

Planning Committee Dated: 28th October 2026

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/0662/26/FUL
Application Type:	Full Application
Application Site:	10 Whites Road Cleethorpes North East Lincolnshire DN35 8RP
Proposal:	Retrospective application for proposed change of use of existing outbuilding to barber studio with alterations to door and window with associated works - Supporting information rec 02-10-2026
Applicant:	Miss Chelsey Millman
Case Officer:	Lauren Stinson

Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/0502/24/FUL
Application Type:	Full Application
Application Site:	Healing Manor Stallingborough Road Healing North East Lincolnshire
Proposal:	Variation of Condition 2 (Noise Abatement), Condition 3 (Management Plan) and Condition 5 (Outside Speakers) attached to DM/0505/16/FUL to allow amplified music to be played outside with a maximum number of 3 events per year - Amended description
Applicant:	Mrs Charlotte Bennett
Case Officer:	Lauren Stinson

Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0007/26/FUL
Application Type:	Full Application
Application Site:	42 Hollingsworth Avenue Immingham North East Lincolnshire DN40 2ET
Proposal:	Erect first floor extension to rear to create three self-contained flats to include creation of external cycle/bin store areas, new boundary treatments, alterations to existing vehicle access point with various associated works (amended plans received July 2026 to internalise two staircases and addition of high level windows within first floor side elevation)
Applicant:	Mr Noel-Dilibarajah Ernest
Case Officer:	Becca Soulsby

Recommendation: Approved with Conditions	
Item:	4
Application No:	DM/0029/26/FUL
Application Type:	Full Application
Application Site:	Franklin College Chelmsford Avenue Grimsby North East Lincolnshire
Proposal:	Creation of an Artificial Grass Pitch (APG) with perimeter fencing, access gates, floodlighting columns, storage container, access footpath, hardstanding areas and associated works - FLOOD RISK ASSESSMENT REC - 08-09-26
Applicant:	Mr Matthew Donson
Case Officer:	Lauren Stinson

Recommendation: Approved with Conditions	
Item:	5
Application No:	DM/0538/26/FUL
Application Type:	Full Application
Application Site:	Car Park, British Legion Barnoldby Road Waltham North East Lincolnshire
Proposal:	Retrospective application for erection of steel storage container with associated works
Applicant:	Keith Smith
Case Officer:	Becca Soulsby

PLANNING COMMITTEE - 28th October 2026

ITEM: 1 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0662/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 10 Whites Road, Cleethorpes, North East Lincolnshire, DN35 8RP

PROPOSAL: Retrospective application for proposed change of use of existing outbuilding to barber studio with alterations to door and window with associated works - Supporting information rec 02-10-2026

APPLICANT:

Miss Chelsey Millman
10 Whites Road
Cleethorpes
North East Lincolnshire
DN35 8RP

AGENT:

DEPOSITED: 19th August 2026

ACCEPTED: 7th September 2026

TARGET DATE: 2nd November 2026

PUBLICITY EXPIRY: 23rd October 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 23rd October 2026

CASE OFFICER: Lauren Stinson

PROPOSAL

This proposal seeks retrospective planning permission to change the use of an existing outbuilding within the rear garden of 10 Whites Road in Cleethorpes into a barber studio including external alterations.

The application has been brought to planning committee due to the number of objections received from neighbouring properties, and it has been called in by Councillor Morland.

SITE

The proposal site is a terraced two storey property located on Whites Road in Cleethorpes. The property benefits from a small front and rear garden. The rear garden

contains an existing outbuilding. The boundaries on the site are predominately brick walls and fencing.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DM3 - Determining development proposals
DM6 - Use of planning conditions and obligations
S4 - Principle of development within settlements
TC3 - Main town centre uses outside town centre
TC4 - Assess impact- development on town centres
DP3 - Key principles for well-designed places
DP4 - The design process
TR3 - Locating development-sustainable locations
TR4 - Street design, access and parking
P3 - Living conditions and pollution
P5 - Maintaining public safety and security
N2 - Improving the natural environment

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

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

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

Council's Drainage Officer - No comments.

Council's Heritage Officer - No comments.

Council's Ecology Officer - No comments. BNG not required.

Council's Tree Officer - No comments.

Crime Reduction Officer - Raised concerns regarding gate arrangement and use by non-residents.

Environment Agency - No comments.

Other Representations

Grimsby, Cleethorpes & District Civic Society - Supports the business, however raises concerns regarding gated access.

Councillor Morland - Call to Committee. Concerns as Ward Councillor that proposal is affecting other peoples security and amenity.

Neighbour Representations

The following object to the proposal:

4, 14, 18 Whites Road, Cleethorpes
11, 16, 17, 21, 23, 27, 28 Nicholson Street, Cleethorpes
61 Coronation Road, Cleethorpes
C/O 29-31 High Street, Cleethorpes
2 The Point, Sea View Street, Cleethorpes
39 Grange Road, Doncaster

On the following grounds:

- Antisocial behaviour and safety concerns regarding the use of the alleyway
- Privacy concerns
- Highways and parking issues
- Noise and disturbance
- Impact on residential character

The following support the proposal:

20 Whites Road, Cleethorpes
230 Grimsby Road, Cleethorpes
33 Langton Road, Grimsby
15 Hyacinth Drive, Grimsby
32 Clarendon Road, Grimsby

4 Saint Anns Avenue, Grimsby
62 Phyllis Avenue, Grimsby
24 Lambert Road, Grimsby
15 Bristol Avenue, New Waltham
11 Honningsvaag Close, New Waltham
3 Hazel Court, Barnoldby le Beck
Fanthorpe Lawn Farmhouse, Grimsby Road, Louth
5 Upgate, Louth

On the grounds that:

- The business is positive in this area
- Low intensity use
- The alleyway is secure
- Nature of alterations modest

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Residential Amenity
- Visual Amenity
- Highways and Parking
- Other Matters

Principle of Development

The site is within Cleethorpes urban area. Policy 5 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018) does not prohibit such uses or development in this area in principle, subject to an assessment of the site specific impacts. As such, the proposal is acceptable in principle under Policy 5 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018).

A barber studio is a class E retail use and whilst these are typically located in town and local centres it is not unusual for sole traders to work from home. The floorspace of the unit is well below the 200 sq.m or more floor space defined under Local Plan Policy 23 when a retail impact assessment is required. It is not considered that there are any principle concerns under Policy and it the site specifics which are the main consideration.

Residential Amenity

The objections received from neighbouring properties are noted, with particular concerns regarding noise disturbance, privacy and safety concerns. The support for the application is also acknowledged.

The minor physical alterations undertaken to the outbuilding are also modest in nature and, having regard to the relationship with surrounding properties, are not considered to result in any residential amenity issues.

The barber studio itself is situated within a small existing outbuilding within the rear garden of the host dwelling. The Council's Environmental Health Officer has reviewed the information submitted, including the proposed hours of operation, appointment arrangements and potential for noise disturbance arising from the use. No objections have been raised, subject to a condition restricting the hours of operation.

The use would operate on an appointment-only basis and, having regard to the relatively small-scale nature of the business, its location within an existing domestic outbuilding and the proposed restrictions on operating hours, it is considered that the use can operate without giving rise to unacceptable levels of noise or disturbance to neighbouring residents. However there are concerns as to the means for customer access.

Customers are currently accessing the barber studio via the gated rear alleyway serving the surrounding residential properties and this is a relatively long and narrow route to the rear of residential property. This is a gated alleyway with restricted access. Concerns have been raised by neighbouring residents regarding this arrangement, particularly in respect of security and the introduction of non-residents into what is otherwise a controlled access area. The Crime Reduction Officer has also raised a concern from a safety perspective. Providing customers with regular access to the gated area could undermine the effectiveness of this arrangement by increasing access by non-residents and could consequently increase residents' fear of crime and reduce their sense of security when using the shared space. This security and amenity issue is considered to be a material land use planning concern under Local Plan Policy 22 and the use of this access would justify a planning objection.

In response the application has been amended so that customers would no longer access the barber studio via the rear alleyway. Instead, customers would enter and exit through the host property at 10 Whites Road. This represents a more appropriate arrangement, as customers would not require access to the gated alleyway and consequently addresses the principal security concerns associated with the originally proposed access. A condition is recommended to secure this arrangement and it is also recommended that a temporary permission be granted so the acceptability of the use complying with this access arrangement can be assessed for 12 months.

In this regard, subject to the recommended conditions, the proposal is acceptable and accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Visual Amenity

The site is within a predominately residential area. There have been minor alterations to the outbuilding including new doors and windows. However, the outbuilding is situated to

the rear of the host property, therefore views from Whites Road are restricted. The external appearance otherwise remains as existing and as a typical residential outbuilding. The operation of the business is confined within the existing cartilage of the property, with no visual alteration to the frontage of the host dwelling itself. There are views from the rear alleyway but these are limited. It is therefore considered that the impact to the character and appearance of the barber studio and area is acceptable.

As such, the proposal does not harm visual amenity and accords with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Highways and Parking

It is noted that comments have been received with concerns regarding parking. The site is within a sustainable location in Cleethorpes with bus links close by. The applicant has however provided details as part of the submission, stating that appointments are staggered and this helps to reduce overlapping parking demand. Furthermore, this is a sole enterprise with no staff proposed.

The Council's Highways Officers have reviewed the details provided and have confirmed they have no objections to the proposal. As such, the proposal accords with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Other Matters

The Council's Ecology Officer has no objections to the proposal. In terms of Biodiversity Net Gain the proposal is exempt.

CONCLUSION

It is not considered that the use results in unacceptable harm to the character of the area, residential amenity or highway safety or parking given the small-scale and low-key nature of the business, together with its operation on an appointment-only basis and the proposed restrictions on opening hours and use of the alleyway.

Nevertheless, having regard to the relationship of the use with neighbouring residential properties and the newly proposed restriction on the use of the alleyway it is considered appropriate to grant permission for a temporary period to enable the Local Planning Authority to monitor the operation of the business and its impact upon neighbouring residential amenity before considering its permanent retention.

The proposal is therefore considered acceptable, subject to appropriate safeguarding conditions, and accords with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

The use of the outbuilding as a barber studio shall cease from the 28th October 2027 after which time it shall be used only for domestic use incidental to the enjoyment of 10 Whites Road 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 Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

The development is approved in accordance with the following plans and documents:

Site Location Plan - Received 2nd September 2026

Proposed Block Plan - Received 5th September 2026

Proposed Floor Plan and Elevations - Received 5th September 2026

Operational Management Statement - Received 2nd October 2026

Reason

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

(3) Condition

No activities shall take place at the premises outside of the times specified below:

Monday to Saturdays 08:00hrs to 18:00hrs

Nor at any time on Sundays, Public and Bank Holidays

Reason

The use of the premises outside of these hours would be detrimental to the residential amenity of the area by virtue of noise and disturbance in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The approved barber studio shall not be let, sold or disposed of separately from the main dwelling at 10 Whites Road.

Reason

To protect residential amenity in view of the proximity to the main dwelling and access in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

The barber studio shall operate in strict accordance with the submitted Operational Management Statement (Received 2nd October 2026) including the client access arrangements. There shall be no customer access via the rear alleyway.

Reason

In the interest of residential amenity and safety 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 including crime reduction. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), in particular Policies 5 and 22.

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 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.

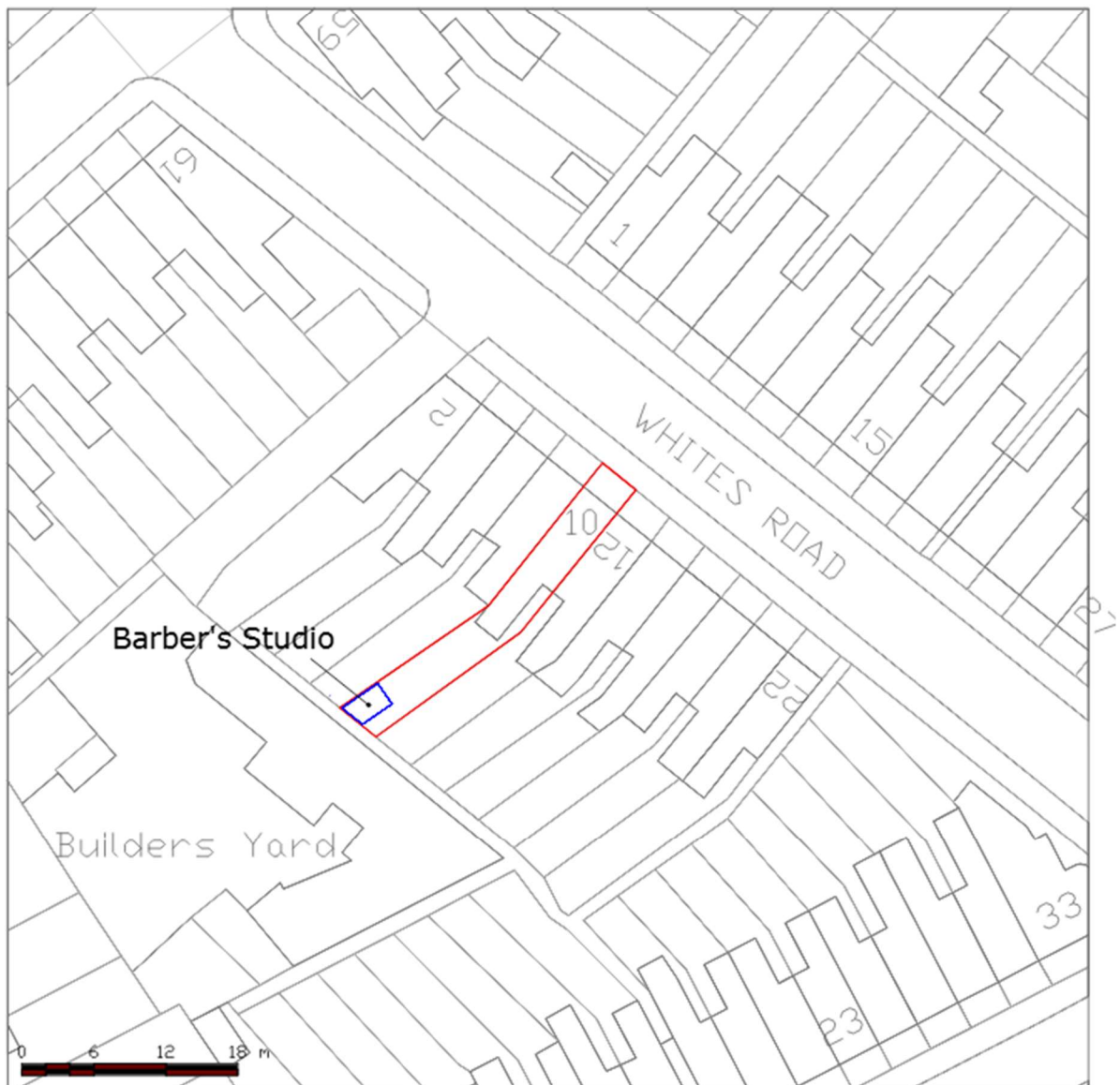
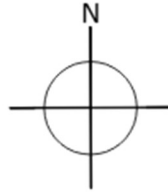
4 Informative

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).

DM/0662/26/FUL – 10 WHITES ROAD, CLEETHORPES



DM/0662/26/FUL – 10 WHITES ROAD, CLEETHORPES



PLANNING COMMITTEE - 28th October 2026

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

APPLICATION No: DM/0502/24/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Healing Manor , Stallingborough Road, Healing, North East Lincolnshire, DN41 7QF

PROPOSAL: Variation of Condition 2 (Noise Abatement), Condition 3 (Management Plan) and Condition 5 (Outside Speakers) attached to DM/0505/16/FUL to allow amplified music to be played outside with a maximum number of 3 events per year - Amended description

APPLICANT:

Mrs Charlotte Bennett
Healing Manor Hotel
Healing Manor
Stallingborough Road
Healing
North East Lincolnshire
DN41 7QF

DEPOSITED: 29th May 2024

AGENT:

Mr James Lockwood
Studio Lockwood
Flat B
5 Albert Road
Cleethorpes
DN35 8LX

ACCEPTED: 18th February 2025

TARGET DATE: 15th April 2025

PUBLICITY EXPIRY: 2nd October 2026

AGREED EXTENSION OF TIME DATE: 20th June 2025

CONSULTATION EXPIRY: 20th March 2025

CASE OFFICER: Lauren Stinson

PROPOSAL

This application is to vary conditions 2 (Noise Abatement), 3 (Management Plan) and 5 (Outside Speakers) attached to DM/0505/16/FUL (Retrospective application for change of use and alterations of outbuildings/stables to hotel bedrooms, function room with office over and public house in association with existing hotel) to allow amplified music to be played outside with a maximum number of 3 events per year.

The application is brought to committee as it had been called in by ex Councillor Hasthorpe.

SITE

The site is the Healing Manor complex on the edge of the village of Healing. The site is located outside of the Development Boundary for the village as set out in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). Part of the site is also designated as a Scheduled Ancient Monument (SAM), however, none of the works are within the defined SAM area.

The main Healing Manor building operates as a hotel. It is set in extensive grounds which includes two lakes and various bits of woodland, mainly extending to the south west. Access to the complex is off Stallingborough Road, the access track serves both the Healing Manor complex and Healing church (Church of St Peter and St Paul) the church is Grade 2 listed. Healing Manor and its outbuildings is considered to be an undesignated heritage asset. A public footpath runs through the site from Stallingborough Road to the open agricultural land beyond Healing Manor. The footpath winds between the old boat house and an old barn (now the function suite).

RELEVANT PLANNING HISTORY

DC/1310/06/WOL - Convert the existing Healing Manor into a 19 bed hotel - Approved with Conditions.

DC/636/07/WOL - Convert existing outbuildings into hotel accommodation, bar, restaurant, conference suite, managers accommodation, office, gym, spa, beauty rooms and site marquee in the grounds - Approved with Conditions.

DM/0505/16/FUL - Retrospective application for change of use and alterations of outbuildings/stables to hotel bedrooms, function room with office over and public house in association with existing hotel - Approved with Conditions.

DM/0256/22/CND - Details in Discharge of Condition 2 (Noise Abatement Plan) following DM/0505/16/FUL - Condition Complied With.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

- DM3 - Determining development proposals
- DM6 - Use of planning conds and obligations
- S5 - Principle of develop-outside settlements
- E2 - Meet need for business land and premises
- DP3 - Key principles for well-designed places
- DP4 - The design process
- P3 - Living conditions and pollution
- P4 - Impact of development on exist activity

N2 - Improving the natural environment
HE4 - Secure conservation of heritage assets

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

Council's Environmental Health Officer - No objections, subject to conditions.

Council's Highways Officer - No objections.

Council's Heritage Officer - No comments.

Council's Tree Officer - No comments.

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

Council's Drainage Officer - No comments.

Council's Ecology Officer - No comments.

Healing Parish Council - No objections.

Councillor Hasthorpe - Call in to planning committee for proposal to be discussed.

Neighbour Representations

1 and 1A Stallingborough Road, Healing - Objects to the proposal with concerns regarding noise pollution and increase traffic issues.

The following residents support the proposal:

9, 20, 21 Radcliffe Road, Healing
32, 73 Larkspur Avenue, Healing
2, 6 Cornflower Close, Healing
2, 5 Nicholson Road, Healing
47, 49 Clematis Avenue, Healing
40 Poplar Road, Healing
20, 32 Oak Road, Healing
26, 28 Fords Avenue, Healing
25 Meadow Drive, Healing
3, 23 The Avenue, Healing
Oaklands, Aylesby Lane, Healing
9 Ivy Farm Court, Healing
Arley, Carr Lane, Healing
Iona, Low Road, Healing
4 Beverley Court, Healing
5 Sackville Street, Grimsby
18 Pendeen Close, New Waltham
130 Station Road, Stallingborough

On the following grounds:

- The venue plays an important role in the community
- Will help the business continue to thrive
- Existing events managed appropriately

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Neighbouring Amenity
- Other Matters

Principle of Development

The principle of development on this site has been well established through the previous permissions on the site, namely DM/0505/16/FUL. This proposal seeks to vary the requirements of conditions 2 (Noise Abatement), 3 (Management Plan) and 5 (Outside Speakers) to allow amplified music to be played outside with a maximum number of 3 events per year.

S.73 of the TCPA 1990 allows for applications for amendments to be made to an existing planning permission, the application is then considered against the relevant Policies of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

It is considered that in principle the proposed amendments are acceptable subject to the

site specific impacts. These are discussed below.

Neighbouring Amenity

The application seeks to vary conditions attached to DM/0505/16/FUL to allow amplified music to be played externally in association with a maximum of three events per calendar year. It is noted that comments have been received from neighbouring properties with concerns regarding noise pollution.

When originally submitted, the application sought permission for up to twelve outdoor events per year involving amplified music. The proposal was assessed by the Council's Environmental Health Officer, who raised concerns regarding the potential impact of noise on nearby residential properties resulting from the number and frequency of events.

In support of the application, the applicant has provided a Noise Impact Assessment together with supporting information detailing the nature of the proposed events. This information confirms that the events are anticipated to comprise occasional outdoor functions, such as weddings, and provides details relating to event management arrangements, expected guest numbers, complaints procedures and the proposed event locations. The submitted information identifies that the events would predominantly take place to the rear of the site, directing activity away from the nearest neighbouring residential properties.

Following discussions with the Council's Environmental Health Officers, the application has been amended to reduce the maximum number of outdoor events involving amplified music from twelve to three per calendar year. Furthermore, the applicant has agreed that any permission granted can be limited to a temporary period of 12 months to enable the operation of the events and any associated impacts to be monitored and reviewed.

The amended proposal and supporting information have subsequently been reviewed by the Council's Environmental Health Officer, who has confirmed that the information submitted is acceptable and raises no objection to the development subject to the proposed controls. The reduction in the number of events, together with the event management measures proposed, the siting of the events predominantly to the rear of the premises and the temporary nature of the permission, is considered to significantly reduce the potential for adverse noise impacts on neighbouring occupiers.

Whilst it is acknowledged that a degree of additional noise may arise during the limited number of permitted events, it is considered that there is an appropriate balance between supporting the operation of the venue and safeguarding the amenities of nearby residents. Subject to the proposed controls and temporary 12 month permission, the development is not considered to result in unacceptable harm to residential amenity.

It should also be noted that the submission now includes a Management Plan which was a requirement of the original permission. The document provides details regarding the

management of external events, including operational procedures, site supervision, guest management, security measures, complaints handling arrangements and the management of external areas associated with the venue.

The submitted Management Plan has been reviewed by the Council's Environmental Health Officer, who confirms that the information provided is satisfactory. This is recommended to be conditioned.

Having regard to the above the proposal is considered acceptable in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Other Matters

The application has been reviewed by other consultees including the Council's Highways Officer and Heritage Officer. They have no objections to the application. Furthermore, as a variation application, it is considered that the application is exempt from the mandatory BNG requirements. This is agreed by the Council's Ecology Officer.

CONCLUSION

The application seeks to vary Conditions 2 (Noise Abatement), 3 (Management Plan) and 5 (Outside Speakers) attached to planning permission DM/0505/16/FUL to permit amplified music to be played outdoors in association with a maximum of three events per calendar year.

During the course of the application, the proposal has been amended to significantly reduce the number of proposed events from twelve to three per annum, and the applicant has agreed to a temporary 12-month trial period to enable the operation and any associated impacts to be monitored.

Having regard to the limited number of events proposed, the management measures to be implemented, the location of the events predominantly to the rear of the site, and the recommended temporary nature of any permission it is considered that the proposal would not result in unacceptable harm to the amenities of neighbouring occupiers. The proposed variation of conditions would therefore accord with the objectives of the National Planning Policy Framework and the policies set out in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

The use of the site for up to the three events specified in Supporting Statement (received

30th September 2026) including any loudspeakers or amplified entertainment in an external location within the site shall cease within 12 months of commencement of the first event (with the date of commencement confirmed to the Local Planning Authority in writing when it occurs) 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 Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(2) Condition

The approved plans and documents are the following:

Supporting Statement - Received 30th September 2026
Noise Impact Assessment - NIA/11129/23/11386/V2
Management Plan - Received 19th May 2026

Approved under DM/0505/16/FUL:

Site Location Plan and Block Plan - DMC14367/100
Proposed Floor Plan and Elevations (Function Room) - DMC14367/101
Proposed Floor Plans (Function Room) and Proposed Floor Plan and Elevations (Boat House) - DMC14367/102
Proposed Floor Plans and Elevations (Stable) - DMC14367/103
Proposed Floor Plans and Elevations (Stable and Public House) - DMC14367/104

Reason

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

(3) Condition

The development shall operate in strict accordance with the following documents:

Supporting Statement - Received 30th September 2026
Noise Impact Assessment - NIA/11129/23/11386/V2
Management Plan - Received 19th May 2026

Reason

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

(4) Condition

The function suite and public house shall not be used outside of the following hours:

Monday to Saturday	8am to 12am (midnight)
Sundays, public and bank holidays	8am to 12am (midnight)

Reason

In the interests of residential amenity to accord 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 4.1 applies.

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

developments.

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

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

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

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

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

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

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

the number of dwellings in a building.

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

4.5 From 6 August 2026, BNG does not apply to planning applications for developments where the site area within the red line boundary is 0.2 hectares or below, provided the development does not have an adverse impact on an onsite priority habitat.

4.6 From 6 August 2026, BNG does not apply to short-term developments, provided the development does not adversely effect onsite priority habitat, if:

- the whole development is temporary
- planning permission is granted for 5 years or less

4.7 Self and Custom Build Development within an application received before 6th August 2026 applies, consisting of 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).

4.8 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, 39 and 41.

2 Added Value Statement

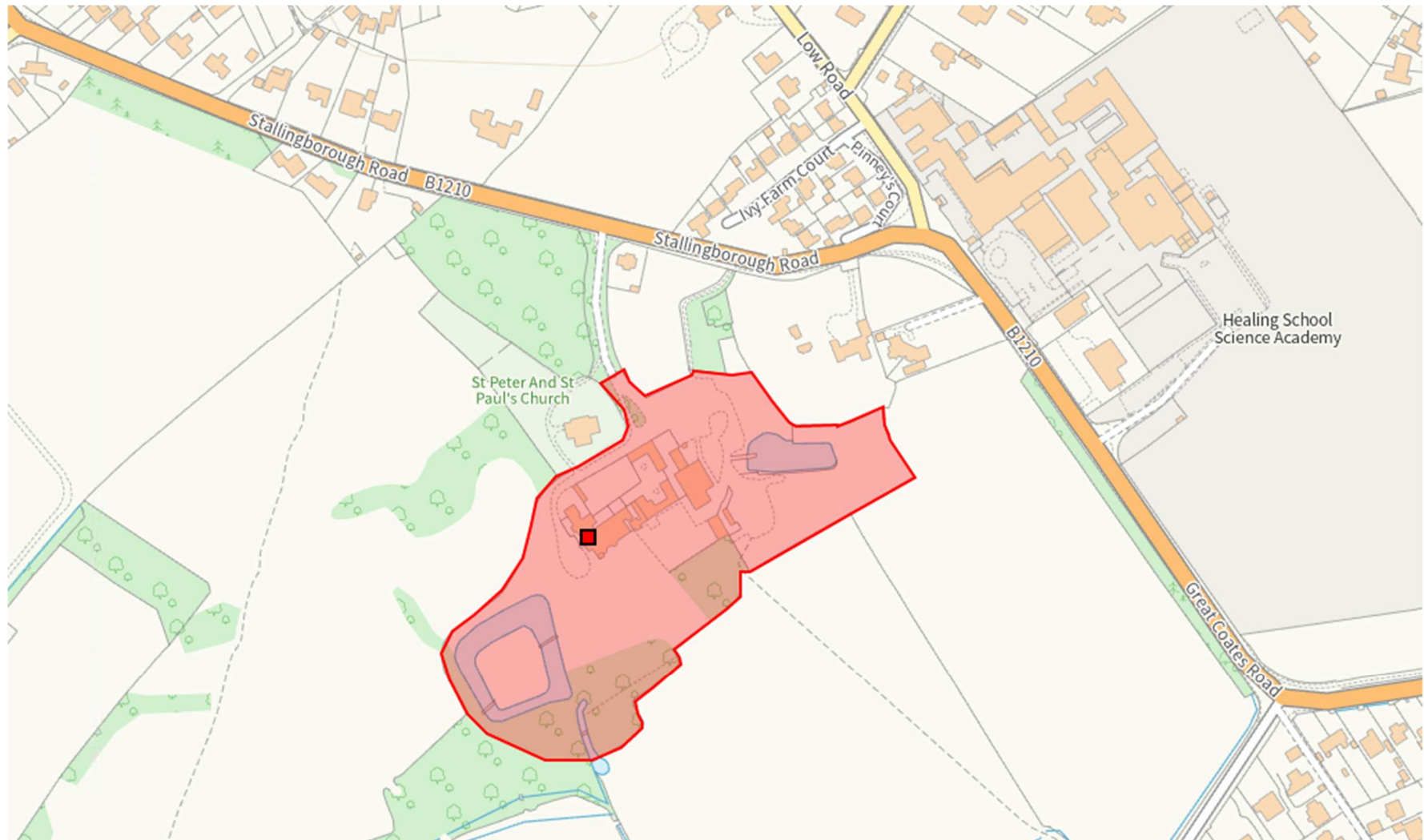
Article 31(1)(cc) Statement - Positive and Proactive Approach

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 amendments and additional information to overcome concerns.

3 Informative

At no time shall the Public Footpath that runs through the site be obstructed or blocked at any time.

DM/0502/24/FUL – HEALING MANOR, STALLINGBOROUGH ROAD, HEALING



DM/0502/24/FUL – HEALING MANOR, STALLINGBOROUGH ROAD, HEALING



PLANNING COMMITTEE - 28th October 2026

ITEM: 3 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0007/26/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: 42 Hollingsworth Avenue, Immingham, North East
Lincolnshire, DN40 2ET**

PROPOSAL: Erect first floor extension to rear to create three self-contained flats to include creation of external cycle/bin store areas, new boundary treatments, alterations to existing vehicle access point with various associated works (amended plans received July 2026 to internalise two staircases and addition of high level windows within first floor side elevation)

APPLICANT:

Mr Noel-Dilibarajah Ernest
42 Hollingsworth Avenue
Immingham
North East Lincolnshire
DN40 2ET

AGENT:

Mr Shahin Mohammed
SM10 Studio Architecture
2 West Chantry
Harrow
HA3 6NX

DEPOSITED: 6th January 2026

ACCEPTED: 12th May 2026

TARGET DATE: 7th July 2026

PUBLICITY EXPIRY: 18th October 2026

**AGREED EXTENSION OF TIME DATE: 26th
June 2026**

CONSULTATION EXPIRY: 20th February 2026 **CASE OFFICER: Becca Soulsby**

PROPOSAL

The proposal seeks planning permission to erect first floor extensions at the rear to create three self-contained flats. Works include the creation of external cycle and bin store areas, new boundary treatments, alterations to the existing vehicle access point and various associated works.

The application is brought to Planning Committee due to an objection from Immingham Town Council and due to the number of objections from neighbours.

SITE

42 Hollingsworth Avenue is a detached, mixed commercial and residential use property and is located to the northwest side of the road. The property is sited on the corner of the junction of Church Lane and Hollingsworth Avenue. An existing shop occupies part of the ground floor of the existing property, with residential use present elsewhere. The area surrounding the property is residential to the east, south and west of the application site, with a public park and play area present to the north of the site. The site is located within flood zone 1.

RELEVANT PLANNING HISTORY

None relevant.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

P3 - Living conditions and pollution
L2 - Making effective use of land
L3 - Achieving appropriate densities
HC7 - Develop affect exist recreation land/fac
S4 - Principle of develop-within settlements
DP3 - Key principles for well-designed places
HO7 - Meeting the need for homes
S3 - Presump in favour of sust development
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems,watercourse
N2 - Improving the natural environment

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

PO43 - Green space and recreation
PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO41 - Biodiversity and Geodiversity

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

2018).

REPRESENTATIONS RECEIVED

Consultees

Heritage - No heritage input required.

Environmental Health - Condition requested for the hours of construction / demolition. Informative advice requested in respect of soundproofing.

Highways - Approval with conditions to secure cycle storage facilities for the lifetime of the development, and the provision of full vehicle access details. Informative advice requested for a Section 184 License.

Drainage - Informative advice requested in respect of sustainable drainage methods.

Environmental Enforcement - Consultation with Waste Management recommended. Informative advice for the legislative requirements in respect of household waste.

Waste Management - Kerbside waste and recycling collections would be provided for all singular residential council tax paying properties. Informative advice in this respect.

Ecology - Proposal does not impact a priority habitat and impacts less than 25sqm of onsite habitat with a biodiversity value greater than zero and impacts less than 5m of onsite linear habitat. The de-minimus exemption for biodiversity net gain is considered to be met on this basis. Satisfied with the Biodiversity Net Gain Statement and welcome the enhancement measures as set out in Section 4.

Environment Agency - Consultation was not necessary.

Police Safer Communities Officer - No objections regarding anti-social behaviour or crime.

Immingham Town Council - Objection to the proposal. Concerns raised regarding the ownership of the land to be incorporated to facilitate the amended vehicle access point.

Neighbours

Tarn House Farm, Stirton - Father owns adjacent property (no. 40) and have had full use of land between 40 and 42 Hollingsworth Avenue with good access to the garden. Concerned new fence will reduce access to the garden. Original objection removed due to 2.065m gap proposed between the side elevation of 40 Hollingsworth Avenue and new fence line.

20 Hollingsworth Avenue - Objection due to practicalities of the build. Cut through is used

for residents to put bins out and access back gardens. Concerned shop may close. Raises concerns in respect of parking and antisocial behaviour.

24 Hollingsworth Avenue - Objection due to parking concerns and potential future occupiers. Raises whether people can extend gardens. Land between 40 and 42 Hollingsworth Avenue used by residents to move large items into gardens and homes.

28 Hollingsworth Avenue - Objection due to parking and antisocial behaviour concerns. Concerned over potential occupants of property. Advised that water stop cock for the street is on the land proposed to be encapsulated for the development. Question land between 40 and 42 Hollingsworth Avenue and asks if everyone can take the piece of land at the back of their houses.

40 Hollingsworth Avenue - Objection as wanting to buy / use land between 40 and 42 Hollingsworth Avenue which is used for bin access. Kids play on this land and garden gate opens onto this land with easy access to the shops and adjacent field. Concerned over proximity of bins to property and associated smells / rodents. Garden will be darker due to shadowing of the building. Concerns over noise / pollution from building work as well as drainage issues that extra 3 flats will make worse. Parking is difficult already and development will make this worse. Concerns over antisocial behaviour from flats. Concerned shop is being lost through development. Asks if they can take land within the access strip. Concerned about littering.

42A Stallingborough Road - Objection received, states they are the owner of 32 Church Lane and rent the property. Development would pose increased traffic and parking in an area that is busy due to proximity to two junctions, concerned about policing parking near junctions. Would make access to shops, park and schools more hazardous due to increase in parking and cars at junctions.

Other Representations

Grimsby and Cleethorpes District Civic Society - Neutral comment received. Support the provision of flats in Immingham however have concerns over the ambiguity regarding the strip of land / access / play area mentioned in the application.

APPRAISAL

The key planning considerations are:

1. Principle of Development
2. Design and Highways
3. Local Amenity
4. Flood Risk and Drainage
5. Ecology
6. Other Considerations

1. Principle of Development

The site is located within the defined development boundary of Immingham on the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) maps and is unallocated. The key applicable policies are considered to be Policies 5, 22, 22, 33, 34 and 41 of the NELLP 2018. The principle of the development is acceptable in policy terms subject to an assessment of the site-specific impacts.

There is a small section of the red line boundary for the application proposal, namely where the extended access is proposed, which is over land allocated for open space and woodland. As the proposal is not for this type of development, the application has been publicised and assessed as a departure from the NELLP. It is acknowledged that this section of land is allocated for open space and woodland covered under Policy 43, however the section of land proposed to be encapsulated within the site boundary is small and wraps around the corner, currently serving as a grassed verge adjacent to the host property boundary. It does not therefore perform a particular function as part of the wider open space to the north and its contribution to wellbeing and biodiversity is limited. As such, there is not considered to be an in principle issue with the encapsulation of this small piece of land to facilitate the widened property access.

2. Design and Highways

The proposal includes the erection of various extensions at first and ground floor levels to form three self-contained flats. The extensions are proposed at the rear and side of the existing property. A small infill, single storey extension is proposed to the eastern side elevation which will enable an enlargement of the existing ground floor kitchen area and accommodate the internal stairway to access Flat C. The extensions at first floor are proposed above the existing shop at ground floor level and incorporate a gabled roof with two roof lights proposed to the east facing roof slope. Within the rear elevation facing the car parking area, external stairs are proposed to access Flat B. Extensions are proposed to the existing single storey projected element of the scheme at the rear which include a first-floor extension above the existing shop storage area, as well as a two-storey rear extension to accommodate the internal stairway to access Flat A. At first floor level, openings are proposed to both side elevations with a doorway proposed at first floor within the rear elevation. The eastern elevation facing neighbouring properties along Hollingsworth Avenue proposes high-level windows to serve hallways, with slightly larger window openings proposed to bathrooms and stairway access space. The bathroom windows are to be conditioned to be obscurely glazed. Windows are proposed along the western elevation facing Church Lane and are proposed to serve living spaces, bedrooms and a bathroom. Again, the bathroom windows within this elevation are to be conditioned to be obscurely glazed. The front elevation is to remain unchanged. Due to the prominent position of the site on the corner of Hollingsworth Avenue and Church Lane, the extensions and alterations will be visible within the street scene and wider area, particularly along Church Lane and within the open space at the rear of the site. The design is acceptable and is considered to be akin to the character of the surrounding area. There is therefore considered to be no adverse impact posed to the street scene or

wider area character as a result of the works proposed.

In respect of the internal design, all three of the flats proposed are 1 bedroom / 1 person occupancy. The national space standards require a 1 storey dwelling to provide 39sqm minimum floor space with 1sqm of built-in storage space. In this regard, all three of the flats proposed are considered to meet the minimum space requirements.

The proposal includes the installation of new boundary treatments within the existing grassed area adjacent to the east elevation of the application site and 40 Hollingsworth Avenue. The fencing is proposed approximately 2 metres from the side elevation of the host property, leaving an approximate gap of 2 metres between the fencing proposed and the adjacent neighbour at number 40. This is proposed to extend along the extent of the side elevation of the host property, terminating in line with the rear boundary line. Within this area, shared amenity space is to be formed to include bin stores and cycles stores, as well as a gate within the front section of the fencing proposed. An appropriate condition will be required to retain the cycle stores for the lifetime of the development. Whilst the private amenity space is limited there is a public park directly to the north. The fencing is proposed at a height of 1.8 metres. The Police Crime Reduction Officer provides comment in relation to the narrowing of the existing walkway but does not object to the scheme. They advise that the addition of lighting may be beneficial. This is to be attached to a decision as informative advice.

The existing vehicle access to the site from Church Lane is proposed to be widened to accommodate on-site parking for three vehicles. The Highways Officer accepts that the site benefits from existing off-street parking which is to be retained and utilised as part of the proposals for the additional residential units. The existing access requires alterations in order to be acceptable for shared use which is to be subject to an appropriate condition for the full construction details. It is noted that Hollingsworth Avenue, Church Lane and surrounding residential streets provide off-street parking opportunities which could be used to accommodate any surplus parking demand beyond what is proposed within the site boundary. The Highways Officer is content with the access arrangements and considers that the proposal would not give rise to unacceptable impacts on road safety, nor that the intensification of the site itself would have any adverse implications on the efficient operation of the public highway. Informative advice is requested regarding the need for a Section 184 license for the access works.

In terms of the use of the site, it is accepted that due to the nature of the proposal for three residential flats, there will be an intensification of the use of the site. The existing shop is to be retained at ground floor level which has associated comings and goings. The flats are proposed to be 1-bedroom-1-person occupancy, therefore the number of comings and goings associated with the additional residential use of the site is considered to be minor in this regard and is not considered to pose an adverse impact to the character of the area as a result.

In light of the above, the proposal is considered to accord with Policies 5 and 22 of the NELLP 2018 in respect of design and highways considerations.

3. Local Amenity

The application site adjoins 40 Hollingsworth Avenue to the east, 13 and 15 Hollingsworth Avenue to the south, 32 and 34 Church Lane and 1 Pilgrims Way to the west, with a public park and play area present to the north of the site. Various neighbour objections have been received in relation to the proposal which are acknowledged and discussed below.

The key concern across objections received is in relation to parking. The concerns are acknowledged and have been addressed within the relevant section of this report. Additionally, concerns have been raised regarding the potential future occupiers of the flats proposed. This is not something that is able to be considered within the scope of the planning application. Some objections raised concern that the existing ground floor shop is to be closed to facilitate the development, this is not the case and is proposed to be retained. Concerns raised in relation to drainage are addressed within the relevant section of this report.

Objections cite concerns regarding antisocial behaviour arising from the residential flats proposed. Whilst concerns regarding anti-social behaviour have been raised by neighbours, no evidence has been provided to demonstrate that the proposed development would, by virtue of its scale, design or use, result in unacceptable levels of crime, disorder or nuisance. Such concerns are therefore afforded limited weight in the planning balance. Additionally, the Police Safer Communities Officer raises no objections to the scheme, with no concerns regarding anti-social behaviour or crime in this regard.

Part of the land between 40 and 42 Hollingsworth Avenue is proposed to be encapsulated to provide outdoor amenity space for the occupiers of the flats. Neighbours have raised objections to this land being utilised as it has formed a walkway between the properties for a long period of time and provides access to the park and rear gardens of the terraces along Hollingsworth Avenue. The concerns are acknowledged, however it is noted that the walkway is approximately 4 metres in width as existing, with an approximate 2 metre width of this proposed to be sectioned off and encapsulated into the development site. A walkway will remain between the 1.8-metre-high fence and the side boundary of 40 Hollingsworth Avenue of an approximate width of 2 metres, enabling access through this land for bins and associated activities as existing for neighbouring properties. Ownership of this area has been queried and title information has been provided which confirms that this land to the east of the building is within the applicant's ownership.

Concerns regarding overshadowing are acknowledged, with the applicant providing sunlight analysis detail within the application submission documents. The application site has two storey elements as existing, however it is acknowledged that there will be some overshadowing posed to adjacent neighbours through the associated extensions required to accommodate the first-floor flats proposed. The front of the application site is south facing with the extensions proposed at first floor behind this existing two storey elevation.

It is accepted that there may be some overshadowing from the development proposed, however it is not considered to be adverse in this regard.

Concerns have been raised regarding the noise and pollution of building work. This is acknowledged and it is noted that the hours of construction will be subject to an appropriate condition restricting the times and days in which construction work is able to take place, as per the comments received from the Environmental Health Officer. Additionally, they have requested informative advice in regard to soundproofing so that the amenities of future occupiers of the flats are protected. The provision of the units, once operational, is not expected to be one which would cause undue noise at this location.

The extensions to the existing building are proposed closest in proximity to 40 Hollingsworth Avenue. As noted above, there is an existing 4-metre-wide walkway between the application site and this neighbour, of which the extensions are not encroaching upon and will only project closer to this neighbour at a single storey level in line with the side elevation of the neighbouring property. 40 Hollingsworth Avenue's west elevation facing the application site does not have openings present apart from within the projected element at the rear of the neighbouring property. Window and door openings have been carefully considered within the east facing elevation of the application site, with negotiations taking place surrounding this to minimise potential overlooking impacts. As such, the proposal incorporates high level windows at first floor within this elevation, with the three larger windows to serve bathrooms and a hallway. The bathroom windows will be conditioned to be obscurely glazed. The original scheme proposed external staircases to serve the flats, one of which was proposed within the elevation facing this neighbour. The staircases were subsequently amended to be internal to ensure no adverse overlooking. The first-floor element would not project any closer to this neighbour. It is accepted that the building will be larger due to the first-floor extensions proposed, however the area surrounding the property is largely made up of two-storey properties with the proposal considered to be in keeping with this and not posing an adverse impact in respect of massing or dominance.

The proposed works will be visible from various properties within the immediate vicinity of the application site along Hollingsworth Avenue, Church Lane and Pilgrims Way, however there is not considered to be an adverse impact posed on them as a result of the proposal.

In respect of local amenity considerations, the proposal is considered to accord with Policies 5 and 22 of the NELLP 2018 in this regard.

4. Flood Risk and Drainage

The application site is located within flood zone 1 and is therefore considered to be sequentially preferable for residential development. Indeed, the residential units are proposed at a first-floor level. The Environment Agency advise that consultation was not necessary in this instance.

The Drainage Officer has requested informative advice in respect of sustainable drainage methods for managing surface water run-off. This will be added to a decision.

The proposal is considered to accord with Policies 33 and 34 of the NELLP 2018 in respect of flood risk and drainage considerations.

5. Ecology

The Ecology Officer confirms that the proposal does not impact a priority habitat and impacts less than 25sqm of onsite habitat with a biodiversity value greater than zero and impacts less than 5m of onsite linear habitat. The de-minimus exemption for biodiversity net gain is considered to be met on this basis. The Ecology Officer is satisfied with the Biodiversity Net Gain Statement submitted and welcomes the enhancement measures as set out in Section 4. The proposal is considered to accord with Policy 41 of the NELLP 2018 on this basis.

6. Other Considerations

The Council's Heritage Officer raises no objections to the scheme. The Environmental Enforcement Officer requests informative advice for the legislative requirements in respect of household waste. The Waste Management Officer requests informative advice regarding kerbside waste and recycling collections.

In regards to the ownership of the small strip of land adjacent the vehicular access, a Certificate D has been served.

CONCLUSION

The proposal seeks planning permission to erect first floor extensions at the rear to create three self-contained flats with various associated works. The proposal is considered to be acceptable in principle and when considering design, highways, local amenity, flood risk, drainage, ecology and other considerations. The application is therefore recommended for approval, subject to appropriate conditions, in accordance with Policies 5, 22, 33, 34 and 41 of the NELLP 2018.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

SM-XX-S-DR-A-001 - Site Location Plan

SM-XX-S-DR-A-002 - Existing and Proposed Site Plans

SM-XX-00-DR-A-102 - Proposed Plans and Elevations

SM-XX-00-DR-A-103 - Proposed Street Elevations

SM-XX-00-3D-A-900 - 3D Isometric View Perspectives

SM-XX-S-DR-A-004 - Proposed Sunlight Analysis

Boundary Treatments and Cycle Store Specification received 22nd January 2026

Cycle Store Details received 22nd January 2026

Design and Access Statement received 6th January 2026

Biodiversity Net Gain Statement received 6th January 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).

(3) Condition

Prior to commencement of construction for the residential units hereby approved, final external material details shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall proceed in strict accordance with the materials agreed 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).

(4) Condition

No 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

Prior to occupation of the residential units hereby approved, the cycle parking facilities shall be implemented in their entirety and shall thereafter be so retained for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure appropriate facilities are provided for cyclists as part of the development and in accordance with Policy 5 of the North East Lincolnshire Local Plan (adopted 2018).

(6) Condition

Prior to the occupation of any residential unit, the bin storage area shall be provided and thereafter retained in accordance with Proposed Site Plan reflected on drawing no. SM-XX-S-DR-A-002 unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

(7) Condition

The bathroom windows to be created in the first floor side elevations of the residential flats hereby approved shall be glazed in obscure glass only to an obscurity level of 3 or above as measured on the 'Pilkington Scale' and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason

In the interests of residential amenity in order to comply with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

Development shall not begin until details showing the location, layout, design and method of construction of the altered vehicular access, driveway, 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, driveway, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

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).

(9) Condition

No residential unit shall 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 residential units shall be occupied 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

Prior to development commencing a scheme for the inclusion of swift boxes for each residential unit shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details prior to occupation and shall thereafter be retained.

Reason

In the interest of biodiversity improvements in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(11) 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 amended details to alleviate a concern and negotiating to seek a betterment to the original scheme submitted.

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

Soundproofing should be installed in line with the requirements under Building Regulations. Consideration should be given to lighting and security measures in relation to the access to the east.

5 Informative

Please note that at least six 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)

6 Informative

The use of water butts or similar sustainable surface water drainage arrangements such as a soakaway are encouraged on a proposal of this nature. Please refer to the drainage officers comments.

7 Informative

The applicant's attention is drawn to the comments received from the Environmental Enforcement Officer and the Waste Management Officer in respect of household waste.

8 Informative

The applicant should make their own enquiries regarding any private utility companies which may operate in the area who may be affected by the proposed works.

DM/0007/26/FUL – 42 HOLLINGSWORTH AVENUE, IMMINGHAM



DM/0007/26/FUL – 42 HOLLINGSWORTH AVENUE, IMMINGHAM



PLANNING COMMITTEE - 28th October 2026

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

APPLICATION No: DM/0029/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Franklin College , Chelmsford Avenue, Grimsby, North East Lincolnshire, DN34 5BY

PROPOSAL: Creation of an Artificial Grass Pitch (APG) with perimeter fencing, access gates, floodlighting columns, storage container, access footpath, hardstanding areas and associated works - Flood Risk Assessment rec - 08-09-26

APPLICANT:

Mr Matthew Donson
Franklin College
Chelmsford Avenue
Grimsby
North East Lincolnshire
DN34 5BY

AGENT:

Mr Luke Storey
Surfacing Standards Limited
Office 2
Empingham House
Ayston Road
Uppingham
LE15 9NY

DEPOSITED: 14th January 2026

ACCEPTED: 4th March 2026

TARGET DATE: 29th April 2026

PUBLICITY EXPIRY: 3rd October 2026

AGREED EXTENSION OF TIME DATE:

4th September 2026

CONSULTATION EXPIRY: 29th March 2026

CASE OFFICER: Lauren Stinson

PROPOSAL

The proposal is for the creation of an artificial grass pitch at Franklin College on Chelmsford Avenue in Grimsby. The proposal would also incorporate perimeter fencing, access gates, floodlighting columns, a storage container, access footpaths and hardstanding areas.

The application has been brought to planning committee due to the number of objections received from neighbouring properties.

SITE

The application site, known as Franklin College, is to the east side of Chelmsford Avenue in Grimsby. Franklin College is a well-established educational site within the urban area of Grimsby. The buildings on the site range between single and two storeys in height and comprise a range of materials. Many are set back from the road.

RELEVANT PLANNING HISTORY

No relevant planning history, though various planning history on the site.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

- DM3 - Determining development proposals
- DM6 - Use of planning conds and obligations
- S4 - Principle of develop-within settlements
- L2 - Making effective use of land
- DP3 - Key principles for well-designed places
- DP4 - The design process
- TR3 - Locating development-sustain locations
- TR4 - Street design, access and parking
- HC7 - Develop affect exist recreation land/fac
- P3 - Living conditions and pollution
- P4 - Impact of development on exist activity
- F4 - Assessing flood risk for decision-making
- F6 - Develop-areas of risk of flood-river,sea
- F7 - Ensuring develop is safe from flooding
- F8 - Sustainable drainage systems,watercourse
- N2 - Improving the natural environment

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

- PO5 - Development boundaries
- PO6 - Infrastructure
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO34 - Water management
- PO38 - Parking
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape
- PO43 - Green space and recreation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under

the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

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

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

Council's Tree Officer - No objections.

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

Council's Heritage Officer - No comments.

Council's Ecology Officer - No objections, conditions recommended.

Environment Agency - No objections, informative advice offered.

Sport England - No objections. Conditions recommended.

Neighbour Representations

The following neighbours object to the application:

90, 108 and 110 Gloucester Avenue, Grimsby
116 Chelmsford Avenue, Grimsby

Broadly on the following grounds:

- Light and noise pollution
- Lack of need
- Ecological issues
- Traffic, parking and pedestrian safety concerns
- Affects on visual and residential amenity
- Environmental degradation
- Health risks regarding hazardous substances from artificial turf

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Impact on Character and Appearance of the Area
- Impact on Neighbouring Amenity
- Highways Impacts and Parking
- Drainage and Flood Risk
- Ecology

Principle of Development

The proposal is located within the development boundary of Grimsby as defined within Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and relates to the creation of an artificial grass pitch with associated works within the grounds of an existing college. There are no 'in principle' issues with this type of development under Policy 5, but it does require a site-specific assessment of the impacts to be undertaken. These will be considered below.

Additionally, Policy 6 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) relates to infrastructure and provides support in principle for proposals which create, expand or alter facilities and services for establishments such as schools.

Sport England have been consulted as the artificial pitch would be on an existing playing field. Sport England have confirmed that there is a current strategic need for these pitches under the current Local Football Facility Plan for North East Lincolnshire, and the details and evidence outlined in the submitted reports from the applicant are sufficient. Therefore, subject to conditions, they have raised no objections. This includes a community use agreement which accords with (7) of Policy 43.

Impact on Character and Appearance of the Area

The proposal would be located within the confines of the existing college on Chelmsford Avenue in Grimsby. The pitch has been designed as a flexible and inclusive space and would accommodate a variety of pitch formats within a single enclosed playing area. It would be made up of a synthetic turf surface with 4.5 metre high fencing and gates installed to the perimeter. Other associated infrastructure would be installed within the site including access footpaths, hard surfaced areas and a storage container. Flood lighting would also be installed around the pitch at 13 metres in height. A separate lighting plan has been provided to demonstrate the lux contours of the lighting which would be contained well within the site.

Visually, in terms of the impact to Chelmsford Avenue and the surrounding area, it would be minimal as it would be set to the rear of the site, behind existing college buildings. The enclosure, the green polyester powder coated fencing, is considered a typical form of enclosure for this type of facility. In this setting, the proposal would not appear out of character with the area.

On this basis, it is considered to be in accordance with Policies 5 and 22 of the North

East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

The surrounding area comprises of commercial and residential uses though mainly residential. The objections from the neighbouring properties are noted.

The nearest residential properties are those located adjacent to the development site on Gloucester Avenue and Chelmsford Avenue. The site is already partially screened by fencing and vast landscaping, and therefore views of the pitch to the rear would be limited. Furthermore, the pitch would not be seen by neighbours on Chelmsford Avenue due to location of existing school buildings and associated infrastructure. The use of the site is fully established as a college with a sports pitch, and this type of development would not be overly unusual within educational grounds such as this.

The artificial pitch would be intended for use by pupils and the local community, allowing year-round use to support health and wellbeing. The lighting details provided have demonstrated that the lighting would not cause any light pollution to neighbouring properties given the levels of separation. Notwithstanding this, a final condition for lighting is recommended by Environmental Health and has been included.

Regarding noise, significant consultation has been undertaken with the applicant and the Council's Environment Health Officer. A Noise Impact Assessment has been provided, outlining certain conclusions and recommendations, including that the site shall not be used outside of the hours of 8am and 10pm to protect nearby residents. This has been reviewed by the Council's Environmental Health Officer and, subject to safeguarding conditions, they have no objections on this basis.

Whilst the proposal would increase the intensity and use of the site, and this would extend into the evenings, the application is supported by the necessary reports to demonstrate that no adverse impacts would be apparent given its position on site and separation to neighbours. It is noted that health risks have been identified in a neighbour objection. In response, it is noted that no consultee including the Environment Agency or Environmental Health have sought to raise concern in this regard.

No harm to any other use adjoining the site is expected given the nature, scale and position of the proposal.

The application is therefore considered in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) in relation to amenity.

Highways Impacts and Parking

The facility would be used by members of the community as well as pupils of the College. It has been identified that the existing access and parking arrangements would remain unchanged. The supporting information provided highlights vehicle movements and a

worst-case trip generation assessment. The Highway Officer acknowledges this information, stating that the expected traffic levels are not expected to materially impact highway safety conditions. They also stated that the site is positioned within a residential and inherently sustainable area and it is likely that some users of the pitch may choose to walk/cycle to the site, which would reduce the number of vehicle movements and associated parking demand. On this basis, subject to conditions, the Council's Highways Officer has no objections.

It is therefore considered to be in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage and Flood Risk

The site is located within a flood risk area. A Flood Risk Assessment has been provided which confirms that the site is already used for outdoor sports purposes and surface water drainage would be managed and disposed of within the site boundary. Sequentially, the development relates to an existing site and its expansion and is water compatible development. This information has been presented to the Council's Drainage Officer and the Environment Agency, and subject to conditions, they have no objections to the development.

It is therefore considered to be in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Ecology

The development is subject to Biodiversity Net Gain (BNG) requirements. The Biodiversity Net Gain Cover Report provided and metric provided states that gains are required (1.56 area of habitat units) and these will be delivered off site. The Council's Ecologist has reviewed the details and has confirmed that the details are acceptable and units that are delivered off site would need to be secured through the Biodiversity Net Gain Sites Register.

A Preliminary Ecological Assessment has also been provided, outlining recommendations including appropriate lighting. The Council's Ecology Officer has agreed with the assessment provided, and subject to conditions, has no objections.

The proposal therefore accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

In conclusion, it is considered that the proposed development is acceptable and would not unduly harm the character and appearance of the area or neighbours amenities. Technical reports have been provided to support the proposal and there are no consultee objections.

Subject to conditions, the proposal is considered to accord with Policies 5, 6, 22, 33, 34, 38 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and it is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - G-225626 02 REV1

Proposed Site Plan (North) - G-225626 03

Proposed Site Plan (South) - G-225626 03

Proposed APG Plan - G-225626 04 REV1

Proposed Container Floor Plans and Photos - G-225626 11

Proposed Elevations - G-225626 05 REV1

Proposed Perimeter Elevations - G-225626 12

Playing Field Layout - G-225626 09

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 6, 22, 33, 34, 38 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

Notwithstanding the information provided, development shall not be commenced until a scheme for the provision of surface water drainage works has been submitted and approved in writing by the Local Planning Authority. Such scheme shall be implemented before the artificial pitch is brought into use. It shall be retained as approved thereafter.

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory

means of surface water disposal in accordance with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) 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).

(5) Condition

The existing vehicular parking areas within the application site, identified within the Design and Access Statement (received 8th May 2026), shall be retained, and made available for use in connection with the approved development at all times when the artificial grass pitch is in use.

Reason

To ensure that adequate off-street parking provision is available to serve the development in the interests of highway safety and to prevent overspill parking on the surrounding highway network in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

Prior to first use of the artificial grass pitch, an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall thereafter be implemented and adhered to for the lifetime of the development. The plan shall include, but not be limited to:

- Measures to manage and coordinate bookings to prevent peak-time congestion and parking accumulation;
- Staggering the start and finish times for pitch use;
- Details of on-site supervision or management during periods of peak use;
- Measures to ensure that all users park within the designated on-site parking areas and to prevent overspill parking on the surrounding highway network;
- Details of any signage and communication to facility users with regards to access and parking arrangements.

Reason

To ensure the development operates in a manner that does not give rise to an unacceptable impact on highway safety or result in overspill parking on the surrounding network in accordance with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

Notwithstanding the information provided and prior to any installation, final details of the external lighting and lighting pools shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be retained and maintained as approved.

Reason

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

(8) Condition

The development shall be operated in accordance with the Noise Management Plan presented in the Noise Impact Assessment (reference 12096/NT by Acoustic Consultants Ltd). The measures shall be fully implemented prior to first use and shall thereafter be retained.

Reason

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

(9) Condition

No activities associated with the artificial pitch shall take place at the premises outside of the hours specified below:

Monday to Sunday 08:00hrs to 22:00hrs

All lighting associated with the artificial pitch shall be switched off by 22:15 hours each day.

Reason

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

(10) Condition

No development shall commence until details of the design and layout of the artificial grass pitch (AGP), including, carpet specification, shock pad inclusion, sub base construction, infill mitigation measures, drainage strategy, maintenance strategy and associated equipment and compliance with the requirements to be on the Football Association 3G Pitch Register have been submitted to and approved in writing by the Local Planning Authority. The AGP shall not be constructed other than in accordance with the approved details.

Reason

To ensure the development is fit for purpose and sustainable in accordance with Policies 5 and 6 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

Use of the development shall not commence until:

(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and;

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the development is fit for purpose and sustainable and provides sporting benefits in accordance with Policies 5 and 6 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

No development shall commence above the sub-base level of the Artificial Grass Pitch (AGP) hereby approved until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall include use of the AGP along with access to car parking and changing rooms and shall include details of pricing policy, hours of use, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason

To secure well managed safe community access to the sport facility to ensure sufficient benefit to the development of sport and to accord with Policies 5 and 6 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

The development shall be constructed, implemented and operated in strict accordance with the recommendations set out in the Preliminary Ecological Appraisal (received 14th January 2026 by Crow Ecology) including those set out in the Council Ecologist's representation uploaded 3rd June 2026.

Reason

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

(14) Condition

The development shall be constructed in accordance with the Arboricultural Impact Assessment (Barnes Associates).

Reason

In the interests of visual amenity and landscaping and to accord with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(15) Biodiversity Net Gain

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

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

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

There are statutory exemptions and transitional arrangements which mean that the

biodiversity gain condition does not always apply. It is the applicant or developers responsibility to make sure that they are complying with the requirements of this legislation.

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

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

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

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

4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

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

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), in particular policies 5, 6, 22, 33, 34, 38 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.

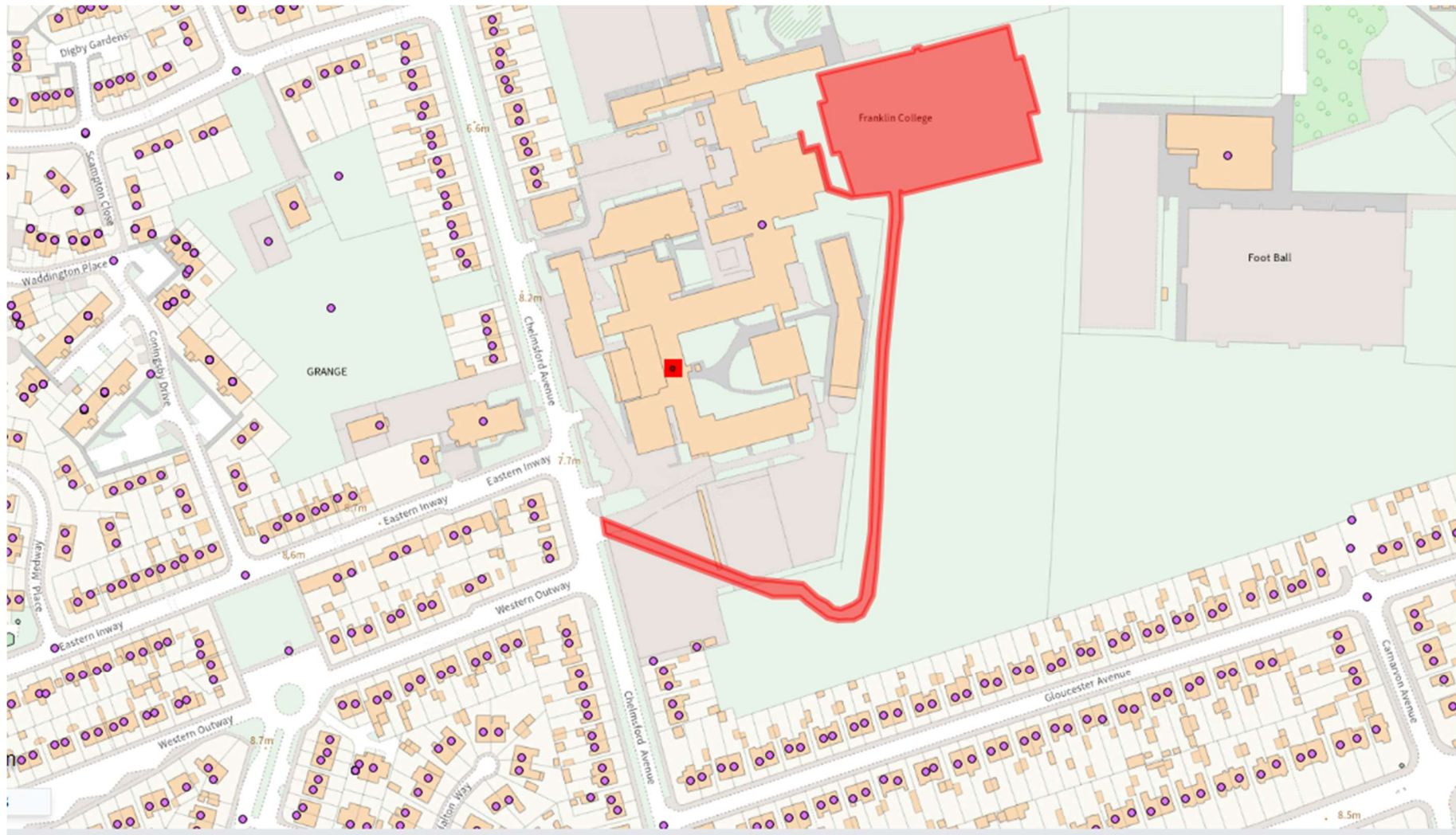
4 Informative

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).

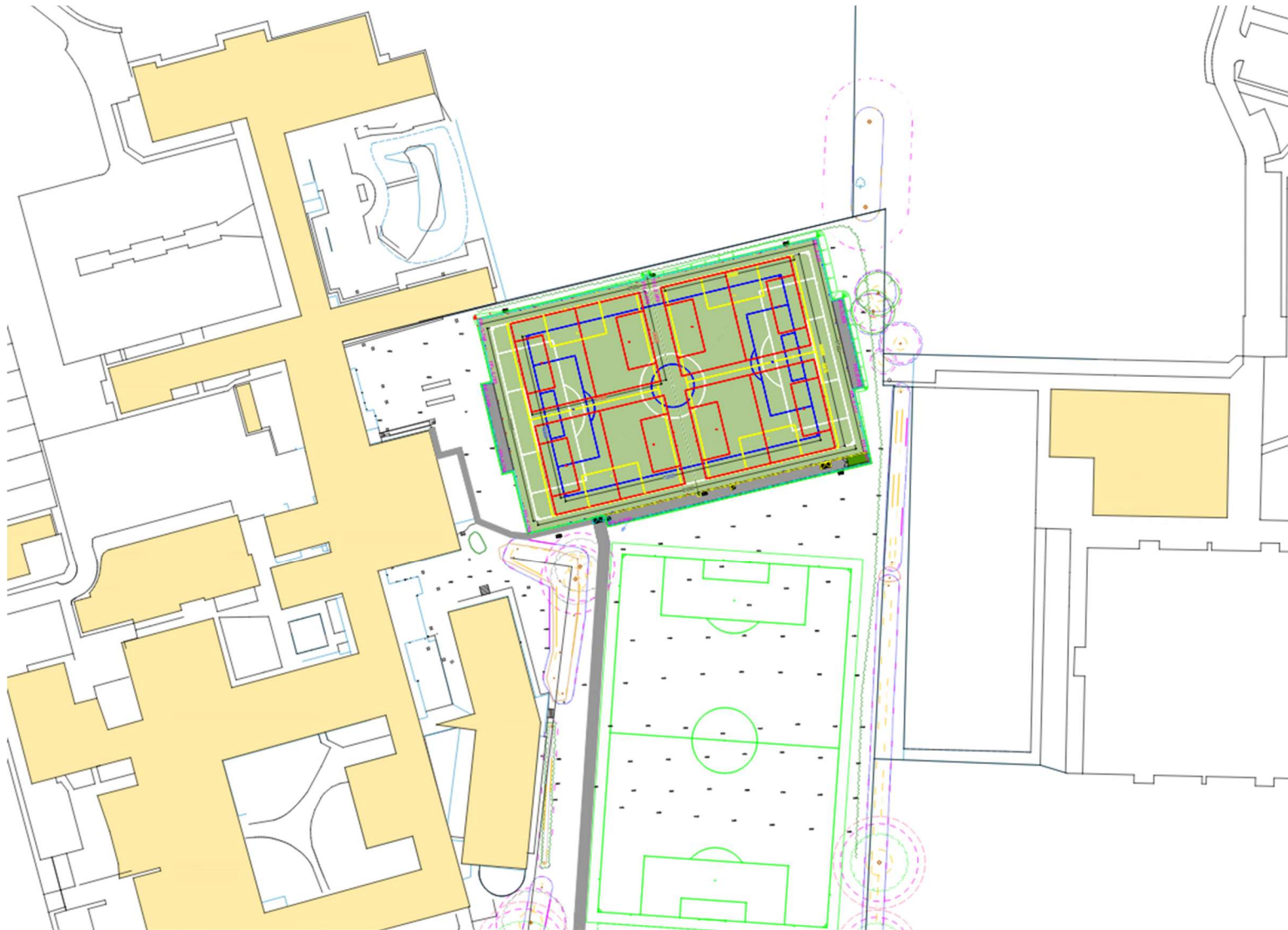
5 Informative

The applicant's attention is drawn to the informative advice received from Sport England, the Council's Ecology Officer, the Environment Agency and the Council's Environmental Health Officer. Please go to www.nelincs.gov.uk to view the comments.

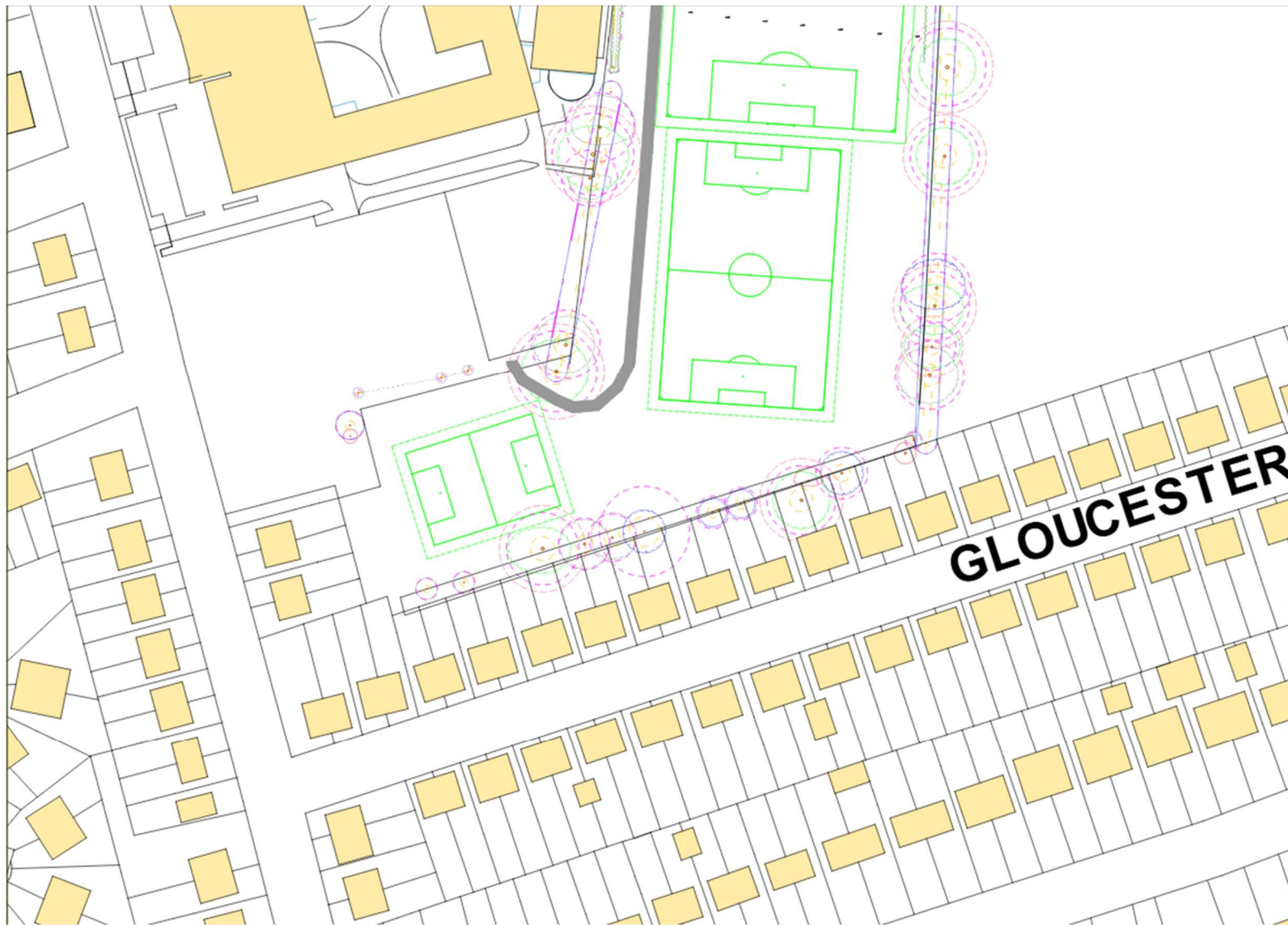
DM/0029/26/FUL – FRANKLIN COLLEGE, CHELMSFORD AVENUE, GRIMSBY



DM/0029/26/FUL – FRANKLIN COLLEGE, CHELMSFORD AVENUE, GRIMSBY



DM/0029/26/FUL – FRANKLIN COLLEGE, CHELMSFORD AVENUE, GRIMSBY



PLANNING COMMITTEE - 28th October 2026

ITEM: 5 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0538/26/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Car Park, British Legion , Barnoldby Road, Waltham, North East Lincolnshire, DN37 0JR

PROPOSAL: Retrospective application for erection of steel storage container with associated works

APPLICANT:

Keith Smith
Waltham Royal British Legion Club
15 Barnoldby Road
Waltham
North East Lincolnshire
Grimsby
DN37 0RQ

AGENT:

DEPOSITED: 16th July 2026

ACCEPTED: 19th August 2026

TARGET DATE: 14th October 2026

PUBLICITY EXPIRY: 11th October 2026

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY:

20th September 2026

CASE OFFICER: Becca Soulsby

PROPOSAL

The application seeks planning permission to retain the steel storage container sited within the car park.

The application is brought to planning committee due to the number of objections received to the scheme from neighbours.

SITE

The application site is a members club located to the south side of Barnoldby Road in Waltham. The area surrounding the site is predominantly residential in nature with

properties along Barnoldby Road, Laburnum Avenue and Brigsley Road adjacent to the site. Commercial premises are present to the north of the site along Barnoldby Road.

RELEVANT PLANNING HISTORY

DC/294/13/WAB - Variation of condition 5 attached to planning permission
DC/638/06/WAB, to allow tables and seating to be placed on paved area to front entrance of Ross Hall - Withdrawn.

DC/622/09/WAB - Erection of external lighting to existing building - Approved with conditions.

DC/638/09/WAB - Erect side extension and smoking shelter & demolish existing entrance lobby - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2026)

DP3 - Key principles for well-designed places
F4 - Assessing flood risk for decision-making
F8 - Sustainable drainage systems, watercourse
N2 - Improving the natural environment

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

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

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

REPRESENTATIONS RECEIVED

Consultees

Trees and Woodlands - No comment.

Heritage - No heritage input required.

Environmental Health - No comments.

Highways - Approval no conditions.

Ecology - Proposal is considered to meet the de minimus exemption for biodiversity net gain due to impacting less than 25 square metres of onsite habitat with biodiversity value greater than zero and on less than 5 metres of onsite linear habitat. No known ecological issues.

Waltham Parish Council - Supports approval of the application.

Neighbours

7 Laburnum Avenue - Objection based on visual impact and industrial appearance of container; scale, siting and proximity to residential boundary; impact on character and appearance of the area; visual intrusion; impact on residential amenity; security implications; location could establish a precedent for additional storage structures in the future and whether alternative and less visually intrusive storage arrangements could be provided.

9 Laburnum Avenue - Shipping container was installed in November 2025 close to rear boundary. Issue subsequently escalated to ward Councillor and Planning Enforcement where it was intimated a breach of planning had occurred. Feel private view and property value concerns are relevant and affect occupiers.

11 Laburnum Avenue - Objection based on severe adverse impact to residential amenity, visual incompatibility and harm to local character, noise, disturbance and environmental harm and detriment to highways safety and car parking layout.

Other Representations

Grimsby and Cleethorpes District Civic Society - Not a suitable site for storage unit due to residential area. Oppose retrospective applications as all work should have planning approval before it commences.

APPRAISAL

The key planning considerations are:

1. Principle of Development
2. Design and Character
3. Local Amenity
4. Flood Risk and Drainage

5. Other Considerations

1. Principle of Development

The site is located within the development boundary of Waltham, therefore Part 1 of Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (NELLP 2018) applies. Policy 5 does not preclude works of this nature in principle within the defined development boundaries. It is therefore considered in principle that the proposed development is acceptable subject to the site-specific impacts discussed below.

2. Design and Character

The proposal seeks to retain the container currently in situ within the existing car park area of the Royal British Legion. The container is sited within the southwestern corner of the existing car park and measures a length of 6.058 metres, with a width of 2.438 metres and a height of 2.4 metres. The container is a typical container design with steel profile sides and roof. The container is dark green in colour with typical outward opening doors within the front elevation.

The container is sited adjacent to the south and west boundaries within the southwestern corner of the wider site. In respect of design, the container is of a typical design and is used to house charity equipment for the Royal British Legion branch. Due to the position of the container within the wider site and minor scale of the container, it is considered to be acceptable in respect of design.

In terms of character impacts, the location of the container is sited behind the existing club and is not readily visible within the street scene or wider area. There is therefore considered to be no adverse impact posed to the street scene.

In light of the above, the proposal is therefore considered to accord with Policies 5 and 22 of the NELLP 2018.

3. Local Amenity

The application site adjoins various properties on Barnoldby Road to the north, east and west of the site, with the site also adjoining various properties on Laburnum Avenue to the west and Brigsley Road to the east. Objections have been received from 3 neighbours on Laburnum Avenue and an objection has also been received from Grimsby and Cleethorpes District Civic Society, all of which are acknowledged and discussed below.

Objections have been received from neighbouring properties regarding the impact of the shipping container on residential amenity, including its scale, siting and proximity to residential boundaries, visual intrusion, industrial appearance, noise and disturbance. Concerns have also been raised regarding security, property values and the retrospective nature of the development.

The shipping container is positioned within the southwestern corner at the rear of the site. The container has limited visibility from neighbouring residential properties however it is acknowledged that the south and western boundaries have soft landscaping and trees present. It is acknowledged that, by virtue of its utilitarian design and appearance, the container has a functional character which differs from more conventional domestic or purpose-built storage structures. However, the relevant consideration is whether these effects are harmful and result in an adverse impact on the living conditions of neighbours. Having regard to the scale and form of the structure and its relationship with surrounding properties, its presence is not considered to result in an unacceptable degree of visual intrusion, overbearing impact, loss of outlook, loss of light or overshadowing such that the living conditions of neighbouring occupiers are materially harmed.

Concerns regarding noise and disturbance have also been considered. The container constitutes a storage structure and, on the information available, there is no evidence that its retention would generate a level or frequency of activity that would result in unacceptable noise or disturbance to neighbouring residents. No objections are raised by the Environmental Health Officer.

The concerns regarding security are noted. However, it is considered that the presence of the container alone would not create an unacceptable security risk to neighbouring properties. The potential effect of development upon private property values is not considered to weigh against the proposal.

Concern has also been raised that approval could establish a precedent for further storage structures. Each planning application must be determined on its individual merits having regard to the particular scale, siting, design and impacts of the development proposed. The possibility of further structures being proposed in the future therefore does not provide a basis to refuse the current application.

Overall, whilst the objections of neighbouring residents are acknowledged and the container is visible from adjoining residential properties, its retention is not considered to give rise to an unacceptable loss of residential amenity through visual intrusion, overbearing impact, loss of outlook, noise or disturbance. The development is therefore considered acceptable in terms of its impact upon the living conditions of neighbouring occupiers. The proposal is therefore considered to accord with Policies 5 and 22 of the NELLP 2018 in this regard.

4. Flood Risk and Drainage

The proposal relates solely to the retention of a shipping container positioned on the existing ground level and given the limited nature of the development, it is not considered to materially affect flood risk or drainage. The Council's Drainage Officer has raised no objections to the proposal. The proposal is therefore considered to accord with Policies 33 and 34 of the NELLP 2018 in respect of flood risk and drainage.

5. Other Considerations

The Council's Trees and Woodlands, Heritage, Environmental Health and Highways Officers raise no objections to the proposal. The Ecology Officer confirms that the proposal is considered to meet the de minimus exemption for biodiversity net gain due to impacting less than 25 square metres of onsite habitat with biodiversity value greater than zero and on less than 5 metres of onsite linear habitat, with no known ecological issues at the site. Waltham Parish Council support approval of the application.

CONCLUSION

The application seeks planning permission to retain the steel storage container sited within the car park. The proposal is considered to be acceptable in principle and when considering design, character, local amenity, flood risk, drainage and other considerations. The proposal is therefore recommended for approval in accordance with Policies 5, 22, 33, 34 and 41 of the NELLP 2018 and advice in the NPPF 2026.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development is approved in accordance with the following plans:

WRBL-01 - Existing and Proposed Site Plan

WRBL-02 REVB - Site Location Plan

WRBL-03 - Proposed Container Plans and Elevations

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).

(2) 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 From 6 August 2026, BNG does not apply to planning applications for developments where the site area within the red line boundary is 0.2 hectares or below, provided the development does not have an adverse impact on an onsite priority habitat.

4.6 From 6 August 2026, BNG does not apply to short-term developments, provided the development does not adversely effect onsite priority habitat, if:

- the whole development is temporary
- planning permission is granted for 5 years or less

4.7 Self and Custom Build Development within an application received before 6th August 2026 applies, consisting of 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).

4.8 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 does 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

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).

DM/0538/26/FUL - CAR PARK, BRITISH LEGION BARNOLDBY ROAD WALTHAM



DM/0538/26/FUL – CAR PARK, BRITISH LEGION, BARNOLDBY ROAD, WALTHAM

