122 individual Category B trees of moderate quality are proposed to be removed, 94 individual Category C trees of low quality are proposed to be removed, and 20 individual Category U trees are proposed to be removed. This is in addition to the grouped tree removal to the north-east and some which is pepper potted through the site. Some of the more prominent trees to the road frontage are noted in the report to be in a declining condition or which are species where disease is likely to be a limiting factor.

The Tree Officer has been involved extensively throughout the consideration of this application. Given the accompanying evidence and the proposal as set out, the Tree Officer is acceptive of the trees on site to be removed and those to be retained. There is the opportunity to provide a good landscaping scheme for the site, this is as set out and is in the form of the linear park to the site frontage but also across the site more generally. This would aid in ensuring a suitable 'edge' given that Policy 40 places an emphasis on developments adjacent to the development boundary enhancing the network of green infrastructure and respecting its setting to avoid a hard settlement edge. Species suited to the location can also be chosen which can potentially improve canopy cover and longevity over the longer term. There will be a need to ensure that the proposed landscaping scheme is fit for purpose from a visual amenity perspective, is durable but also delivers ecological benefit. The final scheme will need to be secured, though the principles of the landscape scheme as set out are accepted. Equally delivery and future management will be key requirements of the conditions and are fundamental to the effectiveness of the landscape scheme, nonetheless there is a need to respond to potential phasing given the size of the site and the extent of the construction period. An initial Landscape Management Plan has already been prepared. These conditions have been informed by discussions with the Tree Officer, and this is reflected in their latest consultation response.

Additionally, given the trees which are to remain on site, managing this during the demolition and construction process will be particularly pertinent and conditions around construction management and tree protection are required. These are also set out in this recommendation. This again follows detailed discussions with the Tree Officer on how best to manage the demolition and construction phase as to ensure trees worthy of retention can be maintained in a safe and healthy manner.

The Council's Tree Officer accepts the findings of the submitted reports and recommends that in the event permission is granted, conditions are utilised to secure final details and working methods. Accordingly, the conditions recommended in this report, reflect the recommendations set out from the Officer and those included within the reports. With

these in place, the scheme is justified in landscape terms and has potential over the long term to provide landscape enhancements, to accord with Policies 5, 22, 40 and 42 of the NELLP.

6. Highways, Access and Parking

Policy 5 requires an assessment on access and traffic. Policy 22 notes the need to achieve sustainable travel. Policy 36 seeks to promote sustainable travel and Policy 38 sets out the approach for parking. The application is supported by a Transport Assessment (TA), a Framework Travel Plan and a Parking Technical Note.

It is acknowledged that some of the public representations received to the application cite highways, access, traffic, parking and safety as concerns. Equally, a number of public representations support the integration and retention of the footpath that connects the site from North Sea Lane through to the car park to the north beyond Buck Beck. All representations are noted and the content given full regard in considering the highway, access and parking considerations.

The site is within an inherently sustainable location that is well served on foot, by cycle and by local bus routes.

In total, the site is proposed to be served by four accesses onto Kings Road and one from Anthonys Bank Road. Some of these already exist whilst others are new. Originally an access was also proposed from Meridian Road but due to concerns over suitability, it was removed from the scheme at the request of the Highways Officer. It is noted that this was specifically raised by members of the public and NELC's Tourism Team in earlier comments to the proposal and its removal from the scheme addresses this particular concern.

The Transport Assessment goes into detail on the likely impacts arising from the uses in respect of trip generation. Whilst the main site has been vacant for a number of years (both the theme park site and overflow car park), it would have had a significant number of trips attributed to it. The TA assesses the impacts of the development and considers linked and transferable trips as well as committed development.

In terms of the test set out in the NPPF, it concludes that impacts arising from the development would not be severe in highway terms, though a material increase in traffic flows is noted at 5 junctions. Four of these continue to operate within their capacity. The Kingsway/Queens Parade Mini Roundabout is noted as having a ratio to flow capacity (RFC) of 0.95 and 0.90. The increase of 0.04 and 0.05 retrospectively is not determined to be significant and is not concluded to result in severe harm. There has been ongoing dialogue with Highway Officers to determine the scope of the TA and any requirements to allow full consideration of the impacts. The Highway Officer following amendments to remove Meridian Road as a vehicular access and the updates to the TA, is content with the scope and outcomes of the reports and advises safeguarding conditions in the interests of highway safety and amenity. These are reflected in this recommendation.

In terms of the accesses, the Highways Officer is satisfied with their position and visibility, and conditions for full construction details are recommended. A bus stop on Kings Road will require relocation to facilitate this and a condition securing this is also recommended. Whilst noting the Framework Travel Plan provided, in the interests of sustainable travel, individual travel plans for each element of the proposal will be required and again, this is recommended to be conditioned.

Parking is proposed as set out on the layout plans and the bays are closely linked to the uses they serve. Included are a mixture of EV and disabled bays and the split of parking spaces is set out in the Parking Technical Note. Under Policy 38, proposals should be justified in terms of their parking requirements based on the nature of what is proposed and the location and context of the site. In this inherently sustainable location, the parking levels are acceptable and are justified as set out in the Parking Technical Note. The number of accessible parking spaces and the number of EV points required under Policy 38 is met. Additionally, the disabled bays are designed to be close to the entrances of the building they serve. The Highways Officer is satisfied with the levels of parking. The plans incorporate for cycle provision, and this is recommended to be secured and delivered via conditions.

Subject to conditions which reflect the advice of the Highways Officer, no severe impacts are expected and the site provides the necessary infrastructure, which is justified to serve the proposed development to accord with Policies 5, 22, 36 and 38 of the NELLP.

7. Flood Risk and Drainage

Policy 5, 1 (F) requires consideration to be given on a site-specific basis to flood risk. Policy 33 of the NELLP further sets out the requirements for assessing flood risk with Policy 34 then seeking to ensure appropriate provisions are in place for water management and efficiency.

The application is supported by a Flood Risk and Drainage Strategy, Flood Risk and Sequential Assessment, Flood Risk Management Note and Sequential Assessment Briefing Note.

It is acknowledged that some of the public representations received to the application cite flood risk and drainage as concerns, in addition to concerns over the information supplied to make an assessment. These are acknowledged.

Most of the site is within flood zones 2 and 3 on the Environment Agency Flood Risk Maps. An area to the north is flood zone 1 where the ground levels are substantially higher. The Environment Agency maps now show future flood risk which includes a 2070-2125 scenario. Parts of the site are affected by this. The risk of flooding for this site is tidal from the River Humber, but also Fluvial from Buck Beck. There are also some areas of the site at risk from surface water flooding and groundwater flooding as existing.

In the first instance consideration needs to be given to the requirement for the sequential test. Usually, sites which benefit from an allocation need not go through the sequential test because they have already been sequentially tested through the local plan process. In this case the site allocation is for resort and leisure uses but has not been sequentially tested at the Local Plan stage. The agent has provided a Sequential Assessment Briefing Note and this provides a sequential basis for the leisure and tourism uses. It notes that such uses are directed to allocated areas and concludes that given the extent of development there are no reasonably available sites which also achieve the same regeneration benefits. This position is accepted.

In terms of the retail uses as part of the sequential test, a thorough assessment has been made as to whether the retail aspect could be accommodated elsewhere. The summary of the Sequential report is that a number of sites have been considered and for the reasons set out in the report any alternatives that have been identified have been discounted based on either being unsuitable or unavailable. Factors have influenced suitability, and these are as set out in the report. It is considered that the sequential test has provided an adequate basis for assessment of alternative sites and the sequential test which has been submitted as an additional element during the consideration of the application, is deemed to be passed.

For a development to be acceptable, it must also pass the exceptions test. The National Planning Policy Guidance (NPPG) sets out the two key elements of the exceptions test:

- 'Development which has to be in a flood risk area will provide wider sustainability benefits to the community which outweigh flood risk; and
- The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall'.

Taking the first criteria, this scheme involves a substantial brownfield redevelopment, including additional land to create a comprehensive scheme. It is in a prominent location in the resort, and the proposal would provide a high-quality mixed-use scheme that would provide facilities for local people and visitors to the resort. This would greatly enhance the Kings Road frontage. Included is quality public realm and play areas and includes retention of an important and well used footpath link with enhanced pedestrian connectivity and access. Buck Beck remains a key nature feature that would be retained and incorporated into the development, with enhanced access to it for maintenance. In terms of the wider economic benefits, these are noted in the supporting documentation in terms of the levels of investment and also, the substantial jobs to be created through the proposals both during construction and then through operation. The public benefits in this case are well documented and the exceptions test in this regard is passed.

Moving onto the second criteria, the FRA categorises the vulnerability of the proposed uses in line with the NPPF. These are as follows:

- Leisure Units, Food and Retail Outlets, Cycle Hire and Reception - Less

Vulnerable.

- Hotel and holiday lodges - More Vulnerable.
- Angles Hub - Water Compatible.

The FRA also details the risks from all aspects of likely flooding and includes sensitivity testing.

A series of mitigation measures are outlined in the FRA in response to the flood risk exceptions test. The mitigation is linked to the vulnerability of the proposed uses. The site mitigation includes:

- Site wide signage to be installed in car parking areas and at locations in the lodge areas to raise awareness of the possibility of flooding, showing evacuation routes and locations of refuge areas.
- Finished floor levels 150mm above adjacent ground levels for the retail, leisure, food, hotels, cycle hire and lodge reception areas.
- Individual Flood Warning and Evacuation Plans for the retail, leisure, food, hotels, cycle hire and lodge reception areas.
- Lodge Area to be evacuated on receipt of an Environment Agency Flood Warning as set out in the Flood Warning and Evacuation Plan. This will be formalised through tenancies and ownership agreements for the lodges.
- Where practicable, safe refuge to be provided at an elevated level - for example above ground floor.
- Safe refuge to be provided within the hotels at an elevated level above ground floor level.
- No sleeping accommodation at ground floor levels in the hotels.
- Occupancy restricted to 15th March to 31 October for the lodge areas.
- All lodges to be securely tethered to prevent displacement in the event of a flood.
- Where practicable, inclusion of flood resilience measures.

For Lodge Area A, the specific mitigation includes:

- Ground levels of the lodges to be no less than 5.50m AOD. This may require level raising if ground levels are lower.
- Finished floor levels to be 6.70m AOD.
- All lodges to be able to access the internal access road via raised ground or walkways at 6.50m AOD or higher.
- Embankment between Lodge Area B and C to be raised to a minimum of 4.75m AOD.

For Lodge Area B, the specific mitigation includes:

- Finished floor levels to be 4.2m AOD.
- Infilling of localised low areas to a minimum of 2.90m AOD.
- Raising of internal access roads to a minimum of 3.40m AOD.
- Regularly spaced pipes through raised roads to prevent water build up.

For Lodge Area C, the specific mitigation includes:

- Finished floor levels to be 4.2m AOD.
- Infilling of localised low areas to a minimum of 2.80m AOD.
- Raising of internal access roads to a minimum of 3.20m AOD.
- Regularly spaced pipes through raised roads to prevent water build up.
- Removal of existing earth embankment.
- Installation of secondary bund behind Buck Beck.

The occupancy restriction is primarily in relation to tidal flooding. The reports detail that fluvial flooding does not have the same degree of seasonality as coastal flooding. The risk of fluvial flooding occurring is assessed as being extremely low which is supported by the technical assessment set out in the report. Nevertheless, the proposed mitigation is designed in direct response to this risk. This predominantly relates to Lodge Areas B and C as Lodge Area A does not have the same level of risk. The basis for mitigating residual risk from flooding associated with overtopping or a breach of the embankment is reliant on the package of mitigation measures set out which includes flood warning and evacuation. The report identifies that the total evacuation of the lodge areas could be achieved in less than 30 minutes. The following additional measures (which are addressed above but are provided in more detail below) are considered to address this risk further:

- Lodges to be on raised stilts to a finished floor level of 4.2m AOD, this is above the predicted flood levels for an overtopping or breach scenario to provide safe refuge.
- Low areas to be infilled to a minimum of 2.9m AOD in Lodge Area B and 2.8m AOD in Lodge Area C.
- Access roads to be 3.4m AOD in Lodge Area B and 3.2m AOD in Lodge Area C. These could then be accessed by users in the event of a flood. Regularly spaced pipework would prevent the build-up of water.
- In Lodge Area C a secondary bund would be constructed behind Buck Beck. This is designed to slow water in the event of a flood. This would be approximately 1m high and 75m long.
- Removal of the earth embankment to Lodge Area C to enable the movement of water more freely.

Hydraulic modelling has been used to test the flood risk measures in overtopping and breach scenarios. The results of which have been included in the report. The overall conclusions of the report are that with all the mitigation measures listed, the risk is mitigated without placing an undue burden on emergency services.

It should be noted that the Emergency Planner has been engaged through the application process with a view to understanding the impact should an extreme flood event occur. The Environment Agency refer to this in their response as a key component of overall acceptability. The Emergency Planners have indicated that the approach is acceptable and that the emergency response access timescales are reasonable. This is

on the basis that a mixture of safe refuge can be provided through the mitigation package which would allow people to reside at safe levels whilst awaiting rescue and that the site is also designed so that people could evacuate or be rescued (following a flood warning) given the raised roads in the event of a flood or future flood. The flood risk report notes that the previous use on the main site attracted 250,000 visitors between April and October in a typical year which is significantly higher than the demands created by this entire proposal.

Consideration of the displacement of water has also been considered given the site levels and the report concludes that the proposal would not transfer/ increase flood risk off site or to third parties. No consultees have disagreed with this conclusion.

Improvements to the access to Buck Beck for maintenance are proposed by removing the security fencing. This would be a benefit over the existing situation in flood risk terms. This also responds to comments from the Drainage Board and the Environment Agency.

The Environment Agency have withdrawn earlier objections. Additional and amended information over the course of the application has been considered in depth by them. A number of conditions securing the mitigation are recommended, including ensuring the managers accommodation above the reception area is also subject to restrictions in the form of no ground floor sleeping accommodation and the inclusion of the seasonal occupancy. Thus, there are no objections on flood risk safety grounds in terms of meeting the safety part of the requirements of the exceptions test and ensuring flood risk is not increased elsewhere.

The Drainage Strategy has been informed by the site conditions and features as well as a topographical survey. The site levels vary quite substantially between the different areas of the site, raising to the northern portion beyond Buck Beck.

The Drainage Strategy is comprehensive and has considered the ground conditions and existing utilities, along with existing ground levels. The report noted that detailed infiltration testing will be required to inform the final strategy. It is proposed to discharge all surface water run-off, excluding Lodge Area A to Buck Beck via an existing outfall. A new outfall will be required for Lodge Area A. A permit for such works may be required separate to any planning requirements and an advice note to this effect is recommended to the applicant. It is proposed that discharge rates will be restricted. The reports indicate that in some areas this will provide a 30% betterment. Pumping stations will be used to assist with drainage requirements on the site, and these will need to be included in the final strategy. Additionally, attenuation storage will also be provided to restrict run-off from roofs and hardstanding. The lake additionally provides an area of attenuation storage, and the lake can also be used for water quality benefits. Flood flows will be directed away from built development. Filter drainage and bypass separators can be used to limit and manage pollution control as indicated. Final details of the scheme will be required and whilst management and maintenance have been detailed, these should be finalised and agreed once the final scheme is known and this will be recommended via planning conditions as recommended by the Drainage Officer, who raises no objections to the

proposal. Should any connection to the Anglian Water network be required for surface water, then an opportunity to consult them through the drainage details at condition discharge stage could take place.

A new foul water connection will be required, and the applicants have worked with Anglian Water to determine a suitable point of connection upfront that would avoid constraining the network, pollution and flood risk downstream. Existing foul drainage infrastructure will be utilised on site. A condition for these details is recommended by Anglian Water, and previous objections have been withdrawn now this detail has been agreed.

Anglian Water have also confirmed that the wastewater treatment plants have the capacity to accommodate flows from the proposed development.

After extensive discussions and engagement in consultation with the Emergency Planner, Drainage Colleagues, the Environment Agency and Anglian Water, no objections remain to the site's development from these consultees. The sequential and exceptions tests have been passed. Clear and defined mitigation measures have been set out and whilst further detail on the final drainage strategy is required and flood warning measures, these can be adequately secured through planning conditions. With these as recommended, the proposal would accord with Policies 5, 33 and 34 of the NELLP in relation to drainage and flood risk.

8. Environmental Matters

Policy 5 of the NELLP also requires regard to be given to air quality and contamination (in addition to noise, which is dealt with under Section 3).

It is acknowledged that some of the public representations received to the application cite pollution and contamination concerns. Equally, reference is made in the public representations in supporting the environmental benefits versus the historic use of the site. All representations are noted and the content given full regard in considering the environmental considerations.

An Air Quality Assessment has been provided. The report concludes that the likely effect is 'not significant'. In coming to this conclusion, a number of mitigation measures are outlined in regard to demolition and construction and operational phases under Section 6. The Environmental Health Officer agrees with the methodology of the Assessment the conclusions of the report. Conditions to secure the mitigation measures are recommended to accord with Policy 5 of the NELLP.

The Desktop Utilities Survey is noted. No utility operations have sought to object to the proposal. Informative advice is however recommended from certain providers as detailed in the 'representations received' section of this report. This informative advice is referred to through informatives attached to this report.

The Geoenvironmental Appraisal and the Phase 1 Desk Study are acknowledged. The Environmental Health Officer has acknowledged these reports and confirmed that whilst the desktop study considers the whole development area, the ground investigation report concentrates on the part of the site which will encompass the retail development. Conditions are therefore recommended to fully determine the conditions of the land including an investigation and risk assessment, remediation strategy (where deemed to be required), verification and consider any unsuspected contamination. These are necessary to ensure any potential contamination is dealt with accordingly and have been included in the conditions attached to this recommendation to accord with Policy 5 of the NELLP.

The Environmental Health Officer has recommended a condition relating to piling, ground improvements and foundations for the proposed buildings to protect neighbours and the underlying chalk aquifer. It is considered that given the potential and prolonged impacts of construction this condition is necessary and has been included in the conditions attached to this recommendation to accord with Policy 5 of the NELLP.

Demolition of some of the existing buildings and structures is proposed. In response to this and to ensure effective demolition occurs without harm to the environment or to neighbours, the Environmental Health Officer recommends a condition for a Demolition Method Statement. This has been included in the conditions attached to this recommendation to accord with Policy 5 of the NELLP.

Various plant and extraction equipment will be required to serve some of the individual uses and this will be driven by the individual operator requirements. The Environmental Health Officer has recommended a condition securing final details of any such equipment in order to protect neighbours from noise and odours. This has been included in the conditions attached to this recommendation to accord with Policy 5 of the NELLP.

9. Other Matters

It should be acknowledged as set out in the 'relevant planning history' section of this report, that an Environmental Impact Assessment (EIA) screening was submitted in advance of this planning submission and this concluded that an EIA was not required. As the scheme has changed since the original EIA screening and, now that a final scheme has been formalised, a new EIA screening has been undertaken by the Officer under DM/0465/26/SCR which concludes this development is EIA negative.

The scheme is extensive and there will be a need for the site to be developed in phases. It will be important that the development is delivered in a coherent way to respond to operator demand, amenity and infrastructure requirements. A condition has been agreed with the agent to respond to this matter.

It is acknowledged that some of the representations received refer to access from Meridian Road and concerns over its use and suitability. In earlier versions of the planning submission, vehicular access was proposed from Meridian Road. This element

was removed from the scheme as detailed and the amended scheme subsequently consulted on with consultees and the public. The most up-to-date highway position remains as detailed in section 6 of this report.

It is acknowledged that some of the representations received, including consultee responses, refer to the additional bridge (close to Kings Road) over Buck Beck with concerns over its impacts. This was proposed in earlier versions of the planning submission but has been subsequently removed from the scheme (the replacement footbridge remains part of the scheme). The amended scheme was subsequently consulted on with consultees and the public. This position is reflected in the latest consultee comments including those from Ecology and the Environment Agency.

It is noted that the site is shown on the Minerals map in the NELLP, with small areas of blown sand and sand and gravel intersecting parts of the site along the western part of the site and to the north. The site is within the 200m buffer zone. Policy 44 of the NELLP relates to the need to safeguard mineral deposits. In this instance, the criteria under 3 (A) is met in that the need for the development outweighs the need to safeguard the site for future mineral extraction, particularly given its position in the heart of Cleethorpes resort and former use on the areas of the site it impacts.

Since the application was originally submitted, a new National Planning Policy Framework (NPPF) has been published. In response, the agent has provided an NPPF Update Note. This is considered adequate in providing any necessary responses to matters arising from the NPPF.

CONCLUSION

The proposal represents a major mixed-use scheme on a site in the heart of the allocated resort area. Utilising a mixture of brownfield and greenfield land the proposal would result in an effective use of the land by providing a mix of uses that would contribute to the local economy and vitality of the resort whilst in the main, improving the character and contribution of the site to the local area. The proposal would support tourism in the local area but is diverse in its nature as to create an attraction for local people to enjoy which also includes the retention of a key pedestrian route through to the beach.

The appraisal considers the principle of development acknowledging there is an in principle issue with Policy 5 but noting this does not weigh against the development in this case. This is due to Policy 12 which forms the basis of the site allocation. Policy 12 has been considered and in light of the nature of this comprehensive scheme which delivers benefits to local people and tourists alike through the range of uses. This combined with the evidence to support the rationale of these provides appropriate justification for the uses. The requirements under Policy 23 have been considered in detail and through the supporting evidence. The retail impacts have been deemed to be acceptable and do not show unacceptable impacts on town or local centres and the criteria based assessment is satisfied. The sequential assessment is equally satisfied. In coming to this conclusion the Council has obtained independent retail advice. Further,

Policy 29 supports proposals which create opportunities for social interaction which this proposal would encourage through the uses, but also routes, play areas and open space. The overall conclusion on acceptability of the principle of development is predicated on conditions being imposed.

A detailed assessment on the impacts of the scheme from a character, design, layout and visual amenity perspective has been undertaken. Whilst noting the minor adverse harm that has been noted in the technical reports, this is considered against the nature of the scheme and the positive benefits the development would bring from a design, activity and regeneration perspective and in this case, these weigh heavily in favour of the development. Thus, any harm is outweighed in this case by these benefits. The overall conclusion on acceptability of the character, design, layout and visual amenity is predicated on conditions being imposed.

Impacts to local and neighbouring amenity have been given careful consideration and the appraisal notes the relationship with key neighbours concluding impacts are acceptable. In particular, given the layout, position and overall scale of the scheme. In making this assessment, consideration of construction and operational impacts are assessed, and these are also deemed to be acceptable. The overall conclusion on acceptability of the impact on local and neighbouring amenity is predicated on conditions being imposed.

For ecology, extensive discussions and amendments to supporting information have informed the final scheme and impacts to protected species can be made acceptable through conditions. The Council has accepted the HRA provided by the applicant and adopted it which details the mitigation requirements for the development and the financial requirements which apply. This has been agreed with Natural England. It has been confirmed the site does not comprise land functionally linked to the Humber Estuary. In making this assessment, consideration of construction and operational impacts have been assessed, and these are also deemed to be acceptable subject to conditions. The overall conclusion on acceptability of ecology is predicated on conditions being imposed and matters being agreed and secured through a S106.

In terms of landscaping, the appraisal details the levels of tree loss and that these have been justified. The tree officer is content that a suitable landscape scheme can be derived which mitigates any loss and provides enhancement opportunities. This in part, is due to the linear park to be created to the frontage. Construction and operational impacts have been considered in making this assessment. The overall conclusion on acceptability of landscaping is predicated on conditions being imposed.

For highway, access and parking considerations a thorough assessment has been made and amendments through the process have been secured to limit impacts on the wider network and ensure safe and suitable access can be achieved. The proposal would not have a severe impact on the highway network, provides adequate parking and ensures suitable access. Construction and operational impacts have been considered in making this assessment. The overall conclusion on acceptability of highways, access and parking is predicated on conditions being imposed.

Flood risk and drainage have been considered in full and has resulted in additional and amended information to respond to issues raised. Acceptable mitigation has been derived which consultees have accepted and the relevant sequential and exceptions tests have been undertaken and passed. Appropriate provisions can be put in place to ensure suitable surface and foul water drainage can be achieved, without increasing flood risk elsewhere. Consultees have accepted the revised proposals. The overall conclusion on acceptability of drainage and flood risk is predicated on conditions being imposed.

Environmental matters stemming from the proposal are set out in the reports and these relate to air quality, utilities and contamination. No matters which restrict development of the site are raised and this position is accepted by consultees. The overall conclusion on acceptability of environmental matters is predicated on conditions being imposed. This also extends to other matters such as piling, demolition management and extraction equipment to mitigate impacts.

The 'other matters' section of the appraisal confirms that the amended scheme has been EIA screened to ensure the development remains EIA negative. This section acknowledges parts of the scheme which have been removed for clarity. It also details a conflict with the minerals map in the NELLP but concludes given the limited extent of impact and the wider public benefits arising from the scheme, this was not considered to weigh against the proposal.

Various technical reports have been submitted or updated during consideration of this application to respond to consultee feedback and representations made by the public to ensure they remain upto date for the purpose of assessment. As set out in the 'representations received' section of this report, multiple consultations have taken place in response to these being received.

The application has been considered over an extended period to fully understand the likely impacts of the development and to allow proper consideration to be given to the material planning considerations and policy requirements. All representations are noted in coming to the conclusions set out in this report which includes those comments in objection and those in support.

The development is not without impact and these are detailed in the report, in this case the benefits of the scheme weigh in favour of the proposal and the proposal is seen to comply with the NELLP overall. Notwithstanding this, conditions are recommended responding to matters and impacts cited in this report and these are considered to meet the planning tests. These have been discussed with the applicant. The S106 agreement which is recommended is considered to meet the legal tests.

The application is recommended for approval subject to the conditions attached which follow advice obtained from key consultees and subject to the resolution and signing of the S106 to secure the financial contribution and details for the recreational disturbance

mitigation. It is recommended the decision is delegated back to the Assistant Director for Regeneration to allow this to take place which may include any minor modifications or corrections to conditions.

RECOMMENDATION

Approve with conditions following resolution of mitigation and signing of S106

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - 2020.66_YPG_00_XX_DR_A_1006 P2
Site Wide Proposed Layout Plan - 2020.66_YPG_00_XX_DR_A_1004 P25
Proposed Site Plan Retail and Leisure Area - 7368-SMR-00-ZZ-DR-A-2004-S4-P13
Retail and Leisure Area External Works - 7368-SMR-00-ZZ-DR-A-2005-S4-P7
Retail and Leisure Area Boundary Treatments - 7368-SMR-00-ZZ-DR-A-2006-S4-P8
Leisure Unit GA Floor Plans - 7368-SMR-07-ZZ-DR-A-2701-S4-P7
Leisure Unit Proposed Roof Plan - 7368-SMR-07-ZZ-DR-A-2702-S4-P6
Leisure Unit Proposed GA Elevations - 7368-SMR-07-ZZ-DR-A-2703-S4-P7
Leisure Unit - Proposed GA Sections - 7368-SMR-07-ZZ-DR-A-2704-S4-P4
Leisure Unit - Proposed External Works - 7368-SMR-07-ZZ-DR-A-2705-S4-P7
Proposed Planting Strategy Plan - N846-ONE-ZZ-XX-DR-L-0001-P10
Tree Retention and Removal - N846-ONE-ZZ-XX-DR-L-0004-P13
Hard Landscaping General Arrangement - Sheet 1 - N846-ONE-ZZ-XX-DR-L-0005-P12
Hard Landscaping General Arrangement - Sheet 2 - N846-ONE-ZZ-XX-DR-L-0006-P10
Hard Landscaping General Arrangement - Sheet 3 - N846-ONE-ZZ-XX-DR-L-0007-P11
Hard Landscaping General Arrangement - Sheet 4 - N846-ONE-ZZ-XX-DR-L-0008-P11
Hard Landscaping General Arrangement - Sheet 5 - N846-ONE-ZZ-XX-DR-L-0009-P10
Illustrative Landscape Masterplan - N846-ONE-ZZ-XX-DR-L-0801-P19
Coffee Drive Through External Works - 7368-SMR-04-ZZ-DR-A-2405-S4-P6
Lidl Elevations - 7368-SMR-02-ZZ-DR-A-2203-S4-P4
Lidl Proposed GA Plan - 7368-SMR-09-GF-DR-A-2901-S4-P5
Lidl Proposed Roof Plan - 7368-SMR-09-ZZ-DR-A-2902-S4-P4
Lidl Proposed Sections - 7309-SMR-09-ZZ-DR-A-2904-S4-P4

Lidl Proposed External Works - 7368-SMR-09-ZZ-DR-A-2904-S4-P5
Small Hotel Proposed Ground and First Floor Plans - 7368-SMR-08-ZZ-DR-A-2801-S4-P7
Small Hotel Proposed Second and Third Floor Plans - 7368-SMR-08-ZZ-DR-A-2802-S4-P7
Small Hotel Proposed Roof Plan - 7368-SMR-08-ZZ-DR-A-2803-S4-P6
Small Hotel Proposed GA Elevations - 7368-SMR-08-ZZ-DR-A-2804-S4-P7
Small Hotel Proposed Sections - 7368-SMR-08-ZZ-DR-A-2805-S4-P6
Small Hotel Proposed Site Plan - 7368-SMR-08-ZZ-DR-A-2806-S4-P9
Site Sections - S01C
Fishing Club - FC-01
Reception Building - R01D
Cycle Hire Building Proposed Plans and Elevations - C01D
Proposed Hotel Elevations - H06B
Proposed Hotel Elevations - H07B
Proposed Hotel Sections - H05A
Proposed Hotel Ground Floor Plans - H01
Proposed Hotel First Floor Plan - H02A
Proposed Hotel Second, Third and Fourth Floor Plans - H03
Proposed Hotel Roof Plan - H04
Unit 2 Food and Drink Building Proposed Plans and Elevations - F06A
Unit 2 Food and Drink Building Proposed Roof Plan and Elevations - F07B
Unit 1 Food and Drink Building Elevations - F04A
Unit 1 Food and Drink Building Elevations - F05A
Unit 1 Food and Drink Ground Floor Plan - F01
Unit 1 Food and Drink Mezzanine Floor Plan - F02
Unit 1 Food and Drink Roof Plan - F034A
Retail Unit with Garden Centre Proposed GA Floor Plan - 7368-SMR-02-GFZZ-DR-A-2201-S4-P3
Retail Unit with Garden Centre Proposed GA Roof Plan - 7368-SMR-02-ZZ-DR-A-2202-S4-P3
Retail Unit with Garden Centre Proposed GA Sections - 7368-SMR-02-ZZ-DR-A-2204-S4-P2
Retail Unit with Garden Centre Proposed Elevations - 7368-SMR-02-ZZ-DR-A-2203-S4-P3
Retail Unit with Garden Centre Proposed External Works - 7368-SMR-02-ZZ-DR-A-2205-S4-P3
Coffee Drive Thru Proposed GA Plan - 7368-SMR-04-GF-DR-A-2401-S4-P3
Coffee Drive Thru Proposed Roof Plan - 7368-SMR-04-ZZ-DR-A-2402-S4-P3
Coffee Drive Thru Proposed GA Elevations - 7368-SMR-04-ZZ-DR-A-2403-S4-P4
Coffee Drive Thru Proposed GA Sections - 7368-SMR-04-ZZ-DR-A-2404-S4-P2

Reason

In the interests of proper planning, for the avoidance of doubt and in accordance with Policies of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

Should development in any phase or phases not commence before 1st March 2028, then an updated Great Crested Newt eDNA Survey will be required to be submitted to and approved in writing by the Local Planning Authority. This shall include an amphibian method statement if any works to any terrestrial habitat are proposed. If there is no terrestrial habitat in that phase or phases, this shall be confirmed by an Ecologist before work on that phase or phases commences. Any additional measures required as set out in the report shall be documented and a timescale set out for implementation. All measures shall be installed as approved.

Reason

To ensure up to date evidence is provided and ensure a precautionary approach to protecting great crested newts is provided for, in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

No demolition or construction work in any phase shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby residents, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

No development in any phase or phases shall take place until a Construction Management Plan (CMP) for that phase or phases has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the control measures that will be employed to control the impact of noise, vibration and dust during the construction phase. This shall accord with recommendations set out in table 5 of the Air Quality Assessment (dated November 2022). The approved CMP and control measures it contains shall be implemented throughout the construction phase. The noise assessment must comply with the requirements of British Standard 5228. Each phase or phases of development shall accord with the best practice measures for construction as set out in section 5 of the Noise Assessment (dated October 2024). No burning of demolition/construction waste material shall take place on site. The measures shall be applied as agreed.

Reason

In the interests of public health and to protect the amenities of nearby residents, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

Prior to the commencement of any demolition works in any phase or phases a detailed method statement outlining the method of demolition and measures to prevent pollution to the environment and nuisance from noise and dust to surrounding occupiers for that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. Each phase or phases of development shall accord with the best practice measures for demolition as set out in section 5 of the Noise Assessment (dated October 2024). Demolition shall only thereafter be undertaken in accordance with the approved method statement.

Reason

In the interests of public health and to protect the amenities of nearby residents, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

Prior to the use of each building labelled 1, 2, 3a, 3b, 4, 5a, 5b, 6a, 6b, 6c, 7, 8, 9, 10 and 11 on plan 2020.66_YPG_00_XX_DR_A_1004 P25, details shall be submitted to and approved in writing by the Local Planning Authority of any external plant / compressor equipment to be provided for that building or buildings including their acoustic performance and, where applicable, the details of sound reduction provided by mitigation measures to be installed. Where applicable, the method of odour control shall be included. Such a scheme as approved shall be implemented in its entirety prior to the use of that building or buildings and shall thereafter be so retained.

Reason

To protect the amenities of nearby residents, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

No fixed lighting in any phase or phases shall be erected or installed until details of the location, height, design, sensors, timing and luminance have been submitted to and approved in writing by the Local Planning Authority for that phase or phases. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties, highways and ecological receptors as indicated in the Ecological Impact Assessment dated July 2024. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason

To minimise nuisance and disturbance to neighbours, the surrounding area and in the interests of ecology, in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

Prior to the commencement of construction works on site in each phase or phases, detailed specifications of the type of piling/ground improvement/foundations to be used to support the buildings/structures in that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. Included shall be a scheme to mitigate the effects of the design with particular regard to noise and vibration to the surrounding premises and pollution to the underlying chalk aquifer. The foundations shall be carried out/constructed in accordance with the approved details in each phase or phases.

Reason

To protect the underlying aquifer and reduce noise and disturbance, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

Prior to development in each phase or phases being first brought into use, a scheme of final security measures for that phase or phases in consultation with the Police and developed by a competent person shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the measures shall be installed in accordance with the approved details prior to first use of the building, buildings, or structures or areas within each phase or phases or within an alternative timeframe to be agreed in writing with the Local Planning Authority and retained thereafter.

Reason

In the interests of good design, security and reducing the risk and opportunity for crime, in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

Development other than that required to be carried out as part of an approved scheme of remediation must not commence in any phase or phases until conditions 12 to 14 have been complied with in relation to that phase. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 15 has been complied with in relation to that contamination.

Reason

To ensure any contamination is dealt with appropriately, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

An investigation and risk assessment, in addition to the Phase 1 Desktop Study Report

Rev 1.0 and Geoenvironmental Appraisal Rev A provided with the planning application, must be undertaken in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

Reason

To ensure any contamination is dealt with appropriately, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

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

Reason

To ensure any contamination is dealt with appropriately, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(14) Condition

The approved remediation scheme must be carried out in accordance with its terms prior

to the commencement of development in that phase or phases; other than that, required to carry out remediation., unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out on that phase phases must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure any contamination is dealt with appropriately, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(15) Condition

In the event that contamination is found at any time when carrying out the approved development in any phase or phases that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason

To ensure any unconsidered contamination is dealt with appropriately, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Condition

Before any phase or phases of development begin, the following shall be submitted to and approved in writing by the Local Planning Authority.

(i) Detailed plans to a scale of at least 1/500 showing:-

- the proposed layout of the carriageways and footways on the development;
- the wearing course materials proposed for the carriageways and footways;
- cross sections;
- the highway drainage system;
- the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
- management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;
- swept path analysis demonstrating turning manoeuvres for emergency vehicles on all carriageways (adopted and private); and
- A phasing plan, which also sets out the delivery of roads and infrastructure

throughout the development and an implementation plan.

Once approved, the development shall be carried out in strict accordance with the approved details and in line with the scheme's phasing arrangements unless..

Reason

To ensure that the proposed access roads are made up as soon as possible and in the interests of public safety, to ensure a coherent delivery of the development and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(17) Condition

No demolition or construction works in any phase or phases associated with the development shall be commenced on the site until the access road connection with Kings Road serving that phase or phases has been set out in accordance with details to be approved under condition 16. These connections and the areas they serve are set out on Site Wide Layout Plan ref 2020.66_YPG_00_XX_DR_A_1004 P25.

Reason

In the interests of road safety, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(18) Condition

Notwithstanding the Framework Travel Plan submitted (dated January 2025), Business Travel Plans (BTP) for buildings 1, 2, 3a, 3b, 4, 5a, 5b, 6a, 6b, 6c, 7, 8 and 10 (as set out on the Site Wide Layout Plan ref. 2020.66_YPG_00_XX_DR_A_1004 P25) shall be submitted to and approved in writing to the Local Planning Authority for approval prior to their individual occupation. The BTP's should be produced in accordance with NELC Guidance and in liaison with the Business Travel Plan Officer. The BTP should include, but not be limited to the following:

1. Contact details of the person with responsibility for the implementation for the BTP;
2. Details of measures and initiatives to be in place to encourage travel by sustainable modes of travel, in particular walking, cycling, and public transport use;
3. 3 and 5 year targets associated with minimising lone car occupancy travel;
4. Details of how the BTP will be monitored (e.g. results of travel surveys within 3 months of first occupation and at key stages during occupancy);
5. The life of the BTP should be from first occupation to 5 years after full occupation of the individual building to ensure that the BTP has adequate time to become effective.

Once approved, the BTP for each building shall be implemented and adhered to thereafter in accordance with its terms.

Reason

In the interests of sustainable travel, in accordance with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(19) Condition

No works in any phase or phases, including any site clearance, demolition or construction works, hereby approved shall begin until a Construction Traffic Management Plan (CTMP) for that phase or phases have been submitted to and approved in writing by the Local Planning Authority. The CTMP should include, but not be limited to the following:

1. Contact details of the person with responsibility for the implementation of the CTMP; including the necessary tree protection;
2. The expected number, types and size of vehicles during the entire demolition and construction period;
3. Details of on-site parking provision for demolition and construction related vehicles;
4. Details of on-site storage areas for materials, this must be outside of the root protection area of the trees as indicated in the Arboricultural Report (dated January 2025);
5. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system); and
6. Details of wheel washing facilities (locations, types etc.).

Once approved, the CTMP shall be adhered to at all times during all site clearance, demolition and construction works for each phase or phases.

Reason

To ensure adequate access facilities are provided during demolition and construction, for highway safety reasons, and to protect trees proposed to be retained in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(20) Condition

Before buildings 1, 2, 3a, 3b, 4, 5a, 5b, 6a, 6b, 6c, 7, 8 and 10 (as set out on the Site Wide Layout Plan ref. 2020.66_YPG_00_XX_DR_A_1004 P25) are first brought into use or occupied, the parking and manoeuvring spaces serving that building shall be completed in full in accordance with the approved details and be available for use. This includes all delivery and servicing areas, disabled bays and any cycle and motorcycle parking and EV charging as shown on the approved plans, which in this case are:

- Proposed Site Plan - Retail and Leisure Area External Works - 7368-SMR-00-ZZ-DR-A-2005-S4-P7
- Proposed Site Plan - Leisure Area External Works Area - 7368-SMR-07-ZZ-DR-A-2705-S4-P7
- Proposed Site Plan - Coffee Drive Through External Works - 7368-SMR-04-ZZ-DR-A-2405-S4-P6

- Proposed Site Plan - LidL External Works Area- 7368-SMR-096-ZZ-DR-A-290-S-P5
- Proposed Site Plan - Small Hotel Proposed Site Plan - 7368-SMR-08-ZZ-DR-A-2806-S4-P9
- Proposed Site Plan - Retail with Garden Centre External Works Area - 7368-SMR-02-ZZ-DR-A-2205-S4-P3

They shall be retained as such thereafter.

Reason

To ensure adequate parking and turning on site to serve the proposed development, in the interests of sustainability and in the interests of highway safety, in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(21) Condition

Before any occupation in any phase or phases occurs and before any works to close the existing bus stop on Kings Road occurs, final details of its relocation as set out in the Transport Assessment (dated January 2025), including its exact position, design and specification shall be submitted to and approved in writing by the Local Planning Authority. Included shall be details of the timing of the closure of the existing bus stop and timing for completion of the new bus stop. Once approved, the bus stop shall be completed in accordance with the details approved.

Reason

To ensure continuity of sustainable travel, in accordance with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(22) Condition

No development in any phase or phases shall commence until a final comprehensive landscape scheme based on the principles set out on the following landscape drawings:

- Proposed Planting Strategy Plan - N846-ONE-ZZ-XX-DR-L-0001-P10
- Tree Retention and Removal - N846-ONE-ZZ-XX-DR-L-0004-P13
- Illustrative Landscape Masterplan - N846-ONE-ZZ-XX-DR-L-0801-P19

including:

- full planting details;
- total number and type of species to be used;
- girth and height at planting;
- soil volume calculations;
- a phasing and delivery plan - which corresponds to the landscape character phases, and commits to the delivery of the landscape frontage as part of the initial phase;
- a final management and maintenance plan for landscaping and where relevant play

areas, covering a minimum of 30 years; based on the submitted Landscape Management Plan (dated December 2024);

are provided. This should take into account the detailed advice of the Trees and Woodlands Officer dated 12th June 2026 and recommendations set out in the Ecological Impact Assessment dated July 2024. If phases are to come forward individually, the scheme's timing arrangements should show how that phase intends to connect with the site wide landscaping strategy. The development shall be carried out in accordance with the approved details and in line with the timescales set out therein.

Reason

To ensure a quality, timely and coherent landscaping scheme in the interests of character, climate change adaptation and biodiversity, in accordance with Policies 5, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(23) Condition

All preparatory site works in any phase or phases shall adhere to the recommendations set out in the Arboricultural Impact Assessment and Method Statement dated January 2025. Before demolition or construction commences in any phase or phases, tree protection measures for that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. Such details shall accord with the principles established through the Arboricultural Impact Assessment and Method Statement dated January 2025. Tree protection shall be retained on site as approved throughout all demolition and construction works in that phase or phases unless alternative timeframes or positions are set out in the measures outlined.

Reason

To protect trees identified for retention, in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(24) Condition

Prior to any demolition or construction in any phase or phases of development, a Construction and Environmental Management Plan for that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. This shall adhere and conform to the measures set out in the Ecological Impact Assessment dated July 2024; Section 6, Great Crested Newt Survey dated June 2026; section 6 and the Badger Report dated January 2025; Section 6 and include any recommended further survey work. Once approved, all demolition and construction works shall adhere to the measures agreed.

Reason

To protect ecology, in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(25) Condition

Before any building is first brought into use or occupied in any phase or phases, a delivery and servicing plan and waste collection strategy for that phase or phases shall be submitted to and approved in writing by the Local Planning Authority. Once approved, that phase or phases shall operate in strict accordance with the approved details thereafter.

Reason

To ensure appropriate provisions are in place for deliveries, servicing and waste collection, in the interests of highways and to protect the environment, in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(26) Condition

Notwithstanding the site wide drainage strategy provided in Flood Risk and Drainage Strategy V3-1 (dated May 2025), final surface and foul water drainage plans for each phase or phases shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works. Included shall be details of the management and maintenance where required and a phasing and delivery plan. All drainage serving each phase or phases shall be installed and be fully connected available for use before that phase or phases are brought into use or as set out in the phasing and delivery plan and the details shall thereafter be retained and maintained.

Reason

To ensure appropriate drainage provisions are in place for water management and in the interests of flood risk and ecology in accordance with Policies 5, 33, 34 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(27) Condition

Prior to the construction of each individual building(s) 1, 2, 3a, 3b, 4, 5a, 5b, 6a, 6b, 6c, 7, 8, 9, 10 and 11 as shown on the Site Wide Layout Plan ref.

2020.66_YPG_00_XX_DR_A_1004 P25, final details of all external materials to be used in their construction shall be submitted to and approved in writing by the Local Planning Authority and shall include details of all boundary treatments associated with the building(s). This shall include any mitigation for noise requirements. Once approved, the development shall be carried out in accordance with the approved details and implemented before each building(s) is brought into use.

Reason

In the interests of good design, future users, and in the interests of ecology, in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(28) Condition

Prior to occupation of each individual building(s) 1, 2, 3a, 3b, 4, 5a, 5b, 6a, 6b, 6c, 7, 8, 9, 10 and 11 as shown on the Site Wide Layout Plan ref.

2020.66_YPG_00_XX_DR_A_1004 P25, a final Flood Warning and Evacuation Plan for it shall be submitted to and approved in writing. This shall adhere to the recommendations set out in the Flood Risk and Drainage Assessment dated May 2025 - Version 3-1. Once approved, the building(s) shall be operated and managed in accordance with the approved Plans.

Reason

In the interests of flood risk and safety of the future users of the site in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(29) Condition

The development shall be constructed in strict accordance with the measures set out in the Flood Risk and Drainage Assessment dated May 2025 - Version 3-1. All measures shall be installed unless stated by other conditions, before individual occupation occurs. Such measures shall be retained thereafter.

Reason

In the interests of flood risk and safety of the future users of the site in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(30) Condition

The coffee shop drive thru (Unit 2) shall only be open for trading between:

- Monday to Sunday 07:00 - 23:00hrs.

Reason

To protect neighbours amenity from noise and anti-social behaviour, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(31) Condition

The hotel (Unit 3a) hereby approved shall not at any time have any ground floor bedrooms, as shown in the following drawing: Small Hotel - Proposed Ground & First Floor GA Plans 7368-SMR-08-ZZ-DR-A-2801-S4-P7.

Reason

To reduce the risk of flooding to the proposed development and future users in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(32) Condition

The retail store (Unit 4) shall only be open for trading between:

- Monday to Sunday 07:00 - 23:00hrs.

Reason

To protect neighbours amenity from noise and anti-social behaviour, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(33) Condition

The retail store labelled (Unit 4) as shown on 2020.66_YPG_00_XX_DR_A_1004 P25 and 7368-SMR-06-ZZ-DR-A-2901-S3-P5 must:

1. Not have a net sales area exceeding 1, 334 sqm inclusive of checkouts, circulation space, and lobbies and of this area comparison goods must be limited to a maximum of 20% of the proposed floorspace.
2. Only to be occupied by a 'limited assortment discounter' and the number of product lines that can be sold from the store must not exceed 4000 (for the avoidance of doubt, a line should be defined as an individual product, by a particular manufacturer, offered in a single size).
3. Not operate as a café or include any concessions or food counters.

Reason

The development has been considered based on this size and type of store and in particular how the development relates to the retail implications for the area and its impacts on local and town centres. Any increase in net sales area or variation to the submission may have further implications which need to be assessed against adopted local policy and the National Planning Policy Framework. This condition is imposed to accord with Policies 5 and 23 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(34) Condition

The retail store and garden centre (Units 5a and 5b) as shown on 2020.66_YPG_00_XX_DR_A_1004 P25 and 7368-SMR-02-ZZ-DR-A-2201-S4-P3 shall:

1. Not have a net sales area for the store (building 5a) exceeding 1,923 sqm and of this area a maximum of 45% shall be used for convenience goods sales and 55% for comparison goods sales.
2. Shall only be brought forward as a combined entity and shall not be split off from one another.
3. Shall not be subdivided into smaller units at any time.
4. Shall not operate as a café or include any concessions or food counters.

Reason

The development has been considered based on this size and type of store and in particular how the development relates to the retail implications for the area and its impacts on nearby local and town centres. This condition is imposed to accord with Policies 5 and 23 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(35) Condition

The hotel (Unit 6a) as shown on the Site Wide Layout Plan ref. 2020.66_YPG_00_XX_DR_A_1004 P25 hereby approved shall at no time have any ground floor bedrooms, as shown in the following drawing H01.

Reason

To reduce the risk of flooding to the proposed development and future users in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(36) Condition

The reception sleeping accommodation shown on plan R01D (Unit 10) shall not be occupied between 1 November (or the following Sunday, if half term extends into November) in any one year and 14 March in the succeeding year and shall only be at first floor level only.

Reason

To ensure the sleeping accommodation is not used during winter months when the risk of tidal flooding is at its highest, to reduce the risk of loss of life in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(37) Condition

Before the play areas shown on the Site Wide Layout Plan ref. 2020.66_YPG_00_XX_DR_A_1004 P25 are installed, final details of all equipment or structures to be erected, shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the equipment and areas shall be installed in accordance with the approved details prior to first use of any lodge on site and retained thereafter.

Reason

In the interests of good design and character and providing adequate on-site facilities, in accordance with Policies 5 and 12 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(38) Condition

No lodges hereby approved shall be occupied between 1st November (or the following

Sunday, if half term extends into November) in any one year and 14 March in the succeeding year.

Reason

To ensure the lodges are not occupied during winter months when the risk of tidal flooding is at its highest, to reduce the risk of loss of life in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(39) Condition

- o The finished floor level of lodges in Lodge Area A shall be set no lower than 6.70 metres above Ordnance Datum (AOD).
- o The finished floor level of lodges in Lodge Areas B and C shall be set no lower than 4.20 m AOD.

Reason

To reduce the risk of flooding to the proposed development and future users in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032.

(40) Condition

The pedestrian link that runs through the site between Lodge areas B and C from Kings Road through to Meridian Road shall remain open for public use at all times. Should there be a requirement to close during the construction or demolition phases, full details of the closure and any alternative arrangements shall be submitted to and approved in writing by the Local Planning Authority. All works shall then proceed in strict accordance with the agreed details.

Reason

In the interests of connectivity for pedestrians in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(41) Condition

Before any works are undertaken to the existing bridge over Buck Beck and before any use of Lodge Area A occurs, full details of the improvements shall be submitted to and approved in writing by the Local Planning Authority. Included shall be a method statement for how the works will be undertaken with respect to protecting Buck Beck. Once approved, the works shall be undertaken in accordance with the approved details. All bridge works shall be completed as approved before use of Lodge Area A occurs.

Reason

To protect ecology and the water environment in accordance with Policies 5, 33 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(42) Condition

Before development commences on Lodge Areas A, B and C, a strategy shall be submitted to and approved in writing by the Local Planning Authority which sets out the principles for the design and form of the lodges. Once approved, the development shall be completed and retained in accordance with the approved details.

Reason

In the interests of good design and to address visual impacts to coastal receptors in accordance with Policies 5, 12, 22 and 40 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(43) Condition

Prior to the first occupation of any lodges on the site, a Connectivity Enhancement Strategy relating to Cleethorpes Country Park shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- Detailed proposals for all physical and non-physical measures to enhance connectivity and promote sustainable access between the development hereby approved and Cleethorpes Country Park; and
- A timetable for the implementation of the proposed measures.

The development shall be carried out in full accordance with the approved strategy and implementation programme thereafter.

Reason

To limit recreational disturbance and to signpost to alternative recreational areas close by in the interests of ecology and to accord with the recommendations set out in the Habitat Regulations Assessment V14 dated March 2026, in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(44) Condition

The measures set out in section 5.18 of the Habitat Regulations Assessment V14 dated March 2026 shall be implemented and be adhered to at all times throughout all operation and management of the holiday lodges.

Reason

To limit recreational disturbance and to signpost to alternative recreational areas close by in the interests of ecology and to accord with the recommendations set out in the Habitat Regulations Assessment V14 dated March 2026, in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(45) Condition

Other than those mitigation measures listed in conditions 42 and 43, for all other mitigation identified in the Habitat Regulations Assessment V14, a Habitat Management Compliance Strategy shall be submitted to and approved in writing by the Local Planning Authority before works on site commence. This shall set out how the proposals aim to comply with the measures and a timescale for implementation or completion. Once approved, development shall proceed in strict accordance with the approved details.

Reason

To limit recreational disturbance and to in the interests of ecology and to accord with the recommendations set out in the Habitat Regulations Assessment V14 dated March 2026, in accordance with Policies 5, 22 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(46) Biodiversity Net Gain

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in

the list below is/are considered to apply. It is considered that exemption number 1 applies.

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning

permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

granted:

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal following full consideration of the information provided and representations received is acceptable. The proposal represents an opportunity to develop an extensive site in the resort area providing a catalyst for regeneration and economic growth. Detailed and technical matters have all now been addressed and where necessary the relevant conditions and agreement are set out. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the National Planning Policy Framework.

2 Added Value Statement

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

In accordance with the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing additional information and amendments to overcome concerns raised throughout the consideration of the application and by discussing planning conditions.

3 Informative

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

4 Informative

Please note the Environmental Protection Officer's comments in regard to the open air venue close to the site and the potential impacts on occupiers of the lodges during live events.

5 Informative

Please note the advice of the Marine Management Organisation regarding obtaining a licence for any relevant works.

6 Informative

Please note the advice of Humberside Fire and Rescue with regards to access and water supplies for firefighting.

7 Informative

Please note the informative advice from Northern Powergrid, regarding proximity to their assets.

8 Informative

Please note the detailed advice from the Environment Agency and the potential requirement to obtain an EA permit.

9 Informative

Please note the detailed advice from Anglian Water regarding connections and their assets.

10 Informative

Please note the opportunities raised by the Public Rights of Way Offer with regard to the pedestrian footpath.

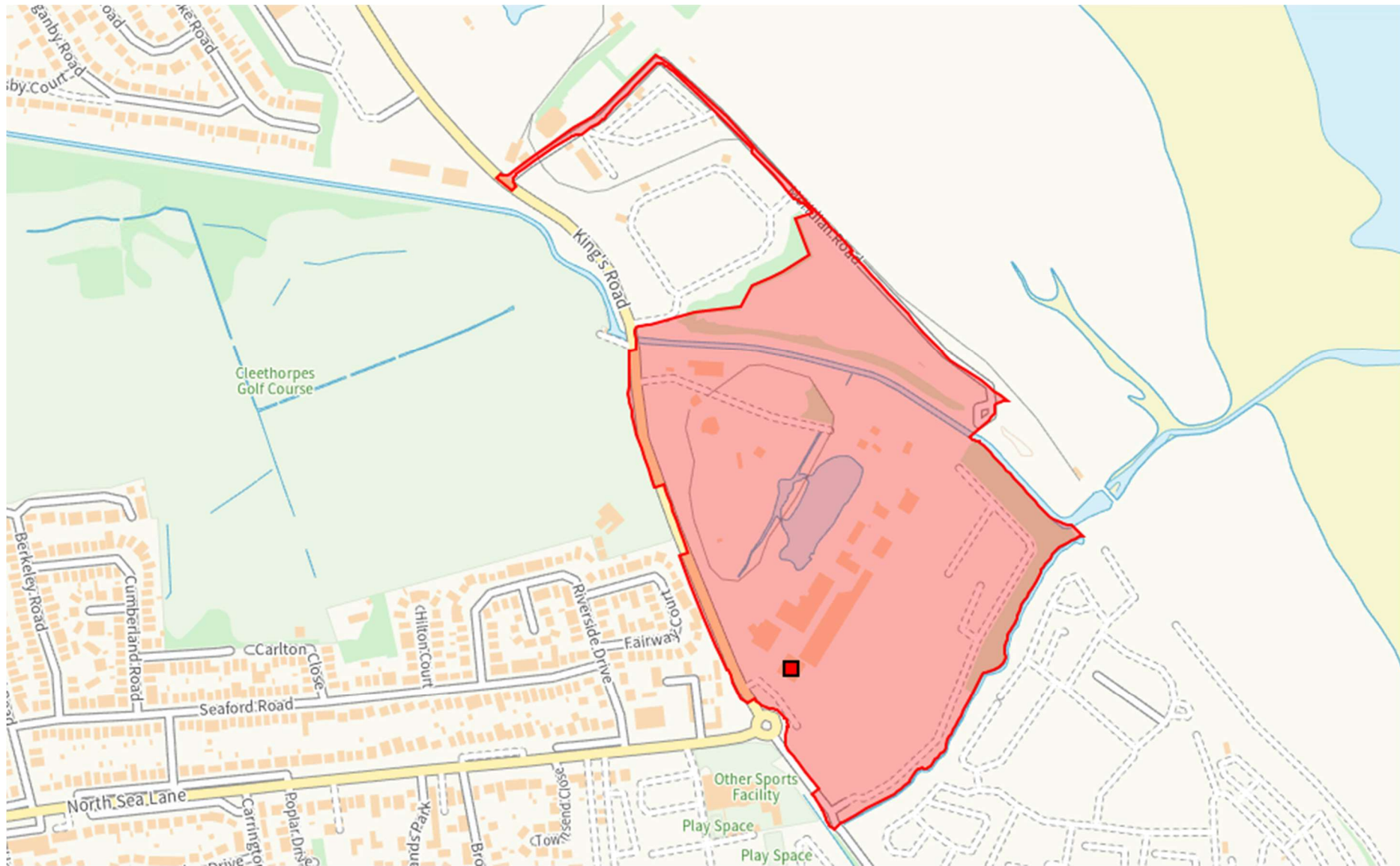
11 Informative

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

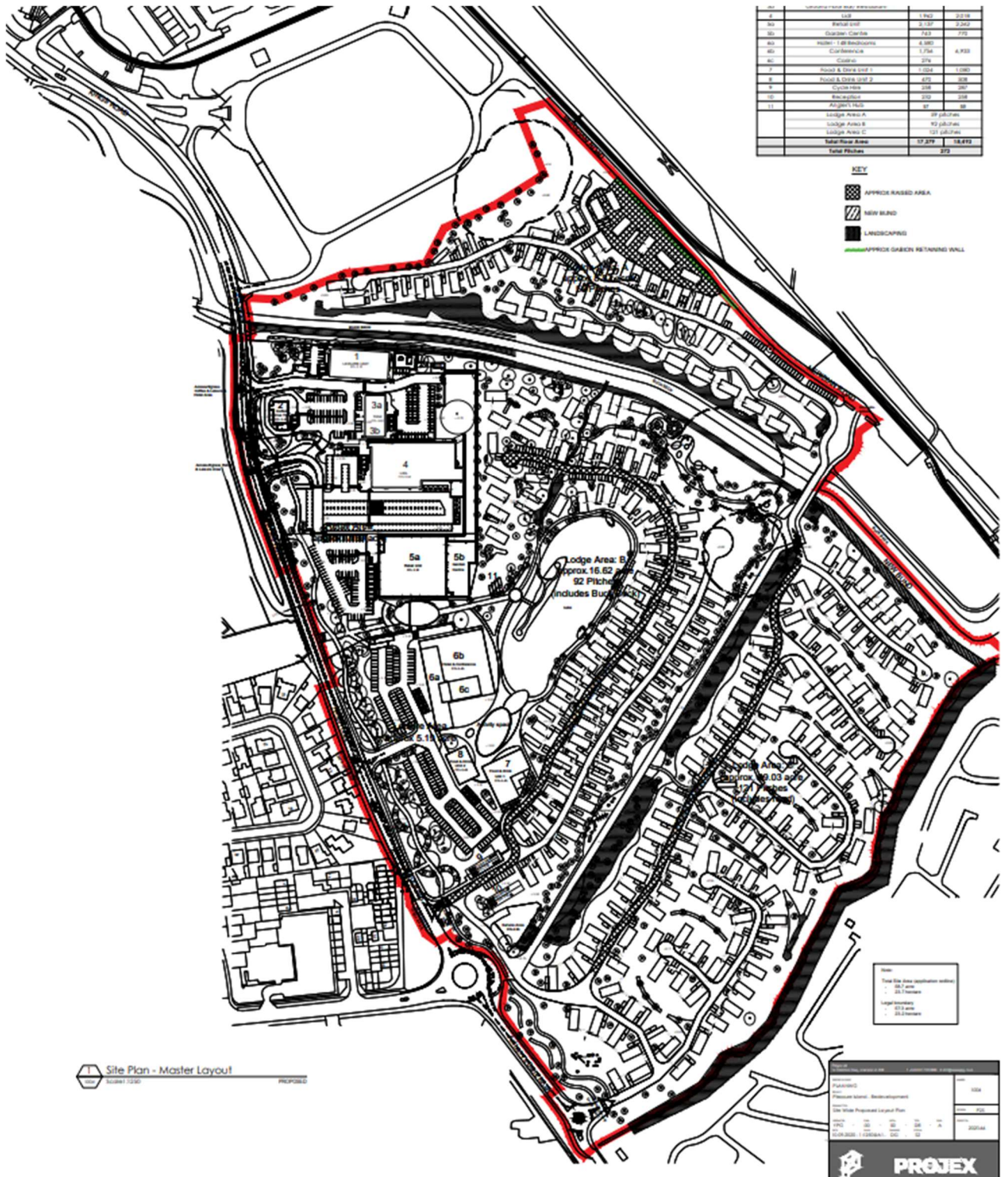


- 7. Food & Drink Unit 1
- 8. Food & Drink Unit 2
- 9. Cycle Hire Centre
- 10. Holiday Lodge Reception
- 11. Angler's Hub
- 12. Island Walkway
- 13. Existing Central Lake
- 14. Outdoor Activity Area
- 15. Buck Beck Walk
- 16. Kings Road Linear Park
- 17. Humberston Promenade
- 18. Adventure Play Area
- 19. Natural Play Parks
- 20. Servicing Access/Egress Retail & Leisure Area
- 21. Access/Egress Retail & Leisure Area
- 22. Access/Egress Hotel & Food & Drink Units
- 23. Access/Egress Lodge Area B
- 24. Access/Egress Lodge Area C
- 25. Pop-up Events Space

DM/1109/22/FUL - FORMER PLEASURE ISLAND THEME PARK, KINGS ROAD, CLEETHORPES



DM/1109/22/FUL-FORMER PLEASURE ISLAND THEME PARK, KINGS ROAD, CLEETHORPES



Site Plan - Master Layout
 100001 100002 PREPARED

PLANNING COMMITTEE - 8th July 2026

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

APPLICATION No: DM/0269/25/OUT

APPLICATION TYPE: Outline Application

**APPLICATION SITE: R/O 33-35 Humberston Avenue, Humberston, North East
Lincolnshire, DN36 4SW**

**PROPOSAL: Outline planning application for the erection of four dwellings with
access, landscaping and scale to be considered (ADDITIONAL INFORMATION -
DRAINAGE - REC 23-04-26)**

APPLICANT:

Mrs Louisa Pungi
Liam G Builders Limited
Roundhill
Peppin Lane
Fotherby
LN11 0UW

AGENT:

Mr Richard Likupe
C/O Applicant
Roundhill
Peppin Lane
Fotherby
LN11 0UW

DEPOSITED: 31st March 2025

ACCEPTED: 30th June 2025

TARGET DATE: 25th August 2025

PUBLICITY EXPIRY: 24th May 2026

**AGREED EXTENSION OF TIME DATE: 10th
July 2026**

CONSULTATION EXPIRY: 31st July 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

The proposal is an outline planning application for four dwellings on land to the rear of 33 and 35 Humberston Avenue in Humberston. Matters relating to the site layout and appearance of the dwellings are left reserved, to be considered at a later stage. Access, landscaping and scale of the development are matters for consideration.

The application is presented to planning committee due to the number of objections received from neighbours and an objection from the Humberston Village Council.

SITE

The site comprises a rectangular parcel of land to the north of Humberston Avenue. The site sits to the rear of 33 and 35 Humberston Avenue in Humberston. Humberston Avenue is a street of residential character. Properties are mostly large detached dwellings set within mature, spacious gardens. Trees are a particular feature especially along the street frontage. Infill development is evident and this is mostly to the south of the road, although some more recent development has occurred to the north.

RELEVANT PLANNING HISTORY

DC/1443/03/HUM - Erect a 4 bedroom detached house with attached double garage. Refused 23rd February 2004 then dismissed at appeal.

DM/0858/16/FUL - Demolish existing garage and outbuilding, remove existing tennis court and erect two detached dwellings to include new access road and garages and the installation of rooflights - Approved with Conditions 25th November 2016.

DM/0633/19/FUL - Erect four dwellings with detached garages to include associated parking, landscaping and access - Refused 7th October 2019.

DM/1111/21/FUL - Partial demolition and rebuild of existing garages to create a dwelling with associated works to include infill and front extension and new access - Withdrawn 25th April 2022.

DM/0775/22/FUL - Partial demolition and rebuild of existing garages to create a dwelling with associated works to include infill and front extension with access taken through 33 Humberston Avenue - Withdrawn 11th October 2022.

DM/0300/23/FUL - Variation application of condition 8 (Approved Plans) as granted on DM/0858/16/FUL to amend the layout and appearance of dwellings - Refused 3rd November 2023.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF5 - Delivering a sufficient supply of homes
- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.

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

- PO5 - Development boundaries
- PO22 - Good design in new developments
- PO33 - Flood risk

PO34 - Water management
PO38 - Parking
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

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

Council's Highways Officer - No objections. Conditions recommended.

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

Council's Heritage Officer - No comments.

Council's Tree Officer - No objections. Conditions recommended.

Council's Ecology Officer - No objections. BNG not required. Conditions recommended.

Council's Building Control - No objections.

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

Humberside Fire and Rescue - No objections. Informative recommended.

Cadent Gas - No objections. Informative recommended.

ESP Utilities Group Ltd - No objections. Informative recommended.

Anglian Water - No objections. Informatives recommended.

Humberston Village Council - Objects on the grounds that no further backyard or infill development should take place down Humberston Avenue without thorough review of infrastructure, and the development would detrimentally impact privacy and overall aspects.

Public Representations

Grimsby and Cleethorpes Civic Society - Objects due to overdevelopment of the site.

Neighbour Representations

The following neighbours object to the development:

25, 27, 29, 31B, 37, 39, 39A Humberston Avenue, Humberston
2 The Glade, New Waltham

Object broadly on the following grounds:

- Loss of privacy and other amenity issues including scale, noise and visual intrusion
- Impact on existing landscaping and TPOs
- Ecological impacts
- Highways and pedestrian safety issues
- Fire safety issues
- Drainage and flooding issues
- Bin collection issues
- Impact on character of the area and design issues
- Overdevelopment
- Previous refusals
- Information in the planning submission

The Limes, Antons Gowt, Boston - Consideration should be given to Swifts.

33 and 35 Humberston Avenue, Humberston - Supports the development broadly on the grounds that housing is required, it would not be an overdevelopment, would be in keeping with the area and similar developments have occurred on Humberston Avenue.

APPRAISAL

The key planning material considerations are:

- Principle of Development and Planning History
- Highways Impacts
- Concept, Design and Character
- Neighbouring Amenity
- Drainage and Flood Risk
- Ecology, Biodiversity and Landscaping

Principle of Development and Planning History

The site is within the development area boundary of Humberston, so Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) applies. Whilst this policy

encourages the effective re-use of Brownfield sites, it does not prohibit the principle of development on Greenfield sites. By virtue of the position of the proposal site within the boundary of Humberston, it has been deemed 'sustainable' through the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Having regard to these policies and location, the principle of development is therefore acceptable and is subject to the site-specific assessment below.

With regards to the planning history of the site, there was a refusal for a single dwelling in this location in 2004. This application was refused and then later dismissed on appeal. There was then an approval for two detached dwellings in 2016. However, in 2019, an application was refused for four dwellings.

There are differences between those applications and this proposal. The access was previously due to be taken between 25 and 31 which already has a number of properties using it and this would have led to further traffic and highway issues on this slender access road. Back land development was limited in this part of the Humberston Avenue area, mainly to the north and the properties were not characteristic for the area and did not relate well to the existing dwellings. Also, previous permissions only included land to the rear of 33 Humberston Avenue, however this development now includes a larger site including land from 35 Humberston Avenue. Housing is now much more prevalent in the area, particularly following a shortage of housing and the presumption in favour of sustainable development which has led to numerous large, medium and small housing developments in the gardens of (or adjacent to) houses on Humberston Avenue on both sides of the road.

Highways Impacts

Policies 5, 36 and 38 of the Local Plan require proposals for new development to have due consideration to highway safety, amenity, parking and sustainable transport. Details at this stage need to demonstrate that the access can be achieved, and that the highway network is able to accommodate the increase in vehicular movements which would arise. It is noted that concerns have been raised by neighbours in relation to highway safety.

When the application was first submitted, the development utilised the access road between 25 and 31 Humberston Avenue. Concerns from the Council's Highways Officer were raised in terms of the width of this road and if vehicles from the development and existing occupiers of dwellings that utilise this road could pass adequately. The application was therefore amended, and details provided indicate that the four dwellings would access from a private access road located between 33 and 35 Humberston Avenue only. This amendment has been reviewed by the Council's Highways Officer and they are now content, subject to conditions. Equally they are content with the additional movements to be created by the proposal. The site is in a sustainable location.

A bin collection point has been provided, off the main highway. Properties can then store bins within their own gardens.

All properties would also benefit from parking areas, garages and a turning area which will assist in enabling prospective future occupiers of the dwellings to enter and exit the site in a forward-facing gear.

In terms of access for a fire appliance, the details have also been reviewed by the Council's Building Control Officer, and they are content in terms of the width, length and turning area.

With regard to the above, it is considered that the proposal accords with Policies 5, 36 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in terms of highways impacts.

Concept, Design and Character

In assessing the proposal, significant weight is afforded to the importance of good design as a key aspect of sustainable development, as set out in the National Planning Policy Framework (NPPF) and the National Design Guide. This approach is also reflected in Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

The application seeks outline planning permission with scale included for consideration, proposing four dormer bungalows on the site. Matters including layout and appearance, are reserved for subsequent approval.

The applicant has provided indicative drawings demonstrating how the development seeks to respond to the character of the site and its surroundings, particularly the surrounding area. However, given the outline nature of the application, full details relating to the appearance of the development have not yet been submitted for consideration.

During the course of the application process, the proposal was amended from six dwellings to four dwellings. In terms of scale, the provision of four dormer bungalows is considered appropriate within the context of the site. The indicative drawings suggest that the principle of four detached properties would not appear out of character, noting that Humberston Avenue exhibits a varied pattern of development in terms of density, design and appearance. The reduced number of units ensures that the proposal would not appear cramped or represent an overdevelopment of the site.

Whilst layout and appearance are reserved matters and will be subject to detailed assessment at a later stage, the submitted information demonstrates that an acceptable form of development could be achieved in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Neighbouring Amenity

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires that regard is given to the impact of new development on the neighbouring land uses.

The proposed development has immediate residential neighbours to the east, west and South on Humberston Avenue. To the north is undeveloped open space. Neighbours are predominately detached houses. It is noted that concerns have been raised by neighbouring properties.

The proposal is in outline form, with only access, landscaping and scale to be considered. It has been confirmed by the applicant that the four dwellings proposed would be dormer bungalows.

The indicative site layout provided demonstrates how the development could be arranged to avoid detrimental impacts on neighbouring residential amenity, including in terms of massing, loss of light and overlooking. The form of development proposed, comprising dormer bungalows, is considered to be of a scale and height that would sit comfortably within the site and demonstrates that appropriate separation distances to neighbouring properties could be achieved. A condition is recommended to secure that the development comprises four dormer bungalows, ensuring that impacts on neighbouring amenity remain acceptable in terms of scale.

Whilst noting the position of the road, this arrangement is not uncommon along Humberston Avenue. No's 33 and 35 either side of the access have also written in with their support.

Whilst detailed matters will be assessed at the reserved matters stage, it is considered that the development could be delivered without harm to neighbouring residential amenity, in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage and Flood Risk

The site is not within a flood risk area as identified in the Environment Agency Flood Maps and is therefore sequentially preferable for residential development. In terms of surface water drainage, the applicant has confirmed that surface water run-off from the development can be sustainably managed in accordance with policy guidance set out in the NPPF and Policies 33 and 34 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). Whilst details have been provided, these could change once layout is determined at reserved matters stage. Should planning permission be granted, it will therefore be necessary for full details of surface water run-off be agreed prior to the commencement of development, and this can be secured adequately by a planning condition. This approach is supported by the Council's Drainage Officer and Anglian Water.

As the proposed development is at the outline stage, it is entirely appropriate that this approach is adopted. Only once the amount of hard standing and built form has been calculated at the reserved matters stage, can a full and proper drainage scheme be designed for the site. Indicatively the layout shows how SUDs features could be incorporated into the development in accordance with Policy 34 of the North East

Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Ecology, Biodiversity and Landscaping

Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Section 15 of the NPPF confirms that development should have regard to biodiversity and geodiversity, seeking specifically to minimise the loss of biodiversity features, and create opportunities to retain, protect, restore and enhance features of biodiversity value, including priority habitats and species. Policy 42 relates to protection of trees and landscaping.

An Ecological Report has been provided with the application, and concludes that there are some ecological constraints to the site's development. The document provides recommendations including protection and mitigation measures. The Council's Ecology Officer is supportive of these recommendations, and if the application is approved, conditions are recommended to secure these measures in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

The Council's Ecology Officer has also confirmed that as the proposal consists of self-build dwellings, the proposal is exempt from the mandatory Biodiversity Net Gain condition.

With regards to landscape considerations, significant consultation has been undertaken with the Council's Tree Officer, in particular with regards to the Tree Preservation Orders to the rear of the site. The proposal was amended to ensure that the proposed dwellings, specifically Plot 3, would not adversely impact these trees. The Council's Tree Officer has reviewed these amendments along with the principles of the proposed landscaping plan provided, and has no objections. Conditions are recommended for the final details, including tree protection measures and with these the proposal is in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The proposal for four dwellings on this development site is acceptable in this residential area. It is considered it can be achieved without harm to the character of the area and street scene, and it would not give rise to adverse impacts in terms of residential amenity, highways safety, drainage, landscaping and ecology. Subject to conditions, it is therefore recommended for approval in accordance with Policies 5, 22, 33, 34, 38, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Sections 5, 12, 14 and 15 of the NPPF, subject to a number of safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within three years of the date of this permission and the development to which it relates shall begin no later than whichever is the later of the following dates:

- (a) three years from the date of the grant of outline planning permission
- (b) two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(2) Condition

This permission hereby granted is in outline form only and no development shall begin until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- the layout and appearance of the development.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(3) Condition

The development is approved in accordance with the following plans:

Site Location Plan - 01.362.25 REV G
Proposed Site Plan - 02.362.25 REV L

Reason

For the avoidance of doubt and in the interests of proper planning to accord with Policies 5, 22, 33, 34, 38, 39, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The dwellings hereby approved shall be dormer bungalows only.

Reason

To protect the amenities of neighbours to accord with Policy 5 of the North East

Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of the control measures that will be employed to control the impact of noise, vibration and dust during the construction phase (inclusive of operating hours). The approved CMP and control measures it contains shall be implemented throughout the construction phase. The noise assessment must comply with the requirements of British Standard 5228 unless otherwise approved. No burning of demolition/construction waste material shall take place on site. The measures shall be applied as agreed.

Reason

In the interests of public health and to protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

If during development contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately, and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. Once approved, works shall proceed in accordance with the approved details.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

Notwithstanding the information provided, development shall not commence until a final scheme for the sustainable provision of surface water drainage and a scheme for foul drainage have been submitted to and approved in writing by the Local Planning Authority.

This shall include proposed and finished floor levels. The development shall then be built out in accordance with the approved details and the drainage implemented prior to any occupation.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface and foul water disposal in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

The dwellings shall not be occupied until a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day has been submitted to and approved in writing by the Local Planning Authority. Once approved, the dwellings shall be occupied and retained in strict accordance with the agreed details.

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

Development shall not begin until management arrangements for any carriageways, footways or landscaped areas not to be adopted by the local authority have been submitted to and approved in writing by the Local Planning Authority. The carriageways, footways and landscaping areas shall be managed in accordance with the approved details thereafter.

Reason

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

(11) Condition

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 10 metres behind the Highway boundary. They shall then be maintained in such hard bound material for the life of the development.

Reason

To reduce the possibility of deleterious material being deposited on the public highway (loose stones, etc.) in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

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

1. Contact details of the person with responsibility for the implementation of the CTMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials, if required;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and
7. Details of wheel washing facilities (locations, types etc.).

Once approved, the CTMP shall be adhered to at all times during construction.

Reason

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

(13) Condition

Development shall not begin until details showing the location, layout, design and method of construction of any new or altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the vehicular access, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained. Vehicular access shall only be from the singular access point off Humberston Avenue to the front of the site shown on plan 02.362.25 Rev L.

Reason

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

(14) Condition

The development shall accord with the recommendations outlined in the Preliminary Ecological Appraisal (dated April 2025 by ProHort Horticulture Managed) unless otherwise agreed in writing by the Local Planning Authority. Before development commences an Ecology Mitigation and Enhancement Scheme to accord with the requirements set out in the Preliminary Ecological Appraisal, including any further survey work, shall be submitted to and approved in writing by the Local Planning Authority. Included shall be a scheme for implementation. Once approved, development shall

proceed in strict accordance with the approved details.

Reason

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

(15) Condition

Notwithstanding that shown on Plan 02.362.25 Rev L, a final landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority before works on site commence. Included shall be a scheme for tree protection. Once approved, the tree protection shall be installed as approved before works on site commence. All planting shall be carried out in accordance with the approved details within 12 months of the date of commencement of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

In the interests of tree protection and ensuring an acceptable landscaping scheme in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Biodiversity Net Gain

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.5 applies.

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

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

* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under

section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

If planning permission is granted on an application made under section 73 of the Town

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 38, 41 and 42.

2 Added Value Statement

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

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

3 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

4 Informative

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

5 Informative

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

6 Informative

Please note that at least three months in advance of work commencing on site you are required to contact the Highway Management Team with respect to the formation of a vehicular access within the existing highway. This will enable a S184 licence to be granted within appropriate timescales. No works should commence within the highway boundary until such licence is obtained. (Tel: 01472 325734)

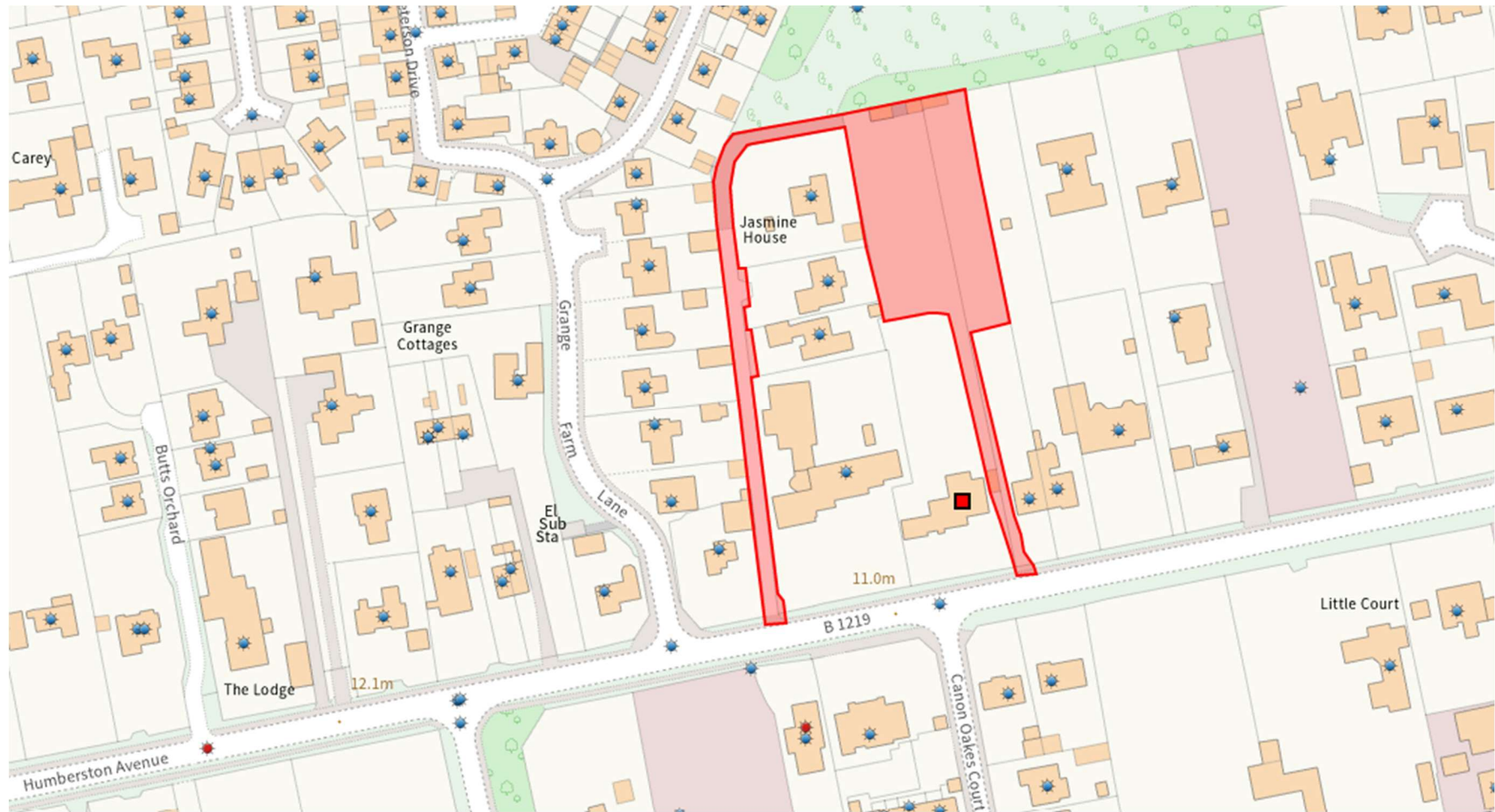
7 Informative

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

- Anglian Water
- ESP Utilities Group Ltd
- Cadent Gas
- Humberside Fire and Rescue
- Council's Waste Officer

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

DM/0269/25/OUT – REAR OF 33-35 HUMBERSTON AVENUE, HUMBERSTON



DM/0269/25/OUT – REAR OF 33-35 HUMBERSTON AVENUE, HUMBERSTON



PLANNING COMMITTEE - 8th July 2026

ITEM: 3 **RECOMMENDATION: Approved Limited Period**

APPLICATION No: DM/0199/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 13 Orkney Place, Immingham, North East Lincolnshire, DN40 1RL

PROPOSAL: Change of use and alterations of domestic garage to form cattery (Noise Impact Assessment received May 2026 and Odour Management Plan received April 2026)

APPLICANT:

Lisa Thompson
C/O Unit 12 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
DN36 4AS

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 12 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
DN36 4AS

DEPOSITED: 18th March 2026

ACCEPTED: 18th March 2026

TARGET DATE: 13th May 2026

PUBLICITY EXPIRY: 14th June 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 23rd April 2026

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal seeks planning permission for the change of use and alterations of an existing domestic garage to form a cattery.

The application is brought before planning committee due to the number of objections received as well as an objection from Immingham Town Council.

SITE

13 Orkney Place is a detached residential property with a detached garage along the northern side boundary of the property, which is located to the east side of the road. The area surrounding the property is residential in nature, with a combination of detached and semi-detached properties present within the immediate vicinity. Green space adjoins the rear boundary of the site.

RELEVANT PLANNING HISTORY

None relevant.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

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

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

REPRESENTATIONS RECEIVED

Consultees

Heritage - No heritage input required.
Highways - Approval no conditions.
Trees and Woodlands - No comment.
Drainage - No comments.
North East Lindsey Drainage Board - No drainage implications.

Environmental Health - No objections, conditions requested for hours of operation and the adherence to the Noise Management Plan provided.

Environment Agency - No comments.

Ecology - Proposal is considered to meet the de-minimus exemption and is therefore considered to be exempt from the mandatory biodiversity net gain condition. No known ecological issues.

Immingham Town Council - Objection due to concerns about the proximity of the development to neighbouring residential properties and the potential impact of noise, odour, increased traffic and general disturbance to local residents.

Neighbours

47 Defender Drive - Comment in support of the application, applicant has successfully operated a similar 5 star rated cattery at a different property for a number of years.

Objections received from 2, 3, 4, 7, 8, 12, 15 Orkney Place, Immingham broadly on the grounds of:

- Disturbance to residential amenity
- Garage to be converted forming boundary between application site and 12 Orkney Place with the business to host up to 14 cats at any one time
- Justification within noise assessment provided being linked to a cattery in Leeds
- The cleaning regime within the odour control document provided is considered to be out of scale within a residential cul-de-sac, contains mention of illness and disease control measures
- Concerns over noise and odour
- Perceived change in quality of life
- Residential cul-de-sac unsuitable for commercial businesses
- Concerns over opening hours, restrictions and enforceability
- Additional traffic and associated noise and disturbance
- Drop off / pick up times disturbing residents
- Reference made to an existing dog walking / boarding business next door (14 Orkney Place) and 5 Shetland Way being a dog grooming business
- Existing state of roads and footpaths
- Concerns of possible expansion to cat rescue
- Impact to house values
- Concerns over loss of privacy due to housing estate built behind the cul-de-sac

Other Representations

Grimsby and Cleethorpes District Civic Society - Comment in support of the application however highlight a concern in relation to parking.

APPRAISAL

The key planning considerations are:

1. Principle of Development
2. Design and Character Impacts
3. Neighbouring Amenity Impacts
4. Highways and Parking
5. Flood Risk and Drainage
6. Ecology
7. Other Considerations

1. Principle of Development

The site is located within the development boundary of Immingham, therefore Part 1 of Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NELLP 2018) applies. Policies 22, 33, 34 and 41 also apply. These policies do not preclude works of this type in principle within the defined development boundaries. It is subject to the site-specific impacts discussed below.

2. Design and Character Impacts

The proposal seeks to change the use of the existing detached garage along the northern boundary of the application site. The proposal includes alterations, namely the addition of two additional windows within the side elevation facing into the rear garden space of the host property. The existing garage door is proposed to be cladded in uPVC cladding and the garage door is to be unopenable following the cladding installation. There is no increase in footprint to the existing garage to accommodate the use of the cattery and no alterations are proposed to the roof. Internally, the alterations are to provide 7 cattery pens to house a maximum of 2 cats, as confirmed within the Noise Impact Assessment received.

It is considered that the physical alterations proposed to the existing garage are small in scale and nature and will not pose an adverse impact to the character of the area as a result of the works proposed.

In respect of the proposed use of the existing garage as a cattery, it is accepted that the surrounding area to the application site is residential in nature. As mentioned above, the cattery is proposed to provide 7 pens to house a maximum of 14 cats at any one time. The covering statement detail provided states that all drop offs and collections made in connection with the cattery will be undertaken on an appointment only basis between the hours of 8am and 6pm which is to be secured by condition. The use is therefore not considered to pose an adverse impact to the character of the area.

On the basis of the above, the change of use of the garage to form a cattery does not give rise to adverse impacts when considering design and character. The proposal is therefore considered to accord with Policies 5 and 22 of the NELLP 2018 in respect of design and character considerations.

3. Neighbouring Amenity Impacts

The host property adjoins 12 and 14 Orkney Place to the sides, 5 and 6 Orkney Place to the front and 40 Jersey Place and green space at the rear. The garage subject to the proposal is sited along the northern boundary of the application site and forms part of the side boundary shared with 12 Orkney Place. Various objections to the scheme have been received from 2, 3, 4, 7, 8, 12 and 15 Orkney Place, with a support comment received from 47 Defender Drive. There are also objections from Immingham Town Council. The representations received are acknowledged and discussed below.

Various objections received from neighbours raise concerns over adverse impacts to residential amenity. The objections refer to issues relating to disturbance, noise, odour and opening hours. In respect of noise, odour and disturbance concerns, a Noise Impact Assessment (NIA) has been received throughout the application process. The Environmental Health Officer has reviewed the detail provided and has requested a condition be attached to the decision to ensure adherence to the NIA and Odour Management Plan, as well as a condition to control the hours of drop off and pick up. Both of these conditions are considered to mitigate impact to the residential amenity of neighbours on the basis of noise, odour and disturbance. Moreover it is considered that a temporary permission can be imposed to enable an assessment of the use and that the mitigation measures are effective. A two year period is recommended.

It is considered that there would be no issues around the minor alterations proposed to the garage in respect of residential amenity given the small-scale nature of the changes and their position.

Concerns related to traffic and parking are discussed within the highways and parking section of this report.

In light of the above, the proposal is considered to be acceptable in residential amenity terms and therefore in accordance with Policies 5 and 22 of the NELLP 2018.

4. Highways and Parking

The site is situated on a cul-de-sac in a predominantly residential area. The scale of operation proposed at the cattery is considered to be relatively modest with detail provided confirming the potential to accommodate up to 14 cats, split across 7 pens. Drop off and collection of the cats are to be staggered and on an appointment only basis which mitigates the risk of crossover of customers and mitigates any perceived parking issues. This is to be secured by a condition. The property benefits from an existing in and out driveway with associated vehicle crossovers. Within curtilage parking is to be utilised by customers, with the Highways Officer having no concerns over the potential for overspill parking on the road. The Highways Officer provides no objections to the scheme when considering access, capacity, safety, parking, servicing and sustainability. The proposal is therefore considered to accord with Policy 5 of the NELLP 2018 in respect of highways considerations.

5. Flood Risk and Drainage

The application site is located within flood zone 3, with the Environment Agency providing no comments in respect of the application. No increase in floorspace is proposed through the application, therefore the Drainage Officer has no comments to raise on this basis. North East Lindsey Drainage Board provide no objections in respect of the scheme. The proposal is considered to accord with Policies 33 and 34 of the NELLP 2018.

6. Ecology

The Ecology Officer confirms that the proposal is considered to meet the de-minimus exemption for biodiversity net gain and is therefore considered to be exempt from the mandatory biodiversity net gain condition. There are no known ecological issues at the application site. The proposal is considered to accord with Policy 41 of the NELLP 2018 on this basis.

CONCLUSION

It is considered that the proposal would not pose adverse impacts to the character of the area, and would not give rise to significant impacts in terms of residential amenity or highways and parking. However, to monitor a temporary permission is recommended. The application is therefore recommended for approval on a limited period basis in accordance with Policies 5, 22, 33, 34 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) subject to conditions.

RECOMMENDATION

Approved Limited Period

(1) Condition

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

Reason

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

(2) Condition

The use of the garage as a cattery shall cease within 24 months of commencement of the use (with the date of commencement confirmed to the Local Planning Authority in writing when it occurs) after which time it shall be used only for domestic use incidental to the enjoyment of 13 Orkney Place unless, before that date, an extension of the period has

been granted on a further application by the Local Planning Authority.

Reason

To enable the Local Planning Authority to monitor the implementation of the proposal, in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

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

980-1 - Site Location Plan, Block Plan, Existing and Proposed Plans and Elevations
RLC-2076-FRA-01-1 - Flood Risk Assessment
Covering Statement received 28th March 2026

Reason

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

(4) Condition

The proposal shall be constructed using materials specified within the application form, on the approved plans and within the email received dated 23rd June 2026 unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(5) Condition

Drop offs and pick ups and public access associated with the cattery use hereby approved shall be undertaken on an appointment only basis between the hours of 8am to 6pm on any day in accordance with the covering statement received 18th March 2026.

Reason

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

(6) Condition

The proposal shall be operated in strict accordance with the following documents unless otherwise agreed in writing with the Local Planning Authority:

NIA-12540-26-12821-V2 - Noise Impact Assessment received 14th May 2026

Cleaning Waste Disposal and Odour Management Plan received 25th April 2026

Reason

To protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Biodiversity Net Gain

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

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

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

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

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

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

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

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

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

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

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

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be

taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5, 22, 33, 34 and 41.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing additional detail and adding conditions to protect amenity.

3 Informative

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

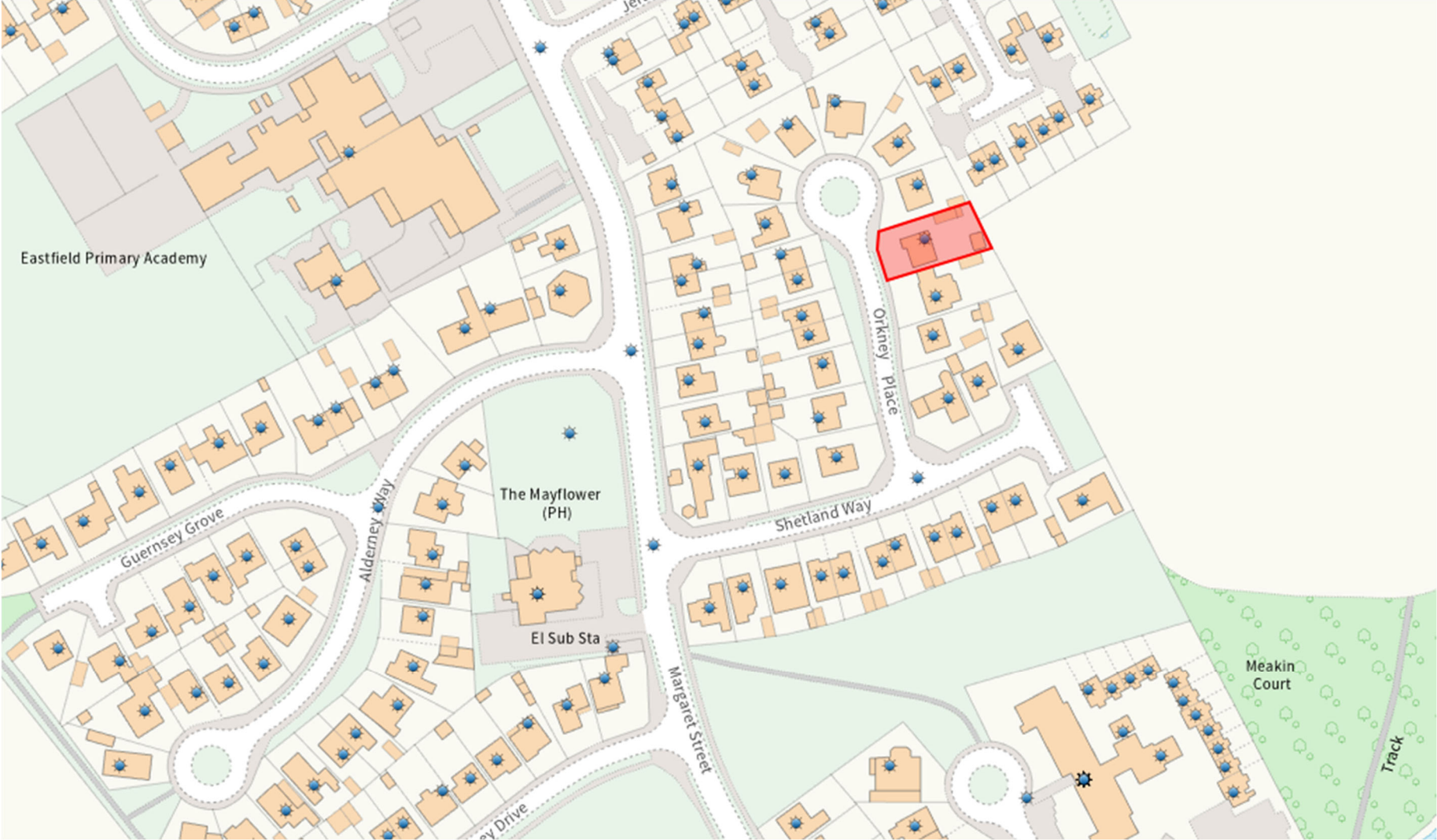
4 Informative

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

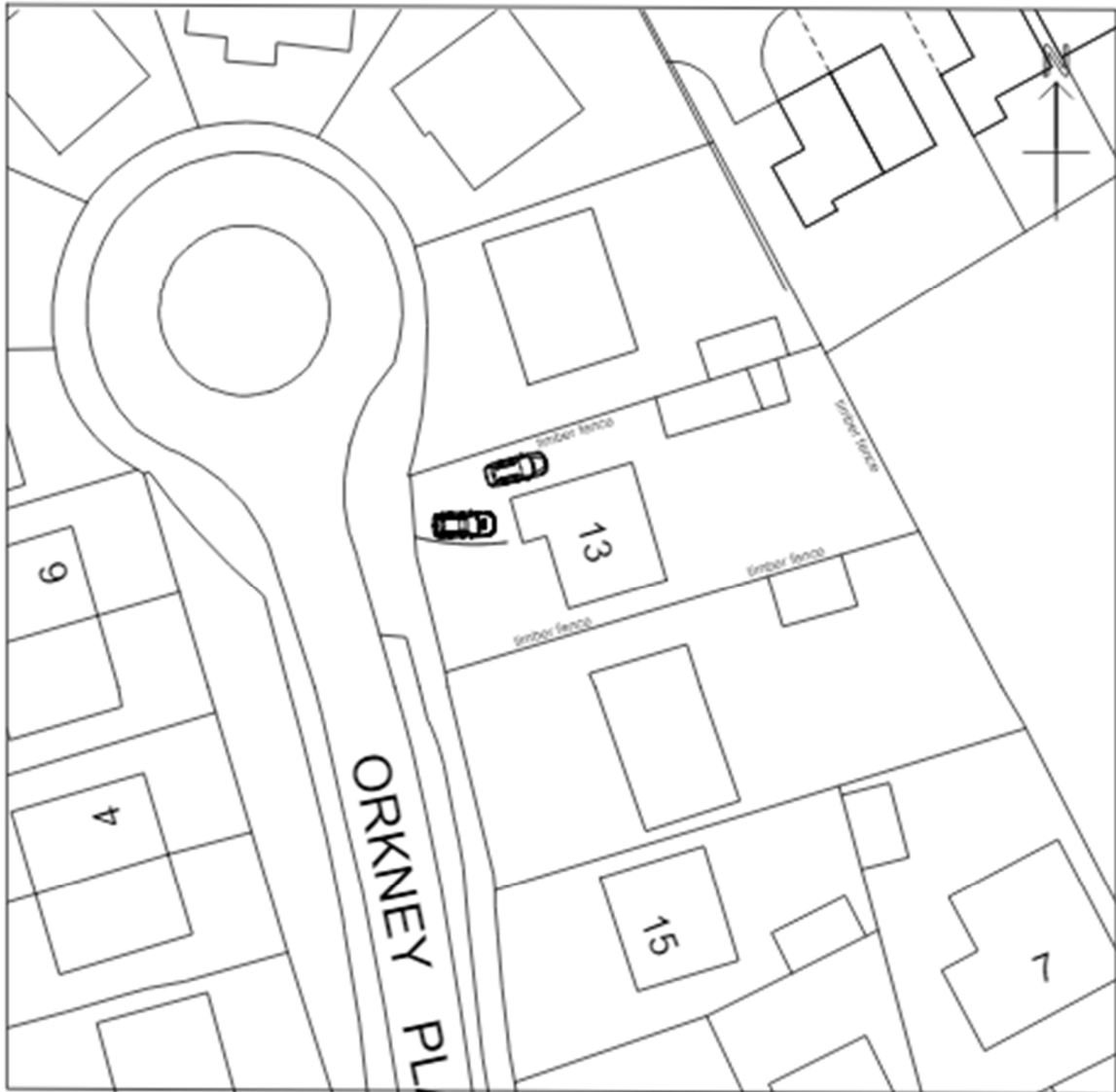
5 Informative

Any new advertisements displayed on the site may require consent. For more information on this, please contact 01472 326289 (option 1 for planning).

DM/0199/26/FUL – 13 ORKNEY PLACE, IMMINGHAM



DM/0199/26/FUL – 13 ORKNEY PLACE, IMMINGHAM



©Crown Copyright. Licence no. 100041041

PLANNING COMMITTEE - 8th July 2026

ITEM: 4 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0369/25/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Land Adj To Bradley Woodlands Independent Hospital,
Bradley Road, Bradley, North East Lincolnshire,**

**PROPOSAL: Demolish existing farm buildings and erect one detached dwelling
(NPPF - Paragraph 84), creation of vehicular access with new access gates, pillars
and fencing, and associated landscaping and various works - AMENDED
DESCRIPTION & FURTHER INFO REC 27-04-2026**

APPLICANT:

Mr And Mrs Cain
Bradley Wood
Church Lane
Bradley
DN37 0AB

AGENT:

Mr M McTurk
C/O Mr and Mrs Cain
Bradley Wood
Church Lane
Bradley
DN37 0AB

DEPOSITED: 9th May 2025

ACCEPTED: 27th May 2025

TARGET DATE: 22nd July 2025

PUBLICITY EXPIRY: 23rd May 2026

**AGREED EXTENSION OF TIME DATE: 26th
September 2025**

CONSULTATION EXPIRY: 26th June 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

The proposal seeks full planning permission for the demolition of the existing farm buildings and the erection of a single dwelling with associated parking and landscaping. The ideology behind the proposal is to create an exceptional dwelling which integrates into the rural landscape, particularly the adjacent Bradley Woods. There would be a new access created for the dwelling from Bradley Road.

The existing building on the site to be demolished is somewhat rundown and unused. The main dwelling would be two storeys in height with flat roof forms and deep

overhangs, giving a pronounced modernist profile. It would be split into wings, organised around a central core area. Internally the dwelling would comprise of the usual facilities, with a pool and gym centralised and bedrooms focused to the south side.

External materials are proposed to include stone and timber cladding to the walls, and planting to the roofs and terraces. The dwelling would be predominately glazed.

The applicant has given a detailed assessment as to how the house will operate independently of traditional public utilities and make use of natural means of energy such as maximising solar gain, using heat recovery systems, solar receptive glazing, incorporating insulated thermal block construction and installing rainwater harvesting and green roofs for rainwater attenuation and insulation. A number of additional measures to support this notion are also proposed.

The application is brought to committee as it is a departure from the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

SITE

The application site is within Bradley Parish and is located to the south-western side of the village. The site itself is extensive in area and extends to the boundary with Bradley Woods. The site benefits from two access points, one from Church Lane, where it connects to a private road (also a Bridleway) to the site boundary. This road also serves a few other residential properties. The second is via a track onto Bradley Road.

The site contains a building associated with its former use as a poultry farm. This is in poor condition and constructed of a mixture of timber and concrete blocks with a profiled sheeted roof. A gravelled access road loops around the site extending from the west to the east. There are a number of trees and hedging to its perimeter. The remainder of the site is open fields. The area has a semi-rural character. Within the site is a large man-made pond.

RELEVANT PLANNING HISTORY

DM/0590/18/FUL - Demolish existing poultry sheds, conversion of existing shed and erect one dwelling connected to existing barn - Approved with Conditions 7th December 2018. This permission was implemented and is extant.

DM/0333/19/CND - Details in discharge of conditions 3 (Demolition Statement), 9 (Ecology), 12 (CMP) and 13 (Condition Survey) all relevant to demolition works only, pursuant to DM/0590/18/FUL (Demolish existing poultry sheds, conversion of existing shed and erect one dwelling connected to existing barn) - Conditions Part Complied With 3rd June 2019.

DM/1037/23/FUL - Erect a detached building for agricultural use - Approved with Conditions 17th June 2024.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

NPPF5 - Delivering a sufficient supply of homes
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO38 - Parking
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

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

Council's Highways Officer - No objections. Conditions and informative recommended.

Council's Heritage Officer - No comments.

Council's Tree Officer - No objections. Conditions recommended.

Council's Public Rights of Way Officer - No objections.

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

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

Northern Powergrid - No objections. Informative recommended.

Bradley Parish Council - Supports the proposal.

Cadent Gas - Informative advice recommended.

Neighbour Representations

Meadowside, Church Lane, Bradley - Supports the proposal.

Woodlands, Church Lane, Bradley - Supports the proposal as the proposal would reflect the surrounding environment providing a high quality designed property, with innovative features.

1 Bradley Cottage, Bradley Road, Bradley - Objects to the proposal with concerns regarding highways safety.

APPRAISAL

The key planning material considerations are:

- Principle of Development and Visual Amenity, Landscaping and Biodiversity
- Highways Matters
- Drainage and Flood Risk
- Impact to Neighbours

Principle of Development, Visual Amenity, Landscaping and Biodiversity

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) applies to all proposals for development. It seeks to prevent development within the open countryside unless it supports the rural economy, retains local or community facilities, supports leisure or tourism or comprises affordable housing to meet a specific local need. As the application is for a single dwelling in the open countryside, the proposal is considered to be a departure from the Local Plan.

The overarching planning policies are contained within National Planning Policy Framework. Under Paragraph 84, the Framework seeks to avoid new isolated homes in the countryside, unless there are special circumstances, such as the exceptional quality or innovative nature of the design of the dwelling. To achieve this exceptional quality or innovative design, so that special circumstances are proven, the design should demonstrate it:-

- i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Each of these matters are assessed in turn below.

i. Truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas

The site is located within a semi-rural setting and comprises a former poultry farm. The applicant has submitted a proposal for a large-scale dwelling which, by virtue of the surrounding landform, would not appear unduly dominant or overbearing within the wider landscape. The development would be two storeys in height and set within a comprehensive and well designed landscaping scheme. Existing trees within and beyond the site boundaries provide a degree of screening from public vantage points.

The design of the dwelling is distinctly modern, incorporating a range of innovative features expressed through both its architectural form and overall appearance. The proposal has been informed by the landscape context and prevailing typologies, which have shaped the layout, design, and internal function of the building. As a result, the dwelling would assimilate comfortably within its setting and is considered to provide a visual enhancement to the character of the area. Furthermore, the extent of landscaping proposed would ensure that domestic paraphernalia associated with the use of the dwelling can be appropriately screened and managed.

The proposal also seeks to deliver a building with low energy requirements. The orientation and layout of the dwelling have been designed to maximise solar gain and reduce energy demand, with energy generation proposed on site. A range of sustainable measures are incorporated, including heat recovery systems, rainwater harvesting, green roofs for attenuation and insulation, external wall insulation, and solar-receptive glazing to reduce heat loss and facilitate natural ventilation. Whilst these measures are supported and contribute positively to the overall sustainability of the scheme, they are not, in isolation, considered to be particularly innovative.

However, the proposal as a whole, when considered alongside the comprehensive landscaping strategy, is indicative of a high-quality and carefully considered design approach. The landscaping scheme, including the integration of green roofs, the retention and enhancement of the existing pond, and the introduction of new planting, would reinforce the site's relationship with the adjacent Bradley Woods and the wider landscape. The existing land provides limited ecological or visual value; the proposal would introduce a more diverse and structured landscape, improving ecological connectivity and delivering measurable biodiversity net gain.

Taken together, the architectural approach and landscape-led design result in a scheme that would be well-integrated within its environment, with the built form softened by extensive planting. The development would therefore assimilate effectively into the landscape whilst making a positive contribution to local character, and is considered to represent a dwelling of a high design quality that raises the standard of design more generally within the rural area.

The submitted Design and Access Statement additionally provides a detailed and thorough appraisal of the design process, demonstrating how the dwelling has been carefully laid out to maximise natural light and solar gain. In particular, the applicant has not sought to replicate a traditional building form, but has instead progressed a design that responds directly to its landscape setting, ensuring that the development assimilates appropriately and does not appear incongruous. It would be a contemporary piece of architecture.

The use of a high-quality material palette, including stone walling, timber cladding and green roofs, alongside the distinctive plan form, contributes positively to the integration of the development within its surroundings. These elements, combined with the considered composition and articulation of the built form, result in a scheme that is both visually interesting and sensitive to its semi-rural context.

Overall, it is considered that the proposal has been well conceived and carefully resolved in terms of its siting, composition and architectural expression. The development therefore reflects a high standard of design and is considered to generally represent a scheme of exceptional quality within this area.

ii. Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

The proposed development would replace an existing farm building that formed part of the original poultry farm, which ceased operation a number of years ago. The remaining building is now derelict and in a very poor condition, detracting from the character and appearance of the site and, on occasion, attracting vandalism. In the absence of redevelopment the structure would remain an incongruous and visually harmful feature within the landscape. Its removal would therefore result in a clear enhancement to the setting and the overall quality of the environment.

As set out above, the applicant has demonstrated how the proposed development responds positively to the landscape characteristics of the site and the wider area. A comprehensive landscaping strategy is proposed, including significant new planting which reflects the site's historic association with Bradley Woods. The scheme is reflective of a 'country park' landscape character, together with native hedgerows, structural planting and areas of wildflower meadow which would provide both visual and ecological benefits. The proposal also includes the formation of a new access, with associated gates, pillars and boundary treatments. Such features are not uncommon within the surrounding area and would appear in keeping with the semi-rural character of the locality. These have been amended following discussions with the applicant and now represent a sympathetic addition to Bradley Road.

The proposal places a strong emphasis on ecological enhancement, with the current land, which offers limited ecological value, replaced by a more diverse and connected landscape. Ecological surveys and supporting information have been submitted as part of the application and have been reviewed and accepted by the Council's Ecologist. These

demonstrate that the development is capable of delivering measurable biodiversity net gain, with the scheme meeting the necessary requirements in this regard.

The proposed landscaping and habitat creation would improve ecological connectivity across the site and the wider area. In this regard, there are clear environmental and ecological advantages arising from the development. No objections have been raised by the Council's Ecologist or Tree Officer, subject to the proposed mitigation and enhancement measures being secured by condition.

Therefore, whilst the proposal departs from the Local Plan, it does meet the tests set out in the NPPF with regards to accepting the principle of development, and accords with Policies 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Highways Matters

A new vehicular access is proposed from Bradley Road, including associated gates, pillars and boundary treatments. It is noted that concerns have been raised by a neighbouring occupier in relation to highway safety.

Extensive consultation has been undertaken with the Council's Highways Officer to ensure that acceptable visibility can be achieved in both directions at the proposed access point. The submitted details demonstrate that the required visibility splays can be provided and maintained free from obstruction. Furthermore, a review of available collision data does not identify any significant pattern of incidents associated with existing access points along Bradley Road. Whilst some non-compliance with posted speed limits is noted, this is not uncommon in such locations and does not give rise to significant concern in this instance. In addition, given the scale of development, comprising a single dwelling, the level of traffic generated would be minimal.

It is noted that two existing access points to the site would be retained, from Bradley Road and Church Lane, the latter connecting to a private road (also a Public Bridleway) at the site boundary. The applicant has an established legal right of access via both routes, as was the case with the former agricultural use. However, it is anticipated that the proposed dwelling would primarily utilise the new access from Bradley Road, with the existing accesses serving the approved agricultural building (reference DM/1037/23/FUL). This arrangement is accepted by the Council's Highways Officer and Public Rights of Way Officer.

The proposal also provides sufficient space within the site for turning and parking, thereby avoiding the need for on-street manoeuvring and ensuring that vehicles can enter and exit the site in a forward gear.

Accordingly, it is considered that the development would be served by appropriate access and parking arrangements, in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage and Flood Risk

The National Planning Policy Framework sets strict tests to protect people and property from flooding and expects Local Planning Authorities to follow the guidance by avoiding flood risk as far as reasonable possible by locating development where risks of flooding are lower. This is echoed in Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

The site is located in Flood Zone 1, an area that is sequentially preferable for residential development. To this end, the sequential and exceptions tests do not apply.

Should planning permission be granted, it will be necessary for full details of surface water run-off be agreed prior to the commencement of development, and this can be secured adequately by a planning condition. This approach is supported by the Council's Drainage Officer in accordance with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact to Neighbours

It is noted that some representations from neighbouring properties have been received on this application. These are primarily in relation to highways and traffic; which are addressed above.

The site is located in the open countryside and whilst there are neighbouring properties nearby they are substantial distances from the site. The proposed development would not therefore have a detrimental impact on their amenities by virtue of dominance, overlooking or loss of light.

The level of disturbance associated with a single dwelling is likely to be low and significantly less than the levels generated by former agricultural use.

In regards to the impact upon neighbours, the impacts are acceptable in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

In drawing together the main issues in considering the 'planning balance', it is necessary to consider advice in the National Planning Policy Framework. This sets out clear guidance for taking decisions on planning applications and stresses the need to approve development proposals that accord with development plans without delay. That is unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate development should be restricted.

In this case, the consideration of the development in principle is assessed against Policy 5 of the Local Plan. This Policy only permits new buildings in the open countryside in

certain circumstances, none of which apply in this case. However, Paragraph 84 of the National Planning Policy Framework provides special circumstances for permitting new development where exceptional quality or innovation is presented.

Judgements on what constitutes good design is subjective by nature and is not simply a matter of whether one likes it or not. It is important to consider whether it has been carefully thought through including matters such as materials, sustainability, landscaping, form and function. This detail is clearly set out in the Design and Access Statement.

In regards to the principle, the exceptional quality and innovation of the proposed development and the environmental and ecological improvements would comply with all of the tests set out in Paragraph 84 of the Framework.

All detailed matters arising from the scheme have or can be appropriately dealt with through conditions to ensure compliance with local and national planning policies.

The application is therefore recommended for approval, subject to the conditions outlined.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - PL/A1/106

Proposed Site Plan - PL/A1/109

Proposed Floor Plan - PL/A1/101

Proposed First Floor Plan - PL/A1/102

Proposed Elevations - PL/A1/103 REV A

Proposed Gates and Drive Plan - Received 30th April 2026

Land Zoning Plan - Received 27th April 2026

Land Zoning Plan/Sections - Received 27th April 2026

Landscaping Plan 1 of 6 - Received 27th April 2026

Landscaping Plan 2 of 6 - Received 27th August 2025
Landscaping Plan 3 of 6 - Received 27th August 2025
Landscaping Plan 4 of 6 - Received 27th August 2025
Landscaping Plan 5 of 6 - Received 27th August 2025
Landscaping Plan 6 of 6 - Received 27th August 2025
Landscaping Design, Location Plan and Plant Schedule - Received 27th August 2025
Landscaping Views - Received 27th April 2026

Reason

For the avoidance of doubt and in the interests of proper planning in accordance with Policies 5, 22, 33, 34, 38, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

Prior to any demolition works commencing, a demolition statement shall be submitted to and approved in writing by the Local Planning Authority. Once approved, demolition shall only be undertaken in strict accordance with the demolition statement.

Reason

To ensure demolition is managed appropriately and to protect the environment and the amenities of neighbours in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

No demolition or construction work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

To protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

Notwithstanding the Materials Specification and before construction on the dwelling commences, final details including samples of all external materials to be used on it and the hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Once approved, development shall only be carried out in strict accordance with the agreed details.

Reason

To ensure an appropriate character and finish to the development in order to ensure exceptional design in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

Notwithstanding the details provided, no construction works shall commence until a final scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented as approved before the dwelling is first brought into use.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface and foul water disposal, in the interests of ecology and drainage and to accord with Policies 34 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class A, B, C, D, E, F shall be permitted within the curtilage of the dwelling.

Reason

To protect the visual character of the area and preserve the high quality of design in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

The dwelling shall not be occupied until a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day has been submitted to and approved in writing by the Local Planning Authority. Once approved, the dwelling shall be occupied and retained in strict accordance with the agreed details.

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

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

1. Contact details of the person with responsibility for the implementation of the Construction and Demolition Traffic Management Plan;
2. The expected number, types and size of vehicles during the entire demolition and

construction periods;

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

Once approved, the Construction and Demolition Traffic Management Plan shall be adhered to at all times during the demolition and construction phases.

Reason

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

(10) Condition

Development shall not begin until full details of the new vehicle access have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Access width, radii and alignment
- Construction specification
- Surfacing materials

The access shall be constructed in accordance with the approved details prior to first occupation.

Reason

To ensure the proposed means of access is designed and constructed to an appropriate standards in the interests of highway safety and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 10 metres behind the Highway boundary. They shall then be maintained in such hard bound material for the life of the development.

Reason

To reduce the possibility of deleterious material being deposited on the public highway (loose stones, etc.) in accordance with Policy 5 of the North East Lincolnshire Local Plan

2013-2032 (Adopted 2018).

(12) Condition

The proposed landscaping shall be carried out in strict accordance with the following drawings and documents:

Landscaping Plan 1 of 6 - Received 27th April 2026
Landscaping Plan 2 of 6 - Received 27th August 2025
Landscaping Plan 3 of 6 - Received 27th August 2025
Landscaping Plan 4 of 6 - Received 27th August 2025
Landscaping Plan 5 of 6 - Received 27th August 2025
Landscaping Plan 6 of 6 - Received 27th August 2025
Landscaping Design, Location Plan and Plant Schedule - Received 27th August 2025
Landscaping Views - Received 27th April 2026
Landscape Design and Appraisal Statement - Received 5th March 2026

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason

To ensure early establishment of tree and hedge planting and the satisfactory appearance and setting for the approved development in the interests of amenity and to accord with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

The ecological enhancements and mitigation measures in the development shall be carried out in full accordance with the recommendations set out in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (dated August 2025 by KJ Ecology Ltd) and those in the Ecologist comments dated 12th June 2026. All measures shall be completed before the dwelling is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of protecting ecology and securing biodiversity improvement in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(14) Condition

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) A non-technical summary;
- (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and;
- (e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority

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

Additionally, notice in writing shall be given to the Local Planning Authority when the:

- (a) HMMP has been implemented; and;
- (b) Habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason

To ensure the development delivers biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(15) Condition

Before development commences a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the Plan shall be implemented and adhered to throughout the duration of demolition and construction works.

Reason

In the interests of ecology and in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Biodiversity Net Gain

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

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

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

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

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

In summary: Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates*

was granted before 12 February 2024; or

(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

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

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

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

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning

considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), in particular policies 5, 22, 33, 34, 38, 41 and 42.

2 Added Value Statement

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

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

3 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

4 Informative

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

5 Informative

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

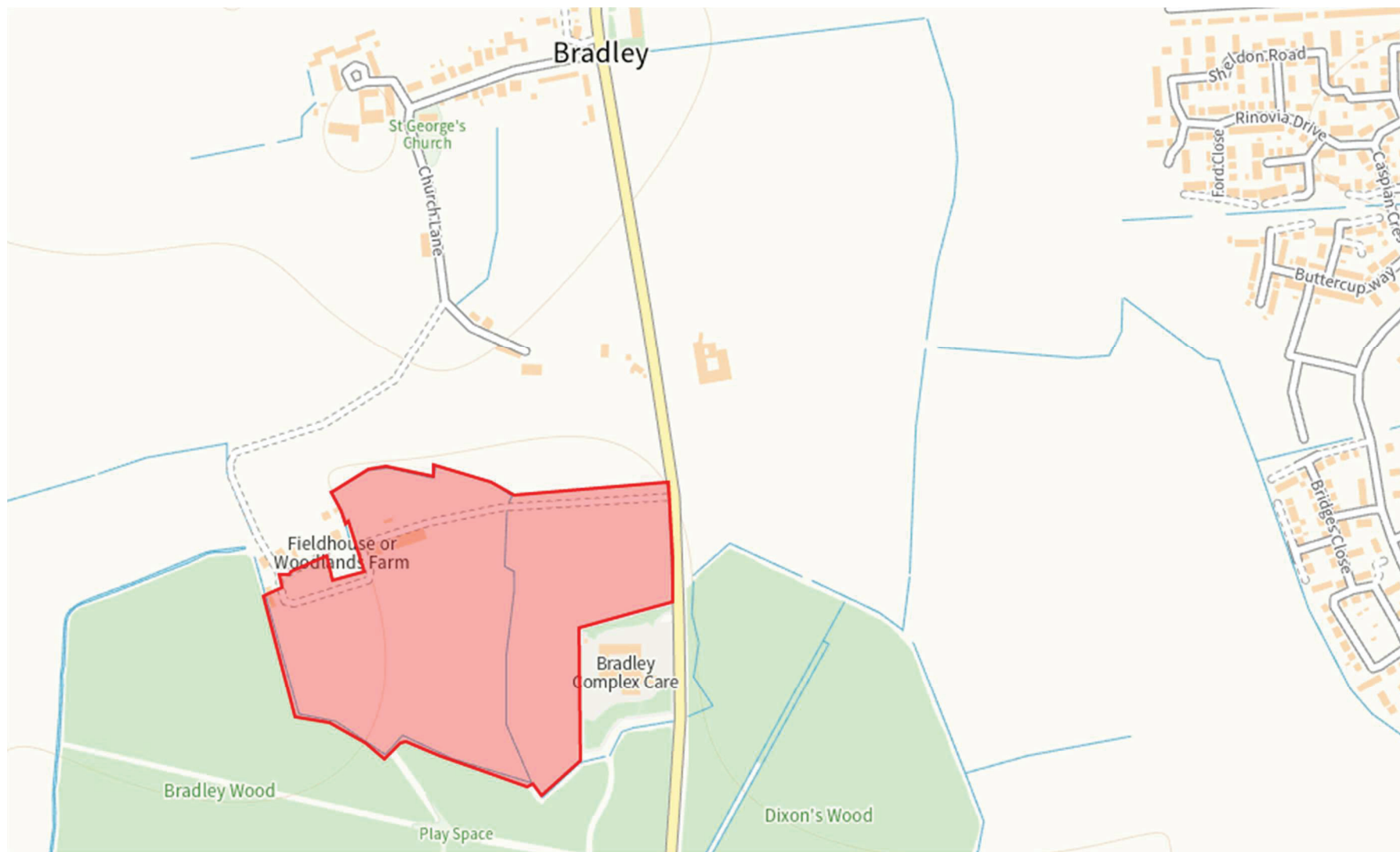
6 Informative

Please note that at least three months in advance of work commencing on site you are required to contact the Highway Management Team with respect to the formation of a vehicular access within the existing highway. This will enable a S184 licence to be granted within appropriate timescales. No works should commence within the highway boundary until such licence is obtained. (Tel: 01472 325734)

7 Informative

The applicants' attention is drawn to the comments from Norther Powergrid, Cadent Gas and the Council's Ecology Officer. Please go to www.nelincs.gov.uk to view the comments.

DM/0369/25/FUL – LAND ADJ TO BRADEY WOODLANDS INDEPENDENT HOSPITAL, BRADLEY ROAD, BRADLEY



DM/0369/25/FUL – LAND ADJ TO BRADEY WOODLANDS INDEPENDENT HOSPITAL, BRADLEY ROAD, BRADLEY



PLANNING COMMITTEE - 8th July 2026

ITEM: 5 **RECOMMENDATION: Refused**

APPLICATION No: DM/0960/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Bull Rush Lakes, Tetney Road, Humberston, North East Lincolnshire, DN36 4JE,

PROPOSAL: Erection of a fishing holiday lodge on an established commercial fishing pond site with drainage and associated works

APPLICANT:

Mr Adam Rowlands
Bull Rush Lakes
Tetney Road
Humberston
North East Lincolnshire
DN36 4JE

AGENT:

Miss Mia Redburn
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

DEPOSITED: 14th November 2025

ACCEPTED: 14th November 2025

TARGET DATE: 9th January 2026

PUBLICITY EXPIRY: 28th December 2025

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY:

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is for the erection of a fishing holiday lodge on an established commercial fishing pond site with drainage and associated works.

The application is brought before planning committee following receipt of a call-in request from Councillor Shreeves.

SITE

The existing site is used as an established commercial fishing pond. A formal vehicle

access point is present and adjoins Tetney Road which is a classified road subject to a 60mph speed limit at this location. The area surrounding the site consist of open fields, with the site considered to be within an open countryside location, adjacent to the boundary of East Lindsey District Council. The site is located within flood zone 3.

RELEVANT PLANNING HISTORY

DM/0317/25/FUL - Retention of engineering works and siting of containers to provide amenity space for anglers with associated drainage works and retention of anglers wc/store building with associated works - Approved with conditions.

DM/0077/25/FUL - Erection of a fishing holiday lodge on an established commercial fishing pond site - Refused.

DM/0892/22/FUL - Retrospective application for change of use of land to form parking and hardstanding associated with fishing lakes use, including alterations to existing vehicular and pedestrian access, and erection of fencing and gates. Erection of workshop/store with solar panels to roof and associated works (also retrospective) - Approved with conditions.

DC/228/04/HUM - Construction of pond for flood water (retrospective) & change of use of existing pond for fishing purposes by a club - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.

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

- PO5 - Development boundaries
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO34 - Water management
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape

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

for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Consultees

Highways - Approval no conditions.

Heritage - No heritage input required.

Environmental Health - No comment.

Trees and Woodlands - Landscaping plan is acceptable with trees distances and species considered acceptable. Note that the site is likely to be overcrowded and dominated by trees.

Ecology - Satisfied with the revised BNG metric provided and that a minimum biodiversity net gain of 10% is feasible and achievable. On-site enhancements are to be secured via the mandatory biodiversity net gain condition, with conditions required for the provision of a Habitat Management and Monitoring Plan and a Landscape Ecological Management Plan.

Drainage - Use of a water butt to overflow to the pond is acceptable.

Environment Agency - Condition requested to not allow occupancy of the lodge between 1st November (or the following Sunday where half term extends into November) in any year until 14th March in the succeeding year. Informatives requested for flood warnings and emergency response.

Emergency Planning Officer - Content with the flood warning and evacuation plan received.

Humberston Village Council - No objections.

Tetney Parish Council - Condition needed to allow short-term use over summer period only owing to flood risk. Concerns over ability to convert lodge to a dwelling, therefore condition requested to restrict future residential use and / or conversion.

HSE Padhi+ - Development does not cross any consultation zones.

Prax Fina Pipeline - No assets affected.

Neighbours

None received.

Other Representations

Councillor Shreeves - Previous application was considered and determined by planning committee. Previous reservations from the Environment Agency have been largely addressed.

APPRAISAL

The key planning considerations are:

1. Principle of Development and Sequential Test
 2. Flood Risk and Drainage
 3. Design and Visual Impact
 4. Local Amenity
 5. Ecology, Landscaping and Biodiversity Net Gain
 6. Highways and Access
 7. Other Considerations
-
1. Principle of Development and Sequential Test

The proposal is located outside of the development boundary of Humberston and within the open countryside as defined within Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). The application seeks the erection of a holiday lodge on an established commercial fishing pond site. The proposal constitutes a form of residential accommodation. It is noted that the holiday lodge is proposed to be used by anglers also using the established fishing lake. It is not considered that the small scale of the site and limited offer justifies the principle of new build holiday accommodation of the type proposed. The development is not considered to be sustainable.

The site is located within flood zone 3. The application has thus been submitted with a supporting flood risk assessment (FRA). Section 14 of the NPPF deals with meeting the challenge of climate change, flooding and coastal change. In making planning decisions, applications must apply a sequential, risk - based approach to the location of development, taking into account all sources of flood risk and current and future impacts of climate change, to avoid, where possible, flood risk to people and property. The aim of this test is to steer new development to areas with the lowest risk of flooding from any source. Policy 33 of the NELLP accords with this advice. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Where it is deemed not possible for development to be located in areas with a lower risk of flooding (considering wider sustainable development objectives), the exceptions test may have to be applied.

As a form of residential accommodation, the proposal is subject to the Sequential Test. The Sequential Test examines whether there is another site available in the Borough which would be at a lower risk of flooding than the proposed. With regard to the holiday

use, it could be restricted by planning condition in terms of occupancy.

The nature of the proposed development as holiday accommodation means that the scope of the Sequential Test should be extensive and Borough wide. Therefore, it is reasonably considered that the holiday lodge could be sited elsewhere on a site at a lower risk of flooding. It is noted that the use would be related to the existing fishing site. In this instance, should a planning condition be applied to restrict the holiday users to be ancillary to the existing fishing site only, the scope of the sequential test should still be Borough wide. There are other fishing sites within the Borough that are within a lower flood risk zone. It is acknowledged that these sites are not within the ownership of the applicant, however this is not a justification for the Sequential Test to be overcome.

The existing fishing site has operated for a long period of time without the need for holiday accommodation and whilst it may be seen as a positive to the existing business to supplement their existing site with a form of residential accommodation, it remains that the site is within flood zone 3 and that there are other sites at a lower risk of flooding. Part a) of the exceptions test requires development to demonstrate that it would "provide wider sustainability benefits to the community that outweigh the flood risk". Due to the isolated, open countryside location of the proposal and the small-scale nature of the development to be ancillary to the existing commercial fishing lakes use of the site, this part of the exceptions test is not considered to be met. Therefore, it is considered that the development fails both the sequential and exceptions tests as a matter of principle as outlined above. The NPPF is clear that both tests must be passed in order for the development to be supported.

The Environment Agency consider the content of the flood risk assessment to meet the requirements of local flood risk standing advice. The Environment Agency have withdrawn their previous objection to the scheme on this basis and have requested a condition be attached to an approval in respect of restrictive occupancy. The condition would not allow occupancy of the lodge between 1st November (or the following Sunday where half term extends into November) in any year until 14th March in the succeeding year.

Whilst the imposition of a planning occupancy condition and adherence to a flood warning and evacuation plan would provide site specific mitigation it does not address the wider sustainability concerns under established planning policy and It is considered that the proposed development would pose an undue risk of flooding in conflict with Policy 33 of the NELLP as a result.

2. Drainage

As stated above there are in principle issues with the location of the development due to flood risk and as such is considered to fail both the sequential and exceptions tests. With regard to surface water drainage from the development, the Drainage Officer has confirmed that the provision of a water butt with overflow to the lake is acceptable.

3. Design and Visual Impact

The lodge is proposed relatively centrally within the wider site, in between the two lakes present and is of single storey design with a pitched roof forming two low level gables to the side elevations. The lodge proposes to utilise timber boarding to the exterior walls, tongue and groove boards to the roof and grey uPVC window and door units. Given the open countryside nature of the site, the scale of the lodge is considered to be sympathetic to its location and its position within the wider site. It is accepted that there would be some visibility of the lodge within the wider area given its position within the open countryside, however this is not considered pose adverse harm to the rural character of the area. As such, the proposal is considered to accord with Policies 5 and 22 of the NELLP 2018 in respect of design and visual impact.

4. Local Amenity

With regard to the impact on neighbouring land uses, the main planning considerations are to assess the impact of the development in terms of massing and overlooking from the development. In this regard, the holiday lodge is contained within the existing fishing site and a significant distance away from the nearest neighbouring property, Kirby House, and indeed other neighbours and so there would be no adverse impacts.

Considering the above the proposal is acceptable in terms of its impact to local and residential amenity and accords with Policy 5 of the NELLP.

5. Ecology, Landscaping and Biodiversity Net Gain

With regard to landscaping and ecology, the development includes a scheme of tree planting. This has been reviewed by both the Ecology Officer and Trees and Woodlands Officer and is acceptable in principle. The Trees and Woodlands Officer notes that whilst there will be a lot of trees and possible overcrowding, the tree distances and species proposed remains acceptable.

In respect of biodiversity net gain, the Ecology Officer is satisfied with the metric detail provided and deems a minimum on site gain of 10% is both feasible and achievable. Onsite enhancements may be secured via the mandatory biodiversity net gain condition, with other conditions necessary to secure the provision of both a Habitat Management and Monitoring Plan and a Landscape Ecological Management Plan.

In respect of ecology, landscaping and biodiversity net gain considerations, the proposal is considered to accord with Policies 41 and 42 of the NELLP.

6. Highways and Access

The Highways Officer is satisfied that the proposal is unlikely to result in adverse harm to the safe or efficient operation of the public highway. The design and access statement details that the users of the lodge are expected to already be on site and therefore are

not anticipated to generate any significant additional parking demand, or vehicle movements. It is considered that existing highway access arrangements are acceptable for shared use, and no changes are required in that regard. In respect of highways and access considerations, the proposal is considered to accord with Policy 5 of the NELLP 2018.

7. Other Considerations

The Council's Heritage and Environmental Health Officers raise no objections to the scheme. Humberston Village Council have no objections, with Tetney Parish Council requesting a condition be attached to allow short-term use over the summer period only due to flood risk issues. Additional concerns were raised by Tetney Parish Council over the ability to convert the lodge to a dwelling in the future and request a condition to restrict future residential use and / or conversion of the lodge.

CONCLUSION

The application seeks planning permission for the erection a fishing holiday lodge on an established commercial fishing pond site and it would present an undue risk of flooding due to its failure to pass the Sequential Test and would fail the Exception Test. The development is therefore contrary to Policy 33 of the NELLP 2018 and contrary to the NPPF. The application is therefore recommended for refusal.

RECOMMENDATION

Refused

(1) The proposal is contrary to Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Section 14 of the National Planning Policy Framework in that the development is located within an area of flood risk. The proposed development fails to pass the flood risk sequential test for development. Without the sequential test being passed it is not considered to be sustainable development, and the development cannot be justified on flood risk grounds. In addition, the proposal would also fail the exception test as it has not been demonstrated that the development would provide wider sustainability benefits to the community that outweigh the risk of flooding.

Informatives

1 Informative

This decision relates to the following plans and documents:

RD5790 - 01 - REV - A - Site Location Plan

RD5790 - 03 - REV - H - Proposed Block Plan

RD5790 - 04 - REV - A - Proposed Lodge Floor Plans and Elevations

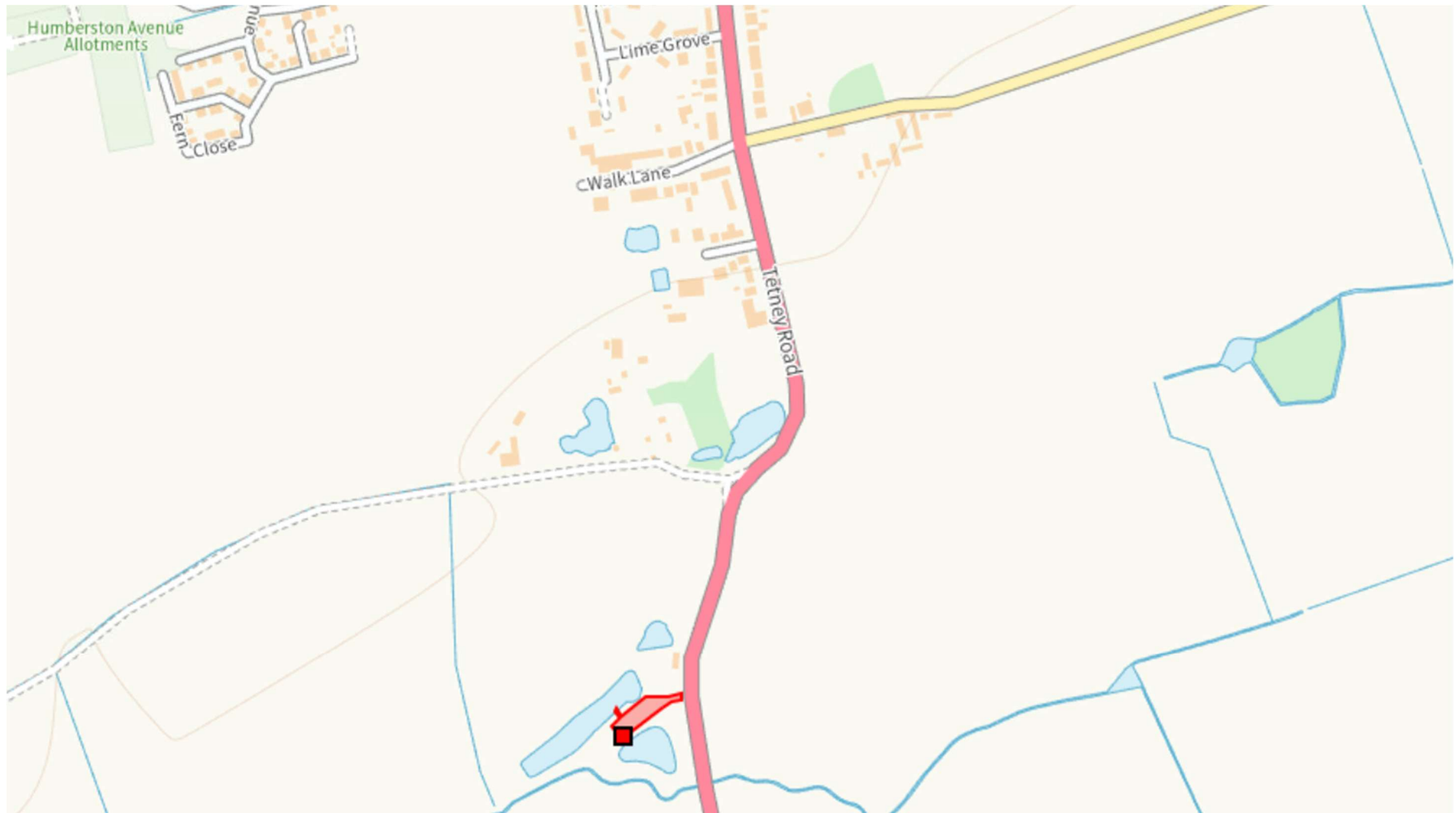
RD5790 - 05 - REV - A - Proposed Views
RD5790 - 07 - REV - 0 - Proposed Landscaping Plan
RD5790LA-04-11-25 - Design and Access Statement
RD5790LA-04-11-25-REB-B - Flood Risk Assessment
RD5790LA-15-12-25 - Sequential Assessment
RD5790LA-12-01-26-REV-A - Flood Warning and Evacuation Plan

2 Added Value Statement

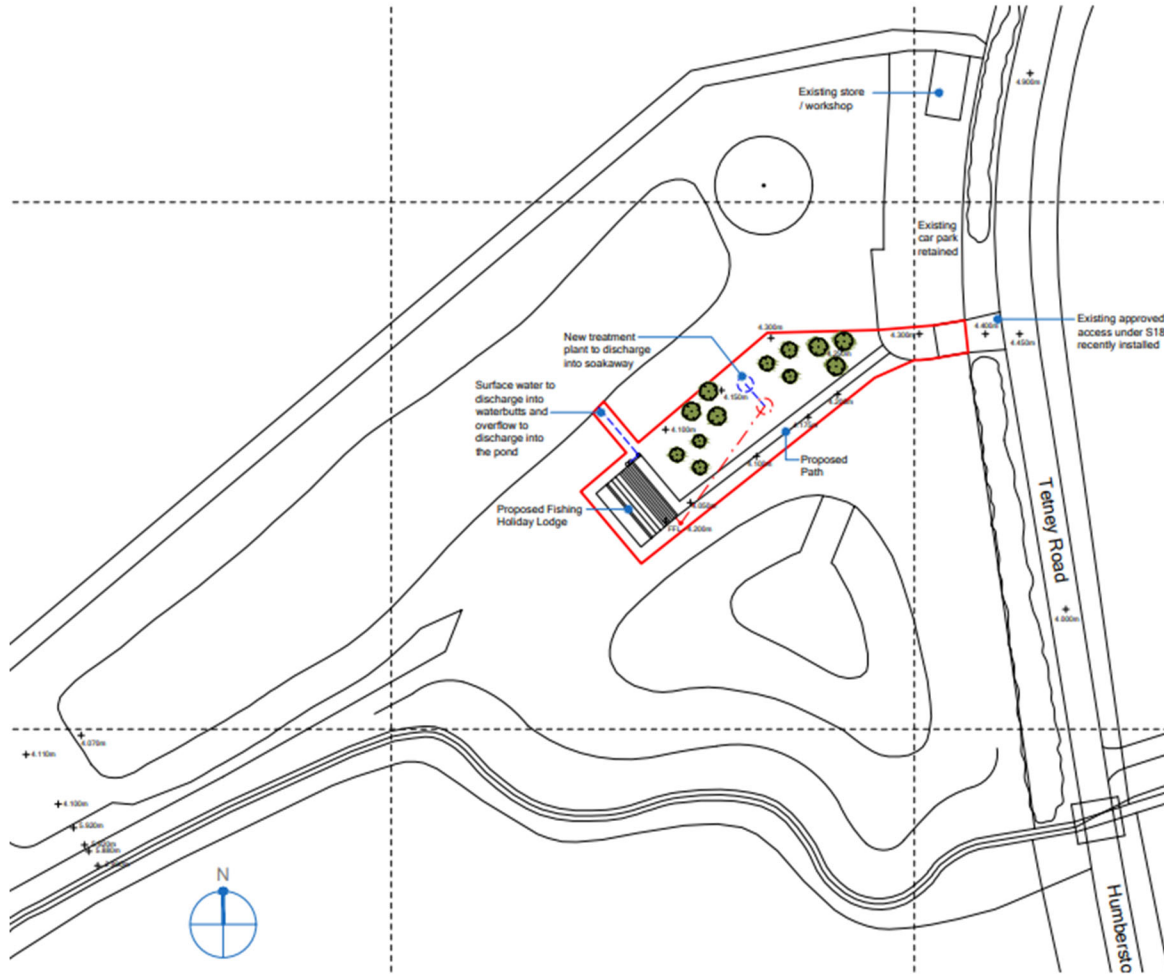
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing both amended and additional details to alleviate a concern.

DM/0960/25/FUL – BULL RUSH LAKES, TETNEY ROAD



DM/0960/25/FUL – BULL RUSH LAKES, TETNEY ROAD, HUMBERSTON



Scale 1:500



Notes:
 1. All dimensions are in meters unless otherwise stated.
 2. All dimensions are to the center of the road unless otherwise stated.
 3. All dimensions are to the center of the building unless otherwise stated.
 4. All dimensions are to the center of the plot unless otherwise stated.
 5. All dimensions are to the center of the road unless otherwise stated.
 6. All dimensions are to the center of the building unless otherwise stated.
 7. All dimensions are to the center of the plot unless otherwise stated.
 8. All dimensions are to the center of the road unless otherwise stated.
 9. All dimensions are to the center of the building unless otherwise stated.
 10. All dimensions are to the center of the plot unless otherwise stated.

- Drawing Revisions
- A. 23.01.2025 - Plan updated for planning submission
 - B. 12.02.2025 - Plan updated to include trees
 - C. 17.02.2025 - Plan updated following comments from planning
 - D. 05.03.2025 - Plan updated following further tree labels and tree officers comments
 - E. 18.03.2025 - Plan updated following tree scheme
 - F. 18.12.2024 - Plan updated following comments from Trees and Woodlands officer
 - G. 18.12.2024 - Plan updated following comments from Trees and Woodlands officer
 - H. 05.05.2024 - Plan updated following comments from Ecology officer

Ross Davy Associates
 Pelham House, 1 Goswoner Street,
 Gensby, N.E. Lincolnshire, DN32 0QH
 Tel: 01472 347955
 Email: design@rossdavytd.co.uk
 Web: www.rossdavytd.co.uk

FOR APPROVAL

Project:	Proposed Lodge at Bullrush Lakes, Tetney Road, Humberston		
Drawing Title:	Proposed Block Plan		
Drawn:	MR	Scale:	1:500
Date:	Jan 2025	Size:	A2
Drawing No.:	RD:5790 - 03		H

PLANNING COMMITTEE - 8th July 2026

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

APPLICATION No: DM/0226/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Willow Lakes Ashby Hill Top Farm , Barton Street, Ashby Cum Fenby, North East Lincolnshire, DN37 0RU

PROPOSAL: Variation of Condition 2 (Plans) following DM/0986/18/FUL to alter site layout to amend lodge positions

APPLICANT:

Mr J Collis
Willow Lakes Leisure Park
Willow Lakes
Ashby Hill Top Farm
Barton Street
Ashby Cum Fenby
North East Lincolnshire
DN37 0RU

DEPOSITED: 26th March 2026

AGENT:

Mr Daniel Snowden
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

ACCEPTED: 20th May 2026

TARGET DATE: 15th July 2026

PUBLICITY EXPIRY: 10th May 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 3rd May 2026

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to vary condition 7 (Approved Plans) pursuant to DM/0986/18/FUL, which was for the erection of nine holiday cabins. This amendment relates to alterations to the approved lodge positions and the site layout at Willow Lakes, Ashby Hill Top Farm. Works have started on site.

The application is brought to planning committee following an objection from Ashby Cum Fenby Parish Council.

SITE

The site is adjacent to the A18 at Ashby Hill Top near the village of Ashby cum Fenby. The site forms part of the Willow Lakes holiday park which stretches from the A18 northeast and equates to some 18 hectares and currently includes holiday cottages, holiday lodges, stables, livery, horse paddocks and 2 fishing lakes.

The site is located adjacent to the Lincolnshire Wolds National Landscape, the A18 forms the boundary of the National Landscape. The site drops down off the edge of the Wolds to the Humber valley below. The change in levels is roughly 30m from the top of the site adjacent to the A18 to the bottom of the site to the north east. The site has various boundary treatments from large native hedgerows to low fences. There are various landscaping features within the site. Currently the main buildings on the site are located at the top adjacent to the A18. The site consists of various holiday cabins and Landmark Café.

RELEVANT PLANNING HISTORY

DC/1090/09/WAB - Retention of change of use from agricultural land and erection of menage with associated fencing - Approved

DC/8/10/WAB - Outline application for 5 holiday cabins - Approved

DC/535/10/WAB - Erection of cafe new parking viewing and picnic area construct new access & blocking up of existing access - Approved

DC/541/10/WAB - Change of use of land to site 12 touring caravans on the site of former fishing lake, construct new access & blocking up of existing access - Approved

DC/992/10/WAB - Retain change of use of former agricultural building forming 20 stables with associated tack and store rooms - Approved

DC/91/11/WAB - Change of use of former games room to provide a holiday unit - Approved

DC/17/12/WAB - Reserved matters application following the outline application
DC/8/10/WAB- Outline application to erect five holiday cabins in association with the existing commercial lake - Approved

DC/164/12/WAB - Variation of condition 19 attached to DC/535/10/WAB to alter the vehicular access roadways and additional landscaping and planting - Approved

DC/104/13/WAB - Erect nine holiday cabins with vehicle parking in association with the existing commercial lake - Approved

DM/0159/15/FUL - Retrospective permission for new reception building - Approved

temporary

DM/0093/16/CND - Details in Discharge of Conditions 2 (Holiday Use), 3 (Landscaping), & 6 (External Finish) pursuant to DC/104/13/WAB (Erect nine holiday cabins with vehicle parking in association with the existing commercial lake) - Conditions Complied With

DM/0067/18/FUL - Removal of condition 1 (Temporary Period) pursuant to DM/0159/15/FUL (Retrospective permission for new reception building) to allow permanent siting - Approved

DM/0544/18/CEU - Certificate of Lawfulness for an existing use, that planning application DC/535/10/WAB (Erection of cafe new parking viewing and picnic area construct new access & blocking up of existing access) and DC/164/12/WAB (Variation of condition 19 attached to DC/535/10/WAB to alter the vehicular access roadways and additional landscaping and planting) have been lawfully implemented and remain extant - Approved

DM/0546/18/CEU - Certificate of lawfulness for a proposed use, that planning application DC/104/13/WAB (Erect nine holiday cabins with vehicle parking in association with the existing commercial lake) has been lawfully implemented and remains extant - Approved

DM/0986/18/FUL - Variation of approved plans for site layout and appearance in relation with DC/104/13/WAB - Approved

DM/0987/18/FUL - Construct temporary marketing suite - Approved

DM/0990/18/FUL - Vary conditions for opening hours and use class for the café under DC/164/12/WAB

DM/0991/18/FUL - Change of use of land from field to 18 holiday cabins with vehicle parking in association with the existing commercial lake, landscaping and environmental enhancements including enlargement of balancing pond - Approved with Conditions

DM/1162/19/FUL - Erect cafe/restaurant to include basement function facility, viewing deck to the rear, car parking, landscaping and associated works - Approved

DM/0608/21/CND - Details in discharge of condition 4 (Foul Water), 5 (Landscaping), 7 (Construction Management Plan) and 8 (Ecological Improvements) pursuant to DM/0991/18/FUL - amended foul water drainage December 2024 - Conditions Complied With

DM/0609/21/FUL - variation of DM/1162/19/FUL to change roof design/materials - approved

DM/0294/22/FUL - Change of use from 12 touring caravans to 7 lodges with associated landscaping and car parking (re-submission of DM/0988/18/FUL) - Approved with Conditions

DM/0523/23/FUL - Change of use of land from field/paddocks to 23 holiday cabins with vehicle parking, landscaping and associated works - updated foul drainage information February 2025 - Approved with Conditions

DM/0648/23/FUL - Variation of Condition 2 (Approved Plans) following DM/0609/21/FUL to amend position, size and layout of function room and rooftop viewing / seating area - Approved with Conditions

DM/0877/25/FUL - Variation of Condition 2 (Plans) following DM/0940/19/FUL to alter lodge design and site layout - Pending Decision

DM/0290/26/FUL - Proposed change of use of land from field/paddocks to holiday cabin with associated works - Pending Consideration

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

NPPF6 - Building a strong, competitive economy
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

PO5 - Development boundaries
PO12 - Tourism and visitor economy
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

HSE - Do not advice against.

Trees and Woodlands Officer - No objection.

Ecology Officer - No known ecological concerns.

Drainage Officer - No drainage comments.

Heritage Officer - No input required.

Highways Officer - Approval no conditions.

Environmental Health - No comment.

Environmental Health Enforcement Officer - Informative advice for waste.

Environment Agency - No comment.

Public Rights of Way Officer - No effect to network.

Ashby Cum Fenby Parish Council - Recommends refusal due to concerns relating to drainage issues on site.

Neighbour Representations

Deer Farm, Telford House, Barton Street, Ashby Cum Fenby - Happy will application and no impacts.

APPRAISAL

The material planning considerations are:

1. Principle of Development
2. Revisions
3. Impact to Neighbours

1. Principle of Development

The application seeks vary condition 7 (approved plans) of the earlier approval to allow for amendments to the lodge positions and site layout. The principle of the development has already been established under the original permission and the considerations of this application are merely those relating to the impacts arising from the proposed amendments.

2. Revisions

The amendment has seen all 9 lodges altered in terms of their position. This links to the wider overall site layout which has seen the land to the north of the site also amended. This has planning permission. The works have already taken place on site and the application seeks to formalise these changes.

Visually, the proposal would alter the design concept; given the proposed layout changes. However, the works are minor in nature with the number, size and scale being retained. Although the layout has been changed it still retains the concept of the lodges around the lake. As a result there are no visual or amenity impacts. There are no neighbouring properties to impact. Moreover, the approved landscaping scheme, under the permission in 2018, has been partially implemented which further reduces any physical impacts of the revisions.

The comments from the Parish Council are noted however, the works are retrospective in nature and have been in situ for some time. In addition, the works have been previously approved and the alteration to the positioning has not changed the drainage proposed. Indeed, the drainage has been implemented as approved and the revisions are in line with this approved arrangement. The site is very well contained and it is not considered that there are any drainage concerns. The Drainage Officer raises no issues.

3. Impact to Neighbours

The site is located well away from neighbouring residential properties and the overall scale and use of the development would not change as a result of this amendment and so there are no impacts to neighbouring properties.

Having regard to the above, the amendment is acceptable under Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

This application seeks to modify an earlier approval, which was for the change of use of the land to site holiday cabins. The modifications proposed in this application are considered to be of an acceptable scale and nature and do not fundamentally alter the original design concept or create any additional impacts to the character of the area or to neighbours. The development would continue to provide for the leisure and tourism offer in the area and provide additional employment opportunities. It is therefore recommended for approval subject to conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

The log cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/occupiers of the log cabins hereby permitted shall maintain an up to date register of the names of all occupiers of same and of their main home address and shall make this information available on request of the local Planning Authority.

Reason

The log cabins are in a location where the Local Planning Authority would not wish to encourage permanent residential occupation and in order to comply with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

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

Proposed Site Plan - RD3153-10

As approved under DM/0986/18/FUL:

Existing Block Plan - 4.02B

Proposed Block Plan - 4.03B

Cabin 1 Plans and Elevations - 4.04

Cabin 2 Plans and Elevations - 4.05

As approved under DC/104/13/WAB:

Information - RD:3153-01

Reason

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

(3) Condition

Within 12 months of the date of permission the scheme of landscaping and tree planting shall be completed in accordance with the details as shown on plans ref: 4.03.01B and shall thereafter be managed (as approved under DM/0986/18/FUL) unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The communal parking area as detailed on plan ref: 4.03 B (as approved under DM/0986/18/FUL) shall be constructed in permeable materials only.

Reason

To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 12, 41 and 42.

2 Informative

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

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

DM/0226/26/FUL – WILLOW LAKES, ASHBY HILL TOP FARM, BARTON STREET, ASHBY CUM FENBY



DM/0226/26/FUL – WILLOW LAKES, ASHBY HILL TOP FARM, BARTON STREET, ASHBY CUM FENBY



The property lies within the Holme Hill Conservation Area.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2025)

- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.
- NPPF16 - Conserv. & enhance the historic environ.

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

- PO5 - Development boundaries
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO38 - Parking
- PO39 - Conserve and enhance historic environ
- PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

Council's Environmental Health Officer - No comments.

Council's Highways Officer - No objections.

Council's Heritage Officer - No comments.

Crime Reduction Officer - No objections.

Emergency Planning Officer - No objections, subject to a safeguarding condition.

Council's Tree Officer - No comments.

Council's Drainage Officer - No comments.

Environment Agency - No objections, subject to an informative.

Children's Services - No objections. Inform they do not currently commission this type of accommodation from external organisations and have no identified need for this type of provision.

Housing Strategy Officer - No objections.

Public Representations

Grimsby and Cleethorpes District Civic Society - Objects to the development as the information suggests that there is no staff present on site.

Councillor Beasant - Called into Planning Committee as residents have concerns about anti-social behaviour and noise emanating from this potential development. They are also concerned that this development will be for children from outside our area.

Neighbour Representations

30 Heneage Road, Grimsby - Objects to the development with concerns regarding anti-social behaviour, noise issues and parking issues.

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Impact on Character and Appearance of the Area and Heritage
- Impact on Neighbouring Amenity
- Highways and Parking
- Crime and Anti-social Behaviour
- Biodiversity
- Flood Risk

Principle of Development

The proposal is for the change the use of an existing residential dwelling (Use Class C3) into supported living accommodation (Use Class C2).

The information supplied with the application (contained within the Supporting Statement) states that up to four 16-17 year olds would live at the property with 3 members of staff (maximum) providing care in the day and 2 members of staff during the night (maximum). This would be the young person's permanent home. The care would provide both a safe

living space and support services to help the young individuals transition to independent adulthood, a step between living at home and full independence, offering the opportunity to develop life skills, access education or employment, and receive emotional and practical support. The proposed use of the house is still residential in principle and would provide a home for young persons to be managed by the applicant.

The site is located within an established residential area. Moreover, this area of the Borough benefits from the usual services, including primary and secondary schools, town centre, public transport and recreation areas, and is located within the defined settlement boundary for Grimsby in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). Therefore, it is considered acceptable in principle.

It then falls to judge the proposal on the site-specific material planning issues as required by Policy 5 of the Local Plan.

The site is within the Holme Hill Conservation Area in which Policy 39 of the Local Plan is relevant. The requirements under Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area applies.

Impact on Character and Appearance of the Area and Heritage

The proposed change of use would not result in any external changes to the existing dwelling. Thus, the visual character of the area would not be adversely affected by the proposed development. The proposed use whilst falling within Use Class C2 of the Use Classes Order is still residential in nature. Currently the existing house has five bedrooms and would change to four bedrooms with storage and all other internal amenities. The property would still have the appearance of a dwelling house.

The site is situated within the Holme Hill Conservation Area. As there would be no physical changes, the conservation area would be preserved. The Council's Heritage Officer has no objections to the use change.

On this basis, it is considered to be in accordance with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires that account is taken of the effect upon the amenity of adjacent land uses. The objections received from the local resident is acknowledged. The proposed development would not see any physical changes to the existing property externally as mentioned and so there would therefore not be any physical impacts from development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking. The potential impacts to the neighbours therefore arise from the proposed use of the property.

The proposed use would see the existing dwelling used in a similar way to its current use as a dwelling house. It is perfectly reasonable, in planning terms, to expect a four-bedroom house to be occupied by the number of young persons and adults specified in this application. There would be a material difference to the existing situation as the adults would not be residents and would change on a shift pattern, as noted within the Supporting Statement however, these comings and goings are unlikely to be adverse or significantly different to those expected at any typical residential property in relation to the usual daily routine of school runs, sports clubs and trips to shops etc. Moreover details relating to staff changeover and numbers have been provided which demonstrate that this would not be over and above what could reasonably be expected at a residential property. Neither is it considered that the use of the garden space would be significantly different to how a dwelling house would use a garden.

The Council's Environmental Health Officer has raised no objections.

Having regard to the above the application is considered to be in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in terms of neighbouring amenity.

Highways and Parking

It is noted that representations highlight highway safety, amenity, access, traffic and parking as concerns.

The existing use is that of a dwellinghouse. The property benefits from an existing pedestrian access point to the front that will remain unaltered. The existing property also benefits from parking and an access point to the rear, via a side road. The objector disputes the right use of one of the spaces but this still leave some rear parking. In addition, there is sufficient existing on-street parking available and the site is within a good sustainable urban location. It is therefore considered that the proposed development would not have a detrimental impact on highway amenity as a result of insufficient parking provision on the site. Additionally, the traffic movements associated to the use are not expected to be significantly more than that for a single dwelling.

The Council's Highways Officer has considered the proposed development in detail with specific regard to highway safety, traffic, parking and amenity and raises no objections to the proposed development. The application is therefore considered to be in accordance with Policy 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in regards to highway issues.

Crime and Anti-social Behaviour

The neighbour comments refer to the potential for anti-social behaviour. The property will be staffed 24 hours a day. The home is not intended to operate significantly different from a dwellinghouse. There has been engagement with Humberside Police in response to the

application and in particular whether the site is suitable for a small supporting living accommodation in this location. The Crime Reduction Officer raises no objections with regards to the proposed use and its location.

The management of the home would also fall under the responsibility of the applicants and will be registered and overseen by Ofsted.

Having regard to the above, it is considered that the location is suitable for the young people to be housed and there are no other crime or anti-social concerns with the proposal. The application is considered to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Flood Risk

The site is located within a high flood risk area. A Flood Risk Assessment and Flood Warning and Evacuation Plan has been submitted. The Environment Agency and Emergency Planning Officer are content with the information provided, subject to safeguarding conditions and informatives.

Biodiversity

The Council's Ecology Officer's has confirmed that the proposal does not impact a priority habitat and impacts less than 25 square meters of onsite habitat with a biodiversity value greater than zero (as measured by the statutory metric) and on less than 5 metres of onsite linear habitat so the de minimis condition is met and the proposal is exempt from the Biodiversity Gain condition. They also have no objections to the development. The proposal therefore accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The proposed development seeks to provide accommodation in the form of a small supported living accommodation for 16-17 year olds. The proposal would maintain a residential use in a residential area albeit of a different use class. The overall intensity of the use of the site would not significantly change what may reasonably be expected in a residential setting. It is not considered that there would be any adverse impacts on the neighbouring properties residential amenities or additional harm to highway safety, amenity or crime. The general appearance of the property would not be altered and so the visual character of the area and the Holme Hill Conservation Area would not be harmed. Finally, the safety of the occupiers has been considered acceptable by the Police.

The application can therefore be recommended for approval in accordance with Policies 5, 22, 33, 38, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Sections 12, 14, 15 and 16 of the NPPF, subject to a number of safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - Received 11th February 2026

Block Plan - Received 11th February 2026

Proposed Floor Plans - Received 12th May 2026

Reason

For the avoidance of doubt and in the interests of proper planning and to accord with Policies 5, 22, 33, 38, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The development shall be operated and managed in accordance with the Local Risk Assessment and Supporting Statement (Received 15th May 2026) including the number of young persons occupied.

Reason

To clarify the permission and in the interests of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The development shall be carried out and occupied in accordance with the submitted Flood Risk Assessment (Received 15th October 2025, compiled by UK Flood Risk) including the flood warning and evacuation plan and incorporation of the flood resistance and resilience measures stated.

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

The site shall be used as supported living only under Class C2 of the Town and Country Planning (Use Classes) Order and shall not be used for any other purpose or use including any others within Class C2 of the Town and Country Planning (Use Classes) Order.

Reason

To define the permission and to protect amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Biodiversity Net Gain

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one

which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.2 applies.

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

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

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

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

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

4.3 Development which is subject of a householder application within the meaning of

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 38, 39 and 41.

2 Added Value Statement

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

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

3 Informative

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

4 Informative

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

5 Informative

The applicant's attention is drawn to the comments received from the Council's Housing Strategy Officer, the Environment Agency and the Emergency Planning Officer. Please go to www.nelincs.gov.uk to view.

DM/0397/25/FUL – 28 HENEAGE ROAD, GRIMSBY



DM/0397/25/FUL – 28 HENEAGE ROAD, GRIMSBY

