



## **PLANNING COMMITTEE**

**8<sup>th</sup> July 2026 at 9.30 a.m.**

### **Present:**

Councillor Patrick (in the Chair)  
Councillors Batson, Bright, Callison, Dawkins (substitute for Parkinson), Emmerson, Goodwin, Hudson, Kaczmarek, Lindley and Mayne.

### **Officers in attendance:**

- Cheryl Jarvis (Development Manager)
- Richard Limmer (Principal Planner – Major Projects)
- Adam Brockbank (Highway Development Control Officer)
- Tracy Lovejoy (Agency Solicitor)
- Charlotte Trench (Trainee Solicitor)
- Sophie Pickerden (Committee Support Officer)

### **Others in attendance:**

- Councillor Beasant (East Marsh Ward Councillor)
- Councillor Shreeve (Humberston and New Waltham Ward Councillor)

There were twenty four members of the public and one member of the press present.

## **P.10 APOLOGIES FOR ABSENCE**

Apologies for absence were received for this meeting from Councillor Parkinson.

## **P.11 DECLARATIONS OF INTEREST**

Councillor Bright declared an interest in P.13 Item 1 DM/1109/22/FUL as he had previously objected to the application.

## **P.12 MINUTES**

RESOLVED – That the minutes of the Planning Committee meeting held on 10<sup>th</sup> June 2026 be approved as a correct record

## **P.13 DEPOSITED PLANS AND APPLICATIONS**

Having declared an interest, Councillor Bright left the meeting for consideration of the following item.

### **Item 1 - DM/1109/22/FUL - Former Pleasure Island Theme Park, Kings Road, Cleethorpes.**

The Chair referred committee members to the Supplementary Agenda and allowed time for them to read the information it contained.

Ms Lovejoy said that within the Supplementary Agenda there were two legal letters which were received late alleging various deficiencies with the handling of the planning application and the officer's report. She explained that the letters had been received from objectors and that if the application was to be granted, the objectors would not have a right of appeal but they could legally challenge members' decision in the courts. Ms Lovejoy stated that the issue was that the Council's legal department had not had sufficient time to consider the points raised in the letters. She said that on one hand the application had been submitted a while ago and consideration of these late letters would introduce further delay but on the other hand, there was a risk of legal challenge without that consideration. She said that after weighing those factors, her advice to members was that the application be deferred in order to give officers, including legal officers, sufficient time to consider the letters and the points made within. Ms Lovejoy said that whilst that was her advice, that did not mean that she thought there was anything wrong with the way the Council had handled the application or the officer's report, it was just due process, but it was up to members to decide on whether to proceed with the application or to defer it.

The Chair said that the letters had been received at the last minute and whilst he was not convinced that there was a risk of judicial review, he thought it was in the public interest to defer the application for assurance and it would be brought back to the next meeting and this would allow for more time for legal officers to consider the contents of the letters. The Chair proposed that the application be deferred to the next meeting.

Councillor Goodwin seconded the proposal to defer the application.

Councillor Hudson said that he was disappointed as lots of work had gone into the application. However, he thought it was sensible to defer the application but he didn't want the situation to keep going on and on.

Councillor Dawkins said that his concern would be that we could have a repeat of this happening next month. He said that surely there had to be

a cut off where we didn't allow late challenges to come in, as it could keep stopping the development.

Councillor Lindley said a lot of work had gone into the application to get to the current stage. He agreed with the approach of there being a short term deferment of the application and hopefully the application would be before the Planning Committee at the next meeting.

The Chair reiterated that that the proposal was to defer the application for a month on the basis of the legal challenge and for the application to be brought back to the next meeting of this committee.

RESOLVED - That the application be deferred.

(Note - the committee voted unanimously for the application to be deferred.)

Councillor Bright returned to the meeting.

## **Item 2 - DM/0269/25/OUT - R/O 33-35 Humberston Avenue, Humberston.**

Mrs Jarvis introduced the application and explained that it had been brought before the Planning Committee due to the number of objections received as well as an objection from Humberston Village Council. She outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mrs Jarvis referred committee members to the Supplementary Agenda which outlined amended wording for condition four. She stated that the application was recommended for approval with conditions.

Mr Bland spoke in objection to the application. He said that his property immediately adjoined the site and whilst he was not against the idea of development, he was against the scale and intensity of what was proposed and the impact it would have on neighbouring residents. Mr Bland said that he disagreed with the planning officers about the proposal not being cramped or being considered overdevelopment. He said that plot three would be 3.5 metres from his boundary whereas other plots would be thirteen metres from their boundaries. Mr Bland said that what was proposed was an uneven and cramped layout. He said that the neighbouring properties were expected to absorb additional disproportionate impact simply to accommodate four dwellings. Mr Bland said that it would mean a driveway, a garage immediately next to his garden bringing vehicle movements, headlights, engine noise and everyday disturbance far closer to his property than existed currently. He said that although this was an outline application, the impacts directly arose from the position of plot three and whilst the planning officer had said we could resolve issues later, once the principle was approved, it was more difficult to challenge and explain why the land was not big enough for four dwellings. He was also concerned that the proposal repeated many of the issues that led to the previous refusal of a four

dwelling scheme. Mr Bland said that whilst the access agreement had changed, the fundamental question remained the same and that was whether the site was being asked to accommodate more development than was appropriate for its character. He said that Humberston Avenue was known for its generous plots, mature gardens and spacious settings. Mr Bland said that squeezing four dwellings into this backland site, particularly 3.5 metres from his boundary, did not reflect the established pattern and conflicted with the aims of policy five of the local plan. He asked committee members to refuse the application.

Ms Thomas spoke in objection to the application. She explained the reasons why the previous scheme for four dwellings had been refused planning permission. Ms Thomas said that no material change to planning policy had occurred since and significant weight should be given to that previous decision. She said that whilst the reduction from seven dwellings to four was welcome, she still had concerns about the impact on her residential amenity. Ms Thomas said that whilst the application was an outline application, the scale confirmed the properties would be dormer height to minimise overlooking and maximise light, but the proximity of plot two was very close to her boundary and there were concerns of potential overlooking from the first-floor rear windows. She requested that the dwellings be single storey to mitigate overlooking which could be secured via a condition. She said, alternatively, plot two should be moved further east away from her boundary and if agreement was not reached about the dwellings being single storey, she would ask that a condition be added to state that no dormer windows be located within the rear elevation. Ms Thomas said that if committee members were minded to support the application, then the conditions she had asked for were necessary to protect her residential amenity at the reserved matters application stage. She said that the outline application should be refused if the conditions were not agreed as the application in its current form, compromised her residential amenity and conflicted with policy five of the local plan.

Mr Likupe spoke as the architect for the application. He said that every statutory consultee had cleared the scheme, including the trees officer, ecology officer, drainage officer, Anglian Water, Humberside Fire and Rescue and the heritage officer, who had all confirmed they had no objection to the application. Mr Likupe said that every issue from the application that was refused in 2019 had been corrected. He said that the previous application was for four houses relying on a one way access, but the current application was different and would deliver a new central access road. Mr Likupe said that they were proposing dormer bungalows, not two storey houses, and the principle of development had already been established in 2016, when the Council granted planning permission for two two-storey houses, and that planning permission remained extant. He said that the Council had also consistently approved backland and inland developments with other schemes having been approved, including six where Humberston Village Council had objected on the same grounds. Mr Likupe said that by refusing the application, the Council would be breaking with a decade of decision making. He stated

that the proposed scheme had been refined over a long period and had gone from seven dwellings to six, to four. Mr Likupe said that they had listened to officers and made amendments and had listened to neighbours and had proposed dormer bungalows. He stated that every technical matter had been resolved.

Councillor Hudson said that he found it fascinating that in 2004, the Planning Committee and the Planning Inspector had not thought the site was appropriate for one house, then in 2016 planning permission was granted for two houses and that would have fit quite nicely but they weren't built, then initially the current application was for seven properties and now for four. He said that the plan clearly proved that four dormer bungalows could be accommodated on the site but when you looked at the spacing between them compared to others in the area, he thought that three would be better. Councillor Hudson said that just because you could prove four dormer bungalows on paper could be on the site, that did not mean that was the right thing to do. He thought what was proposed was an overdevelopment of the site, but he would listen to the debate.

Councillor Lindley said that there had been a lot of applications for backland development in Humberston, and he didn't think what was proposed was over intensification. He referred committee members to page 142 of the agenda and said that the map showed that to the west of the site, those properties were far closer together. Councillor Lindley stated that he thought the site's footprint could accommodate four properties. He said that backland development had led to a gradual increase in properties in the area and Humberston Village Council had objected to the application due to over intensification, but he thought it was too late and they should have been doing that fifteen years ago.

Councillor Hudson stated that Humberston Village Council had objected to backland development at that time.

Councillor Lindley said that each planning application should be judged on its own merits, and he thought the footprint of the site would comfortably accommodate four properties. He said that he was leaning towards supporting the application, but would listen to the debate.

Councillor Bright said that he was more inclined to agree with Councillor Lindley and looking at the three adjacent houses, they were much closer together. He thought there was ample room on the site for what was proposed and the access issues had also been resolved. Councillor Bright said that he didn't see anything wrong with the application.

Councillor Dawkins said that he agreed with Councillor Hudson and he thought the issue of overlooking could be ironed out if the proposal was for three properties not four.

Councillor Mayne said that he agreed with Councillor Hudson and that he thought what was proposed was an overdevelopment of the site. He said that three properties would be more appropriate.

Councillor Goodwin said that she agreed with Councillor Lindley. She said that the Planning Committee had previously let these types of developments happen and she thought the proposal for the access had been done well.

Councillor Goodwin proposed that the application be approved with conditions.

Councillor Bright seconded the proposal to approve the application with conditions.

**RESOLVED** – That the application be approved with conditions.

(Note - the committee voted 7 for and 4 against for the application to be approved with conditions.)

### **Item 3 – DM/0199/26/FUL – 13 Orkney Place, Immingham**

Mr Limmer introduced the application and explained that it had been brought before the Planning Committee due to the number of objections received and an objection from Immingham Town Council. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Limmer stated that the application was recommended to be approved for a limited period of two years.

Miss Pickerden read out a statement from an objector, Mr Pool and referred committee members to photographs he had submitted that were displayed on the presentation.

Mr Pool fully understood that all aspects had to be looked at and various organisations and departments were consulted and all the boxes needed to be ticked. However, he didn't understand why common sense was not used. Mr Pool wrote that if the Planning Department were sure that the conversion would not affect his daily life and the way he lived it, then why had they suggested a review period of two years if the application was approved. He wrote that this meant that he would have to endure a two year period of something that a good number of residents in the street and Immingham Town Council did not feel was appropriate for a quiet residential cul-de-sac of fifteen houses.

Miss Pickerden read out a statement from an objector, Mr Davidson.

Mr Davidson submitted his statement in opposition to the planning application and to respectfully request that any decision on the application be deferred for a site visit so that committee members could see for themselves how unsuitable the proposed commercial use would be in the

quiet residential cul-de-sac. He wrote that there was already a licenced dog boarding business on Orkney Place and a dog grooming business operating in Shetland Way and hopefully committee members would be able to judge for themselves that an additional commercial use would be seriously detrimental to the residential amenities of the area. Mr Davidson wrote that it would be entirely inappropriate and he felt planning permission should not be granted.

Ms Thompson spoke as the applicant for the application. She said that she had been running her cattery business for nine years at her old property, and had built up a fantastic client base of mostly regulars. Ms Thompson said her clients sometimes had to book a year in advance as her set up was small. She said that the new cattery would mirror what she had at her old property and there would not be any additional staff as it was a family run business which she ran with the help of her children. Ms Thompson said there would be a maximum of fourteen cats at any one time and she was happy for that to be secured via a condition. She said that the opening hours would be flexible, with drop off and collection times staggered as the business operated a pre-booking system. Ms Thompson said parking was not an issue as she had a large drive and there would be no reversing onto the street as she had an in and out system. She said that a noise pollution assessment had been completed and showed that the business would not be a noise issue for residential properties. Ms Thompson was happy with the limited period approval as she was confident with her past experience that she would be able to prove that the business would not be detrimental to neighbours. She said that there were no objections from any statutory consultees. Ms Thompson asked committee members to approve the application.

Councillor Hudson said that when he first looked at the application, he was concerned about parking, but after hearing that the property had a driveway where two cars could park and that there would be a booking system for clients, he didn't see parking being a problem. He said that the fact that the approval would be limited for two years, should give residents satisfaction that if there were problems, a further application would have to be submitted to continue past that time. Councillor Hudson said that he didn't see any problem with the application.

Councillor Bright said that he was inclined to agree with Councillor Hudson. He asked whether there was a need to consider cumulative impact as there were two other businesses trading in the area.

Mr Limmer said that the Planning Department were not necessarily aware of other businesses operating in the area.

Councillor Bright asked how the condition of the business operating an appointment system was enforceable.

Mr Limmer responded that if the Planning Department received evidence that the applicant was not following conditions of the planning permission, then they could look at issuing a breach of condition notice.

Councillor Bright sought clarification that the Planning Department would be relying on neighbours to inform them that an appointment system was not being followed.

Mr Limmer responded that initially that would be correct, but then planning officers would do their own investigations and then could look at issuing a breach of condition notice.

Councillor Bright said that he would listen to the debate.

The Chair clarified that if the application was approved, it would be the only property in the cul de sac that we were aware of that would have planning permission for commercial use.

Councillor Lindley said that it was commendable of the applicant to go down the formal route with submitting a planning application. He said that he couldn't see a reason to object to the application. Councillor Lindley said that the limited period approval should give residents reassurance that if there were issues, a further application would have to be submitted in two years' time and that would be something for the Planning Committee to consider at that time. He stated that he was happy with the application.

Councillor Lindley proposed that the application be approved with conditions.

Councillor Hudson seconded the proposal to approve the application with conditions.

**RESOLVED** – That the application be approved with conditions for a limited period.

(Note - the committee voted unanimously for the application to be approved with conditions for a limited period.)

#### **Item 4 - DM/0369/25/FUL- Land Adj to Bradley Woodlands Independent Hospital, Bradley Road, Bradley.**

Mrs Jarvis introduced the application and explained that it had been brought before the Planning Committee as it was a departure from the North East Lincolnshire Local Plan. She outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mrs Jarvis stated that the application was recommended for approval with conditions.

Mr Cain spoke as the applicant for the application. He said that the recommendation to approve the application had been achieved by a collaborative and proactive approach with the planning officers. Mr Cain said that the proposal was not simply for a house in the countryside, but instead was a carefully considered landscaping led scheme designed specifically for the site. He said that the site already had a former

agricultural building on it, storage areas and a history of agricultural use. Mr Cain said that part of the proposal was to remove the former agricultural building which was a large visually intrusive structure which did not have architectural merit. He said that the building's removal would deliver a clear visual improvement and allow the site to be restored to a much softer landscape led setting. Mr Cain stated that the design of the dwelling had been developed around the site itself, the existing levels, the relationship with Bradley Woods, the views across the land, the lake and the wider landscape structure. He said that the proposed residential curtilage had been carefully limited and did not seek to domesticise the whole site. Mr Cain said that plan separated the domestic area from the wider landscape and ecological land, and also separated the approved agricultural area ensuring the wider side remained landscape led. He said that ecologically the scheme provided meaningful enhancements, including new planting, improved habitat, landscape management and bio-diversity improvements. Mr Cain said that the design did not rely on isolated features but instead the whole site would be improved as one co-ordinated strategy. He said that the access and boundary treatment had also been amended to respond to officer's concerns, with the entrance more rural in character and reduced in height, better reflecting the countryside setting. Mr Cain said that paragraph 84E set out a high test, and the proposal should be considered as a complete package including the removal of a visibly poor building, enhancement of the landscape, ecological improvements, the careful siting of the dwelling and the restrained curtilage. He said that the application was a genuine opportunity to replace a degraded former agricultural setting with a high quality, sensitive, carefully managed development that would improve the site visually, environmentally and architecturally. Mr Cain asked committee members to approve the application.

Councillor Hudson said that he wished committee members would have seen the site back in 2018 as it was in a bad state. He said that it had taken real effort to get the site to its current improved state and part of that was the idea of there being an exceptional house on the site. Councillor Hudson said that if committee members were happy to approve a house on the site previously, and nothing had changed since, then committee members should approve the current application. He stated that there had been no objections received and no objection from Bradley Parish Council. Councillor Hudson said that what was proposed was an exceptional house and he was in favour of the application.

The Chair informed committee members that there was one objection to the application as outlined in the agenda papers.

Councillor Bright said that he agreed with Councillor Hudson and he thought it was a fantastic development.

Councillor Lindley said that he thought the application was a testament to how well the applicant had engaged with planning officers and statutory consultees. He said that there was one public objection in terms of

highways but he didn't foresee any issues with highways. Councillor Lindley said that he thought it was an excellent application.

Councillor Mayne stated that he agreed with both Councillor Lindley and Councillor Hudson. He said that the site was located within his ward and the site was long overdue development as it had been a mess for decades. Councillor Mayne said that he welcomed the development as it would improve the area and what was proposed was sympathetic to the area.

Councillor Batson said that he liked the development, but wasn't sure why the applicant couldn't build onto the existing road and why the site needed to have a new entrance.

Mrs Jarvis responded that this was due to a logistical matter. She explained that a barn was approved in 2023 and that had the access associated with it, and to ensure that the applicant did not defunct that permission, they had to put a separate access in to serve the development. Mrs Jarvis said that as it was a single dwelling, it was considered that a second access was acceptable. She said that a singular access was considered but due to the logistics of ensuring the applicant maintained their current permission and as there was a legal issue with 'drop in permissions', that was the reason the access points were separated.

Councillor Emmerson said that he liked the application and thought what was proposed was of a good design, and it was also set out of the way. He said that he was concerned that it could become a commercial entity.

Mrs Jarvis said that the proposal was for a dwelling and if they were to want the site to be used for commercial activity, a new application would be required.

Councillor Hudson proposed that the application be approved with conditions.

Councillor Batson seconded the proposal to approve the application with conditions.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted unanimously for the application to be approved with conditions.)

## **Item 5 - DM/0960/25/FUL - Bull Rush Lakes Tetney Road Humberston**

Mr Limmer introduced the application and explained that it had been brought before the Planning Committee due to a call in from the Ward Councillor, Councillor Shreeve. He outlined to the committee the key matters regarding the application as detailed in the officer's report within

the agenda papers. Mr Limmer stated that as the application would present an undue risk of flooding due to its failure to pass the Sequential Test and as it would fail the Exceptions Test, the application was recommended for refusal.

Ms Redburn spoke as the agent for the application. She said that the proposal was for a holiday lodge on an established commercial fishing pond site and the application had been brought before the Planning Committee due to a call in from the Ward Councillor as the application had received a recommendation of refusal as it had failed the Sequential Test. Ms Redburn said that since the previous application, in order to overcome comments from the previous Planning Committee meeting, they had reduced both the scale and mass of the proposal from a two storey lodge to a single storey lodge which was suggested by previous committee members. She said that, that reduction in scale and design now had the support of planning officers. Ms Redburn said that the aim of the proposal was to expand the local business and improve facilities for anglers and visitors. She said that following extensive discussions with the planning officer and the Environment Agency, they had overcome the Environment Agency objections. Ms Redburn said that the Environment Agency had considered that the proposal met the mitigation requirements of the local flood risk standing advice by raising the finished floor levels, including a refuge space as part of the flood warning and evacuation plan and by having a flood risk assessment to satisfy the emergency planning officer's request. She said that the applicant also agreed to a condition not allowing occupancy during the time from 1<sup>st</sup> November – 14<sup>th</sup> March which was a similar approach to how the Humberston Fitties operated. Ms Redburn said that whilst the Sequential Test applied, it was mainly used for housing and what was proposed was a holiday lodge. She said that the Sequential Test considered whether the lodge could be sited elsewhere on a site located in a lower flood risk area, but those sites were not within her client's ownership or part of the established fishing business. Ms Redburn said that within the Council's local plan, sites defined as 'resort area' included the Humberston Fitties, Haven, Meridian Showground and Meridian Retail Park. She said that all of those 'resort areas' were located within flood zone three and had no capacity on their site or had separate applications for development. Ms Redburn said that the proposal was for a singular single storey holiday lodge to facilitate a commercial business's expansion. She stated that there were no objections from other consultees. Ms Redburn said that with regard to drainage, the consultee was satisfied with the drainage strategy and the highways consultee was satisfied that the existing access arrangements were acceptable. She said that the proposal would also achieve above the minimum ten percent bio diversity net gain on the site. Ms Redburn said that there were no objections to the application from neighbours or Humberston Village Council.

Ms Deakins spoke as the applicant for the application. She said that they had bought Bull Rush Lakes in March 2022 and at that time of the them taking over, the site had been neglected and was an eyesore. Ms Deakins said that since then they had cleaned the site up, maintained the area, and

they also regularly cut the grass on Tetney Road and Humberston Road. She stated that they had spent tens of thousands of pounds on the site and had spent countless hours restoring and improving the site. Ms Deakins said they were fully committed to making the site the best it could be. She said that Bull Rush Lakes had sixty members alongside many regular day ticket holders and they also welcomed visitors from outside the area. Ms Deakins said that the most rewarding thing was hearing local people say how much the site had improved. She said that the proposed lodge was not about building houses, but about helping an existing local business grow. Ms Deakins said that it would encourage tourism with anglers travelling from further away to stay overnight, bringing more visitors to the area. She said that those visitors would support not only the fishery but also local shops, pubs, cafes and other businesses helping to strengthen the local economy. Ms Deakins said that they also wanted to give back to the local community by having designated days for local schools, charities and community groups so they could use the lake. She said that they had shown their commitment through their investment, hard work, and the transformation of the site over the last few years. Ms Deakins said that the holiday lodge was the next step to help secure the future of Bull Rush Lakes. She asked committee members to approve the application so they could continue to invest in Bull Rush Lakes, bringing more people into the area and creating something the local community could continue to be proud of.

Councillor Shreeve spoke as the Ward Councillor for the Humberston and New Waltham Ward. He said that he was speaking in support of the application. Councillor Shreeve said that it was an interesting application and the highways officer had no problem with the application and neither had the heritage officer or the trees and woodlands officer. Councillor Shreeve stated that the ecology requirements had also been satisfied. He said that the drainage arrangements were also considered acceptable. Councillor Shreeve said that the Environment Agency also considered the context of the flood risk assessment to meet the requirements of the local flood risk standing advice. Councillor Shreeve stated that Humberston Village Council had also raised no objection to the application. He said that prior to the election, the three ward councillors had visited the site and what wasn't clear from the drawings or the officer's photos was the topography. Councillor Shreeve said that the lakes were about a metre and a half below the general grassed area and the lodge would be about a metre and a half above the general grassed area. He said that at the rear of the site was a drainage ditch which was about a metre and a half wide and about a metre and a half below the site itself. Councillor Shreeve said that with that in mind, in the unlikely event that there was a one in a hundred years event and flooding prevailed, the first thing that would flood would be the drainage ditch, then the lake, and if flooding rose to the level of the proposed lodge, most of Humberston and all of Cleethorpes would be under water but the lodge would not be. He said that in the officer's report it stated that the Sequential Test should be "extensive and thorough wide" and 'it was therefore reasonably considered that the holiday lodge could be sited elsewhere'. Councillor Shreeve asked what the point of that

was as this was an application for the specific site. He asked committee members to approve the application.

Councillor Lindley said that he had sympathy for the applicant. He said that as Councillor Shreeve had just pointed out, the site was above the flood water levels, and yet it was recommended for refusal due to the Sequential Test. Councillor Lindley asked if there was anyway the application could pass the Sequential Test and if it couldn't, did that rule out development on the site altogether.

Mrs Jarvis responded that what was proposed was a good scheme and the applicant had responded to the issues raised from previous decisions. She said that the difficulty with the Sequential Test was that it was a basic technical assessment that asked whether the development could be put in an area of lower risk. Mrs Jarvis stated that the Sequential Test was not subjective, but was factual. She explained that even though there could be mitigation, planning policy made clear that the test for the sequential element was whether that test could be passed and the difficulty was the policy was very strict, in that if you can put the development in a lower risk area then the indication was that planning permission should be refused.

Councillor Lindley reiterated that he sympathised with the applicant as they had tried to come forward with something that he thought worked on paper and that if flooding was to reach the level of the proposed development, that would be in the event of extreme flooding and most of the borough would be underwater. He stated that he was not sure that refusing the application was the right thing to do, and he was leaning towards supporting the application. Councillor Lindley said that he would listen to the debate.

Councillor Hudson said that he had no concerns with flooding on the site. He said that it was almost impossible for the water to get high enough to reach the lodge, and he thought we should forget the Sequential Test. He understood planning officers had to tell committee members about it but the committee had the ability to override it. Councillor Hudson said that the application was refused last time as it was for a two-storey holiday lodge and the impact that would have on the area. He stated that he had said at the previous meeting that if it were single storey, he would be more likely to support the application. Councillor Hudson said that what was proposed now was how a fishing lodge should look and he was certain that what was proposed was a good development that would not flood.

Councillor Kaczmarek said that the main conversation about the application was whether the Planning Committee followed policy 33 of the North East Lincolnshire Local Plan and section 14 of the National Planning Policy Framework. He said that he didn't think it was appropriate to say we should forget about the Sequential Test as it was important to consider the test and debate it. Councillor Kaczmarek said that committee members should consider whether the proposed development was appropriate, whether it could be placed in a better location and whether it made sense to approve the application despite the legislation.

Councillor Dawkins said that he had previously visited the site and had stood at the exact place where the holiday lodge would be sited. He said that that if there was a massive flood in the area then it would flood all of fields at the back of Humberston Avenue through to Holton Le Clay, before it became a concern at the specific site and by then people would have left the site. Councillor Dawkins said that a massive area of the borough would flood first and he thought the Environment Agency needed to have more common sense. He stated that he fully supported the application.

Councillor Mayne said that he agreed with Councillor Hudson and thought the risk of the lodge flooding was so remote and negligible. He questioned whether the Sequential Test was even appropriate to be applied for this application. Councillor Mayne said that the site was also managed and, therefore, he didn't think the lodge would be occupied if the site flooded.

Councillor Bright said that he didn't think we should dismiss the Sequential Test as it was there for a reason. He asked whether the flood zone maps took into account the topography of a site.

Mrs Jarvis said that topography was taken into account. She stated that the Environment Agency was not objecting to the application and had said that the development could be made safe, but the Sequential Test had not been passed which was about the principle of whether the holiday lodge should be located on site.

Councillor Bright said that he thought for this specific case, an exception should be made as it had been demonstrated that the lodge could be safe. He said that he was leaning towards supporting the application but would listen to the debate.

Ms Lovejoy stated that committee members couldn't ignore the Sequential Test as it was a material planning consideration which should carry substantial weight.

Councillor Emmerson said that he agreed with Councillor Hudson and Councillor Dawkins. He said that the applicant had gone away and put a lot of effort into the application. Councillor Emmerson said that the applicant had shown lots of passion in her speech and outlined the benefits it would provide to the community. Councillor Emmerson said that if there were to be a flood, then mitigation including a refuge place and risk assessments would be in place. He stated that he was happy to support the application.

Councillor Hudson said that he thought the Planning Committee could ignore the Sequential Test as if committee members chose to approve the application, that was therefore ignoring the Sequential Test.

Mrs Jarvis said that there would need to be a justified reason. She said that based on committee members comments she had heard from them that in terms of the Sequential Test, members thought that it should be

narrowed to the specific site as if the lodge was to be located elsewhere, the regeneration benefits wouldn't be achieved and you also wouldn't have a fishing lodge for the fishing lakes anywhere else so the sequential argument was passed. Mrs Jarvis said that some comments had also been made that the Environment Agency had outlined that the site could be made safe with conditions such as an occupancy condition. Mrs Jarvis said that members also felt that there would be wider benefits to the rural economy and that was being factored in to their decision making.

Councillor Hudson and Councillor Dawkins agreed with what Mrs Jarvis had outlined.

Councillor Hudson proposed that the application be approved.

Councillor Lindley seconded the proposal to approve the application.

Mr Limmer outlined the conditions.

Councillor Hudson and Councillor Lindley agreed to those conditions.

Councillor Goodwin said that she agreed with Councillor Kaczmarek and she didn't think that committee members should disregard the Sequential Test and should also think about the impact of climate change. She said that whilst she sympathised with the applicant, there could be a flood and she was concerned about that.

Councillor Bright said that in some cases he didn't think it was practical to apply the Sequential Test to the whole borough.

Councillor Kaczmarek said that he was going to abstain on the vote, not because he disagreed with the proposal or the development, but because he felt the debate had been handled poorly.

Ms Lovejoy clarified that there was recent case law where the courts had ruled that you had to do a Sequential Test properly, and absence of failure of the Sequential Test was one step and the next step was that committee members should make their determination in the usual way and in accordance with planning policy unless material considerations indicate otherwise. She said that it was not a case of ignoring the Sequential Test.

Councillor Lindley felt satisfied that he was going to make the right decision but couldn't understand, why the application had been brought before the Planning Committee if the Sequential Test was so significant,.

Mrs Jarvis clarified that the applicant had been required to undertake a Sequential Test. She said that as outlined in the sequential assessment, the reason the applicant had discarded the other sites was that they were of a much larger scale than what the proposal sought to achieve and that the fishing lodge was to provide accommodation for anglers who were going to use the site.

Councillor Callison said that he would support the proposal to approve the application but with conditions as he was concerned more than one lodge could be built.

The Chair clarified that the application was for one lodge.

Councillor Bright stated that committee members had not dismissed the Sequential Test and had given their reasons why they had disagreed with the outcome of the test, which they were entitled to do.

The Chair stated that he was going to vote against the proposal partly because some of the debate had not really been about the Sequential Test and there had been comments that the site was not going to flood and Cleethorpes would be underwater first. He said that he had the benefit of having a flood risk map from the ordnance survey in front of him and the map did not imply that lots of the areas around the site were flood risk areas, and the specific site actually seemed to be an outlier. The Chair said that he was not comfortable with some of the comments made by speakers to justify their proposal. He reiterated that he would be voting against the application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 7 for 3 against with 1 abstention for the application to be approved with conditions.)

### **Item 6 – DM/0226/26/FUL – Willow Lakes, Ashby Hill Top Farm, Barton Street, Ashby Cum Fenby.**

Mr Limmer introduced the application and explained that it had been brought before the Planning Committee due to an objection from Ashby Cum Fenby Parish Council. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Limmer stated that the application was recommended for approval with conditions.

Mr Snowden spoke as the agent for the application. He said that the application was for a variation of condition two from the previous approval to alter the site layout to amend nine lodges position. He said that the number of lodges, scale and size of the lodges were being retained. Mr Snowden said that the lodges had been in the specific positions for a period of time and the applicant wanted to formalise that. He said that the application was before the Planning Committee due to an objection from Ashby Cum Fenby Parish Council on the grounds of concerns over drainage. Mr Snowden stated that the council's drainage officer had raised no objections to the application. He said that the footprint of the lodges had also not changed. Mr Snowden said that the application was limited to amending the positioning of the lodges and the drainage had been revised to suit. He said that the proposal was not dissimilar to the already approved layout and drainage arrangements of the previous application. Mr Snowden said that amended lodge positions were located further away

from the lake which was a positive impact for the landscaping. He said that planning officers had recommended the application to be approved as what was proposed were minor alterations which would not have an impact on the character of the area and the development would provide tourism to the area.

Councillor Hudson said that he thought Ashby Cum Fenby Parish Council was wrong on this occasion and he didn't think they should have objected. He didn't think the drainage would be an issue and, had they not objected, the application would have been approved by planning officers under delegated powers. Councillor Hudson said that what was proposed was minor and he had no concerns with the application.

Councillor Lindley said that he agreed with Councillor Hudson and he would be happy to support the application.

Councillor Bright stated that the overall drainage scheme had not changed and what was proposed were minor changes. He said that he saw no reason to object to the application.

Councillor Hudson proposed that the application be approved with conditions.

Councillor Lindley seconded the proposal to approve the application with conditions.

**RESOLVED** – That the application be approved with conditions.

(Note - the committee voted unanimously for the application to be approved with conditions.)

### **Item 7 - DM/0397/25/FUL - 28 Heneage Road, Grimsby**

Mrs Jarvis introduced the application and explained that it had been brought before the Planning Committee due to a call in from the Ward Councillor, Councillor Beasant. She outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mrs Jarvis stated that the application was recommended for approval with conditions.

Councillor Beasant spoke as the Ward Councillor for the East Marsh Ward. He said that he wouldn't have called in the application had it not been for the once sentence from the Council's Children's Services who had wrote that they wouldn't have commissioned a scheme like the one proposed. That statement had put doubts in his mind. He said that he had previously been the Chair of the Corporate Parenting Board and was passionate about the children of the borough, but that statement made him question the service that the home would provide. Councillor Beasant said that the officer's report was also vague. He said that the officer's report outlined that there would be three adults present during the day and two at night, but he questioned what would happen if one of

them was off with an illness. Councillor Beasant said that there were also valid concerns regarding anti-social behaviour and parking, the latter being a concern in the area for years. He stated that there had also been disputes regarding the ownership of the rear parking space and he was unsure about the ownership of that parking space. Councillor Beasant said that he wasn't sure if the application could be deferred, but he was uneasy about the application and not knowing the full impact of the proposed scheme.

Councillor Lindley said that he was surprised when he saw that Councillor Beasant had called the application in, but appreciated the reasons as to why he had as he was such an advocate for corporate parenting. He said that this type of facility was a key provision but he was confused that Children's Services had not identified a need for this type of provision as he believed there was a need. Councillor Lindley said that he was leaning towards supporting the approval of the application but would listen to the debate. He stated that he thought Children's Services should have provided a more detailed statement about the application.

Councillor Bright said that he was typically in favour of these types of applications, and there hadn't been lots of objections to the application as there usually was. He said that the evidence from Humberside Police seemed to be that there weren't any issues. Councillor Bright said that he did have an issue when it was outlined in the officer's report that there would be no impact to highways and the property would have the same movements as typical residential households but when there were five staff with shift changes, that was in his view going to generate more vehicle movements. He stated that he thought it was disingenuous to say that there would be no impact on vehicular movements. Councillor Bright said that he supported the basic principle of the application.

Councillor Goodwin said that the proposal was something that was needed and she felt a lot better about the development as it would be inspected by Ofsted. She said that Humberside Police were happy with the application.

Councillor Hudson said that he had been torn on the application but had now been convinced by Councillor Goodwin.

Councillor Mayne said that whilst we did need this type of facility, he thought that due to the high turnover of residents at the property and their age he thought anti-social behaviour was inevitable. He thought the local concerns were valid.

Councillor Emmerson echoed what Councillor Beasant had said. He said that the property was in his ward and he was aware of issues. Councillor Emmerson said that the officer's report was vague and Children's Services seem to not have made their mind up on the application. He said that we did need these types of provision in the borough, but he didn't think enough information had been provided to the Planning Committee.

Mrs Jarvis stated that the statement from Children's Services was summarised in the agenda papers. She read out the full statement they had provided.

Councillor Lindley proposed that the application be approved with conditions.

Councillor Goodwin seconded the proposal to approve the application with conditions.

Councillor Bright said that he had been under the assumption that the property would be used for the children from our borough, but he had just heard from the statement from Children's Services that it was going to be used for children from other areas. He said that he agreed with the principle of the development but that statement from Children's Services had confused him.

The Chair asked if that was a material planning consideration.

Mrs Jarvis stated that the Planning Department could not control where the children were from that would live at the property.

Councillor Goodwin said that Trusted Steps would be the provider and Children's Services did use private providers in the borough.

Councillor Dawkins said that the facility was needed and should be welcomed.

Councillor Emmerson asked about the parking dispute raised by Councillor Beasant and the ownership of that parking space.

Mrs Jarvis said as part of the application process, if there were any other interests in the land, they would have to serve notice. She said that the applicant served a Certificate B to two other owners and the applicant had signed legally to say the other parties have a legal interest in the land. Mrs Jarvis said that if there was a legal challenge about a parking space, that would be dealt with separately.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 9 for 2 against for the application to be approved with conditions.)

## **P.14**

### **PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The committee received plans and applications determined by the Director of Economy, Environment and Infrastructure under delegated powers during the period 28<sup>th</sup> May – 25<sup>th</sup> June 2026.

RESOLVED – That the report be noted.

**P.15 PLANNING APPEALS**

The committee received a report from the Director of Economy, Environment and Infrastructure regarding outstanding planning appeals.

RESOLVED – That the report be noted.

**P.16 EXCLUSION OF PRESS AND PUBLIC**

RESOLVED – That the press and public be excluded for the following business on the grounds that its discussion was likely to disclose exempt information within paragraph 6 of Schedule 12A of the Local Government Act 1972 (as amended).

**P.17 ENFORCEMENT ISSUES**

The committee considered any requests from any member of the committee to discuss any enforcement issues.

RESOLVED – That the enforcement matters raised by committee members be further investigated.

There being no further business, the Chair closed the meeting at 12.05pm.

## Minute of the Planning Committee

### 8th July 2026

**Item:** 1

**Application Number:** 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

|                                                                                                                                                     |                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>Applicant's Name and Address:</b><br>Lidl GB Ltd, YPG FAB 2 Ltd, Seaside<br>Getaways Ltd And Church Lane<br>Humberston Limited<br>C/o Lichfields | <b>Agent's Name and Address:</b><br>Mr James Cox<br>Lichfields<br>St Pauls Street<br>Leeds<br>LS1 2JG |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|

**Deposited:** 22nd December 2022

**Accepted:** 26th January 2023

**Expiry Date:** 27th April 2023

**Agreed Extension of Time Date:**

**Case Officer:** Cheryl Jarvis

**Decision:**     Deferred

- 1     It was resolved that this application be deferred for consideration of the late representation received.

## Minute of the Planning Committee 8th July 2026

**Item:** 2

**Application Number:** 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)

|                                                                                                                                         |                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant's Name and Address:</b><br>Mrs Louisa Pungi<br>Liam G Builders Limited<br>Roundhill<br>Peppin Lane<br>Fotherby<br>LN11 0UW | <b>Agent's Name and Address:</b><br>Mr Richard Likupe<br>C/O Applicant<br>Roundhill<br>Peppin Lane<br>Fotherby<br>LN11 0UW |
|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|

**Deposited:** 31st March 2025

**Accepted:** 30th June 2025

**Expiry Date:** 25th August 2025

**Agreed Extension of Time Date:** 10th July 2026

**Case Officer:** Lauren Birkwood

**Decision:** 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 with a maximum height of 7.8 metres above existing ground level.

**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](mailto: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](http://www.nelincs.gov.uk) to view the comments.

## Minute of the Planning Committee 8th July 2026

**Item:** 3

**Application Number:** 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)

|                                                                                                                                                                       |                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant's Name and Address:</b><br>Lisa Thompson<br>C/O Unit 12 Cleethorpes Business Centre<br>Jackson Place<br>Wilton Road<br>Humberston<br>Grimsby<br>DN36 4AS | <b>Agent's Name and Address:</b><br>Mr Dieter Nelson<br>Dieter Nelson Planning Consultancy<br>Unit 12 Cleethorpes Business Centre<br>Jackson Place<br>Wilton Road<br>Humberston<br>Grimsby<br>DN36 4AS |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Deposited:** 18th March 2026

**Accepted:** 18th March 2026

**Expiry Date:** 13th May 2026

**Agreed Extension of Time Date:** 10th July 2026

**Case Officer:** Becca Soulsby

**Decision:** 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).

## Minute of the Planning Committee 8th July 2026

**Item:** 4

**Application Number:** 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

|                                                                                                               |                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant's Name and Address:</b><br>Mr And Mrs Cain<br>Bradley Wood<br>Church Lane<br>Bradley<br>DN37 0AB | <b>Agent's Name and Address:</b><br>Mr M McTurk<br>C/O Mr and Mrs Cain<br>Bradley Wood<br>Church Lane<br>Bradley<br>DN37 0AB |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|

**Deposited:** 9th May 2025

**Accepted:** 27th May 2025

**Expiry Date:** 22nd July 2025

**Agreed Extension of Time Date:** 10th July 2026

**Case Officer:** Lauren Birkwood

**Decision:** 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.

- 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](mailto: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 Northern Powergrid, Cadent Gas and the Council's Ecology Officer. Please go to [www.nelincs.gov.uk](http://www.nelincs.gov.uk)

to view the comments.

## Minute of the Planning Committee 8th July 2026

**Item:** 5

**Application Number:** 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

|                                                                                                                                                 |                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant's Name and Address:</b><br>Mr Adam Rowlands<br>Bull Rush Lakes<br>Tetney Road<br>Humberston<br>North East Lincolnshire<br>DN36 4JE | <b>Agent's Name and Address:</b><br>Miss Mia Redburn<br>Ross Davy Associates<br>Pelham House<br>1 Grosvenor Street<br>Grimsby<br>North East Lincolnshire<br>DN32 0QH |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Deposited:** 14th November 2025

**Accepted:** 14th November 2025

**Expiry Date:** 9th January 2026

**Agreed Extension of Time Date:** 17th July 2026

**Case Officer:** Becca Soulsby

**Decision:** 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 and documents:

RD5790 - 01 - REV - A - Site Location Plan  
RD5790 - 03 - REV - H - Proposed Block Plan  
RD5790 - 04 - REV - A - Proposed Lodge Plans and Elevations  
RD5790 - 07 - REV - 0 - Proposed Landscaping Plan  
RD5790LA-04-11-25 - Design and Access Statement  
RD5790LA-15-12-25 - Sequential Assessment  
RD5790LA-04-11-25-REV-B - Flood Risk Assessment  
RD5790LA-12-01-26-REV-A - Flood Warning and Evacuation Plan

Reason

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

- 3 Condition  
The fishing holiday lodge shall be used and occupied solely as holiday accommodation only in conjunction with and ancillary to the fishing lakes located at Bull Rush Lakes, Tetney Road, Humberston, DN36 4JE and shall not be occupied or used as a person's sole or main place of residence.

Reason

This condition is imposed as the proposed accommodation is only considered acceptable as holiday accommodation in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 4 Condition  
The owners/occupiers of the site shall maintain a central up to date register of the names of all occupiers of the hereby approved fishing holiday lodge and their main home address and shall make this information available on request to the Local Planning Authority.

Reason

The fishing holiday lodge is 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).

- 5 Condition  
The fishing holiday lodge hereby approved shall not be occupied between 1st November (or the following Sunday, if October school half term extends into November) in any one year and 14th March in the following year.

Reason

To ensure the lodge is 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 Paragraph 172 of the National Planning Policy Framework and Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6 Condition

The development shall be carried out and occupied in strict accordance with the Flood Warning and Evacuation Plan referenced RD5790LA-12-01-26-REV-A for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure safety in the event of a flood for the occupants of the proposed development and future occupants and in accordance with Policy 33 of the North East Lincolnshire Local Plan (adopted 2018).

7 Condition

The proposal shall be constructed using materials specified within the application form and on the approved plans received 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).

8 Condition

Development shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall provide details for:-

- The hours of construction; and
- Means of suppressing dust and noise.

Development shall then be undertaken in accordance with the Construction Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason

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

9 Condition

The landscaping shall be implemented with the next available planting season upon completion of construction of the fishing holiday lodge in strict accordance

with the Landscaping Plan referenced RD5790 - 07 - REV - 0 and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants that die within the first 5 years shall be replaced with those of the same species and standard within the next available planting season after failure.

**Reason**

In the interests of ecological enhancement and visual amenity to accord with Policies 5, 22, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

**10 Condition**

Development shall not commence until a Landscape Ecological Management Plan, for the landscaping scheme approved under Condition 9 (Landscaping), has been submitted to and approved in writing by the Local Planning Authority. Development shall then be implemented and maintained in accordance with the Landscape Ecological Management Plan unless otherwise agreed in writing with the Local Planning Authority.

**Reason**

In the interest of habitat and bio-diversity improvement and protection in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

**11 Condition**

Surface water drainage shall be installed as shown on plan RD5790 - 03 - REV - H which shall be implemented before the fishing holiday lodge is brought into use and shall thereafter be so retained unless an alternative is submitted to and approved in writing by the Local Planning Authority.

**Reason**

In the interests of flood risk and drainage and to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

**12 Condition**

No development shall commence until a final scheme for the provision of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and the foul water drainage implemented prior to occupation.

**Reason**

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

13 Condition

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with an 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. The development shall be undertaken and operated in accordance with the details approved.

Reason

In the interests of ecology and to accord with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

14 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 approach taken in the submitted sequential test is considered to be appropriate in that it demonstrates that there no available sites outside of flood risk for this particular development given its limited size and inherent links to the host fishing complex it would serve. In terms of the exceptions test, it would benefit the rural economy and in doing so support the existing business providing wider sustainability benefits. Additionally, it has been deemed to be safe through its design and conditions can be used to ensure occupancy for flood risk.
- 2 Added Value Statement  
Article 31(1)(cc) Statement - Positive and Proactive Approach  
No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.
- 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  
Please note the informative advice from the Environment Agency and Cadent Gas.

## Minute of the Planning Committee

### 8th July 2026

**Item:** 6

**Application Number:** 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

|                                                                                                                                                                                                    |                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant's Name and Address:</b><br>Mr J Collis<br>Willow Lakes Leisure Park<br>Willow Lakes<br>Ashby Hill Top Farm<br>Barton Street<br>Ashby Cum Fenby<br>North East Lincolnshire<br>DN37 0RU | <b>Agent's Name and Address:</b><br>Mr Daniel Snowden<br>Ross Davy Associates<br>Pelham House<br>1 Grosvenor Street<br>Grimsby<br>North East Lincolnshire<br>DN32 0QH |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Deposited:** 26th March 2026

**Accepted:** 20th May 2026

**Expiry Date:** 15th July 2026

**Agreed Extension of Time Date:**

**Case Officer:** Bethany Loring

**Decision:** 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.
- 3 Informative  
The application is exempt from BNG requirements as 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.  
  
\* "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.

## Minute of the Planning Committee 8th July 2026

**Item:** 7

**Application Number:** 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)

|                                                                                                                                                     |                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| <b>Applicant's Name and Address:</b><br>Miss Nadine Buttigieg<br>Trusted Steps<br>28 Heneage Road<br>Grimsby<br>North East Lincolnshire<br>DN32 9ES | <b>Agent's Name and Address:</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|

**Deposited:** 15th May 2025

**Accepted:** 2nd April 2026

**Expiry Date:** 28th May 2026

**Agreed Extension of Time Date:** 10th July 2026

**Case Officer:** Lauren Birkwood

**Decision:** 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 person 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](http://www.nelincs.gov.uk) to view.