

Minute of the Planning Committee 23rd April 2025

Item: 1

Application Number: DM/0806/24/FUL

Application Type: Full Application

Application Site: Land Adjacent To 9 Ashby Close And 19 Glenfield Road
Ashby Close Grimsby North East Lincolnshire

Proposal: Erection of two pairs of two storey semi-detached dwellings totalling four units to include associated tree works, hardstanding and landscaping (Amended plans received 17th March 2025 - omission of bay windows and canopies to all four plots, plot 2 garage omission replaced by car port, alterations to turning head and footpath dimensions)

Applicant's Name and Address: Rameco Ltd Unit 2A Charlton Street Grimsby North East Lincolnshire DN31 1SQ	Agent's Name and Address: Mike Berryman Design & Innovate Ltd 56 Augusta Street Grimsby DN34 4TJ
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Deposited: 18th September 2024

Accepted: 1st October 2024

Expiry Date: 26th November 2024

Agreed Extension of Time Date:

Case Officer: Owen Toop

Decision: Deferred

- 1 It was resolved that consideration of this application be deferred in order for consideration of a right of way and past proposed use of the site as an area of open space.

Minute of the Planning Committee

23rd April 2025

Item: 2

Application Number: DM/0108/24/FUL

Application Type: Full Application

Application Site: Land Off Margaret Street Immingham North East
Lincolnshire

Proposal: Construction and operation of a solar farm (up to 49.9mw) and 30mw battery energy storage system (BESS) with associated works, equipment, infrastructure and landscaping
- amended site layout plan Feb 2025

Applicant's Name and Address: Mr James Wallwork One Planet Developments Limited Biddlesgate Farm Wimborne Dorset BH21 5RS	Agent's Name and Address: Ms Rhian Thomas SLR Consulting Ltd 86 Princess Street Manchester M1 6NG
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Deposited: 30th January 2024

Accepted: 22nd February 2024

Expiry Date: 23rd May 2024

Agreed Extension of Time Date:

Case Officer: Richard Limmer

Decision: Approved with Conditions, with the decision being delegated to the Assistant Director Regeneration following completion of a consultation period for the MOD on 4th May 2025 and subject to no objections being raised or prior to that confirmation from the MOD of no objections.

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

O-LO-R70-036637-Rev 4 - BESS 1/2

O-LO-R70-036637-Rev 4 - BESS 2/2

O-LO-R70-036637-Rev 01 - Proposed transformer elevations

O-LO-R70-036637-Rev 01 - Proposed power conversion systems elevations

OPL003-PL-01_Rev19 Site layout plan

OPL003-PRW-01-Rev01 - PROW plan

OPL003-SP-01-Rev09 - Site location plan

OPL003-SD-02-Rev03 Proposed elevations container details

OPL003-SD-03-Rev03 Proposed elevations welfare units

OPL003-SD-01-Rev03 Fence and gate details

OPL003-SD-04-Rev02 CCTV

OPL003-SD-05-Rev02 Switch gear

OPL003-SD-11-Rev03 Solar power station

OPL003-SD-12-Rev03 PV Panel details

Reason

For the avoidance of doubt and in the interests of proper planning and to accord with Policies 5, 6, 22, 31, 32, 33, 34, 39, 40, 41, 42 and 44 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

3 Condition

Within 1 month of the date of first export of electricity (the date of first export) confirmation shall be given in writing to the Local Planning Authority of the same. The development hereby permitted shall cease on or before the expiry of a 40 years period from the date of first export. The land shall thereafter be restored to its former condition (including its previous agricultural land value or better) in accordance with a scheme of decommissioning work and an ecological assessment report detailing site requirements in respect of retaining ecological features. The scheme of decommissioning work and the ecological assessment report shall be submitted to and approved in writing by the Local Planning Authority no later than 39 years from the date of first export and subsequently implemented as approved.

Reason

In recognition of the expected life of the development and the renewable energy to be provided, the protection of the rural character of the area and to allow future consideration of agricultural production and to accord with Policies 5 and 31 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018).

4 Condition

The development hereby approved shall be built out in accordance with the Landscaping Plan Ref: 088 210 rev B, dated 28 February 2025. All landscaping

works shall be implemented in accordance with the approved scheme prior to development first coming into use.

All planting shall thereafter be maintained in accordance with the Landscaping Maintenance and Management Plan to be agreed under condition 5 of this permission. All loses within the first 10 years shall be replaced with the same plant and standard in the next available planting season. Unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety and to ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

5 Condition

No development shall take place until an updated Landscaping Maintenance and Management plan (LMMP), based on the submitted LMMP has been submitted to, and approved in writing by, the local planning authority. The approved LMMP shall then be implemented in full throughout the lifetime of the development.

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity and ecology to accord with Policies 5, 22, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

6 Condition

The development shall be built out in accordance with the submitted documents including the Preliminary Ecology Appraisal December 2023, Wintering Bird Surveys, Biodiversity Net Gain Assessment and Habitat Regulations Assessment and the recommendations set out within these documents.

Reason

In the interests of ecological protection and enhancement in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

7 Condition

Prior to development commencing an Electrical Risk Assessment, written in accordance with the National Gas submission of 20th March 2025, shall be submitted to and approved in writing with the Local Planning Authority. The development shall then be built out and operate in accordance with the approved details, unless otherwise approved in writing with the Local Planning Authority.

Reason

To protect the nearby National Gas pipeline and human health in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

8 Condition

No works related to the development hereby approved shall begin until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP should include, but not be limited to the following:

- Contact details of the person with responsibility for the implementation of the CMP;
- The expected number, types and size of vehicles during the entire construction period;
- The proposed daily hours of operation during the construction period;
- Details of on-site parking provision for construction related vehicles;
- Details of on-site storage areas for materials, if required;
- Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-- booking scheduling system), if required; and
- Details of wheel washing facilities (locations, types etc.)
- Noise, vibration and dust mitigation measures;

Once approved, the CMP shall be adhered to at all times during construction.

Reason

In the interest of highway safety and local amenity to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

9 Condition

Prior to development commencing final details of all fencing, including shade netting on the site and an overall security plan is submitted to and approved in writing by the Local Planning Authority. The details shall include timings for implementation and maintenance and management and the development shall then be built out in accordance with the approved details.

Reason

In the interest of highway amenity, security and designing out crime in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

10 Condition

Development shall not begin until details showing the location, layout, design and method of construction of any new or altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the vehicular access, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

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

11 Condition

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

Reason

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

12 Condition

Prior to development commencing a detailed Soil Management Plan, designed to protect the soil quality and character during construction, operation and decommissioning, shall be submitted to and approved in writing by the Local Planning Authority. The development and decommissioning shall then proceed in accordance with the approved Soil Management Plan.

Reason

To protect soil health and the Agricultural Land Values of the site in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the National Planning Policy Framework.

13 Condition

Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that any proposed piling, does not harm groundwater resources in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018).

14 Condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The drainage scheme shall be implemented as approved.

Reason

In the interests of a satisfactory means of surface water disposal, water quality and flood risk and to accord with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

15 Condition

The development shall be carried out in accordance with the submitted flood risk assessment (4 December 2023, ref J-14903 by Nijhuis Saur Industries), including the following mitigation measures detailed in section 6.0 and Appendix A part 2:

- Battery energy storage systems elements to be raised to 2.4m above ground level;
- Water sensitive equipment within customer and distribution network operator (DNO) compounds to be mounted on a steel structure with a building floor level of 2.0-2.4m above ground level;
- Flood resilience and resistance measures to be incorporated into the proposed development as stated.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

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

16 Condition

Prior to development commencing details of the surfacing of the rights of way on the site, shown on plan ref: OPL003-PRW-01-Rev01, shall be submitted to and approved in writing by the Local Planning Authority. The approved surfaces shall then be fully installed prior to the site first coming into use and the paths available to use throughout the lifetime of the development.

Reason

In the interests of amenity and recreation protection in accordance with Policy 5 and 40 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

17 Condition

Prior to development commencing full details of noise mitigation measures, as outlined in the Noise Impact Assessment dated 18th January 2024, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out and operated in full accordance with the approved details.

Reason

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

18 Condition

No development shall take place in the area identified on plan ref: OPL003-PL-01-Rev19 as 'Archaeology Area' until the applicant has:-

- (i) submitted a Written Scheme of Investigation or Specification for Works, for a

programme of archaeological work, to the Local Planning Authority.

(ii) received written approval of the Written Scheme of Investigation for a programme of archaeological work from the Local Planning Authority.

(iii) implemented, or secured implementation of the Written Scheme of Investigation for a programme of archaeological work.

Use of the development shall not take place until the applicant has:-

(iv) published, or secured the publishing of the findings resulting from the programme of archaeological work within a suitable media.

(v) deposited, or secured the deposition of the resulting archive from the programme of archaeological work with an appropriate organisation.

Reason

In the interest of Heritage protection and understanding in accordance with Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

19 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 1 applies.

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

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

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

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

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

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

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

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

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

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

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

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing

dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

Those circumstances are that the conditions subject to which the section 73

permission is granted:

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would provide for significant renewable energy and would not harm the area character, local or residential amenity and is acceptable in terms of ecology and flood risk and under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 2, 22, 31, 33, 34, 39, 40, 41, 42.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by working with the applicant to overcome issues as they arose through the Planning process.

3 Informative

Cadent own and operate a High Pressure gas pipeline running through the middle of the application boundary. Cadent hold a deed of grant for an easement on this High Pressure gas pipeline and no development is permitted inside the easement without written permission from Cadent.

No structures of any sort are permitted inside the easement and no changes of ground level without written permission.

Cadent will need to be contacted and liaised with before any construction/ground works commence as there will be multiple restrictions for working in the vicinity of High Pressure gas pipelines.

Cadent will also require proof that the solar farm will not affect the cathodic protection scheme that protects the gas pipeline from corrosion will not be affected from stray DC interference from the solar farm.

- 4 Informative
The applicants attention is drawn to the comments of National Grid Transmission dated 20th March 2025.
- 5 Informative
The applicants attention is drawn to the comments of Humberside Fire Brigade.
- 6 Informative
The applicants attention is drawn to the comments and advice of the Environment Agency dated 6th January 2025.
- 7 Informative
The applicants reference to compliance with NFCC's fire safety guidance and other safety legislation is acknowledged. It is also acknowledged that the developer will liaise with the Local Fire Authority.
- 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
The applicants are reminded of the need to comply with Drainage Board easements. Please contact the Drainage Board accordingly prior to the commencement of development.

Minute of the Planning Committee

23rd April 2025

Item: 3

Application Number: DM/0605/24/FUL

Application Type: Full Application

Application Site: 26 Sea View Street Cleethorpes North East Lincolnshire
DN35 8EZ

Proposal: Retrospective planning application to change the use of the premises into a bar/restaurant and for alterations to shop front including installation of window frames, doors and awning, painted brickwork and timber panelling -Amended description and plans

Applicant's Name and Address: Mr Paul Baker c/o Ross Davy Associates Lowtherm Construction Ltd 113 Railway Street Grimsby Grimsby North East Lincolnshire DN32 7BN	Agent's Name and Address: Mr Alan Scoffin Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby North East Lincolnshire DN32 0QH
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Deposited: 8th July 2024

Accepted: 8th July 2024

Expiry Date: 2nd September 2024

Agreed Extension of Time Date: 25th April 2025

Case Officer: Lauren Birkwood

Decision: Approved with Conditions

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

Site Location Plan - RD:5414-02 REV A

Block Plan - RD:5414-07
Proposed Plans and Elevations - RD:5414-05 REV D
Proposed Elevations and Section - RD:5414-08 REV A
Proposed Plans and Elevations - RD5414-11 REV C
Joinery Elevations and Section - RD:5414-09
Joinery Elevations and Section - RD:5414-10
Awning Photo - Received 15th October 2024

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22, 23 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

2 Condition

The use shall operate in accordance with layout plan 'Proposed Plans and Elevations - RD5414-11 REV C' and with the Noise Management Plan by Ross Davy Associates, received 11th February 2025 to include the opening times as defined;

The premises shall only be open for use Thursday to Sunday between the hours of 11.00 am to 10.00 pm.

Reason

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

3 Condition

The proposed doors shall be of such design as to ensure that at no time in the course of operation or when in the open position shall they extend outwards over the adopted highway.

Reason

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

4 Condition

The rear flat roofed external area shall accord to the layout as shown on the Proposed Plans and Elevations - RD5414-11 REV C plan and shall not be used as a balcony or outside seating, eating or drinking area whatsoever and there shall be no external amplified music.

Reason

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

- 5 Condition
All materials and finishes shall be as detailed on plan - Proposed Plans and Elevations - RD:5414-05 REV D.

Reason

To protect the character and appearance of the Conservation Area to accord to Policy 39 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 is an acceptable use which would preserve the Conservation Area and would not be detrimental to residential 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, 22, 23 and 39.
- 2 Added Value Statement
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by requesting amendments and additional information to overcome heritage concerns.
- 3 Informative
The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.
- 4 Informative
Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).
- 5 Informative
The applicant's attention is drawn to the comments received from the Crime Reduction Officer. Please go to www.nelincs.gov.uk to view the comments.
- 6 Informative
The applicant's attention is drawn to the comments received from the Licensing Officer regarding a new premises licence. Please go to www.nelincs.gov.uk to view the comment.

Minute of the Planning Committee

23rd April 2025

Item: 4

Application Number: DM/1025/24/FUL

Application Type: Full Application

Application Site: 17 Queens Parade Cleethorpes North East Lincolnshire
DN35 0DF

Proposal: Erect single and two storey rear extensions with roof light, alterations to windows and various associated works
(amended proposal and description January 2024)

Applicant's Name and Address: Mr Mark Fox 17 Queens Parade Cleethorpes North East Lincolnshire DN35 0DF	Agent's Name and Address: Mr M Vernam RMV Design Ltd 20 The Meadow Caistor Market Rasen Lincolnshire LN7 6XD
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Deposited: 6th December 2024

Accepted: 16th December 2024

Expiry Date: 10th February 2025

Agreed Extension of Time Date:

Case Officer: Becca Soulsby

Decision: Approved with Conditions

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

Site Location Plan received 27th January 2025
Block Plan received 27th January 2025
020125-02 - Proposed Floor Plans

020125-03 REV A - Proposed Elevations and Roof Plan

Reason

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

2 Condition

The proposal shall be constructed using materials specified within the application form and on the approved plans received unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

3 Condition

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

Reason

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

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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 4.3 applies.

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

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

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

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

Irreplaceable habitat

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

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

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

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

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

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

Informatives

- 1 Reason for Approval
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the historic 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, 34, 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 adding conditions to protect amenity.
- 3 Informative
Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).
- 4 Informative

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

5 Informative

The applicant's attention is drawn to the comments received from the Ecology Officer in relation to standing advice for bats and birds.

6 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.

Minute of the Planning Committee 23rd April 2025

Item: 5

Application Number: DM/0086/25/FUL

Application Type: Full Application

Application Site: Land Adj 64 Chapel Road Habrough North East Lincolnshire

Proposal: Variation of Conditions 2 (Approved Plans) and 10 (Existing Landscaping) following DM/0524/23/FUL to amend the house types from semi-detached to link properties, relocation of plots within the site and new planting to parking areas to the front (Amended Description provided for clarity)

Applicant's Name and Address: Mr L Metcalf C/O Agent Unit 2, Cleethorpes Business Centre Jackson Place Wilton Road Humberston DN36 4AS	Agent's Name and Address: Mr Dieter Nelson Dieter Nelson Planning Consultancy Unit 2, Cleethorpes Business Centre Jackson Place Wilton Road Industrial Estate Humberston Grimsby N E Lincolnshire DN36 4AS
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Deposited: 6th February 2025

Accepted: 6th February 2025

Expiry Date: 3rd April 2025

Agreed Extension of Time Date: 25th April 2025

Case Officer: Bethany Loring

Decision: Approved with Conditions

- 1 Condition
The development hereby permitted shall begin by 3rd November 2026.

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 plan:

Site Location Plan, Block Plan, Proposed Floor Plans and Elevations and Vehicle Access Details - F3131-A1-01C

Reason

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

3 Condition

Development shall not begin until details of all external materials to be used in construction of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall then commence in accordance with the approved details.

Reason

To maintain the character of the area and in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the provisions of the National Planning Policy Framework.

4 Condition

No development shall commence until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented in accordance with the approved details prior to any of the dwellings being occupied.

Reason

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

5 Condition

Prior to the occupation of any dwelling, a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day shall be submitted and approved in writing by the Local Planning Authority. Once approved, the dwellings shall be occupied in strict accordance with the agreed details.

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

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

Reason

To protect the amenities of nearby residents and ecology and in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

- 7 Condition
No works related to the development hereby approved shall begin until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP should include, but not be limited to the following:

1. Contact details of the person with responsibility for the implementation of the CMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials and any construction compound, also relating to trees;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required;
7. Details of wheel washing facilities (locations, types); and
8. Means of suppressing dust and noise.

Once approved, the CMP shall be adhered to at all times during construction.

Reason

To ensure adequate access facilities are provided during construction for highway safety reasons, for amenity and to protect residential amenity to accord with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

- 8 Condition
Development shall not begin until details showing the location, layout, design and method of construction of the new and altered vehicular access, parking and manoeuvring spaces, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the vehicular access, parking and manoeuvring spaces shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

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

9 Condition

The window openings to first-floor side elevation, serving the bathrooms as identified on the floor plans, hereby approved shall be glazed in obscure glass only to an obscurity level of 3 or above as measured on the 'Pilkington Scale'. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason

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

10 Condition

The existing and proposed tree planting, as shown on drawing no. F3131-A1-01C, shall be retained and planted as stated unless an alternative landscaping scheme is submitted and approved by the Local Planning Authority. The landscaping as approved shall be implemented within 12 months of the date of the commencement of development and shall be maintained for a period of five years with any losses replaced with trees of the same standard and species unless otherwise agreed in writing. Any trees or shrubs alongside the parking area shall not exceed a height of 1.05 metres above the carriageway level of the adjoining highway.

Reason

To ensure a satisfactory appearance and setting for the development, protection of existing features in the interests of local amenity and to maintain visibility in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

11 Biodiversity Net Gain

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

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

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

Planning Inspectorate or Secretary of state where they have so specified in determining an appeal under s 78 of the Town and Country Planning Act 1990 (as amended).

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

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

In Summary: Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. It is considered that exemption number 3(ii) 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 amended proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 41 and 42.
- 2 Informative
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.
- 3 Informative

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

- 4 Informative
For the avoidance of doubt this permission does not permit the raising of ground levels or permit water run-off onto the public highway.
- 5 Informative
This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.
- 6 Informative
In accordance with Approved Document S of the Building Regulations you will be required to install electric vehicle charging points as part of the development.

Minute of the Planning Committee

23rd April 2025

Item: 6

Application Number: DM/0990/24/FUL

Application Type: Full Application

Application Site: 29 - 31 Chantry Lane Grimsby North East Lincolnshire DN31 2LP

Proposal: Change of use from doctors surgery to 11 self contained flats with associated works and internal and external alterations to include changes to doors and windows to the side and rear - Amended plans and description

Applicant's Name and Address: Mr Andrew McQuillan DEJ Developments Ltd 107 Cleethorpe Road Grimsby N E Lincolnshire DN31 3HW	Agent's Name and Address: Geoffrey Wagstaff 52 Marlborough Way Cleethorpes N E Lincolnshire DN35 0TR
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Deposited: 21st November 2024

Accepted: 5th December 2024

Expiry Date: 6th March 2025

Agreed Extension of Time Date: 25th April 2025

Case Officer: Lauren Birkwood

Decision: Approved with Conditions

- 1 Condition
The conversion 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 21st November 2024

Block Plan, Existing Ground and First Floor Plans - GWAM/CL/1

Proposed Ground and First Floor Plans - GWAM/CL/2

Existing and Proposed Side Elevations - GWAM/CL/3

Swept Paths - GWAM/CL/3

Proposed Side and Rear Elevations - GWAM/CL/4

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 13, 22, 33, 34, 36, 38, 39, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

3 Condition

No further development shall take place until details of the measures to prevent through access from Queens Parade to Chantry Lane have been submitted to and approved in writing by the Local Planning Authority. Once approved, the measures shall be implemented in accordance with the approved details prior to any further development taking place unless otherwise agreed in writing by the Local Planning Authority. Such arrangements shall be so retained thereafter.

Reason

In the interests of highways safety to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

4 Condition

No further works related to the development hereby approved shall begin until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP should include, but not be limited to the following:

1. Contact details of the person with responsibility for the implementation of the CTMP;
2. The expected number, types and size of vehicles during the entire construction period;
3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials, if required;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and
7. Details of wheel washing facilities (locations, types etc.).

Once approved, the CTMP shall be adhered to at all times during works.

Reason

To ensure adequate access facilities are provided during conversion and construction, and for highway safety reasons and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

5 Condition

No works associated with the development shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.

Reason

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

6 Condition

Prior to the occupation of any residential unit hereby approved, the car parking and cycle stands shall be provided in accordance with drawing GWAM/CL/1 (Block Plan, Existing Ground and First Floor Plans) and shall be so retained at all times thereafter.

Reason

To ensure appropriate parking and cycle provision at the site to accord to Policies 5, 36 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

7 Condition

All external materials shall be as specified on the application form and approved plans unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

8 Condition

Prior to occupation of any flat, final details of the finish and treatment of the parking and amenity area including the provision and details of the bin storage area, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details prior to the occupation of any flat and the parking, amenity area and bin storage area shall be so retained at all times thereafter.

Reason

In the interests of amenity, good design and highways safety in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

9 Biodiversity Net Gain

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

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

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

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

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

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

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

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

planning permission relates was made before 12 February 2024.

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

4.5 Development forming part of, or ancillary to, the high speed railway transport

network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations including landscaping, ecology and highways matters. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 13, 22, 33, 34, 36, 38, 39, 41 and 42.

- 2 Added Value Statement
Article 31(1)(cc) Statement - Positive and Proactive Approach
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by requesting additional information to overcome concerns.

- 3 Informative
The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

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

- 5 Informative
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.

- 6 Informative
The applicant's attention is drawn to the comments from the following consultees:

Anglian Water
Humberside Fire and Rescue
Council's Waste Management Officer
Council's Ecology Officer
Environmental Health

To view the comments, please go to www.nelincs.gov.uk.

- 7 Informative
If access to the rear of the site is required, tree works may be required and therefore a Tree Preservation Order application may be required to be submitted. Please contact the Council's Tree Officer for further information.

Minute of the Planning Committee

23rd April 2025

Item: 7

Application Number: DM/0900/24/FUL

Application Type: Full Application

Application Site: R/O 171 Mill Road Cleethorpes North East Lincolnshire
DN35 8JB

Proposal: Demolition of existing lock up garages and erection of two dwellings with roof lights and central car port.

Applicant's Name and Address: Mr Peter Dalton Unit 16 Wickham Road Grimsby Docks Grimsby North East Lincolnshire DN31 3SX	Agent's Name and Address: Mr Neville Burnett Planning Consultant 29 Priors Close New Waltham Grimsby N E Lincolnshire DN36 4QZ
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Deposited: 16th October 2024

Accepted: 12th March 2025

Expiry Date: 7th May 2025

Agreed Extension of Time Date: 25th April 2025

Case Officer: Jonathan Cadd

Decision: Refused

- 1 The application site is inadequate for the scale of development proposed having regard to its limited size and juxtaposition with the adjoining properties leading the proposal to, if approved, dominate the adjoining properties leading to an unacceptable reduction in the standard of residential amenity which the occupiers of the adjacent dwellings might reasonably be expected to enjoy. In addition to this, future occupiers would enjoy limited privacy, light and sunlight and a lack of outdoor amenity space and would have to endure unacceptable noise and nuisance from adjoining properties and traffic. The limited space available is likely to reduce residential amenities in terms available access and

parking which may prevent access to and ease of parking but could also hamper emergency vehicles. Together these indicate the proposal would be contrary to Policies 5 and 22 of North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and the provisions of the NPPF (2025).

Informative

1 Informative

This decision relates to the following plans:

- Site Location Plan;
- Existing Block Plan;
- Proposed Block Plan;
- Existing Plans and Elevations;
- Proposed Floor Plans and Elevations.

Minute of the Planning Committee 23rd April 2025

Item: 8

Application Number: DM/0523/23/FUL

Application Type: Full Application

Application Site: Willow Lakes Ashby Hill Top Farm Barton Street Ashby
Cum Fenby North East Lincolnshire

Proposal: Change of use of land from field/paddocks to 23 holiday
cabins with vehicle parking, landscaping and associated
works - updated foul drainage information February 2025

Applicant's Name and Address: Mr John Collis Willow Lakes Ashby Hill Top Farm Barton Street Ashby Cum Fenby North East Lincolnshire DN37 0RU	Agent's Name and Address: Mr Daniel Snowden Ross Davy Associates Pelham House 1 Grosvenor Street Grimsby North East Lincolnshire DN32 0QH
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Deposited: 1st June 2023

Accepted: 7th June 2023

Expiry Date: 6th September 2023

Agreed Extension of Time Date: 28th April 2025

Case Officer: Richard Limmer

Decision: Approved with Conditions

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

Reason

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

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

RD5052-01 - site location plan
RD5052-02 - existing site plan
RD5052-03 Rev B - proposed site plan
RD5052-04 - lodge plans and elevations

Reason

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

- 3 Condition
The hereby approved holiday cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.

Reason

The holiday cabins are in a location where the Local Planning Authority would not wish to see permanent residential occupation in order to comply with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

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

Reason

The holiday cabins are in a location where the Local Planning Authority would not wish to see permanent residential occupation and in order to comply with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 5 Condition
No development shall commence until:

(a) A scheme of landscaping and ecological enhancement, based on the Preliminary Ecological Appraisal September 2023 and landscaping plan ref: N0868(96)001-rev A, showing the details of the number, species, sizes and planting positions of all planting;
(b) A plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;
(c) Measures for the protection of trees and hedges during construction work;
(d) A detailed scheme for the management and maintenance of the landscaping and ecological enhancement scheme;

have been submitted to and approved in writing by the Local Planning Authority.

Reason

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

6 Condition

The scheme of landscaping and tree planting required in condition 5 of this planning permission 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 maintained for 15 years in accordance with the approved management and maintenance plan, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

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

7 Condition

Prior to the development commencing, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details. The plan shall contain:

- Working hours;
- Visitor and contractor parking areas;
- Materials storage area;
- Wheel cleaning facilities;
- Noise, vibration and dust mitigation measures (both during demolition and construction);
- Construction traffic management plan.

Reason

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

8 Condition

Prior to development commencing a detailed scheme for surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

To reduce the risk of flooding on and off the site in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 9 Condition
Prior to the occupation of any cabin full and final details of the private sewage package treatment for foul drainage and its maintenance, based on the Drainage Statement dated 17th February 2025 in particular Option 3 (to combine lodge Phase 2 and Phase 3 with one treatment plant) shall be submitted to and approved in writing by the Local Planning Authority. The foul drainage scheme shall be implemented as approved prior to the occupation of any cabin and thereafter maintained in accordance with the approved maintenance scheme.

Reason

In the interests of pollution control to accord to Policy 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 10 Condition
Prior to development commencing the eDNA testing for Great Crested Newts (GCN), as recommended in the Preliminary Ecological Appraisal dated September 2023, shall be undertaken. The results of the testing, along with a detailed scheme of mitigation and protection of GCN, if found, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in strict accordance with the approved details.

Reason

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

- 11 Condition
Prior to development commencing a detailed scheme for all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and no further external lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason

In the interests of visual amenity and ecological protection in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

- 12 Condition
Development shall not begin until details of all external materials to be used in construction of the structures have been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area 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 1 applies.

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

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

(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

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

Irreplaceable habitat

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

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

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

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

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

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

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

Informatives

1 Informative

Environmental permitting - Please be aware that the proposed discharge from this development will require a permit from the Environment Agency. For further information on obtaining a permit please refer to Discharges to surface water and groundwater: environmental permits - GOV.UK.

- 2 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.

- 3 Reason for Approval
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 41 and 42.

- 4 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 working with the agent to overcome issues including foul water drainage.