

Planning Committee Dated: 3rd September 2025

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/0396/25/FUL
Application Type:	Full Application
Application Site:	2 Vivian Avenue Grimsby North East Lincolnshire DN32 8QF
Proposal:	Change of use from residential dwelling to a children's care home
Applicant:	Dane Skiba
Case Officer:	Lauren Birkwood
Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/0518/25/FUL
Application Type:	Full Application
Application Site:	12 Welholme Avenue Grimsby North East Lincolnshire DN32 0HP
Proposal:	Change of use from domestic dwelling to children's home
Applicant:	Mr Paul Cowling
Case Officer:	Lauren Birkwood
Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0435/25/FUL
Application Type:	Full Application
Application Site:	240 Station Road New Waltham North East Lincolnshire DN36 4PE
Proposal:	Change of use from existing dwelling (Class C3) to a residential home (Class C2) for 2 young people aged between 7 and 17 years
Applicant:	Keys Group Limited
Case Officer:	Becca Soulsby

Recommendation: Approved with Conditions	
Item:	4
Application No:	DM/0436/25/FUL
Application Type:	Full Application
Application Site:	88 Stallingborough Road Healing North East Lincolnshire DN41 7QL
Proposal:	Change of use from existing dwelling (Class C3) to a residential home (Class C2) for 2 young people aged between 7 and 17 years
Applicant:	Keys Group Limited
Case Officer:	Becca Soulsby

Recommendation: Approved with Conditions	
Item:	5
Application No:	DM/1065/24/FUL
Application Type:	Full Application
Application Site:	Former Bursar Primary School Bursar Street Cleethorpes North East Lincolnshire
Proposal:	Conversion and alterations to former school buildings to create 19 residential dwellings, including associated parking, private gardens, shared garden spaces, new pedestrian accesses and associated works (Reduced number of flats, increased parking, additional architectural details, materials, drainage methodology, altered access width and landscaping)
Applicant:	Mr Dan Pattrick
Case Officer:	Jonathan Cadd

Recommendation: Approved with Conditions	
Item:	6
Application No:	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:	Mr Adam Rowlands
Case Officer:	Owen Toop

PLANNING COMMITTEE - 3rd September 2025

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

APPLICATION No: DM/0396/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 2 Vivian Avenue, Grimsby, North East Lincolnshire, DN32 8QF

PROPOSAL: Change of use from residential dwelling to a children's care home

APPLICANT:

Dane Skiba
Shore Care Service
F15 The Bloc
Hull
HU10 6RJ

AGENT:

DEPOSITED: 15th May 2025

ACCEPTED: 1st July 2025

TARGET DATE: 26th August 2025

PUBLICITY EXPIRY: 15th August 2025

**AGREED EXTENSION OF TIME DATE: 5th
September 2025**

CONSULTATION EXPIRY: 26th July 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

The application seeks to change the use of the property from a single residential dwelling to a children's home.

The application is brought to Planning Committee as a result of the number of objections received.

SITE

2 Vivian Avenue is a two storey detached dwelling. It is constructed of brickwork with a tiled roof. The roof type of the dwelling is predominately hipped. The property has a front grassed area with a paved driveway enclosed by a low wall and hedging. The rear garden is predominately grassed with fencing and landscaping forming the side and rear boundaries.

RELEVANT PLANNING HISTORY

DM/0385/17/FUL - Erect two and single storey extensions to the sides of the existing dwelling, erect single storey extension to existing single garage to include various external alterations - Approved with Conditions 7th July 2017.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

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

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO38 - Parking
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 an informative.

Council's Highways Officer - No objections.

Council's Heritage Officer - No comments.

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

Council's Drainage Officer - No comments.

Council's Tree Officer - No comments.

Crime Reduction Officer - No objections.

Environment Agency - No objections, subject to an informative.

Children's Services - No objections.

Neighbour Representations

The following properties object to the proposal:

9, 10, 11, 12, 16, 17, 18 Heron Close, Grimsby
3, 4, 8, 10, 11, 14, 16, 17, 23, 26, 28, 30, 32 Vivian Avenue, Grimsby
4, 5, 6, 13, 29 Vaughan Avenue, Grimsby
6, 12, 17, 18, 26, 31, 33 St Andrews Drive, Grimsby
170, 174, 176 Weelsby Road, Grimsby
168 Humberston Road, Grimsby
1 Thirkleby Crescent, Grimsby
6, 7, 9 Tranby Drive, Grimsby
12 Wells Street, Grimsby
Clee Lodge, Grimsby
94 Cooper Road, Grimsby

On the following grounds:

- Not in keeping with the area;
- Affect on value of houses;
- Parking and traffic issues;
- Anti-social behaviour concerns;
- Noise disturbance;
- Lack of amenities;
- Health and safety concerns;
- Loss of privacy;
- Restrictive covenants issues; and
- Inhabitable for number of residents.

The following properties support the proposal:

6 Vivian Avenue, Grimsby
35 Cumberland Avenue, Grimsby
3 Strubby Close, Cleethorpes
11 St Andrews Drive, Grimsby

On the following grounds:

- Children require somewhere appropriate and safe to live; and
- Would not create noise or parking pressures.

Grimsby, Cleethorpes and District Civic Society - Recognise the need for these facilities, however, children's safety, with it been on a busy main road, must be taken into account. We also question the lack of information regarding the age & numbers of children involved. Facilities for children need to be structured and planned for.

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Impact on Character and Appearance of the Area
- Impact on Neighbouring Amenity
- Crime and Anti-social Behaviour
- Highways and Parking
- Biodiversity
- Flood Risk

Principle of Development

The proposal is for the change the use of the existing dwelling (Use Class C3) into a children's care home (Use Class C2).

The information supplied with the application (contained within the Design and Access Statement) states that up to 4 children of ages 8 to 18 would live at the property with 4 members of staff (maximum). The staff would work on a rota. This would be the children's permanent home. The care that would be provided would be acting in a parenting role and the concept is to provide a family home. The proposed use of the house is still residential in principle and would provide a home for children to be managed by the applicant.

The site is located within an established residential area. Moreover, this area of the Borough benefits from the usual services, including primary and secondary schools, local/town centres, public transport and recreation areas, and is located within the defined settlement boundary for Grimsby in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). It is a sustainable location. It is therefore considered acceptable in principle.

It then falls to judge the proposal on the site-specific material planning issues as required by Policy 5 of the Local Plan.

Impact on Character and Appearance of the Area

The proposed change of use would not result in any external changes to the existing dwelling. Thus, the visual character of the area would not be adversely affected by the proposed development. The proposed use whilst falling within Use Class C2 of the Use Classes Order is still residential in character. Currently the existing house has five

bedrooms, and there would be no layout changes to the property. There are no impacts on the trees within the site.

On this basis, it is considered to be in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires that account is taken of the effect upon the amenity of adjacent land uses. The objections received from local residents are acknowledged. The proposed development would not see any physical changes to the existing property externally so there would therefore not be any physical impacts from development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking.

The proposed use would see the existing five-bedroom dwelling used in a similar way to its current use as a dwelling house. It is perfectly reasonable, in planning terms, to expect a five-bedroom house to be occupied by the number of children and adults. There would be a material difference to the existing situation as the adults would not be residents and would change on a shift pattern, as noted within the Design and Access Statement however, these comings and goings are unlikely to be significant and not materially different to those expected at any typical residential property in relation to the usual daily routine. This is also considered to apply to use of the garden space by the children in that it would be no different from a family unit using their garden and as such this would not pose any additional impact on the residential amenities of the neighbouring properties.

One main issue highlighted is the impact in terms of the potential of noise and disturbance specifically as a result of comings and goings. Details relating to staff changeover and numbers have been provided which demonstrate again that this would not be over and above what can be reasonably expected at a residential property and would not be detrimental.

Other comments refer to the devaluation of properties and a legal covenant concern which are not considered issues to weigh against the proposal.

Furthermore, the Council's Environmental Health Officer has no objections. The application is therefore considered to be in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Crime and Anti-social Behaviour

Some neighbour comments refer to the potential for anti-social behaviour. The property will be staffed 24 hours a day. The number of children to be accommodated does not exceed what could typically be expected for a five-bed house. There has been engagement with Humberside Police in response to the application and in particular whether the site is suitable for a childrens home in this location. The Crime Reduction

Officer raises no objections with regards to the proposed use and its location. The management of the home would also fall under the responsibility of the applicants and will be registered and overseen by Ofsted.

Having regard to the above it is considered that the location is suitable for the children to be housed and there are no other crime or anti-social concerns with the proposal. The application is considered to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Highways and Parking

It is noted that objections highlight highway safety, amenity, access, traffic and parking as serious concerns.

The existing site is a five-bedroom property which would remain residential in its nature. The property benefits from an existing access point that will remain unaltered and a driveway which allows for a number of vehicles to be parked on the drive as well as the garage. In addition, there is on-street parking available.

It is therefore considered that the proposed development would not have a detrimental impact on highway amenity as a result of insufficient parking provision on the site. Additionally, the traffic movements associated to the use are not expected to be significantly more than that for a good sized dwelling.

The site is positioned on the corner of A46 (Weelsby Road) and Vivian Avenue. Both of these streets form part of the adopted highway and have a 30mph speed limit. Road forms part of a regular local bus service and therefore access to sustainable modes of travel is accessible.

The comments relating to access for emergency services is noted however it is not considered that this use would impede the access available.

The Council's Highways Officer has considered the proposed development in detail with specific regard to highway safety, traffic, parking and amenity and raises no objections to the proposed development.

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

Biodiversity

The Council's Ecology Officer has confirmed that the proposal is exempt from Biodiversity Net Gain requirements and has no objections to the development. The proposal therefore accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Flood Risk

The site is located within a flood risk area. A Flood Risk Assessment and Flood Warning and Evacuation Plan has been submitted. The Environment Agency are content with the information provided, subject to safeguarding conditions and informatives.

CONCLUSION

The proposed development seeks to provide accommodation in the form of a small children's home. The proposal would maintain a residential use in a residential area albeit of a different use class. The overall intensity of the use of the site would not significantly change from what may reasonably be expected at a dwelling house. It is not considered that there would be any adverse impacts on the neighbouring properties residential amenities or additional harm to highway safety, amenity or crime. The general appearance of the property would not be altered and so the visual character of the area would not be harmed. Finally, the safety of the children has been considered.

The application can therefore be recommended for approval in accordance with Policies 5, 22, 33, 38 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Sections 12, 14 and 15 of the NPPF, subject to conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - Received 15th May 2025
Proposed Block Plan - Received 27th May 2025
Proposed Floor Plans - 04
Proposed Elevations - 05
Proposed Roof Plan - 06

Reason

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

(3) Condition

The development shall be operated and managed in accordance with the Design and Access Statement (Received 15th May 2025) to include the number of children.

Reason

To clarify the permission and in the interests of amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment (Received 1st July 2025, compiled by Aegaea) including the flood resistance and resilience measures incorporated as stated.

Reason

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

(5) Condition

The site shall be used as a children's home only under Class C2 and shall not be used for any other purpose or use including any others within Class C2.

Reason

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

(6) Biodiversity Net Gain

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

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

The planning authority, for the purposes of determining whether to approve a Biodiversity

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

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

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

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

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

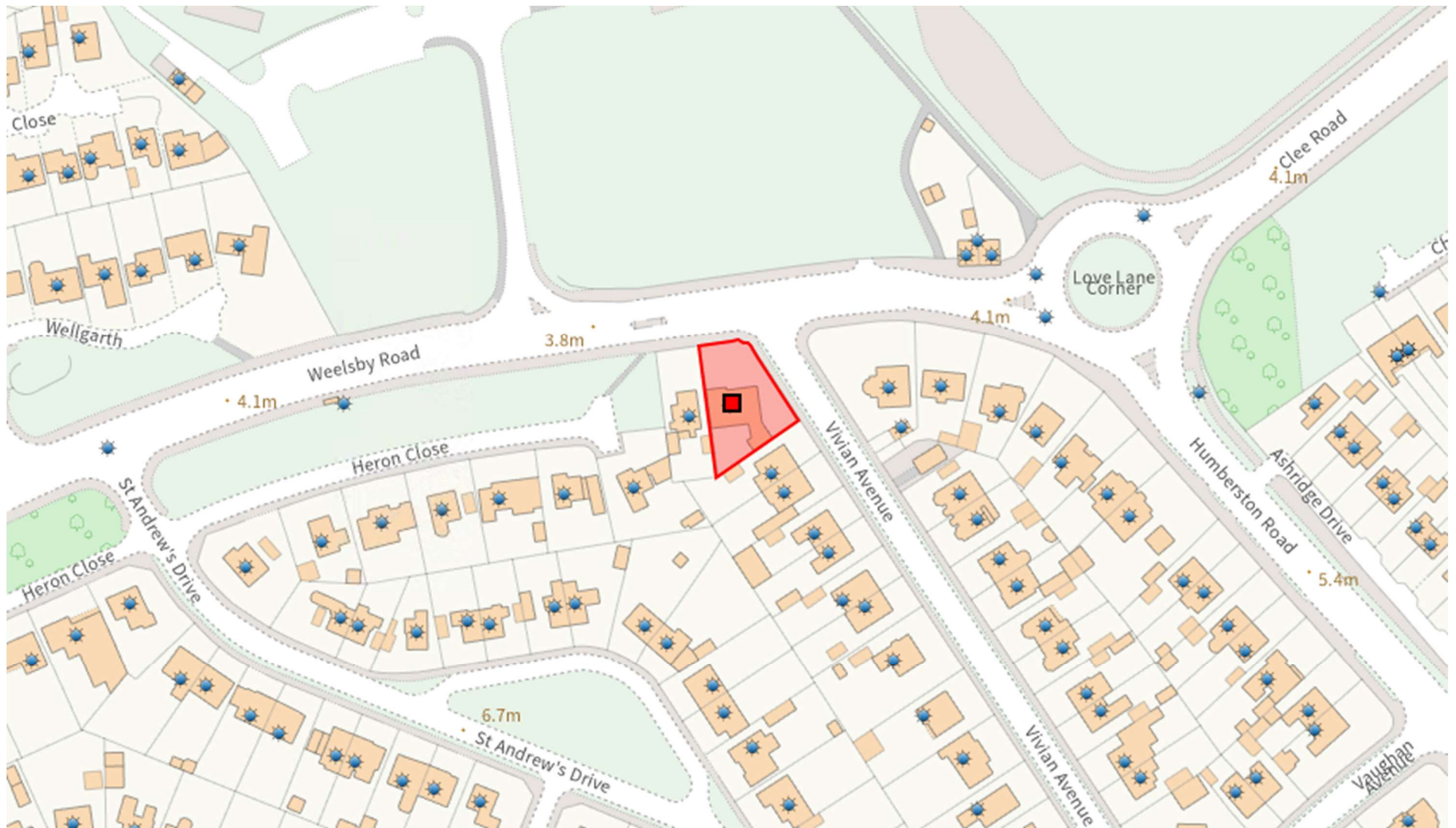
3 Informative

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

4 Informative

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

DM/0396/25/FUL – 2 VIVIAN AVENUE, GRIMSBY



DM/0396/25/FUL – 2 VIVIAN AVENUE, GRIMSBY



PLANNING COMMITTEE - 3rd September 2025

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

APPLICATION No: DM/0518/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 12 Welholme Avenue, Grimsby, North East Lincolnshire, DN32 0HP

PROPOSAL: Change of use from domestic dwelling to children's home

APPLICANT:

Mr Paul Cowling
North East Lincolnshire Council
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
DN31 1HU

AGENT:

Mrs Sarah Perry
Equans Professional Services (Architecture)
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
DN31 1HU

DEPOSITED: 18th June 2025

ACCEPTED: 27th June 2025

TARGET DATE: 22nd August 2025

PUBLICITY EXPIRY: 7th August 2025

AGREED EXTENSION OF TIME DATE: 5th September 2025

CONSULTATION EXPIRY: 24th July 2025

CASE OFFICER: Lauren Birkwood

PROPOSAL

The application seeks to change the use of the property from a single residential dwelling to a children's home.

The application is brought to Planning Committee as a result of the number of objections received.

SITE

The property is situated on the south side of Welholme Avenue in Grimsby. The property sits within a small cul-de-sac. The immediate area is made up of predominately

residential properties. The property lies within the Wellow Conservation Area.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.
NPPF16 - Conserv. & enhance the historic environ.

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO38 - Parking
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

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

Council's Highways Officer - No objections.

Council's Heritage Officer - No comments.

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

Council's Drainage Officer - No comments.

Council's Tree Officer - No comments.

Crime Reduction Officer - No objections, subject to an informative.

Emergency Planning Officer - No objections, subject to a safeguarding condition.

Environment Agency - No objections, subject to an informative.

Children's Services - No objections.

Neighbour Representations

The following properties object to the proposal:

4A, 4E, 6, 8, 10, 12A and 12B Welholme Avenue, Grimsby
Flat 2, Hazelmere House, 2-4 Welholme Avenue, Grimsby
3 Le Burghdike Close, Grimsby

On the following grounds:

- Not in keeping with the area;
- Affect on value of houses;
- Parking and traffic issues;
- Anti-social behaviour concerns;
- Noise disturbance;
- Lack of amenities;
- Lack of street lighting;
- Health and safety concerns; and
- Loss of privacy

12 Welholme Avenue, Grimsby - Supports the proposal.

Grimsby, Cleethorpes and District Civic Society - Recognise the need for these facilities, but query the fact there is no mention of the number and age of the children involved to enable us to make further comment.

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Impact on Character and Appearance of the Area and Heritage
- Impact on Neighbouring Amenity
- Crime and Anti-social Behaviour
- Highways and Parking
- Flood Risk
- Biodiversity

Principle of Development

The proposal is for the change the use of the existing dwelling (Use Class C3) into a children's care home (Use Class C2).

The information supplied with the application (contained within the Operational Statement) states that up to 3 children would live at the property with 3 members of staff (maximum) providing care in the day and 2 members of staff during the night (maximum). This would be the children's permanent home. The care that would be provided would be acting in a parenting role and the concept is to provide a family home. The proposed use of the house is still residential in principle and would provide a home for children to be managed by North East Lincolnshire Council.

The site is located within an established residential area. Moreover, this area of the Borough benefits from the usual services, including primary and secondary schools, town centre, public transport and recreation areas, and is located within the defined settlement boundary for Grimsby in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018). Therefore, it is considered acceptable in principle.

It then falls to judge the proposal on the site-specific material planning issues as required by Policy 5 of the Local Plan.

The site is within the Wellow Conservation Area in which Policy 39 of the Local Plan is relevant. The requirements under Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area apply.

Impact on Character and Appearance of the Area and Heritage

The proposed change of use would not result in any external changes to the existing dwelling. Thus, the visual character of the area would not be adversely affected by the proposed development. The proposed use whilst falling within Use Class C2 of the Use Classes Order is still residential in character. Currently the existing house has four bedrooms, and there would be no layout changes to the property internally therefore, in physical terms, the property would be used and remain as a home.

The site is situated within the Wellow Conservation Area. As there would be no physical changes, the conservation area would be preserved. The Council's Heritage Officer has no objections to the use change.

On this basis, it is considered to be in accordance with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring Amenity

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires that account is taken of the effect upon the amenity of adjacent land uses. The objections received from local residents are acknowledged. The proposed development would not see any physical changes to the existing property externally so there would not be any physical impacts from development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking.

The proposed use would see the existing four-bedroom dwelling used in a similar way to its current use as a dwelling house. It is perfectly reasonable, in planning terms, to expect a four-bedroom house to be occupied by the number of children and adults. There would be a material difference to the existing situation as the adults would not be residents and would change on a shift pattern, as noted within the Operational Statement however, these comings and goings are unlikely to be significant and not materially different to those expected at a residential property in relation to the usual daily routine. This is also considered to apply to use of the garden space by the children in that it would be no different from a family unit using their garden and as such this would not pose any additional impact on the residential amenities of the neighbouring properties.

One main issue highlighted is the impact in terms of the potential of noise and disturbance specifically as a result of comings and goings. Details relating to staff changeover and numbers have been provided which demonstrate again that this would not be over and above what can be reasonably expected at a residential property and would not be detrimental.

Other comments refer to the devaluation of properties which is not considered an issue to weigh against the proposal and the adequacy of the consultation. The applicants Operational Statement highlights consultation and offers the opportunity for residents to engage prior to its operation. Furthermore, sufficient consultation has been undertaken as part of the planning process and indeed can be acknowledged by the number of comments received.

Furthermore, in terms of noise and disturbance the Council's Environmental Health Officer has no objections. The application is therefore considered to be in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Crime and Anti-social Behaviour

Some neighbour comments refer to the potential for anti-social behaviour. The property will be staffed 24 hours a day. The number of children to be accommodated does not exceed what could typically be expected for a four-bed house. There has been engagement with Humberside Police in response to the application and in particular whether the site is suitable for a small care home in this location. The Crime Reduction Officer raises no objections with regards to the proposed use and its location. The management of the home would also fall under the responsibility of North East

Lincolnshire Council and will be registered and overseen by Ofsted.

Having regard to the above it is considered that the location is suitable for the children to be housed and there are no other crime or anti-social concerns with the proposal. The application is considered to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Highways and Parking

It is noted that objections highlight highway safety, amenity, access, traffic and parking as concerns.

The existing site is a four-bedroom property which would remain residential in its nature. The property benefits from an existing access point that will remain unaltered and a driveway which allows for at least two vehicles to be parked on the drive as well as the garage. In addition, there is on-street parking available.

It is therefore considered that the proposed development would not have a detrimental impact on highway amenity as a result of insufficient parking provision on the site. Additionally, the traffic movements associated to the use are not expected to be significantly more than that of a good sized dwelling.

The comments relating to access for emergency services is noted however it is not considered that this use would impede the access available.

The Council's Highways Officer has considered the proposed development in detail with specific regard to highway safety, traffic, parking and amenity and raises no objections to the proposed development.

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

Flood Risk

The site is located within a high flood risk area. A Flood Risk Assessment and Flood Warning and Evacuation Plan has been submitted. The Environment Agency and Emergency Planning Officer are content with the information provided, subject to safeguarding conditions and informatives.

Biodiversity

The Council's Ecology Officer has confirmed that the proposal is exempt from Biodiversity Net Gain requirements and has no objections to the development. The proposal therefore accords with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The proposed development seeks to provide accommodation in the form of a small children's home which is to be delivered by North East Lincolnshire Council. The proposal would maintain a residential use in a residential area albeit of a different use class. The overall intensity of the use of the site would not significantly change from what may reasonably be expected at a dwelling house. It is not considered that there would be any adverse impacts on the neighbouring properties residential amenities or additional harm to highway safety, amenity or crime. The general appearance of the property would not be altered and so the visual character of the area and the Wellow Conservation Area would not be harmed. Finally, the safety of the children has been considered acceptable by the Police.

The application can therefore be recommended for approval in accordance with Policies 5, 22, 33, 38, 39 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and Sections 12, 14, 15 and 16 of the NPPF, subject to a number of safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - PS042-25 P-001

Existing and Proposed Block Plan - PS042-25 P-002

Proposed Ground and First Floor Plans - PS042-25 P-004

Reason

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

(3) Condition

The development shall be operated and managed in accordance with the Operational Statement (dated June 2025) in so far as the number of children are concerned.

Reason

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

(4) Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated July 2025, compiled by Equans / NELC in partnership) and the Flood Evacuation Plan (completed 25th July 2025) including the flood resistance and resilience measures incorporated as stated.

Reason

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

(5) Condition

The site shall be used as a children's home only under Class C2 and shall not be used for any other purpose or use including any others within Class C2.

Reason

To define the permission and to protect amenity and 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, the conservation area or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 38, 39 and 41.

2 Added Value Statement

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

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

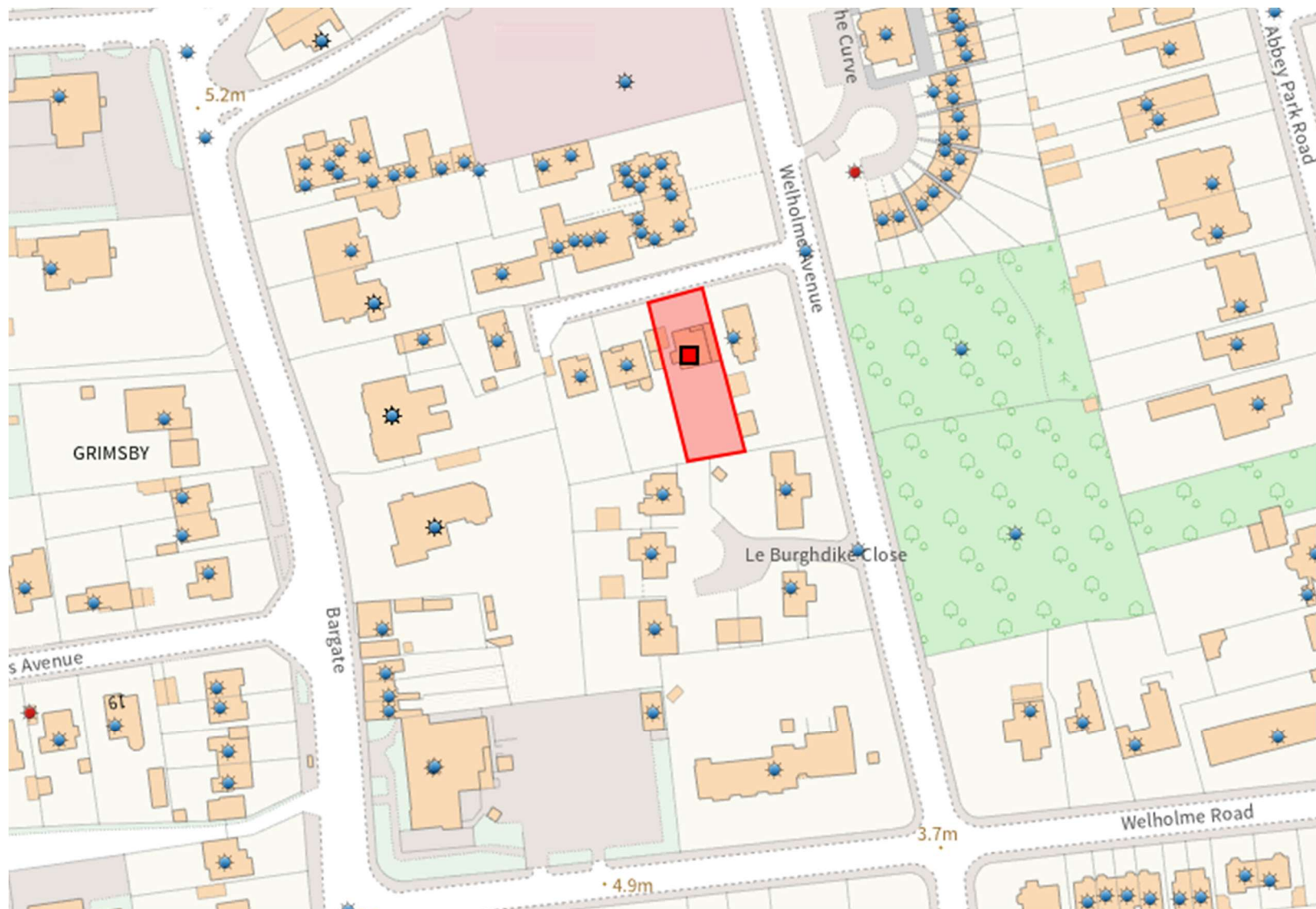
3 Informative

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

4 Informative

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

DM/0518/25/FUL – 12 WELHOLME AVENUE, GRIMSBY



DM/0518/25/FUL – 12 WELHOLME AVENUE, GRIMSBY



PLANNING COMMITTEE - 3rd September 2025

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

APPLICATION No: DM/0435/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 240 Station Road, New Waltham, North East Lincolnshire, DN36 4PE

PROPOSAL: Change of use from existing dwelling (Class C3) to a residential home (Class C2) for 2 young people aged between 7 and 17 years

APPLICANT:

Keys Group Limited
C/O Agent - Emery Planning
1-4 South Park Court
Hobson Street
Macclesfield
Cheshire
SK11 8BS

DEPOSITED: 23rd May 2025

AGENT:

Ms Sarah Sands
Emery Planning
1-4 South Park Business Court
Hobson Street
Macclesfield
SK11 8BS

ACCEPTED: 23rd May 2025

TARGET DATE: 18th July 2025

PUBLICITY EXPIRY: 29th June 2025

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 23rd June 2025

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is for the change of use of the existing residential dwellinghouse (Use Class C3) to a residential children's home (Use Class C2) for two young people aged between seven and seventeen years of age.

The application is triggered for determination by planning committee due to receiving a parish council objection to the scheme as well as in excess of three neighbour objections to the proposal.

SITE

240 Station Road is an existing detached, residential property located to the south side of Station Road. The area surrounding the property is residential in nature, with predominantly detached properties within the immediate vicinity of the application site.

RELEVANT PLANNING HISTORY

DM/0165/25/CEA - Certificate of Lawfulness - Proposed Use for small scale residential home (Class C2) for up to 2 young people between the ages of 7 and 17 years - Refused.

DC/571/09/HUM - Erect first floor extension to rear - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF8 - Promoting healthy and safe communities
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO38 - Parking
PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

Consultees

Heritage - No heritage input required.

Highways - Approval no conditions due to the proposal posing no impact to the adopted

highway and in-curtilage parking is to be retained.

Environmental Health - No comments.

Ecology - Confirms the proposal does not impact a priority habitat, impacts less than 25 square meters of onsite habitat with a biodiversity value greater than zero (as measured by the statutory metric) and on less than 5 metres of onsite linear habitat so the de minimis condition is met and the proposal is considered to be exempt from the mandatory bio-diversity net gain condition. No known ecological issues.

Children's Services - Proposed location appears suitable to support the needs of a children's home in terms of space, functionality, and overall suitability for residential care. Children's Services would support provision of a children's home for 2 children, as this fits with the needs of children in their care. Children's Services have an effective working relationship with the organisation submitting this request.

Safer Communities Officer - No concerns with the proposal.

New Waltham Parish Council - Objections due to the lack of detailed information regarding the full proposed use of the property, as well as the involvement of a private company initiating the application.

Neighbours and Public Representations

Various objections have been received from neighbours at 161 Waltham Road, 229, 238, 242, 244 Station Road, 5 Crofters Grove and 6 Ings Lane in relation to this application broadly on the grounds of:

- Use of the property as a children's residential home as surrounding area is residential in nature and not commercial;
- Poor reputation of applicant company;
- Concern over lack of inspections, rules and regulations, no management plan or safeguarding information provided;
- Disruption relative to traffic, parking, turning space within the property, deliveries, meetings, staff changeovers and transportation of service users;
- Lack of detail provided over the types of issues the children may have;
- Noise, nuisance, safety and antisocial behaviour concerns;
- Concerns over the number of children and supervision levels, uncertainty over long-term capacity;
- Police callouts at unsociable hours being commonplace in developments such as this;
- Road safety concerns;
- Impact on elderly residents;
- Breach of covenant on the land;
- Impacts to property values.

Grimsby and Cleethorpes District Civic Society support approval of the application given

it is to help young people.

APPRAISAL

The material planning considerations are:

1. Principle of Development
2. Impact to the Character of the Area
3. Impact to Neighbours
4. Highways and Parking
5. Crime and Anti-Social Behaviour
6. Ecology and Biodiversity Net Gain
7. Other Considerations

1. Principle of Development

The proposal is for the change the use of the existing dwelling (Use Class C3) into a children's care home (Use Class C2).

The information supplied with the application (contained within the Planning Statement) states that up to 2 children would live at the property with 3 members of staff (maximum) providing care. This would be the children's permanent home. The care that would be provided would be acting in a parenting role and the concept is to provide a family home. The proposed use of the house is still residential in principle and would provide a home for children to be managed by Keys Group Limited.

The site is located within an established residential area. Moreover, this area of the Borough benefits from the usual services expected in a village locality, including primary and secondary schools, local centres, public transport and recreation areas, and is located within the defined settlement boundary for New Waltham in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) (NELLP). Therefore, it is considered acceptable in principle.

It then falls to judge the proposal on the site-specific material planning issues as required by Policy 5 of the NELLP 2018.

2. Impact to the Character of the Area

The proposed change of use would not result in any external changes to the existing dwelling. Thus, the visual character of the area would not be adversely affected by the proposed development. The proposed use, whilst falling within Use Class C2 of the Use Classes Order, is still residential in nature. Currently, the existing house has five bedrooms with no internal layout changes proposed. Therefore in physical terms, the property would be used and remain as a traditional family home.

In respect of character considerations, the proposal is considered to accord with Policy 5

of the NELLP 2018.

3. Impact to Neighbours

The objections received from local residents are acknowledged. The proposed development would not see any physical changes to the existing property externally, as mentioned above, with there being no physical impacts arising from the development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking. The potential impacts to the neighbours therefore arise from the proposed use of the property.

The proposed use would see the existing five-bedroom dwelling used in a similar way to its current use as a dwelling house. It is perfectly reasonable, in planning terms, to expect a five-bedroom house to be occupied by the number of children and adults specified in this application. There would be a material difference to the existing situation as the adults would not be residents and would work on a shift pattern basis, as noted within the Planning Statement. However, these comings and goings are unlikely to be significant and not materially different to those expected at any typical residential property in relation to the usual daily routine of school runs, sports clubs and trips to shops which would take place. This is also considered to apply to use of the garden space by the children in that it would be no different from a typical family unit using their garden. As such, this would not pose any additional impact on the residential amenities of the neighbouring properties.

Some comments refer to the devaluation of property and the medical backgrounds of the children intended to use the property. Such matters are considered to fall outside of the planning considerations. The other issues highlighted are addressed throughout the report.

The proposal is therefore considered to accord with Policy 5 of the NELLP 2018 in relation to the impacts to neighbours.

4. Highways and Parking

It is noted that objections highlight highway safety, amenity, access, traffic and parking as serious concerns.

The existing site is a five-bedroom property which would remain residential in its overarching nature. The property benefits from an existing vehicular access point that will remain unaltered. The existing property benefits from a driveway which allows for up to 5 cars to be parked on the drive, as well as the property benefitting from a garage which is to be retained.

It is therefore considered that the proposed development would not have a detrimental impact on highway amenity due to there being sufficient parking provision on the site.

Additionally, the traffic movements associated with this type of use are not expected to be significantly more than that for a single dwelling. It is not unreasonable due to the size of the property, to expect the existing dwelling to be potentially wholly occupied by adults and therefore have the potential to generate trip numbers far more than what is being proposed. The young people living in the home will not be car drivers themselves and therefore trip generation will be on par with that of a typical family.

Highway safety is a material consideration. The parking provision available on-site is considered to be sufficient to support the maximum number of staff present at any one time. One main issue highlighted is the impact in terms of the potential of noise and disturbance specifically as a result of comings and goings. Details relating to staff changeover and numbers have been provided which demonstrate that this would not be over and above what can be reasonably expected at a residential property.

The Highways Officer has considered the proposed development in detail with specific regard to highway access, capacity and safety; parking, servicing and sustainability and raises no objections to the proposed development.

In respect of highways considerations, it is considered that the proposal is in accordance with Policies 5 and 38 of the NELLP 2018.

5. Crime and Anti-Social Behaviour

Some of the neighbour representations received refer to the potential for anti-social behaviour as a result of the use change proposed. The property will be staffed 24 hours a day. The home is not intended to operate any different from that of a normal dwellinghouse and indeed, the number of children to be housed does not exceed what could typically be expected for a five-bed house. There has been engagement with Humberside Police in response to the application and in particular whether the site is suitable for a small care home in this location. The Crime Reduction Officer raises no objections with regards to the proposed use and its location.

The applicant has a positive working relationship with North East Lincolnshire Council, working with the council to provide excellent existing provisions within the area. The applicants work with the local Police Liaison Officer in respect of new provisions but also to provide safeguarding information relative to the local area, ensuring each child is placed in an area suitable to their needs. Keys Group Limited meet with Social Services Commissioners regularly to ensure that needs are being met and the development of homes within the area is made in the knowledge of demand for placements. The management of the home would also fall under the responsibility of the applicants and will be registered and overseen by Ofsted.

The Council's Children's Services team have provided comment on this application, stating that the proposed location appears suitable to support the needs of a children's home in terms of space, functionality, and overall suitability for residential care. Children's Services would support provision of a children's home for 2 children, as this fits with the

needs of children in their care. Children's Services confirm they have an effective working relationship with the organisation submitting this request.

Having regard to the above, the proposal is considered to be in accordance with Policies 5 and 22 of the NELLP 2018.

6. Ecology and Biodiversity Net Gain

The Council's Ecology Team confirm that the proposal does not impact a priority habitat, impacts less than 25 square meters of onsite habitat with a biodiversity value greater than zero (as measured by the statutory metric) and is on less than 5 metres of onsite linear habitat. The de-minimis condition is met and the proposal is considered to be exempt from the mandatory biodiversity net gain condition. There are no further known ecological issues at this site. In respect of biodiversity and ecology, the proposal is considered to be in accordance with Policy 41 of the NELLP 2018.

7. Other Considerations

The Council's Heritage and Environmental Health Officers raise no objections to the proposal. New Waltham Parish Council object to the scheme due to the lack of detailed information regarding the full proposed use of the property, as well as the involvement of a private company initiating the application. The application is considered suitably detailed to make a planning assessment and it must be noted that any approval or otherwise of a permission is with the land and not the company or person.

In relation to the comments made regarding the application forms, given there are no changes to the property internally or externally there are no issues with regards to trees. Additionally, because C3 and C2 and residential uses, there is no loss or gain of commercial floorspace in planning terms.

CONCLUSION

The proposed development seeks to provide accommodation in the form of a small children's home which is to be delivered by Keys Group Limited. The proposal would maintain a residential use in a residential area albeit of a different use class. The overall intensity of the use of the site would not significantly change what may be reasonably expected at a dwellinghouse. It is not considered that there would be adverse impacts on the residential amenity of neighbouring properties, nor additional harm to highways safety, amenity, crime or anti-social behaviour. The general appearance of the property would not be altered and so the visual character of the area would not be harmed. Finally, the safety of the children has been considered acceptable by the Police.

It is considered that the proposed development would comply with Policies 5, 22, 38 and 41 of the NELLP 2018 and is therefore 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 and operated in accordance with the following plans and documents:

Site Location Plan received 23rd May 2025

Block Plan received 23rd May 2025

Existing and Proposed Floor Plans received 23rd May 2025

Planning Statement - dated June 2025

Reason

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

(3) Condition

The site shall be used as a children's home only under Class C2 and shall not be used for any other purpose or use including any others within Class C2.

Reason

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

(4) Condition

The development shall be operated and managed in accordance with the Planning Statement (Received 13th June 2025) to include the number of children.

Reason

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

(5) 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, 38 and 41.

2 Added Value Statement

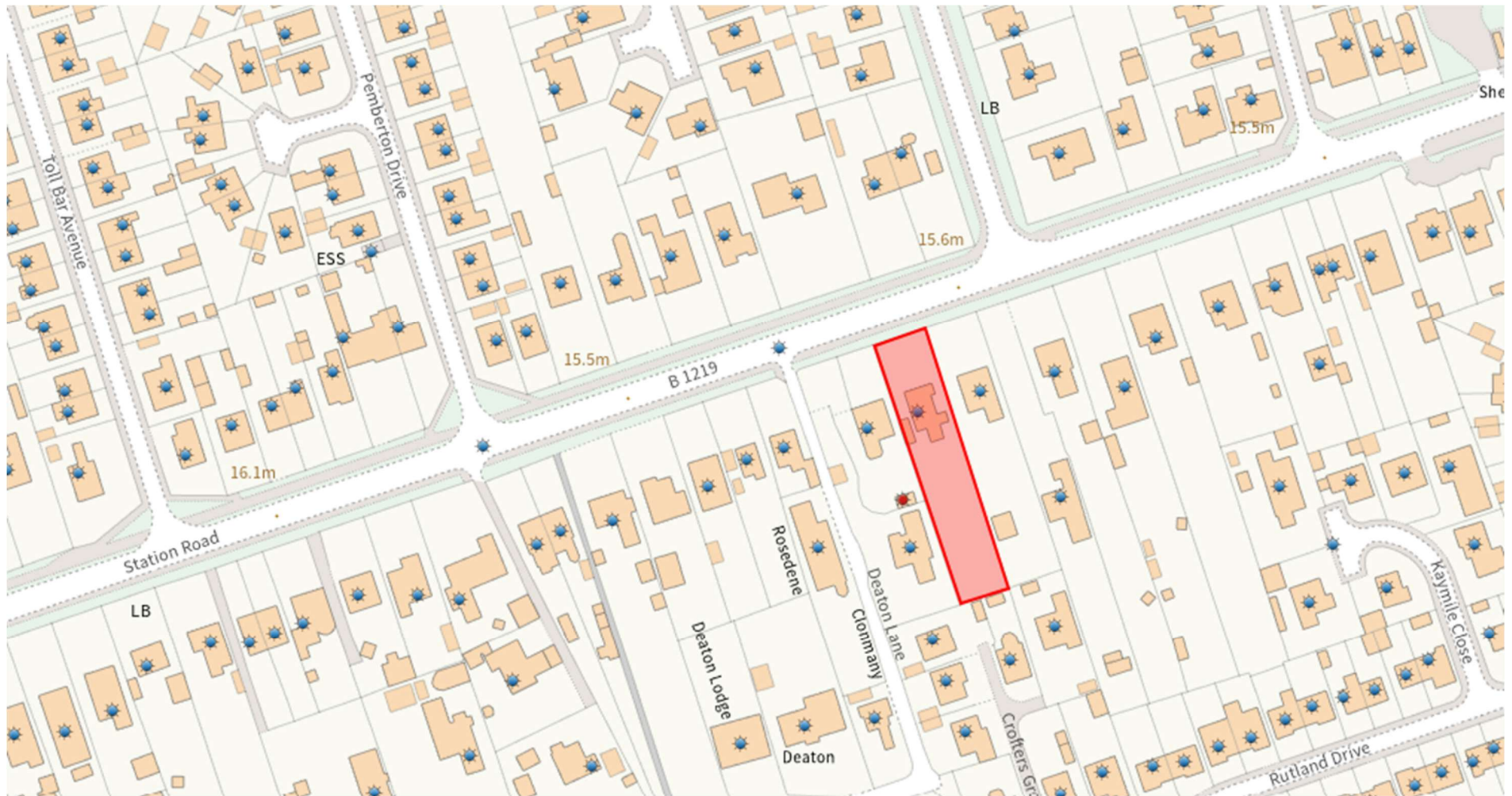
Article 31(1)(cc) Statement - Positive and Proactive Approach

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 securing additional details to alleviate a concern.

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/0435/25/FUL – 240 STATION ROAD, NEW WALTHAM



DM/0435/25/FUL – 240 STATION ROAD, NEW WALTHAM



PLANNING COMMITTEE - 3rd September 2025

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

APPLICATION No: DM/0436/25/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 88 Stallingborough Road, Healing, North East Lincolnshire, DN41 7QL

PROPOSAL: Change of use from existing dwelling (Class C3) to a residential home (Class C2) for 2 young people aged between 7 and 17 years

APPLICANT:

Keys Group Limited
C/O Agent - Emery Planning
1-4 South Park Court
Hobson Street
Macclesfield
Cheshire
SK11 8BS

DEPOSITED: 23rd May 2025

AGENT:

Ms Sarah Sands
Emery Planning
1-4 South Park Business Court
Hobson Street
Macclesfield
SK11 8BS

ACCEPTED: 23rd May 2025

TARGET DATE: 18th July 2025

PUBLICITY EXPIRY: 29th June 2025

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY:

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is for the change of use of the existing residential dwellinghouse (Use Class C3) to a residential children's home (Use Class C2) for two young people aged between seven and seventeen years of age.

The application is triggered for determination by planning committee due to receiving in excess of three neighbour objections to the proposal.

SITE

88 Stallingborough Road is an existing detached, residential property located to the

northeast side of Stallingborough Road. The area surrounding the property is residential in nature, with a mixture of properties within the immediate vicinity of the application site.

RELEVANT PLANNING HISTORY

DM/0164/25/CEA - Certificate of Lawfulness - Proposed Use for small scale residential home (Class C2) for up to 2 young people between the ages of 7 and 17 years - Refused.

DC/505/03/WOL - Erect extension to rear of dwelling to form conservatory and erect pitched roof over existing flat roofed garage - Approved with conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF8 - Promoting healthy and safe communities
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO38 - Parking
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 input required.

Highways - Approval no conditions due to the in-curtilage parking which is to be retained and no amendments proposed to the existing highway access arrangements.

Environmental Health - No comments.

Ecology - Confirms the proposal does not impact a priority habitat, impacts less than 25 square meters of onsite habitat with a biodiversity value greater than zero (as measured by the statutory metric) and is on less than 5 metres of onsite linear habitat so the de minimis condition is met and the proposal is considered to be exempt from the mandatory bio-diversity net gain condition. No known ecological issues.

Children's Services - Proposed location appears suitable to support the needs of a children's home in terms of space, functionality, and overall suitability for residential care. Children's Services would support provision of a children's home for 2 children, as this fits with the needs of children in their care. Children's Services have an effective working relationship with the organisation submitting this request.

Safer Communities Officer - No objections in principle to the proposed change of use.

Healing Parish Council - No objections.

Neighbours and Public Representations

Objections received from 2 Hornbeam Drive, 3 Hornbeam Drive, 3 Grampian Avenue, 86 Stallingborough Road and 90 Stallingborough Road broadly on the grounds of:

- Concerns over the change of use of a residential property to a commercial property
- Number of car-parking spaces identified within the application documents is incorrect
- Incorrect information provided relating to trees and hedges
- Concerns over anti-social behaviour, noise and disturbance
- Increase in comings and goings from the property due to staff changeover and transportation of the children
- Concerns over the potential for additional children to reside at the property

Grimsby and Cleethorpes District Civic Society provide a neutral comment on the proposal requesting any extensions are in-keeping with the current architecture.

APPRAISAL

The material planning considerations are:

1. Principle of Development
2. Impact to the Character of the Area
3. Impact to Neighbours
4. Highways and Parking
5. Crime and Anti-Social Behaviour
6. Ecology and Biodiversity Net Gain

7. Other Considerations

1. Principle of Development

The proposal is for the change the use of the existing dwelling (Use Class C3) into a children's care home (Use Class C2).

The information supplied with the application (contained within the Planning Statement) states that up to 2 children would live at the property with 3 members of staff (maximum) providing care. This would be the children's permanent home. The care that would be provided would be acting in a parenting role and the concept is to provide a family home. The proposed use of the house is still residential in principle and would provide a home for children to be managed by Keys Group Limited.

The site is located within an established residential area. Moreover, this area of the Borough benefits from the usual services expected in a village locality, including primary and secondary schools, local centres, public transport and recreation areas, and is located within the defined settlement boundary for Healing in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) (NELLP). Therefore, it is considered acceptable in principle.

It then falls to judge the proposal on the site-specific material planning issues as required by Policy 5 of the NELLP 2018.

2. Impact to the Character of the Area

The proposed change of use would not result in any external changes to the existing dwelling. Thus, the visual character of the area would not be adversely affected by the proposed development. The proposed use, whilst falling within Use Class C2 of the Use Classes Order, is still residential in nature. Currently, the existing house has five bedrooms with no internal layout changes proposed. Therefore in physical terms, the property would be used and remain as a traditional family home.

In respect of character considerations, the proposal is considered to accord with Policy 5 of the NELLP 2018.

3. Impact to Neighbours

The objections received from local residents are acknowledged. The proposed development would not see any physical changes to the existing property externally, as mentioned above, with there being no physical impacts arising from the development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking. The potential impacts to the neighbours therefore arise from the proposed use of the property as indicated by representations received.

The proposed use would see the existing five-bedroom dwelling used in a similar way to

its current use as a dwelling house. It is perfectly reasonable, in planning terms, to expect a five-bedroom house to be occupied by the number of children and adults specified in this application. There would be a material difference to the existing situation as the adults would not be residents and would work on a shift pattern basis, as noted within the Planning Statement. However, these comings and goings are unlikely to be significant and not materially different to those expected at any typical residential property in relation to the usual daily routine of school runs, sports clubs and trips to shops which would take place. This is also considered to apply to use of the garden space by the children in that it would be no different from a typical family unit using their garden. As such, this would not pose any additional impact on the residential amenities of the neighbouring properties.

Other issues highlighted by neighbour representations received are addressed throughout the report.

The comments received from Grimsby and Cleethorpes District Civic Society provide comment in relation to extensions. For clarity, the proposal does not involve extensions or external alterations to accommodate the change of use proposed.

The proposal is therefore considered to accord with Policy 5 of the NELLP 2018 in relation to the impacts to neighbours.

4. Highways and Parking

It is noted that objections highlight parking and the increase in comings and goings from the property as serious concerns.

The existing site is a five-bedroom property which would remain residential in its overarching nature. The property benefits from an existing vehicular access point that will remain unaltered. The existing property benefits from a driveway which allows for up to 5 cars to be parked on the drive. It is therefore considered that the proposed development would not have a detrimental impact on highway amenity due to there being sufficient parking provision on the site.

Additionally, the traffic movements associated with this type of use are not expected to be significantly more than that for a single dwelling. It is not unreasonable, due to the size of the property, to expect the existing dwelling to be potentially wholly occupied by adults and therefore have the potential to generate trip numbers far more than what is being proposed. The young people living in the home will not be car drivers themselves and therefore trip generation will be on par with that of a typical family.

Highway safety is a material consideration. The parking provision available on-site is considered to be sufficient to support the maximum number of staff present at any one time. One main issue highlighted is the impact in terms of the potential of noise and disturbance specifically as a result of comings and goings. Details relating to staff changeover and numbers have been provided which demonstrate that this would not be

over and above what can be reasonably expected at a residential property.

The Highways Officer has considered the proposed development in detail with specific regard to highway access, capacity and safety; parking, servicing and sustainability and raises no objections to the proposed development.

In respect of highways considerations, it is considered that the proposal is in accordance with Policies 5 and 38 of the NELLP 2018.

5. Crime and Anti-Social Behaviour

Some of the neighbour representations received refer to the potential for anti-social behaviour as a result of the use change proposed. The property will be staffed 24 hours a day. The home is not intended to operate any differently from that of a normal dwellinghouse and indeed, the number of children to be housed does not exceed what could typically be expected for a five-bed house. There has been engagement with Humberside Police in response to the application and in particular whether the site is suitable for a small care home in this location. The Crime Reduction Officer raises no objections with regards to the proposed use and its location.

The applicant has a positive working relationship with North East Lincolnshire Council, working with the Council to provide excellent existing provisions within the area. The applicants work with the local Police Liaison Officer in respect of new provisions but also to provide safeguarding information relative to the local area, ensuring each child is placed in an area suitable to their needs. Keys Group Limited meet with Social Services Commissioners regularly to ensure that needs are being met and the development of homes within the area is made in the knowledge of demand for placements. The management of the home would also fall under the responsibility of the applicants and will be registered and overseen by Ofsted.

The Council's Children's Services team have provided comment on this application, stating that the proposed location appears suitable to support the needs of a children's home in terms of space, functionality, and overall suitability for residential care. Children's Services would support provision of a children's home for 2 children, as this fits with the needs of children in their care. Children's Services confirm they have an effective working relationship with the organisation submitting this request.

Having regard to the above, the proposal is considered to be in accordance with Policies 5 and 22 of the NELLP 2018.

6. Ecology and Biodiversity Net Gain

The Council's Ecology Team confirm that the proposal does not impact a priority habitat, impacts less than 25 square meters of onsite habitat with a biodiversity value greater than zero (as measured by the statutory metric) and is on less than 5 metres of onsite linear habitat. The de-minimis condition is met and the proposal is considered to be

exempt from the mandatory biodiversity net gain condition. There are no further known ecological issues at this site. In respect of biodiversity and ecology, the proposal is considered to be in accordance with Policy 41 of the NELLP 2018.

7. Other Considerations

The Council's Heritage and Environmental Health Officers raise no objections to the proposal. Importantly, Healing Parish Council provide no objection to the scheme.

In relation to the comments made regarding the application forms, given there are no changes to the property internally or externally there are no issues with regards to trees. Additionally, because C3 and C2 and residential uses, there is no loss or gain of commercial floorspace in planning terms.

CONCLUSION

The proposed development seeks to provide accommodation in the form of a small children's home which is to be delivered by Keys Group Limited. The proposal would maintain a residential use in a residential area albeit of a different use class. The overall intensity of the use of the site would not significantly change what may be reasonably expected at a dwellinghouse. It is not considered that there would be adverse impacts on the residential amenity of neighbouring properties, nor additional harm to highways safety, amenity, crime or anti-social behaviour. The general appearance of the property would not be altered and so the visual character of the area would not be harmed. Finally, the safety of the children has been considered acceptable by the Police.

It is considered that the proposed development would comply with Policies 5, 22, 38 and 41 of the NELLP 2018 and is therefore 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 and

documents:

Site Location Plan received 23rd May 2025

Block Plan received 23rd May 2025

Existing and Proposed Floor Plans received 23rd May 2025

Planning Statement received June 2025

Reason

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

(3) Condition

The site shall be used as a children's home only under Class C2 and shall not be used for any other purpose or use including any others within Class C2.

Reason

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

(4) Condition

The development shall be operated and managed in accordance with the Planning Statement (Received 13th June 2025) to include the number of children.

Reason

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

(5) 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, 38 and 41.

2 Added Value Statement

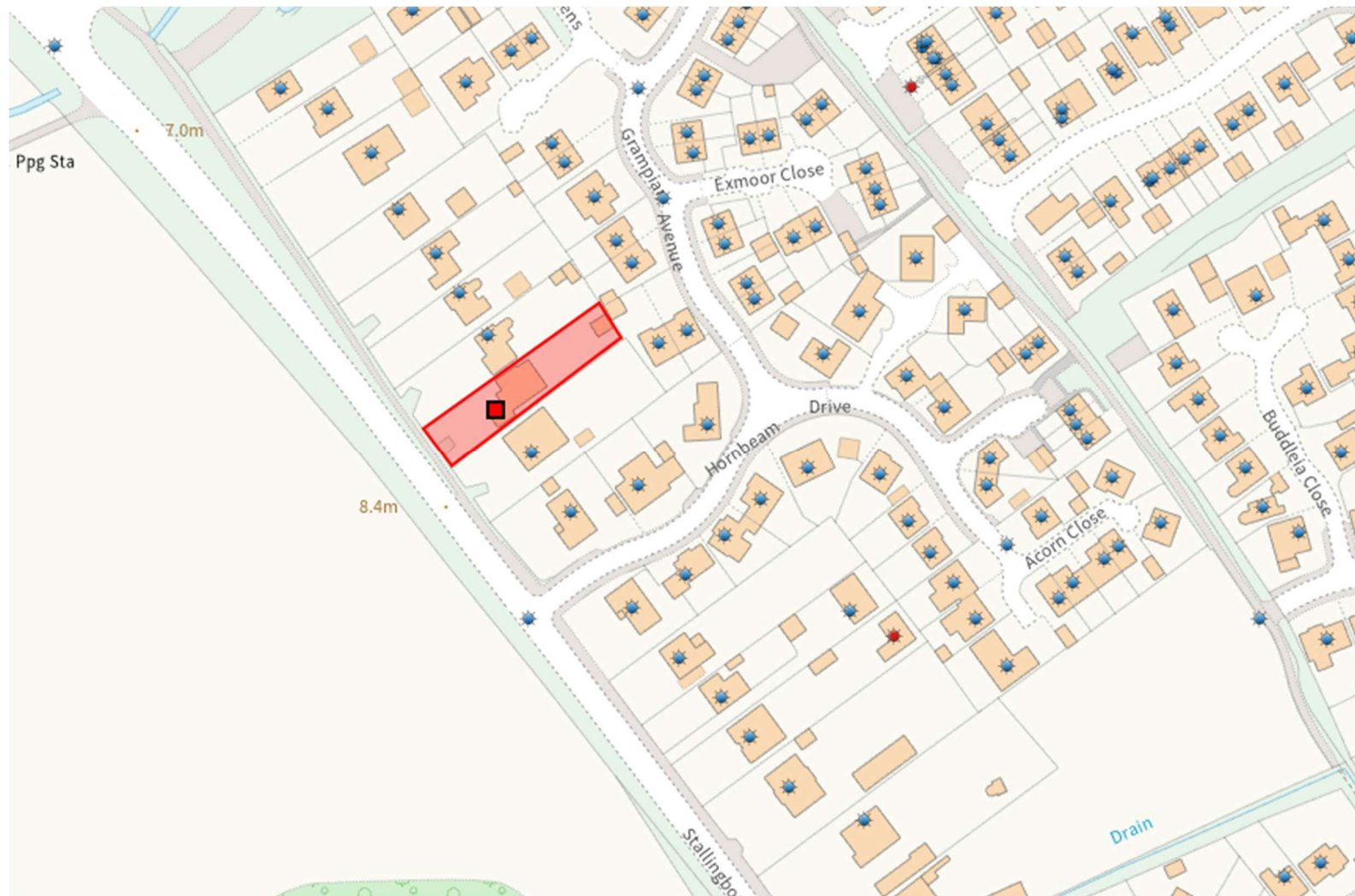
Article 31(1)(cc) Statement - Positive and Proactive Approach

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 securing additional details to alleviate a concern.

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/0436/25/FUL – 88 STALLINGBOROUGH ROAD, HEALING



DM/0436/25/FUL – 88 STALLINGBOROUGH ROAD, HEALING



PLANNING COMMITTEE - 3rd September 2025

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

APPLICATION No: DM/1065/24/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Former Bursar Primary School , Bursar Street, Cleethorpes, North East Lincolnshire, DN35 8DS

PROPOSAL: Conversion and alterations to former school buildings to create 19 residential dwellings, including associated parking, private gardens, shared garden spaces, new pedestrian accesses and associated works (Reduced number of flats, increased parking, additional architectural details, materials, drainage methodology, altered access width and landscaping)

APPLICANT:

Mr Dan Pattrick
SCE-D Limited
Bursar Primary School
Bursar Street
Cleethorpes
North East Lincolnshire
DN35 8DS

DEPOSITED: 30th December 2024

AGENT:

Mr David Ettridge
Ettridge Architecture
26 Ferriby Road
Hessle
HU13 0PG

ACCEPTED: 6th February 2025

TARGET DATE: 8th May 2025

PUBLICITY EXPIRY: 24th August 2025

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 7th March 2025

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application seeks permission to convert the former Bursar Street School into 19 x one, two and three bedroom houses and flats with associated alterations, landscaping and car parking. Units would generally be two storey designs, in most cases utilising mezzanine floors. In addition, a small number of ground floor flats would also be created. A number of physical alterations would be required to doors and windows along with some single storey alterations and extensions.

Access would be via the existing vehicle access onto Bursar Street with the car park formed on the former playground. Associated landscaping and areas of open space would also be formed within this area. The existing landscaping and trees existing to Bursar Street would be retained and added to.

The application is brought to Planning Committee as it represents a departure from the Local Plan.

SITE

The application site is a former school which fronts Bursar Street, Frederick Street and to a lesser extent Giles Street, Cleethorpes. The site is laid out with the main school building fronting Frederick Street, the car park and playground to the centre with access off Bursar Street and a smaller ancillary building to Giles Street.

The school buildings and associated school house, which is not part of this application, are locally listed ref. DNL1049, and are of a red brick construction with ashlar stone sills, headers and features with a pitched slate roof. Windows are of a variety of designs but are mainly wooden in construction. Although, mainly single storey, the building to Frederick Street also has two storey elements to the rear (west). Also to the western side of that structure are more modern flat roof additions to the school. The smaller school building to Giles Street is of a similar design and also has modern additions to the rear (eastern) elevations, but is wholly single storey.

The school is bounded on all sides by walls. In front of both of the original buildings is a small dwarf wall whilst to the playground/ car park at Bursar Street traditional rails combined with the wall create a 1.8m boundary feature. Adjoining houses to Giles Street and Bentley Street, the playground has a high wall approximately 2.5 - 3m in height with further railings (approximately 0.5m in height) above that.

Ground levels at the site rise north to south quite considerably.

The site is allocated within the NELLP as Education Land and is located within Flood Zone 1.

RELEVANT PLANNING HISTORY

The site has a number of applications related to it but these are not deemed directly relevant to the proposal.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF5 - Delivering a sufficient supply of homes

NPPF8 - Promoting healthy and safe communities

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

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

PO3 - Settlement hierarchy
PO4 - Distribution of housing growth
PO5 - Development boundaries
PO15 - Housing mix
PO17 - Housing density
PO18 - Affordable housing
PO22 - Good design in new developments
PO32 - Energy and low carbon living
PO34 - Water management
PO36 - Promoting sustainable transport
PO38 - Parking
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

All comments are summarised.

Heritage Officer: Overall the development has been carefully considered with minimal new openings and re-ordering of previous extensions to make them more coherent as an overall feature. Following the provision of greater detail in relation to the mezzanine floors, doors and other details the scheme can be given support subject to conditions. This includes the need for retention of wooden windows to the street frontages, brick details and archaeology recording condition.

Highways: Following amendments to the access width no objections subject to conditions. Noted the parking levels fall just below two spaces per unit but the site is

highly sustainable allowing access to work, facilities, shops and public transport without the need for motor vehicles.

Waste Services: The bin collection point has been amended and would now meet the requirement for 13 x 1100 litre bins on site. It may be beneficial for each house to have their own bin but that would require the access road to be adopted, which may not be possible.

Humberside Fire and Rescue: Provides advice for fire fighting equipment and water supplies.

Trees and Woodlands Officer: A BS5837 Tree Report is not required and the tree and shrub species and sizes noted are deemed acceptable. The extent of landscaping is noted and is positive. The sunken gardens need to be carefully considered if these are to be drainage features as this could effect the species. Similarly, the soil preparation for the landscaping areas will be crucial as using soil under the tarmac car park will be unlikely to be conducive to establishment of the trees. The scheme provided whilst helpful does not provide sufficient detail to allow a full approval to be granted and so a condition is recommended.

Ecology: Habitat is less than 25 sq. metres and comprises less than 5m of on site linear habitat so the BNG de-minimis condition is met. However, a detailed landscaping plan is required. The detail provided is deemed acceptable subject to implementation as is the ecology enhancement plan.

Environmental Protection: No objection but request conditions re contamination. Construction Management Plan and Construction Traffic Management Plan submitted are deemed acceptable, however.

Environment Agency: No comments to make.

Anglian Water: Indicate that foul water drainage and surface water drainage has capacity and that the surface water drainage strategy is deemed acceptable.

Drainage: A fully sustainable drainage system is required for this development - requests appropriate condition. No ground raising should be undertaken and there should be no surface water flows onto the road.

Police: Ideally proposal should meet SBD standards.

Education Officer: No requirement for primary or secondary education contributions.

Publicity/Site Notices and Neighbours:

Neutral comments received from:
15 Giles Street, 66 Bursar Street, 13 Frederick Street, The Limes Antons Gowt Boston,

Grimsby and Cleethorpes Civic Society

Broadly on the grounds of:

- Property may have been home to a colony of swifts, bat species are also possibly present. Surveys should be undertaken accordingly. Swift boxes should be included within the scheme.
- Considerate design.
- Questions raised on site status and proposal.
- Reduced anti-social behaviour.

Support comments received from:
34 Bursar Street, 27A Parker Street

Broadly on the grounds of:

- Potential improvements to on street parking.
- Welcomed ecology enhancements.

Objection received from:
2 Giles Street

Broadly on the grounds of:

- Parking concerns.

A number of comments whilst submitted as neutral or support could also be classed as objections from residents. These support the general reuse of the building, which is the target for vandals, if it were not for the following issues raised:

- Scheme represents an over development of the site.
- Refuse provision is not suitable.
- Would welcome the proposal if it were not for limited on street parking capacity in the area. This is worse in summer with visitors. Existing school markings and double yellow lines should be removed now school has gone. On street parking bays should be marked out in white paint to assist.
- Lack of parking on street is bad enough for existing occupiers without further traffic. Properties should have a minimum of two spaces per flat.
- Concerns over loss of historic buildings.
- Requests that foundation stone is retained.
- Dust, noise and nuisance during conversion.

APPRAISAL

Main Issues

- 1) Principle of housing in this location and policy issues
- 2) Design and heritage
- 3) Residential amenity

- 4) Highway safety and parking
- 5) Drainage and flood risk
- 6) Landscaping and ecology

Appraisal

1) Principle of housing in this location and policy issues

The application site is located within the centre of Cleethorpes close to the facilities of St Peters Avenue and with good public transport links to the water area. Cleethorpes is noted, within Policy 3 of the NELLP as being a primary location for sustainable housing development. The site, however, is noted as being allocated as education land on the Proposals Map within the NELLP. Policy 6 of the NELLP outlines the importance of infrastructure in supporting development and this includes education facilities. Policy 6 indicates: D. Existing infrastructure will be safeguarded, except where there is clear evidence that particular infrastructure is no longer required to meet current or future needs, or can be delivered through alternative provision. In this instance, Bursar Street School closed as an operational school sometime back with children transferring to a new Bursar Street Primary Academy created at the former Matthew Humberston school on Clee Road. As such Bursar Street is no longer required for education and its use for housing would meet the requirement of Policy 6.d. It is also noted that the Education Team do not require an education contribution to support the provision of facilities, for either primary and secondary.

The proposal would also bring a locally important heritage building back into use, and whilst the detail of this will be considered below, in principle this would be seen as an important benefit further supporting the proposal.

The housing mix is limited with 16% being 1 bed units, 73% being 2 bed units and 11% being 3 bed units. Whilst heavily weighted towards the 2 bed units, the nature of the historic building and the benefits of dividing it up without major structural interventions, which could have degraded the character and significance of the asset is noted and this is thereafter deemed an acceptable justification in terms of Policies 17 and 39 of the NELLP.

The site is also within a low value area, as outlined within Policy 18 of the NELLP, and as a conversion, i.e. previously developed land, there would be no requirement for affordable housing.

2) Design and heritage

The buildings are locally listed and add greatly to the street scene enhancing the area. Such buildings do not always offer straight forward options for their reuse and conversion, being constructed for a specific use. The buildings have therefore been vacant for some time and are now beginning to degrade. The proposal therefore offers an opportunity to repurpose these structures in a positive manner maintaining a positive street scene for occupiers and visitors to the area.

The design of the buildings are such that they are relatively long and thin with significant window and door openings and a high open vaulted ceiling within the majority of the structure. As such the proposed conversion to dwellings works as the buildings require limited physical intervention, which is supported by the Heritage Officer. Some works cannot be avoided, however, this includes the creation of upper floors through the use of mezzanines. Where possible these floors are located away from windows to maintain the visual historic integrity of the buildings. Where this is not possible it is proposed to use opaque glass and examples of where this has been used before is noted. Similarly, it should be noted that the building currently has false ceilings which have led to the upper parts of a large number of windows being blanked off. As such the current proposal would represent an enhancement to the appearance of the structure.

Some windows would be extended to create doors within the Frederick Street and Bursar Street frontages. Whilst not ideal, access is needed to each apartment and the openings would be placed so that they respected existing opening and design features as far as possible. The Heritage Officer has considered these elements and subject to detailed amendments received has not objected to the scheme. It is noted that the Heritage Officer has noted that the windows to public frontages should be wood framed. The applicant has indicated that this would not be viable and has asked the application be determined as is. As the proposed building is not nationally listed, nor located within a conservation area and most of the windows are not original, it is considered that the benefits of allowing this scheme with the heritage UPVC windows stated, allowing the reuse of this vacant locally listed building in a positive manner would outweigh these concerns in this instance.

To the rear of both buildings more significant works are proposed, but this would impact more modern additions to the school and so are not considered as sensitive. Equally the proposed designs would provide an element of uniformity to the designs that would enhance the appearance of the scheme.

Openings to the front wall with gates and subdivisions into small front garden areas are proposed and can be provided. Similarly, to the rear, small gardens would be provided for residents, albeit bounded by fencing.

The other main change is the reworking of the former playground area into a car park and garden areas. Large areas of the tarmac would be removed and replaced with landscaping. This would soften this area, and the car parking proposed to create an attractive area for future residents and existing occupiers facing into the site.

By the private nature of the site, refuse collections will not be possible from within the site. A combined refuse compound is located close to the site entrance to allow ease of access for around 7 - 8 properties that do not have direct street access. The applicant proposes the remaining units would also use this area although this would not be as accessible due to the distance to this bin store. As such, whilst acceptable in principle, a condition re refuse collection, storage and management is proposed to fully resolve this

matter post determination, which may involve some units having on plot collection points. This will also ensure that this can be done in an acceptable manner, without harm to the character, appearance and significance of the heritage buildings, and amenity.

3) Residential amenity

The nature of the site and the limited physical additions proposed to the buildings are such that neighbours amenities in terms of light/ sunlight and dominance would not significantly change. It is recognised that presently only ground floor accommodation is available at the site in most parts of the buildings. With the mezzanine floors created, future occupiers would face existing properties at first floor. Whilst this would create an additional element of overlooking, in most cases the intervening distance to facing properties would not be unreasonable within an urban area maintaining residential amenity. The potential exceptions to this would be to the southern side of the main building and apartments 9 and 10 which are with 3.8m of rear garden boundaries to properties at Bentley Street. To limit impacts on neighbour's amenities the upper floor bedrooms would be set back 2.5m from the windows with the top half of those windows opaque to limit view of the garden area. This can be conditioned. Similarly, within the small building, apartment 17 would be close the old School Masters House, to the point where a ground floor window would adjoin the garden area of this property. Again, to limit impact on this property it is recommended that obscure glazing to this window is used to the lower section of the window only. Again, the details and height of this can be conditioned.

Noise and nuisance from car parking is noted but the existing school playground and car park is surrounded by 2 - 2.5m high walls which would continue to limit the impacts on neighbours to an acceptable manner. In addition to this, the landscaping proposed would also soften the area and noise and nuisance. It is noted that colleagues within Environmental Protection have not objected to the scheme on amenity grounds. As such it is considered that the scheme would accord with Policy 5 of the NELLP.

4) Highway safety and parking

The site would be accessed from Bursar Street, by an existing access point for the school car park, albeit it a little narrower than proposed. The applicant proposes to widen the access to 5m in width sufficient for two cars to pass. The highway section has indicated that the access including pedestrian footpath is deemed acceptable and would not detract from highway safety in the area.

One of the significant concerns for existing neighbours is the additional vehicles generated by the development which would be parked within the already congested streets surrounding the site. The applicant has noted these concerns and has increased the level of parking at the site to 31 spaces (1.6 spaces per unit or 2 spaces for 12 flats and 1 space for 7 flats). Given the nature and size of the apartments (mainly 2 bedroomed units) such an arrangement is not deemed unreasonable. It is also noted that the loss of the school could also lead to the removal of some of the parking restrictions to Bursar Street increasing the capacity for street parking. The site is also highly sustainable being within walking distance of shops and community facilities within St Peter's Avenue

and varied public transport options giving good access to the wider area. To aid this, the applicant has included secure, covered cycle storage facilities at the site, the details of which can be conditioned. Together these indicate that despite neighbours concerns the proposal would not create significant additional parking within the area that would justify the refusal of planning permission.

5) Drainage and flood risk

The site is currently almost all hard surfaced, with surface water currently directed to mains drains on site or flowing overground into the street. The applicant seeks to maintain this system, as very limited additional building is proposed. In addition to this, a substantial part of the site would be redeveloped into landscaped areas allowing natural drainage to occur. Such an arrangement is deemed a positive but nevertheless a fully detailed and sustainable drainage scheme is required with a 40% betterment compared to current drainage flows from the site. The Council's drainage team is content to condition this.

It is also noted that Anglian Water has not raised an objection to this scheme in terms of either surface water nor foul water connections and capacity.

The site is located within Flood maps for Planning flood zone 1 and is suitable for housing.

6) Landscaping and ecology

The site currently has limited landscaping and all development where it occurs would avoid and not impact on a 27 x 3.1m wide landscaping strip to the Bursar Street frontage which has a number of trees within it. Conditions require this area to be protected from development. As such the development would be exempt from BNG requirements. This has been confirmed by the Council's Ecology team. Similarly, despite concerns raised by a commenter, a bat survey has indicated that no bats emerged or returned to the buildings during the survey. However, bat and swallow boxes are proposed as part of a scheme to enhance the ecology of the area.

The applicant proposes considerable landscaping to the site on areas which are currently hard surfaced playground. As such the scheme, even without BNG would represent a considerable enhancement to the biodiversity of the site. Similarly, the additional planting areas would also enhance the appearance of the site for future residents but also existing occupiers looking into the site. Detailed landscaping specifications have been provided but are not suitably specific and need to be the subject of further assessment at condition discharge stage.

The maintenance of additional landscaping would be through a private company but a management plan for future maintenance is recommended.

CONCLUSION

The proposed scheme seeks to bring a vacant building, no longer required for education

back into economic use. In bringing it back into use, it would better protect the heritage significance of the structure. The required alterations are not considered unreasonable and would as far as possible maintain the heritage significance of the building and its appearance within the surrounding area. Despite the increase in potential parking within an area already heavily parked on street, the scheme would have sufficient parking spaces for a development of mainly two bedroom units and is close to Cleethorpes Town Centre with all the facilities and connections that are available within that area. The additional impacts on neighbours would be limited and could be adequately controlled though conditions. Access to surface water drainage and connection to adequate foul water infrastructure is noted as being possible. Similarly, subject to conditions landscaping and ecology can be enhanced. As such it is considered that the scheme would accord with Policies: 5, 6, 22, 33, 34, 36, 38, 39, and 41 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 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

No development shall commence until a final scheme for the provision of sustainable surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented before the first residential unit is occupied. The drainage shall be retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

There shall be no raising of existing ground levels and no surface water discharge onto the public highway.

Reason

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

(3) Condition

The amended highway access to Bursar Street and parking areas shall be completed in accordance with the approved plan nos. 23 40 110, 23 40 111 and 23 40 150F and shall be available for use before any of the residential units hereby approved are first brought into use and shall thereafter be so retained unless, otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and in accordance with Policies: 5, 36 and 38 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(4) Condition

The conversion and construction works required shall at all times accord with the Construction Management Plan (CMP) incorporating a Construction Traffic Management Plan (CTMP), unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure adequate access facilities are provided during construction, and for amenity and highway safety reasons and in accordance with Policies: 5, 36 and 38 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(5) Condition

Prior to the first occupation of any individual residential unit hereby approved, the Proposed Ecological Enhancement Plan relating to that unit shall have been completed. The elements of the Landscaping Scheme and Proposed Ecological Enhancement Plan relating to the communal areas of the wider site shall be completed in full within 12 months of the development commencing, or an alternative period agreed in writing by the Local Planning Authority.

Notwithstanding these details prior to any of the residential units hereby approved being occupied an Ecological Enhancement Plan Management Scheme shall have been submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be implemented and adhered to thereafter.

Reason

To enhance the ecological interest in the site and area and in accordance with Policies: 5 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(6) Condition

No development shall commence until:

- (a) a scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees and shrubs to be planted;

- (b) details of tree pits and soil preparation required for landscaped areas;
- (c) measures for the protection of trees and hedges (to the Bursar Street frontage) during construction work (including timescales for implementation and retention); and
- (d) a landscape management and maintenance scheme;

have been submitted to and approved in writing by the Local Planning Authority. The tree and hedge protection measures approved under part (C) shall thereafter be implemented and retained in accordance with the agreed details.

In addition, the scheme of landscaping approved by the Local Planning Authority under parts (a) and (b) above 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 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. After the initial 5 year period the landscaping scheme shall be maintained in accordance with the Landscape Management and Maintenance Scheme approved under this condition.

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity and ecology and in accordance with Policies: 5, 41 and 42 of the North East Lincolnshire Local plan 2013 - 2032 (adopted 2018).

(7) Condition

Prior to any residential unit being occupied, bin storage and cycle facilities shall be provided to a design, siting and materials specification to be approved in writing by the Local Planning Authority and shall thereafter be so retained. All bin storage and cycle storage shall be installed as approved before any residential unit is occupied.

Reason

To provide acceptable refuse facilities for occupants of the accommodation, in the interests of sustainable travel and to ensure a satisfactory appearance for the development and its heritage significance and in accordance with Policies: 5, 22, 36, 39 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(8) Condition

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 9 to 11 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 12 has been complied with in relation to that contamination.

Reason

To ensure the site is safe and free from contamination and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2013 (adopted 2018).

(9) Condition

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

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

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance, published online in 2020.

Reason

To ensure the site is safe and free from contamination and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2013 (adopted 2018).

(10) Condition

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

Reason

To ensure the site is safe and free from contamination and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2013 (adopted 2018).

(11) Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure the site is safe and free from contamination and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2013 (adopted 2018).

(12) Condition

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.

Reason

To ensure the site is safe and free from contamination and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2013 (adopted 2018).

(13) Condition

The windows and doors scheme proposed shall be completed in accordance with the following approved plans and details:

23-40-104D Proposed Elevations and Section Main Building
23-40-105D Proposed Elevations and Section Main Building
23-40-106A Proposed Elevations Small Building

23-40-112 Proposed Window Details
23-40-113 Proposed Window Schedule - Main Building
23-40-114 Proposed Window Schedule - Small Building
Window and Door Specification - (31st July 2025)
Heritage Flush Collection - Deceuninck

Reason

To ensure windows, doors repaired/replaced will maintain the character and appearance of the building and its significance and in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

(14) Condition

Before any brickwork repairs/alterations commence on site, a sample panel of brickwork showing the brick type, bond, arches and headers along with mortar mix, thickness and finish shall be erected for written approval to the Local Planning Authority. The approved details shall be implemented within the buildings in accordance with the approved details.

The rear inward facing alterations to the later flat roof additions to the main building (South East Elevation on drawing 20 40 105D) shall be completed in accordance with the following palette of materials:

Modern Contrasting Material Palette to Elevation C - Slate (6th May 2025)
Modern Contrasting Material Palette to Elevation B - Vertical Wood Cladding (6th May 2025)

Unless otherwise agreed in writing with the Local Planning Authority.

Reason

To maintain the appearance and heritage significance of the buildings and in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(15) Condition

The repairs to the roof shall be completed in accordance with the approved Method Statement for Localised Roof Repairs - Slate Roof (Accessed by Scaffold) and Roof and Rainwater Details (both dated 31 July 2025) unless otherwise agreed in writing with the Local Planning Authority.

Reason

To maintain the appearance and historic significance of the approved details and in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(16) Condition

The walls, railings, gates and finishes relating to individual residential units shall be completed prior to the first occupation of that particular individual residential unit in accordance with the approved details and shall be maintained as such thereafter. The walls, railings, gates and finishes relating to the communal areas and wider site shall be completed in full accordance with the approved details before any residential unit hereby approved is first occupied and shall be retained and maintained as such thereafter. The approved details include:

23 40 101 F Proposed Ground Floor Plan Main Building

23 40 110 Proposed Site Entrance Highway Details

23 40 111 Site Entrance Details

23 40 115 Proposed Boundary Treatments Elevations

Reason

To maintain the character and appearance of the development and the heritage significance of the building in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(17) Condition

The development shall be completed in strict accordance with the approved Roof and Rainwater Details (31st July 2025) unless otherwise agreed in writing by the Local Planning Authority.

Reason

To retain the character, appearance and historic significance of the buildings and in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(18) Condition

Prior to the occupation of any residential unit details of a scheme of obscure glazing to Frederick Street and southern windows to units 9, 10 and 17 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved scheme before any residential unit is first occupied and shall be retained as such thereafter.

Reason

To ensure the appearance and historical significance of the building is retained and/or to limit overlooking of adjoining properties in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(19) Condition

Prior to development commencing, the developer shall commission a scheme of archaeological works (a full historic building recording equivalent to 3/4 Historic England Recording level). The results of the survey shall be submitted to and approved in writing by the Local Planning Authority and entered in the Historic Environment Record prior to work commencing on site.

Reason

Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (Policy 218 National Planning Policy Framework (2025)) and in accordance with Policy 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(20) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no development under Schedule 2 Part 1, Class A, B, C, D, E, F shall be permitted within the curtilage of the dwellings.

Reason

To protect residential amenity and the visual character of the area and heritage buildings and in accordance with Policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(21) Condition

Prior any residential unit hereby approved being occupied a scheme to meet the water efficiency standard of 110 litres per person per day per unit shall be submitted to and approved in writing by the Local Planning Authority. Once approved, each unit shall not be occupied until the measures for it are installed as agreed. They shall be retained as such thereafter.

Reason

In the interests of water management and efficiency and in accordance with Policies: 5 and 34 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(22) Condition

The development shall not be carried out except in complete accordance with the approved plans and specifications. The approved plans have the following drawing numbers and titles:

23 40 001 rev A - Site Location and Existing Site Plan
23 40 075 - Topographical Survey

23 40 101 rev F - Proposed Ground Floor Plan Main Building
23 40 102 rev F - Proposed First Floor Plan Main Building
23 40 103 rev D - Proposed Small Building Ground and First Floor Plans
23 40 104 rev D - Proposed Elevations and Section Main Building
23 40 105 rev D - Main Building - Proposed Elevations and Section Main Building
23 40 106 rev A - Proposed Elevations- Small Building
23 40 107 - Proposed Street Scene to Bursar Street
23 40 109 - Proposed Roof Height Sections
23 40 110 - Proposed Site Entrance Highway Details
23 40 111 - Proposed Site Entrance Elevations
23 40 115 - Proposed Boundary Treatment Elevations
23 40 150 rev F - Proposed Site Plan
23 40 250 - Proposed Lighting Plan
23 40 300 - Proposed Ecological Enhancement Plan

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development.

(23) 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, heritage, safety and parking 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: 3, 4, 5, 22, 33, 34, 36, 38, 39, 41 and 42 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

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 enhancing the residential environment.

3 Informative

As works are required within the existing Highway, you are required to contact the Highways Management Team at least six months in advance of the commencement of works (Tel: 01472 324431).

4 Informative

1) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2 .

2) Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

3) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact the Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian requirements.

5 Informative

Access for Fire Service

It is a requirement of Approved Document B5, Section 15 Commercial Properties or B5, Section 13 for Domestic Premises that adequate access for fire fighting is provided to all buildings or extensions to buildings.

Where it is a requirement to provide access for high reach appliances, the route and hard standing should be constructed to provide a minimum carrying capacity of 26 tonnes.

Water Supplies for Fire Fighting

Adequate provision of water supplies for fire fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high risk areas should be located at 90m intervals. Where a building, which has a compartment of 280m² or more in the area is being erected more than 100m from an existing fire hydrant, hydrants should be provided within 90m of an entry point to the building and not more than 90m apart. Hydrants for low risk and residential areas should be located at intervals of 240m.

6 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.

7 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.

8 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).

9 Informative

Please note that the exemption in regards to BNG is based on the information provided, should any information change in relation to your proposal you are advised to contact the Local Planning Authority for advice.

DM/1065/24/FUL – FORMER BURSAR PRIMARY SCHOOL, BURSAR STREET, CLEETHORPES



DM/1065/24/FUL – FORMER BURSAR PRIMARY SCHOOL, BURSAR STREET, CLEETHORPES



PLANNING COMMITTEE - 3rd September 2025

ITEM: 6 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: 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:

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

AGENT:

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

TARGET DATE: 2nd July 2025

PUBLICITY EXPIRY: 18th August 2025

AGREED EXTENSION OF TIME DATE: 19th August 2025

CONSULTATION EXPIRY: 18th August 2025

CASE OFFICER: Owen Toop

PROPOSAL

The application is to retain engineering works and site containers to provide amenity space for anglers with associated drainage works to include the retention of the existing anglers wc/store building with associated works. The application was heard at the Planning Committee on 6th August 2025 and was deferred. This was following verbal confirmation from the applicant that the none of the proposed development would be used for overnight sleeping.

The application is now brought back to Planning Committee following amended plans and comments from the Environment Agency.

SITE

The existing site is used in association with fishing activities. The applicant has formalised the access point to allow for vehicular access to the site. The access adjoins the adopted highway Tetney Road which is classified and is a 60mph limit at this location.

RELEVANT PLANNING HISTORY

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

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

DM/0077/25/FUL - 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) - Pending Consideration

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change

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

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

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

Environment Agency - No objections, following revised scheme.

Lindsey Marsh Drainage Board - The Drainage Board highlight that their consent may be required.

Drainage Officer - No drainage comments.

Trees and Woodlands Officer - No comments.

Ecology Officer - Satisfied with BNG calculation, a minimum 10% gain can be achieved on site.

Highways Officer - Approval no conditions.

Environmental Health - No comments.

Cadent Gas - No objection.

Prax Fina Line - Pipeline not affected, no comments.

Heritage Officer - No input required.

Linesearch - Lines found.

Cllr Stan Shreeve - Called in for further discussions relating to flood risk.

Neighbour Representations

No neighbour representations have been received.

APPRAISAL

The planning considerations are:

- 1) Principle of Development (Including Sequential Test)
- 2) Flood Risk and Drainage
- 3) Design and Visual Impact on the Character of the Area
- 4) Impact on Neighbours
- 5) Ecology, Landscaping and Biodiversity Net Gain
- 6) Highways and Access

- 1) Principle of Development - Including Matters Following Deferral

The proposal is located outside of the development boundary of Humberston and within the open countryside as defined within Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) [NELLP]. The application seeks planning permission for engineering works and siting of containers to provide amenity space for anglers with associated drainage works and retention of an anglers wc/store building.

As noted, the planning application was deferred at Planning Committee on 6/08/2025 to allow for revision of the scheme to remove overnight sleeping accommodation. Previously the application would have required a Sequential Test due to the vulnerability classification of the development. However, now that overnight sleeping accommodation has been removed from the scheme there is now no requirement for a Sequential Test. The proposal is of a less vulnerable classification and the footprint is not more than 250 square metres in area.

As ancillary development to the main fishing lakes use, the proposal is considered to be acceptable in principle, subject to there being no adverse impacts in relation to the site specific material planning considerations. These are discussed below.

2) Flood Risk and Drainage

The site sits within a flood zone on both the Environment Agency flood maps and the SFRA. The application has thus been submitted with a supporting flood risk assessment (FRA). Initial comments were provided as part of the original consultation on 2nd June 2025, with no objections, but after further clarification the Environment Agency objected due to the inclusion of overnight sleeping. Now, with the removal of overnight sleeping and as a less vulnerable development, the Environment Agency do not raise any objections to the revised scheme.

It is considered that a Flood Warning and Evacuation Plan may be secured though a planning condition in this instance. An informative is also included with regards to Environment Agency's comments on the need for an Environmental Permit.

With regard to surface water drainage from the development, the drainage officer has confirmed that they have no comments to make.

The applicant should also be aware that Drainage Board Consent may be required from Lindsey Marsh Drainage Board, separate to this application process. An informative is recommended though the works are separated from Humberston Beck to the south; being contained within the fishing lakes site.

With regard to flood risk and drainage considerations the proposal is acceptable and accords with Policy 33 of the NELLP.

3) Design and Visual Impact on the Character of the Area

As the proposed development is a new structure located within the open countryside, it has the potential to impact the rural character of the area.

At this point it is important to discuss the existing site and the planning history. The fishing site was originally approved just as a lake but over the years further development has taken place. It is important to take the existing context into consideration and the cumulative impacts of multiple structures at a single location. However, taking this into account the structures are both relatively small in scale. The WC and store building incorporates cladding which does not harm the visual character of the area.

The container is single story and is integrated into the landscape by way of the bund. It is also located to the rear of the site and therefore it is not considered that the works are visually harmful. The proposal is acceptable in those terms under Policy 5 and 22 of the NELLP.

4) Impact on Neighbours

With regard to the impact on neighbouring land uses, the main planning considerations are to assess the impact of the development in terms of massing and overlooking from the development. In this regard, the containers and store are contained within the existing fishing site and a significant distance away from the nearest neighbouring property, Kirby House, and indeed other neighbours and so there would be no adverse impacts.

Considering the above the proposal is acceptable in terms of its impact to local and residential amenity and accords with Policy 5 of the NELLP.

5) Ecology, Landscaping and Biodiversity Net Gain

With regard to landscaping and ecology, the development includes a scheme of tree planting. This has been reviewed by the ecology officer as acceptable in principle. The Trees and Woodlands Officer has no comments to make. Final details to secure species and implementation may be secured by relevant planning conditions in accordance with Policies 41 and 42 of the NELLP. In terms of Biodiversity Net Gain, the ecology officer has confirmed that the details provided are acceptable with net gain provided on site in accordance with Section 15 of the NPPF.

6) Highways and Access

The Local Highway Authority have reviewed the scheme and have no objections to the proposal. The site benefits from an existing access which has recently been subject to highway improvements. There proposal presents no issues with regards to highway safety or amenity in accordance with Policy 5 of the NELLP.

CONCLUSION

The application is to retain engineering works and site containers to provide amenity space for anglers with associated drainage works to include the retention of the existing anglers wc/store building with associated works. The application was heard at the Planning Committee on 6th August 2025 and was deferred. The application has been amended to overcome flood risk issues and is now considered to be an acceptable development in accordance with local and national planning policies. It is therefore recommended for approval with conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Proposed Container Plans and Elevations - RD: 5855-04 F

Angler WC Plans and Elevations - RD: 5855 - 05

Proposed Block Plan - RD: 5855-03 A

Site Location Plan - RD: 5855-01 A

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).

(2) Condition

There shall be no overnight sleeping within the container or the Angler WC and store building. The development shall only be used as stated within the approved drawings.

Reason

In the interest of managing flood risk in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

Within 6 months of this decision, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be operated in accordance with the Flood Warning and Evacuation Plan for its lifetime.

Reason

In the interest of managing flood risk in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) 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 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 and 33.

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 receiving amended plans.

3 Informative

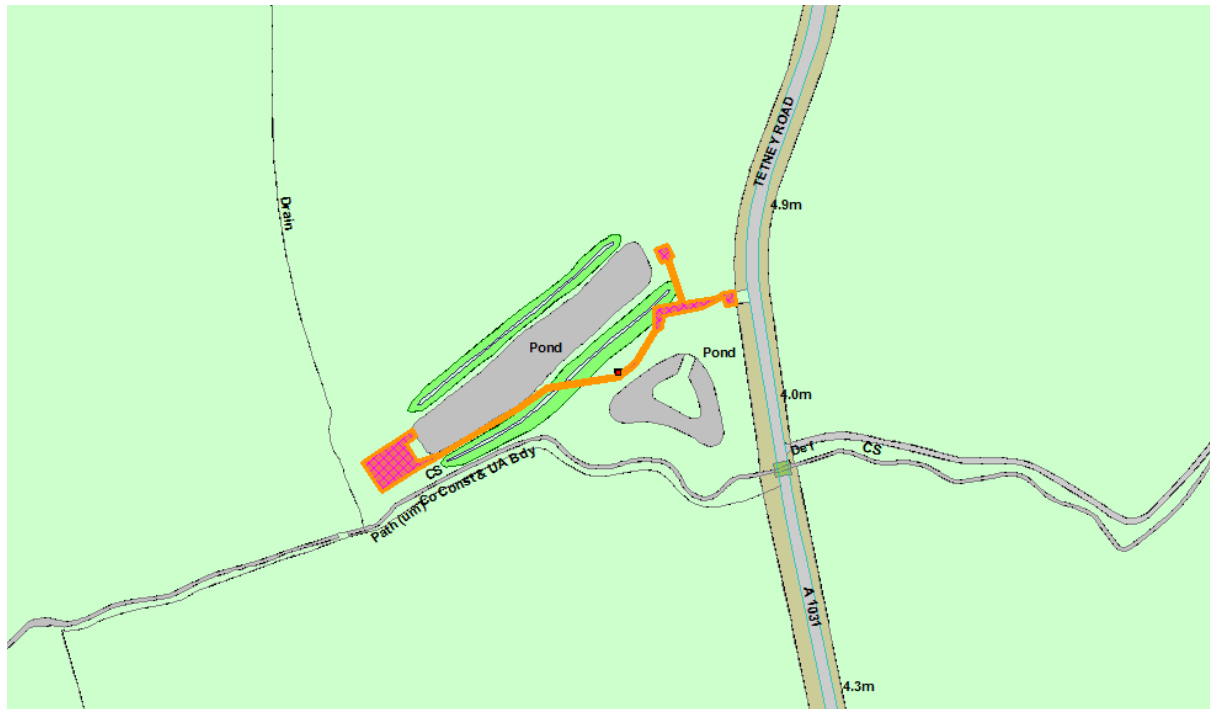
Please note that you may also require Building Regulations. You are advised to contact them (Tel: 01472 326289 - Option 2).

4 Informative

Please note the comments from the Environment Agency and the Lindsey Marsh Drainage Board. You may require separate permits and consent from these bodies and you are advised to contact them. Their comments may be located on the Council's website.

DM/0317/25/FUL

Bull Rush Lakes



DM/0317/25/FUL

Bull Rush Lakes

