

Minute of the Planning Committee 6th August 2025

Item: 1

Application Number: DM/0173/24/FUL

Application Type: Full Application

Application Site: Plot 105 Humberston Fitties Humberston North East
Lincolnshire

Proposal: Erection of chalet on existing vacant plot (Amended Flood
Risk Assessment and Sequential and Exceptions Test 4.06)

Applicant's Name and Address: Mr Robert Ashley 160 Carr Road Sheffield S6 2WZ	Agent's Name and Address: Mr Alan Scoffin Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby DN32 0QH
--	--

Deposited: 14th February 2024

Accepted: 7th March 2024

Expiry Date: 2nd May 2024

Agreed Extension of Time Date:

Case Officer: Owen Toop

Decision: Approved with Conditions

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

Reason

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

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

Site Location Plan - RD:5316 - 01
Proposed Block Plan RD: 5316 04
Proposed Plans and Elevations - RD:5316 03

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 12, 22, 33, 34, 39, 41, 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 3 Condition
The chalet shall be removed in its entirety from the site and the land reinstated as a cleared site on or before 8th August 2035

Reason

To enable the Local Planning Authority to monitor the risk to human life and property from flooding in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013- 2032 (adopted 2018).

- 4 Condition
The chalet hereby permitted shall not be occupied between the 1st November in any year and the 14th March in the following year.

Reason

To ensure the holiday use of the chalet and ensure it is not occupied at a time when flood risk from the sea is at its highest so as to reduce the risk to life during a flood event to accord to Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 5 Condition
Prior to the commencement of development, a final scheme of surface water drainage to include details of the rain water garden and permeable paving shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented in full before the development is occupied.

Reason

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

- 6 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 holiday chalet occupants in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

7 Condition

The development shall be carried out in accordance with materials provided within the approved plans and elevations.

Reason

In the interest of good visual design and to conserve and enhance heritage assets to comply with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

8 Condition

The development shall be carried out in accordance with the Flood Risk Assessment Sequential and Exception Test Statement Rev B February 2025, namely the finished floor levels of the chalet shall be set at 4.25(mAOD) prior to occupation of the chalet and shall be retained at this level for the lifetime of the development.

Reason

To reduce the risk and impact of flooding and in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

9 Condition

Prior to the commencement of the development a further assessment of any protected species and required mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations in the submitted Preliminary Ecological Appraisal by CGC Ecology. All construction work shall accord with the approved details.

Reason

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

10 Condition

Prior to any first holiday occupation of the chalet, final details of the air source heat pump, including details of acoustic performance and any required noise mitigation, shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in accordance with the approved details prior to any first holiday occupation and subsequently retained for the lifetime of the development.

Reason

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

- 11 Condition
The chalet shall be occupied in accordance with the additional Flood Warning Evacuation details received on 2.12.2024, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of safety and flood risk and in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 12 Condition
The landscaping shall be carried out in strict accordance with the details on plan no. RD 5316 03 A. All planting shall be carried out in accordance with the approved details within 12 months of the date of commencement of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

To ensure a satisfactory appearance and setting for the development in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 13 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 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 Conservation Area character, holiday amenity and is acceptable in flood risk terms and under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 12, 22, 33, 34, 39, 41 and 42.
- 2 Added Value Statement
Article 31(1)(cc) Statement - Positive and Proactive Approach In accordance with the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing amended details to alleviate concerns and to address flood risk concerns.
- 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
Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Minute of the Planning Committee 6th August 2025

Item: 2

Application Number: DM/0077/25/FUL

Application Type: Full Application

Application Site: Bull Rush Lakes Tetney Road Humberston North East Lincolnshire

Proposal: Erection of a fishing holiday lodge on an established commercial fishing pond site (Amended Plans and Documents - Flood Risk Assessment, Amended Proposed Block Plan and Level Survey received 11.4.2025)

Applicant's Name and Address: Mr Adam Rowlands Bull Rush Lakes Tetney Road Humberston North East Lincolnshire	Agent's Name and Address: Mr Daniel Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby DN32 0QH
---	--

Deposited: 31st January 2025

Accepted: 25th February 2025

Expiry Date: 22nd April 2025

Agreed Extension of Time Date:

Case Officer: Owen Toop

Decision: Refused – Subject to the need for an additional consultation, issuing of the decision is delegated to the Assistant Director of Regeneration on the completion of this period of consultation on the 18th August 2025 subject to no significant additional planning issues being raised.

- 1 The proposal is contrary to Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Section 14 of the National Planning Policy Framework in that the development is located within an area of flood risk. The proposed development fails to pass the flood risk sequential test for development. Without the sequential test being passed it is not considered to be

sustainable development and the development cannot be justified on flood risk grounds. In any event it would also fail the Exception Test as it has not been demonstrated that the development can be made safe in flood risk terms.

- 2 The proposal as a result of its poor and unsympathetic design is considered to be a visual intrusion into the open countryside that would cause significant adverse impacts to the rural and isolated character of the area. Moreover it is not considered that the small scale of the site and limited offer justifies the principle of new build holiday accommodation of the type proposed. It would not constitute sustainable development contrary to Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Section 12 of the National Planning Policy Framework.

Informatives

- 1 Added Value Statement
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by receiving amended plan in response to landscaping and ecology.
- 2 Informative
The application has been considered in accordance with the following plans and documents:
 - RD:5790 - 01A
 - RD:5790 - 02 B
 - RD:5790 - 03 D
 - RD:5790 - 06
 - Flood Risk Assessment: RD570 Rev A

Minute of the Planning Committee 6th August 2025

Item: 3

Application Number: DM/0317/25/FUL

Application Type: Full Application

Application Site: Bull Rush Lakes Tetney Road Humberston North East Lincolnshire

Proposal: Retention of engineering works and siting of containers to provide amenity space and sleeping accommodation for anglers with associated drainage works and retention of anglers wc/store building with associated works (revised description and amended plans uploaded 25.07.2025)

Applicant's Name and Address: Mr Adam Rowlands Bull Rush Lakes Tetney Road Humberston North East Lincolnshire	Agent's Name and Address: Mr Daniel Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby North East Lincolnshire DN32 0QH
---	---

Deposited: 17th April 2025

Accepted: 7th May 2025

Expiry Date: 2nd July 2025

Agreed Extension of Time Date:

Case Officer: Owen Toop

Decision: Deferred for Negotiations

- 1 It was resolved that consideration of this application be deferred to allow for negotiations on the use of the buildings.

Minute of the Planning Committee 6th August 2025

Item: 4

Application Number: DM/0207/25/FUL

Application Type: Full Application

Application Site: 309 Louth Road Grimsby North East Lincolnshire DN33 2LA

Proposal: Demolish existing garage, erect two detached bungalows with garages and parking, erect new garage for existing dwelling to include alterations to existing access with various associated works

Applicant's Name and Address: Mr John Collis John Collis Builders Culzean House 1A Jonathans Garth Tetney Lincolnshire DN36 5GA	Agent's Name and Address: Mr Daniel Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby DN32 0QH
---	--

Deposited: 20th March 2025

Accepted: 20th March 2025

Expiry Date: 15th May 2025

Agreed Extension of Time Date: 8th August 2025

Case Officer: Richard Limmer

Decision: Approved with Conditions

- 1 Condition
The development hereby permitted shall begin within 3 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:

RD5084-03I Proposed Site Plan
RD5084-04D Plot 1 Plans and Elevations
RD5084-06A Garage Plans and Elevations
RD5084-01 Site Location Plan
RD5084-02 Existing Site Plan
RD5084-05 Plans and Elevations

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 Condition
The hereby approved development shall be built out in accordance with the materials specified on the application forms unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect the visual amenity of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

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

Reason

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

- 5 Condition
The scheme of landscaping and tree planting shown on plan ref: RD:5084:13 Rev A shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained in accordance with the maintenance notes on the aforementioned plan for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 6 Condition
The development shall be built out in accordance with the drainage scheme as detailed on plan ref: 1115-2307-CIV-10-P1 and 1115-2307-CIV-30 P1. The approved drainage scheme shall be fully installed prior to the occupation of any dwelling on the site and thereafter maintained and retained.
- Reason
In the interests of flood risk and drainage to accord with in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 7 Condition
All construction works shall proceed in strict accordance with the submitted Construction Management Plan ref: RD5084.
- Reason
In the interests of amenity and highway safety and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 8 Condition
The modifications to the access including the passing places shall be installed in accordance with plan RD5084-03-REV I before any of the dwellings hereby approved are occupied. Once installed, the details shall be retained as approved.
- Reason
In the interests of highway and road safety and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 9 Condition
The scheme for the retention and management of the site boundary hedges as detailed on plan ref: RD:5084-13 Rev A shall then be implemented prior to the first occupation of any dwelling on the site. The hedges shall thereafter be retained and managed in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.
- Reason
In the interests of protecting the visual character and appearance of the area in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).
- 10 Condition
The water reuse measures outlined in:
- Plot 1 Water Use Calculations - Rev F
 - Plot 2 Water Use Calculations - Rev F
- shall be implemented in full before each dwelling is brought into use. The

measures shall be retained to the same specification thereafter.

Reason

In the interests of water efficiency and to accord with Policy 34 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 4.5 applies.

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

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

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

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

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

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

4.2 Development below the de minimis threshold, meaning development which:
i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

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

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

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

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

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

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

- 1 Reason for Approval
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 41 and 42.
- 2 Added Value Statement
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing additional information.
- 3 Informative
Please note the informative comments from Environmental Health, NELC Waste Services, Cadent Gas, Ecology and Highways which can be viewed on the council's website.
- 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
This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

Minute of the Planning Committee 6th August 2025

Item: 5

Application Number: DM/0981/24/FULA

Application Type: Accredited Agent - Homeholder application

Application Site: 51 Taylors Avenue Cleethorpes North East Lincolnshire
DN35 0LH

Proposal: Retrospective application for boundary wall with fencing to front and side

Applicant's Name and Address: Mr William Ferrand 51 Taylors Avenue Cleethorpes North East Lincolnshire DN35 0LH	Agent's Name and Address: Geoffrey Wagstaff 52 Marlborough Way Cleethorpes N E Lincolnshire DN35 0TR
---	--

Deposited: 19th November 2024

Accepted: 21st November 2024

Expiry Date: 16th January 2025

Agreed Extension of Time Date: 11th August 2025

Case Officer: Emily Davidson

Decision: Approved with Conditions

- 1 Condition
The development is approved in accordance with the following plans:

Site Location and Block Plan - Received 25/11/2024
Proposed Layout and Elevations - GWWF/TA/1

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).

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 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 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 negotiating on the scale and design.

Minute of the Planning Committee 6th August 2025

Item: 6

Application Number: DM/0356/25/FUL

Application Type: Full Application

Application Site: Springfield Waltham Road Brigsley North East Lincolnshire

Proposal: Raise roof height to include installation of new roof, convert existing loft to provide first-floor living space, erect single storey side and rear extensions with various associated internal and external alterations

Applicant's Name and Address: Mr Steve Nelson Springfield Waltham Road Brigsley North East Lincolnshire DN37 0RQ	Agent's Name and Address: Mr Richie Tutill RT Architects Ltd 45 Aspen Drive Barnoldby Le Beck DN37 0ZA
---	--

Deposited: 2nd May 2025

Accepted: 13th May 2025

Expiry Date: 8th July 2025

Agreed Extension of Time Date: 11th August 2025

Case Officer: Bethany Loring

Decision: Approved with Conditions

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

Reason

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

2 Condition

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

Site Location Plan, Existing Block Plan, Floor Plan and Elevations - SP_A0.0_02
Proposed Block Plan, Floor Plans and Elevations - SP_A1.0_04

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).

3 Condition

The proposal shall be constructed using materials as stated within the application form received 13th May 2025 and as specified on drawing no. SP_A1.0_04 unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing building in order to comply with Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4 Condition

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

Reason

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

5 Condition

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Construction Method Statement shall provide details for:-

- the hours of construction,
- the location of any construction compound,
- wheel washing facilities, and
- means of suppressing dust and noise.
- Location of the storage of materials

The development shall only thereafter be undertaken in accordance with the approved details.

Reason

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

6 Condition

Prior to commencement of the development, a Construction Methodology shall be submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall provide details for how the hereby approved extension shall be built out as an extension detailing the extent of the existing building to be retained. The development shall only thereafter be undertaken in accordance with the approved details.

Reason

In the interest of proper planning in relation to the existing structure in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

7 Biodiversity Net Gain

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

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

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

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

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

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

transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.3 applies.

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

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

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

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

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

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

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

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

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

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

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

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

application for change of use or an application to change the number of dwellings in a building.

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

- i) do not affect the post-development value of the onsite habitat as specified in

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

Informatives

- 1 Reason for Approval
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33 and 34.
- 2 Informative
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.
- 3 Informative
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
Existing ground levels should not be raised or surface water drainage problems may result.