PLANNING COMMITTEE

29th October 2025 at 9.30 a.m.

Present:

Councillor Hasthorpe (in the Chair)
Councillors Bright, Emmerson, Hudson, Humphrey, Kaczmarek, Lindley, Mickleburgh, Parkinson, Pettigrew and Shutt.

Officers in attendance:

- Martin Dixon (Planning Manager)
- Jonathan Cadd (Senior Town Planner)
- Owen Toop (Senior Town Planner)
- Lara Hattle (Senior Highway Development Control Officer)
- Adam Brockbank (Highway Development Control Officer)
- Tracy Lovejoy (Locum Lawyer)
- Sophie Pickerden (Committee Support Officer)

Others in attendance:

There was one member of the public and one member of the press present.

P.38 APOLOGIES FOR ABSENCE

No apologies for absence were received for this meeting.

P.39 DECLARATIONS OF INTEREST

Councillor Humphrey declared a pecuniary interest in P.41 Item 3 (DM/0599/25/FUL) as his spouse worked for the agent.

P.40 MINUTES

RESOLVED – That the minutes of the Planning Committee meeting held on 1st October 2025 be approved as a correct record.

P.41 DEPOSITED PLANS AND APPLICATIONS

Item 1 - DM/0723/25/FUL – 25 Kennedy Way Immingham

Mr Dixon introduced the application and explained that it had been brought before the Planning Committee due to an objection from Immingham Town Council. He referred the committee to the supplementary agenda which showed that Immingham Town Council had since withdrawn their objection. Mr Dixon outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. He said that, as shown in the supplementary agenda, the application was recommended for approval with conditions, with the decision delegated to the Assistant Director of Regeneration to allow for completion of additional publicity which expired on 8th November 2025 and that no new significant planning issues be raised.

Councillor Hudson said that the application had only been brought before the Planning Committee due to an objection from Immingham Town Council and that objection had now been withdrawn. He proposed that the application be approved.

Councillor Mickleburgh said that he agreed with Councillor Hudson. He said that it was a shame that the application had been brought before the Planning Committee and he thought more liaising with Parish Councils was needed and potentially some planning training. Councillor Mickleburgh seconded the proposal to approve the application.

Councillor Lindley said that when he initially read the application, he did concur with Immingham Town Council, but since they had now withdrawn their objection, he didn't think there was anywhere to go but to support the application. He stated that he would support the application.

Councillor Shutt said that he was pleased that the cycle stands would be retained.

RESOLVED - That the application be approved with conditions.

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

Item 2 - DM/0354/25/FUL – Agriculture Land South View Humberston

Mr Cadd introduced the application and explained that it had been brought before the Planning Committee due to an objection from Humberston Village Council. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Cadd referred the committee to the supplementary agenda which showed that the council's drainage officer

was now happy with the application. He said that the application was recommended for approval with conditions.

Councillor Bright said that the proposed changes were minor and the size of the dwelling in relation to the plot meant that there was not an over intensification of the plot. He said that with self-build plots, owners tended to want to make changes. Councillor Bright proposed that the application be approved.

Councillor Lindley said that he remembered the initial application. He said that the land before wasn't really doing anything and wasn't particularly pleasing to the eye. He said that the proposed changes were sympathetic to the area and were not significant enough to raise any concerns. Councillor Lindley said that it appeared as though the parish council was objecting to the principle of the development but that had already been approved. He said that the site contributed well to the area and there were also no objections from residents. Councillor Lindley seconded the proposal to approve the application.

Councillor Mickleburgh said that he agreed with Councillor Lindley about the parish council's objection to the application as they were objecting to the scheme as a whole and that had already been determined, and this application was for minor amendments.

Councillor Hudson said that he thought the changes proposed to plot five were an improvement. He stated that he would support the proposal of approval.

Councillor Parkinson said that he welcomed the variation in the housing.

RESOLVED – That the application be approved with conditions.

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

Having declared an interest, Councillor Humphrey left the meeting at this point.

Item 3 –DM/0796/25/FULA – 97 Humberston Avenue, Humberston

Mr Cadd introduced the retrospective application and explained that the application had been brought before the Planning Committee due to a call in from Councillor Dawkins. He outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. Mr Cadd said that planning officers had sought to negotiate with the applicant to agree to a lower fence, but this had been declined. He said that it was considered that the proposal had a detrimental impact on the street scene and wider character of the area and was therefore recommended for refusal.

Mr Dixon read out Councillor Dawkins's call in form to the committee.

Mr Snowden spoke as the agent for the application. He said that the application was asking for permission to retain the fence and had been called in by Councillor Dawkins. Mr Snowden said that there had been approval for a fence in this location under a different application previously. He explained that the current fence had been in place for four months with no complaints from residents. Mr Snowden said that planning officers felt that the fence was out of character for the area, however, the hedgerow could grow and be higher than the fence. Mr Snowden said that there were similar fences in the area. He said that planning officers felt that the fence had a detrimental impact, but the application was supported by residents and had no objections from either the parish council or the Civic Society. Mr Snowden said that committee members often leaned on the comments from residents and parish council.

Councillor Mickleburgh said that there were no objections to the application and if Humberston Village Council felt strongly about it, they would have objected. He said that the Civic Society was also active on conservation, and they hadn't objected either. Councillor Mickleburgh said that there were also no objections from residents. He said that the hedge would be maintained, the area was varied, and he didn't think the fence would make the slightest bit of difference. Councillor Mickleburgh proposed that the application be approved.

Councillor Lindley said that he didn't think the fence looked good, and it had also been brought forward. He said that the fence didn't do the street scene any favours. Councillor Lindley said that it was important to try and get control of Humberston as there was so much development and no two houses were the same. He said that he thought people were just trying to do what they wanted and that needed reigning in. Councillor Lindley said that if the application was approved, someone else could do the same and we could end up with a street scene that was at odds with the Humberston he used to know. He said that he would not be supporting the proposal of approval.

Councillor Bright said that he agreed with Councillor Mickleburgh. He said that the hedge in front disguised the fence, and it didn't look out of place. Councillor Bright said that there had been some letters of support for the application submitted. He said that the people that lived in the area, that saw the fence everyday supported the application. Councillor Bright seconded the proposal to approve the application.

Councillor Hudson said that Councillor Mickleburgh's proposal was a common-sense proposal. He said that there was no objection from Humberston Village Council or neighbours.

Councillor Pettigrew said that he agreed with the planning officer's recommendation. He said that he thought the fence was detrimental to the street scene and the character of the area. Councillor Pettigrew said

that he wasn't concerned about the position of the fence but was concerned about the height of the fence. He said that a line did need to be drawn, and he thought a two-metre height was adequate. Councillor Pettigrew stated that he would not support the proposal of approval.

Councillor Kaczmarek said that he agreed with Councillor Pettigrew in that the location was fine in terms of where it was sitting, but the height was the issue. He said that the fence overshadowed everything around it, and when he had looked at Google Maps, it showed the previous fence and that was a good height and fitted in with the surrounding area. Councillor Kaczmarek said that the height of the fence needed to decrease. He stated that he was leaning towards supporting the planning officer's recommendation.

Councillor Shutt didn't understand why the application couldn't have been brought before the Planning Committee prior to the fence being built. He thought he would support the planning officer's recommendation to refuse the application.

Councillor Emmerson said that he thought the fence fitted in well in terms of its colour and blended in with the surrounding area.

Mr Dixon said that if the Planning Committee were to approve the application, then conditions would need to be considered as well. He suggested an approved plans condition and a condition regarding the height of the hedge being retained.

The Chair asked Councillor Mickleburgh for the reasons for his proposal.

Councillor Mickleburgh said that he didn't think there would be a detrimental impact, and he thought the fence fitted in with the street scene. He said that the colour of the fence was also not objectionable. Councillor Mickleburgh said that he would like conditions added about the height of the hedge being kept at 1.5 metres and the colour of the fence remaining as is.

Councillor Bright said that he agreed with Councillor Mickleburgh, and he didn't think the fence affected the street scene.

The committee took a vote on the proposal to approve the application with conditions and upon a vote, four voted for and six voted against.

Councillor Lindley proposed that the application be refused.

Councillor Kaczmarek seconded the proposal to refuse the application.

RESOLVED – That the application be refused.

(Note – the committee voted 6 for and 4 against for the application to be refused.)

Councillor Humphrey retuned to the meeting.

Item 4 – DM/0752/25/FUL – Malcolm West Forklifts, Manby Road, Immingham

Mr Toop introduced the retrospective application and explained that the application had been brought before the Planning Committee due to an objection from Immingham Town Council. He referred the committee to the supplementary agenda which showed that Immingham Town Council had withdrawn their objection. Mr Toop outlined to the committee the key matters regarding the application as detailed in the officer's report within the agenda papers. He stated that the application was recommended for approval with conditions.

Councillor Mickleburgh proposed that the application be approved.

Councillor Bright said that he saw no reason to refuse the application. He seconded the proposal to approve the application.

Councillor Hudson said that he had no issues with the application and would support the proposal of approval.

RESOLVED – That the application be approved with conditions.

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

P.42 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy, Environment and Infrastructure under delegated powers during the period 19th September 2025 – 15th October 2025.

RESOLVED – That the report be noted.

P.43 PLANNING APPEALS

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

RESOLVED – That the report be noted.

P.44 EXCLUSION OF PRESS AND PUBLIC

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

P.45 ENFORCEMENT ISSUES

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

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

There being no further business, the Chair closed the meeting at 10.35am.

Minute of the Planning Committee
29th October 2025

Item: 1

Application Number: DM/0723/25/FUL

Application Type: Full Application

Application Site: 25 Kennedy Way Immingham North East Lincolnshire DN40 2AB

Proposal: Change of use from existing shop to hot food takeaway to include installation of air conditioning units, extraction and ventilation equipment to rear.

Applicant's Name and Address:	**Agent's Name and Address:**
Domino's Pizza UK & Ireland Ltd	Miss Chloe Smith
C/O Agent	Pegasus Planning Group Ltd
Pegasus Group	First Floor
First Floor	South Wing
South Wing	Equinox North
Equinox North	Great Park Road
Great Park Road	Almondsbury
Bristol	Bristol
BS32 4QL	BS32 4QL

Deposited: 15th August 2025 **Accepted:** 15th August 2025

Expiry Date: 10th October 2025

Agreed Extension of Time Date:

Case Officer: Mark Danforth

Decision: Approved with Conditions with the decision delegated to the Assistant Director of Regeneration on completion of additional publicity which expires on 8th November 2025 and with no significant planning issues being raised.

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 at 1:1250 (drg no. C5446-LP08);
Block Plan at 1:500 (drg no. C5446-BP09);
Proposed Floor Plans (drg no. C5446-A5-05);
Proposed Elevations (drg no. C5446-A5-06);Proposed Ventilation System Details (Annex B Document);

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

3 Condition
The development permitted by this planning permission shall be carried out in accordance with the approved Flood Evacuation Plan submitted with the application for the lifetime of the development.

Reason
In order to mitigate flood risk to accord with policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

4 Condition
The development hereby permitted shall be operated in full accordance with the submitted details of the Delivery Driver Management Plan together with the Waste and Refuse Management Plan, for the lifetime of the development.

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

5 Condition
The development hereby permitted shall be operated in full accordance with the submitted odour control extraction system and noise assessment details for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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

6 Biodiversity Net Gain;

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.2 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 support Immingham Town Centre and 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, 23, 26 and 33.

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 seeking a waste and driver management plan that can be conditioned.

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 site is within a flood risk zone. The Environment Agency provides comprehensive information about how both to protect property from flooding and what to do if affected. Further information can be obtained from the Agency website, at www.environment-agency.gov.uk/subjects/flood and following the link to "floodline information homepage".

Minute of the Planning Committee
29th October 2025

Item: 2

Application Number: DM/0354/25/FUL

Application Type: Full Application

Application Site: Agriculture Land South View Humberston North East Lincolnshire

Proposal: Variation of Condition 11 (Approved Plans) following DM/0205/25/FUL to amend the house designs for Plots 1 and 5

Applicant's Name and Address:	**Agent's Name and Address:**
Dave Hughes WHT Partnership Ltd 35 Louth Road Grimsby N E Lincolnshire DN33 2HP	Simon Coyne CDC Architecture Limited 35 Louth Road Scartho Grimsby N E Lincolnshire DN33 2HP

Deposited: 1st May 2025 **Accepted:** 4th June 2025

Expiry Date: 3rd September 2025

Agreed Extension of Time Date: 31st October 2025

Case Officer: Jonathan Cadd

Decision: Approved with Conditions

1 Condition
The materials used to build the walls and roofs of the development shall accord with the details agreed within condition discharge application DM/0482/24/CND unless otherwise agreed in writing by the Local Planning Authority.

Reason
To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area and in accordance with

Policies: 5 and 22 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

2 Condition
The construction of the access road, and all associated features, shall be constructed in accordance with all the details outlined and approved under condition discharge application DM/0482/24/CND and shall be completed before not more than 6 houses have been occupied. The access and associated features shall thereafter be maintained in accordance with the approved management and maintenance plan approved under DM/0482/24/CND.

Reason
To ensure provision of a safe satisfactory access, drainage, vehicle parking arrangements for the development and in accordance with Policies: 5 and 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

3 Condition
The development shall proceed in strict accordance with the Construction Ecology Management Plan agreed under condition discharge approval ref. no. DM/0459/24/CND.

Reason
To maintain biodiversity, ecology and landscaping in accordance with Policies: 5, 22 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

4 Condition
The development shall be completed in strict accordance with the Landscaping and Biodiversity Enhancement scheme details approved under condition discharge approval DM/0626/24/CND, except where amended by plan no. 23-516-101 rev X which supersedes plan no. 23-516-101 rev U. The scheme shall thereafter be retained and maintained in accordance with the approved details thereafter.

Reason
To maintain biodiversity, ecology and to ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity and in accordance with Policies: 5, 22 and 41 of the North East Lincolnshire Local Plan 2013 -2032
(adopted 2018).

5 Condition
The development shall be carried out in strict accordance with the drainage scheme details approved under condition discharge approval DM/0440/24/CND except where amended at: Plot 1, 2, 5, 6, 7, 8, 9 and 10 where the scheme shall accord with amended plans and details notably: PermCalc Report - South View Plot 1, 2, 5, 6, 7, 8, 9 and 10 Permeable Pavement Designs Suggestion dated 4 June 2025 and drawing nos. 23-516 101 rev X and 23-516 105 rev J.

The drainage scheme approved shall be completed and be ready for operation before the any dwelling on site is first occupied and shall be retained and maintained as such in strict accordance with the Management Plan approved under condition discharge application DM/482/24/CND thereafter.

Notwithstanding this, before any of the dwellings at plots 1, 2, 5, 6, 7, 8, 9 and 10 are first occupied a management scheme outlining how permeable driveways within plots will be retained and maintained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be completed before first occupation and these areas retained and maintained as such thereafter and in accordance with the management plan approved.

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

6 Condition
The screen walls and fences (including hedgehog holes) on site shall be erected in accordance with details approved under condition discharge application DM/0482/24/CND and each plot boundary shall be completed before that dwelling is first occupied and shall thereafter be retained, unless otherwise agreed in writing with the Local Planning Authority.

Reason
To ensure a satisfactory appearance for the development, nature conservation and to safeguard residential amenity in accordance with Policies: 5, 22 and 41 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

7 Condition
The windows shown obscured glazed on the approved plans and conditioned under planning permission ref. no. DM/1052/23/FUL, DM/0585/24/NMA, DM/0771/24/FUL, shall be glazed in obscure glass (equivalent to Pilkington Glass level 3 or above) before the development is occupied and shall be so retained thereafter.

The exception to this is:

Plot 2 - the first floor ensuite window to the northern elevation, shown on drawing no. 23-516-202 REV G shall be glazed in obscure glass (equivalent to Pilkington Glass level 3 or above) before the dwelling is first occupied and shall be so retained thereafter.
Plot 4 - all first floor windows to the eastern and western elevations of the dwelling, shown on drawing no. 23-516 204 rev E shall be glazed in obscure glass (equivalent to Pilkington Glass level 3 or above) before the dwelling is first occupied and shall be so retained thereafter.
Plot 5 - all first floor windows to the northern eastern elevation and south western

elevation shown on drawing no. 23-516 205 rev H shall be glazed in obscure glass (equivalent to Pilkington Glass level 3 or above) before the dwelling is first occupied and shall be so retained thereafter.
Plot 7 - the first floor ensuite window to the eastern elevation, shown on drawing no. 23-516-207 REV E shall be glazed in obscure glass (equivalent to Pilkington Glass level 3 or above) before the dwelling is first occupied and shall be so retained thereafter.
Plot 10 - the first floor ensuite window to the western elevation, shown on drawing no. 23-516-210 REV F shall be glazed in obscure glass (equivalent to Pilkington Glass level 3 or above) before the dwelling is first occupied and shall be so retained thereafter.

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

8 Condition
The balcony screen designs shall be completed in accordance with the details approved under condition discharge approval: DM/0626/24/CND and shall be retained as such thereafter.

Notwithstanding the above and approved plans, details of side balcony screens for plots 6 of obscure glazing (minimum 1.8m in height and obscured to (or equivalent) Pilkington Glass level 3 or greater) shall be submitted to and approved in writing with the Local Planning Authority. The approved screens shall be installed prior to the dwelling being first occupied and shall be retained as such thereafter.

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

9 Condition
The Construction Management Plan (CMP) approved under condition discharge approval, ref. DM/0435/24/CND shall be implemented in full and adhered to at times during construction.

Reason
In the interests of highway safety and to protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2012 - 2032 (adopted 2018).

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

Planning Authority. Remediation shall then be undertaken in accordance with the details approved.

Reason
To ensure all contamination within the site is dealt with and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

11 Condition
The development shall not be carried out except in complete accordance with the approved plans and specifications. Approved plans include the following drawings/ documents:

23-516 -100 Site Location Plan
23-516 -101 rev X Proposed Site Plan
23-516 -201 rev E Plot 1 Layout and Plans
23-516 -202 rev G Plot 2 Layout and Plans
23-516 -203 rev F Plot 3 Layout and Plans
23-516 -204 rev E Plot 4 Layout and Plans
23-516 -205 rev H Plot 5 Layout and Plans
23-516 -206 rev H Plot 6 Layout and Plans
23-516 -207 rev E Plot 7 Layout and Plans
23-516 -208 rev G Plot 8 Layout and Plans
23-516 -209 rev F Plot 9 Layout and Plans
23-516 -210 rev F Plot 10 Layout and Plans

4265/10/001 A 1 of 2 Topographical Survey Clugston
4265/10/001 A 2 of 2 Topographical Survey Clugston

LTP/5289/P1/01.01 1 of 1 South View Visibility Splay
LTP/5289/T1/01.01 1 of 1 South View Refusal Swept Path Analysis
LTP/5289/T1/01.02 2 of 2 South View Refusal Swept Path Analysis

23-516.DAS rev A Design and Access Statement

RLC-1312-OSDS-01-1 Outline Sustainable Drainage Strategy
Humberside Materials Laboratory Ltd Phase 1 Desktop Report - 002/4331/P
Wold Ecology Ltd Preliminary Ecology Appraisal July 2023 Issue 3

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

12 Condition
The canopy shown to the rear elevation of plot 2 shall not at any time be used as balcony.

Reason

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

13 Biodiversity Net Gain

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

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

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

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 3i 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 as amended would not harm the area character or residential amenity, would maintain the integrity and safety of Anglian Water mains, ensure adequate surface water drainage, access and safety and landscaping and ecology 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, 13, 20, 22, 33, 34, 38 and 41 and the provisions of the National Planning Policy Framework (2025).

2 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 resolving issues with Anglian Water and the drainage team.

3 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 24 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.

If further information is required, it is recommended that the developer contact Humberside Fire and Rescue for advice.

4 Informative

A) Notification of intention to connect to the public sewer

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.

B) Protection of existing assets
A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

C) 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 the Development Services Team on 0345 606 6087.

D) Sewer adoption
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 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 Water's requirements.

5 Informative
As works are required within the existing highway, in accordance with Section 278, Highways Act 1980, in order to enable the development to take place, please contact the Highway Management Team at least 6 months in advance of the commencement of works (Tel: 01472 324505).

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
Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

8 Informative
Please note that the exemption in regard 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.

Minute of the Planning Committee
29th October 2025

Item: 3

Application Number: DM/0796/25/FULA

Application Type: Accredit Agnt - Hseholder application

Application Site: 97 Humberston Avenue Humberston North East Lincolnshire DN36 4ST

Proposal: Retrospective application to retain 2.375m high close-boarded boundary fence

Applicant's Name and Address:	**Agent's Name and Address:**
Mr Sam Chester 97 Humberston Avenue Humberston Grimsby North East Lincolnshire DN36 4ST	Mr Harry Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby North East Lincolnshire DN32 0QH

Deposited: 16th September 2025 **Accepted:** 16th September 2025

Expiry Date: 11th November 2025

Agreed Extension of Time Date:

Case Officer: Ellie Mitchell

Decision: Refused

1 The fencing is detrimental to the visual appearance of the street and general character of the area due to its height, design, position, prominence and expanse across the front boundary fronting Humberston Avenue. As such, the proposal is contrary to Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Section 12 of the National Planning Policy Framework.

Informatives

1 Added Value Statement
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with 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 entering into discussions with the applicant regarding a reduced scheme, though this has not come to fruition.

2 Informative
This decision relates to the following plans:

- Site Location Plan RD5904-01
- Existing and Proposed Plans and Elevations RD5904-10 REV B

Minute of the Planning Committee
29th October 2025

Item: 4

Application Number: DM/0752/25/FUL

Application Type: Full Application

Application Site: Malcolm West Forklifts Manby Road Immingham North East Lincolnshire

Proposal: Retrospective application for the erection of 2.4 m high palisade fencing and creation of vehicular access with associated works

Applicant's Name and Address:	**Agent's Name and Address:**
Mr Nick West Malcolm West Forklifts Manby Road Immingham DN40 2LG	Mr Dieter Nelson Dieter Nelson Planning Consultancy Unit 12 Cleethorpes Business Centre Jackson Place Wilton Road Humberston Grimsby DN36 4AS

Deposited: 27th August 2025 **Accepted:** 27th August 2025

Expiry Date: 22nd October 2025

Agreed Extension of Time Date: 31st October 2025

Case Officer: Owen Toop

Decision: Approved with Conditions

1 Condition
The development shall be completed in accordance with the following plans:

Site Plans and Construction Details - 954 - 1 B

Reason
For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 8, 22, 33 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

2 Biodiversity Net Gain

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

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

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

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

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

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

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

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

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

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

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

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

i) the application for planning permission was made before 2 April 2024;
ii) planning permission is granted which has effect before 2 April 2024; or
iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
* "original planning permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

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

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

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

4.5 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 does not harm the area character or local 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, 8, 22, 33 and 41.

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 addressing highway matters through additional plans.

3 Informative

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

4 Informative

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/our-services/gas-diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

5 Informative

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