



PLANNING COMMITTEE

24th June 2020
9.30 a.m.

Present:

Councillor Harness (in the Chair)
Councillors Beasant, Goodwin, Hasthorpe, Hudson, James, Mickleburgh, Nichols, Parkinson, Pettigrew, and Silvester.

Officers in attendance:

- Martin Ambler (Senior Enforcement Officer (P.7))
- Rob Close (Scrutiny and Committee Support Officer)
- Martin Dixon (Planning Manager)
- Lara Hattle (Highway and Transport Planner)
- Richard Limmer (Major Projects Planner)
- Bev O'Brien (Scrutiny and Committee Support Officer)
- Keith Thompson (Specialist lawyer Property)

P.1 APOLOGIES FOR ABSENCE

There were no apologies for absence received for this meeting.

P.2 DECLARATIONS OF INTEREST

Councillor Parkinson declared a disclosable pecuniary interest in P.10 - Item four as he was the applicant.

Councillor James declared a disclosable pecuniary interest in P.11 DM/0290/20/CND as she was the spouse of the applicant.

P.3 DEPOSITED PLANS AND APPLICATIONS

The committee considered a report from the Director of Economy and Growth regarding deposited plans and applications.

RESOLVED – That the deposited plans and applications submitted under the Town and Country Planning Act (Serial No's 1 – 6) be dealt with as set out below and detailed in the attached appendix.

Item 1 – DM/1166/19/OUT – 43 Humberston Avenue, Humberston, Grimsby

Mr Limmer introduced the application and explained that it sought outline planning permission to erect two detached dwellings and two detached garages to the rear of 43 Humberston Avenue. He showed the committee plans and picture of the site and explained that it came before them because of the significant number of objections from neighbours.

The western and northern boundaries of the site contained a number of trees, some of which were protected by Tree Preservation Orders (TPO). Access to the site ran from the west of the host property. Back land developments were not uncommon down Humberston Avenue. The site sat with the development boundary for Humberston. This application was therefore acceptable in principle. There were numerous examples within the immediate area of smaller scale back land development. This application wasn't then considered to have a detrimental impact on the visual character of the area. The existing access off Humberston Avenue would be upgraded to have a proper surface and widened to accommodate the two proposed dwellings. The impact to highways safety and amenity was therefore considered acceptable. The scheme had been amended because of concerns raised by the Tree Officer regarding the trees under TPOs. Further consideration would be given during the reserved matters stage. Concerns had been raised by Humberston Parish Council and 1B Abbotts Grange with regard to plot two to the rear of the site. Plot two would sit lower than both of the adjoining neighbouring properties, sitting single story in scale. The relationship was therefore considered to be acceptable. Mr Limmer confirmed that the application was recommended for approval.

Councillor Nichols left the meeting at this point.

Ms Carrie was invited to address the committee in objection to this proposal as a resident living at 39A Humberston Avenue. She felt that the officers' report of the proposal, differed significantly to the views of residents living in close proximity to the site. She stated that Humberston Avenue was considered a prestigious location to live in, but the over development of rear garden land was negatively affecting the area and its reputation. She felt the high number of representations demonstrated residents' dissatisfaction with the over-development and the effect on the character of the area. Residents also mentioned concerns over flooding. Photos submitted by 1B Abbotts Grange were shown to the committee. Ms Carrie explained these photos showed how much rain accumulated on the garden land of number 43 Humberston Avenue, and, how wet the boundary to the rear of her property became. Saplings could not take hold as the ground was too wet, so the removal of established trees needed careful consideration. She explained that her neighbour's

property became very saturated during the wintertime. Ms Carrie explained that a single dwelling may have been more acceptable, but two dwellings would result in 41A Humberston Avenue having a loss of privacy to both front and rear gardens. In addition, there were fears this may set a precedent for other back land developments in the immediate area. In addition, Ms Carrie had concerns with regard to parking provision. She didn't feel that two parking spaces were appropriate for a family, as a result of the limited space, she noted this would congest and obstruct traffic going through Humberston Avenue. In conclusion, she asked the committee to consider if two additional dwellings were needed in the borough, citing that North East Lincolnshire Council had already hit its housing target.

Councillor Fenty was invited to address the committee in his capacity as a Humberston and New Waltham Ward Councillor. He referenced the number of objections received against the application, particularly the objection submitted by Humberston Parish Council which noted their desire for North East Lincolnshire Council to adopt a policy preventing any further back land developments. In addition, he noted that Humberston Parish Council had written to North East Lincolnshire Council separately with regard to how back land developments were addressed in the North East Lincolnshire Local Plan (NELLP 2018). He felt that the charm and character of Humberston Avenue was being diminished by back land developments. He referenced the increased traffic in the area because of the number of new residents. Although he held personal reservations against back land developments, he accepted that there likely would be some form of development on this site. He had concerns of what the reserve matters application could propose, if this outline application were to be approved. He noted 1B Abbotts Grange would like plot one pushing further north for two metres and west for one metre, contrary to the Trees Officer's comments. He was disappointed that agents hadn't consulted with the Ward Councillors and sought a compromise. Councillor Fenty suggested the committee consider supporting the repositioning of the rear most property a further two metres north and one metre west. The trees to the west of the development would be seven metres, the trees to the rear would sit 24 metres away from the properties, respectively.

Mr Limmer explained that drainage schemes were difficult to define while an application was still at an outline as the details of the development were still to be determined. He added this had been addressed in condition four of the recommendations.

The Chair asked if a drainage scheme could be a betterment to what was currently in place at the site. Mr Limmer confirmed that officers always sought to improve the drainage situation in terms of the sustainable urban drainage principle.

Councillor Hasthorpe agreed with Councillor Fenty's comments adding that he didn't feel the separation from plot one and 1B Abbotts Grange was acceptable, and, an additional two metres separation would improve

the relationship between the properties. He echoed Ms Carrie's comments that limiting the application to only one plot would be better. He asked if these changes could be conditioned.

Mr Limmer explained that the application was for two properties and the committee wasn't in a position to restrict it to one through conditions. He suggested that the committee could decide to defer this application back to officers so they could engage with agents to reposition the plot indicatively. This application could then be considered at the next meeting of Planning Committee after proper consultation with neighbours.

The Chair noted that he was aware of the attitude some residents had towards back land developments in Humberston.

Councillor Hasthorpe proposed that this application be deferred to allowed further consultation. Councillor Pettigrew seconded this motion of deferral.

Councillor Mickleburgh fully supported the motion of deferral adding that two properties would be overdevelopment.

Councillor Parkinson felt that plot two to the rear was too tight and small. He considered one property to be acceptable. He asked if 41 Humberston Avenue had the same flooding issues as 43 Humberston Avenue.

Councillor Hudson worried that the deferral wouldn't result in the reduction in properties.

Mr Dixon explained that if the application were to be deferred, it would be for the committee to express what they would like to applicants to reconsider. He added that the trees to the rear were subject to TPOs, the concern of the Tree Officer was that if the properties were pushed back into the site, that may put pressure on the trees.

Councillor Goodwin felt that there was actually the space for two properties rather than one.

Councillor Parkinson considered the by way for the applicant to be limited to one property would be to refuse this application entirely.

Councillor Hasthorpe withdrew his proposal for a deferral, and proposed that this application be refused. Councillor Mickleburgh seconded Councillor Hasthorpe's motion of refusal.

RESOLVED – That the application be refused as the proposal would represent an over intensive form of development which would be detrimental to local amenity and the residential amenity of neighbouring property contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(Note - the committee voted unanimously in favour of this application being refused)

Councillor Nichols re-joined to the meeting.

Item 2 – DM/0316/20/FUL – 8 The Cloisters, Humberston Grimsby

Mr Dixon introduced the application explaining that it sought to raise the roof height to create second floor living accommodation to include the installation of roof lights with various internal and external alterations at an existing detached dwelling. He showed the committee plans and picture of the site and explained that it came before them because of the significant number of objections from neighbours and from Humberston Parish Council.

He explained that the site sat within a well-established mixed residential area, with extensions and alterations expected. The application was therefore acceptable in principle. The site had planning history of an application for a large-scale rear dormer, the applicant withdrew that scheme following concerns from neighbours and officers. This scheme acted as an alternative, by omitting the dormer and using the roof space for accommodation. There was mix of dwellings and roof types in the area so the change in ridge height wasn't considered to have an impact to the character or design of the area. Because of the removal of the dormer and separation from the properties on Midfield Place, the impact to residential amenity would be acceptable. The application wasn't considered to have an undue massing or physicality from the works. The use of rooflights wasn't considered to have an impact on overlooking. The property to the rear of the site was already being overlooked by this site's first floor windows and the inclusion of rooflights in this application was expected to cut down on any overlooking. He confirmed this application was recommended for approval.

Mr Pomfret was invited to speak in his capacity as the agent for this application. He explained that since the original application for a dormer, neighbours' concerns had been considered and he was keen to come to a compromise. This resulted in the removal of the dormer and utilisation of the existing roof space to not only achieve the applicants' brief but would have a minimal impact on neighbouring properties. He stressed that neighbours would be kept informed throughout the process if approved.

Councillor Shreeve was invited to address the committee in his capacity as a Humberston and New Waltham Ward Councillor. He referenced this site's planning history and stated that the alterations resulted in the property imposing and dominating over the neighbouring bungalows. This application had been objected to by numerous residents and Humberston Parish Council. Objectors were concerned that the increased ridge height would only exacerbate an already dominating property and that the works would be completely out of character for the

area. He noted that planning officers felt that this property offered adequate separations between this property and neighbours in The Cloisters and Midfield Road. Because of this separation, Councillor Shreeve felt this property would become something of a landmark.

Councillor Hasthorpe fully supported Councillor Shreeve's statement. He noted the number of objections from neighbours and Humberston Parish Council. He felt that the proposal would be out of character and overbearing and had concerns that it would spoil the street scene of the area. Councillor Hasthorpe proposed that this application be refused

Councillor Parkinson felt that 0.8 metres was a relatively small increase in ridge height, and given a few months, neighbours may not notice a difference. He felt the applicants had made significant alterations to their initial scheme. He was satisfied that the roof lights were small and high enough not to be noticeable. He noted that separation from Millfield Road was particularly good. Overall, Councillor Parkinson agreed with planning officer's report and would be supportive of this application.

Councillor Nichols declared a personal interest in this item and would abstain from the vote.

Councillor Hudson agreed with Councillor Parkinson as he felt the small roof lift would have negligible impact on the street scene. He didn't feel that there would be any increase in overlooking as all the new windows were in the roof. He was supportive of this application.

Councillor Goodwin felt that the applicant had made compromises for the neighbours. She offered her support to this application.

Councillor Hasthorpe applauded the applicant on the concessions they made, however, he stressed neighbours and Humberston Parish Council still held objections towards this application.

Councillor Mickleburgh stated that when taking into account Humberston Parish Council's and neighbouring objections, he couldn't support this application. Councillor Mickleburgh seconded Councillor Hasthorpe's motion of refusal.

The committee took a vote to refuse this application on the grounds of adverse impact to the character of the area and the amenity of neighbours. The motion was lost on a vote of four to six with one abstention.

Councillor Hudson moved that the application be approved. Councillor James seconded his motion of approval.

RESOLVED – That the application be approved with the attached conditions.

(Note - the committee voted six to four with one abstention to approve this application)

Item 3 – DM/0270/20/OUT – 1 – 2 Great Coates Road, Healing

Mr Dixon introduced the application and explained that it sought outline permission for one four-bedroom dwelling with all matters reserved. He showed the committee plans and pictures of the site and explained that it came before them following a call in by an elected member.

He explained that the site sat outside of the development boundary for Healing which raised a number of issues. Sites outside development boundaries could be inherently unsustainable because of their separations from local services, this wasn't necessarily an issue considering the site's proximity to the village. Another consideration under policy five of, and throughout, the NELLP 2018 was that of impact to character. There were concerns that this application would represent a visual intrusion to the openness and character of the village, consequently, Mr Dixon confirmed that the application was recommended for refusal.

Mr Peterson was invited to address the committee in his capacity as the applicant of the proposal. He felt the reasons for refusal cited by officers were narrow and noted that no technical objections were received against this application. Highways and drainage officers were satisfied with the scheme. Healing Parish Council supported the application. He intended to sell the plot rather than develop it himself. So, he applied for outline planning permission only so whoever bought the plot would be able to build something to their and the village's aspirations. He explained that his own property was located to the rear of the site and was originally a pair of properties knocked into one. He considered this proposal to be a natural infill development within a cluster of existing built form which did not encroach development to the open countryside. He referred to officers' comments about the impact to the character of the open countryside, he explained that the plot would be hidden by trees. The trees would sit on the boundary to the applicant's property and would remain in place. There was only one established tree that would remain on the border of the property which would be maintained. According to a member of Healing Parish Council, the plot was historically earmarked for development. The current vehicular access was proposed to be improved to ensure any motor vehicles could enter and exit the site in a forward gear. Village services were accessible from the current lit footpaths. The land was currently under used and Mr Peterson felt that a sensitively designed single dwelling would be an enhancement to the village's character. He felt that significant material weight should be given to the residents' views, noting that there were no objections received. He explained that he was happy to work with officers during the reserved matters stage of the application.

Councillor Hudson felt that the plot was incredibly well screened and noted that there was a complete lack of objections. He moved that this application be approved. Councillor Goodwin seconded his proposal.

Councillor Hasthorpe explained that he was present as a member of Healing Parish Council when this application was considered by them. At that time, he made no comments with regard to this application but called it in to be considered by Planning Committee. He noted that there could be drainage issues arising as a result of this application because of the hill on the corner of Aylesby Lane which caused problems with flooding on both Great Coates Road and Aylesby Lane. He acknowledged that this application was only outline at this stage, but, this would have to be addressed in the reserve matters stage. He worried this could set precedent for future developments outside of the boundary.

Councillor Beasant shared Councillor Hasthorpe's concern that this application would set a precedent for future developments.

Councillor Parkinson felt that this application would break up the sweeping open corner which, he felt, was an important part of the village. He couldn't support this application.

Councillor James noted that the lack of objections to this and how well screened the property would be.

RESOLVED – That the application be approved with the attached conditions.

(Note - the committee voted six to five in favour of this application being approved)

Councillor Parkinson left the meeting at this point.

Item 4 – DM/0201/20/FUL – 2 Brighton Street, Cleethorpes

Mr Dixon introduced the application and explained that it sought the change of use of a first and second floor from a residential unit to storage. He showed the committee plans and pictures of the site and explained that this application came before committee as the application was a North East Lincolnshire Ward Councillor.

He explained that the development related well to the connecting public house. There were no objections received from residents or officers. There were no external alterations so there wouldn't be an impact to the conservation area. He confirmed this application was recommended for approval.

Councillor Hasthorpe proposed that this application be approved. Councillor Mickleburgh seconded this proposal.

RESOLVED – That the application be approved with the attached conditions.

(Note – the committee voted unanimously for this application to be approved)

Councillor Parkinson re-joined the meeting at this point

Item 5 – DM/0112/20/FUL – The Grove Residential Home, Ings Lane, Waltham

Mr Limmer introduced the application and explained that it sought to erect a large extension to the existing care home that included two storey and single storey elements. To allow the proposed extension to fit on the site, an existing bungalow was proposed to be demolished. The proposed extension would provide a net increase of 19 new bedrooms along with associated communal space and eight additional parking spaces. He showed the committee plans and pictures of the site and explained that this application came before committee due to an objection from Waltham Parish Council.

He explained that the site was an existing care home that sat within the development boundary for Waltham, so the principle of extending the current development was considered acceptable. This application was approved in 2016 under delegated power but the applicant was unable to progress the development before the consent expired in 2019. This application had been carefully planned to keep the impact to neighbours low as possible. The rear elevation had been designed to mitigate any undue overlooking to the neighbouring cottage. The impact to the trees had been carefully considered by the Tree Officer and a full tree report had been submitted by the applicant. Waltham Parish Council raised concerns about the impact to the beech tree close to the proposed extension which benefitted from a TPO. Some works to the tree would be required to lift the canopy, but special piled foundation was proposed to avoid damage to the roots. This information was considered acceptable. Although Waltham Parish Council noted that there would be a loss of parking, there would actually be a net gain of nine parking spaces. The impact to highways was therefore considered acceptable. The scheme had been submitted with a detailed drainage report, the final detail needed to be submitted before the application could commence due to the water drainage into Buck Beck. The site was identified in the NELLP 2018 as a site of Nature Conservation Importance, so a condition had been added requiring a biodiversity and habitat improvement plan to be implemented. Details of vehicle wheel washing had been provided so condition four of the report should now be amended to reflect that and require adherence to the Construction Management Plan. Mr Limmer confirmed this application was recommended for approval.

Councillor Hasthorpe noted that there was an increasingly aging population so demand for this service would increase. As the application had already been approved in 2016, he couldn't see any objection. He didn't feel the objections submitted by Waltham Parish Council held much weight. He proposed that this application be approved.

Councillor Mickleburgh referenced the growing demand for residential care homes and felt that the possible impact to trees shouldn't be

considered grounds for refusal. He seconded Councillor Hasthorpe's motion of approval.

Councillor Hudson felt the committee had a duty to support businesses in their attempt to expand.

Councillor Parkinson states the plan for this application was strong and supported by the previous permission.

RESOLVED – That the application be approved with an amendment to condition four:

The development shall be built out in strict accordance with the Construction Management Plan (dated February 2020) and the additional wheel washing information dated 22nd June 2020.

(Note – the committee voted unanimously for this application to be approved)

Item 6 – DM/0131/20/FUL – 29 Church Lane, Waltham

Mr Dixon introduced the application and explained that it sought retrospective permission to erect a single storey extension to the rear including rooflights, the erection of a porch canopy to the front and various external alterations and landscaping. The single storey extension measured 5.9 metres in width, 2.7 metres in length and 3.4 metres in height (2.5 metres to the eaves). The extension was externally faced in render with upvc doors and window frames. The design of the extension incorporated a mono-pitched tiled roof. The roof of the canopy was also tiled. He showed the committee plans and pictures of the site and explained that this application came before committee due to an objection from Waltham Parish Council.

He explained that no objections from neighbours were received. The extension to the rear would be covered under permitted development rights. Waltham Parish Council raised concerns surrounding archaeological implications. The Heritage Officer noted that as this was a domestic dwelling and the works were minor, there were no archaeological concerns. The proposed alterations included the erection of a porch canopy to the front of the property, Waltham Parish Council objected to this due to the impact on the street scene and Conservation area. Officers felt that because the street scene was mixed and the property had already modernised, the impact of this alteration was acceptable. Mr Dixon confirmed that this application was recommended for approval.

Mr Close read out a statement submitted by the applicant of the proposal, Mr Mackenzie. He explained he intended to winded the drive by 1.5 metres and curve it into the garden to allow space for two vehicles to park off road. This would help to ease the already narrow and congested lane and he wouldn't then need to drop the kerb as he didn't

intend to block pave all the front of the house. The bricks eroding away over time on the existing front archway had caused the arch to drop, this had resulted in several bricks cracking above. He had tried to source similar bricks to match the existing, but unfortunately, hadn't been successful in matching them in size, colour, or texture. Therefore, he proposed to erect a small canopy above the door to minimise the look of the repaired brickwork and also install a lintel line to strengthen and make safe the above brickwork. He purchased this house which was extremely neglected both inside and out over a long period of time, his aim was to restore the house to a high standard to be in keeping with the surrounding area with all variety of house styles. As he'd worked on the house, he had many passing village residents give positive feedback on the work he was doing to improve the look of the property and garden.

Councillor Hasthorpe felt this would improve the property and moved that this application be approved. Councillor Hudson seconded this application.

RESOLVED – That the application be approved with the attached conditions.

(Note – the committee voted unanimously for this application to be approved)

P.4 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy and Growth under delegated powers during the period 7th May 2020 to 14th June 2020.

Councillor Parkinson queried if the works to application reference DM/1056/19/FUL had already been completed. He asked for further clarification on the rationale behind this application. Mr Dixon explained that application reference DM/1056/19/FUL had been implemented and was applied for in a response to anti-social behaviour.

RESOLVED – That the report be noted.

P.5 PLANNING APPEALS

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

Mr Dixon explained that a number of appeals were on going but had been delayed. The appeal against the refusal of 89 Scartho Road was allowed, as the Planning Inspector felt it wouldn't have a detrimental impact to the street scene.

Councillor Hasthorpe queried the appeal status of 15 Coltsfoot Drive. Mr Dixon stated that an appeal had been received, but he didn't have any further details on its status.

RESOLVED – That the report be noted.

P.6 EXCLUSION OF PRESS AND PUBLIC

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

P.7 ENFORCEMENT ISSUES

The committee discussed issues relating to enforcement and raised a number of matters for further investigation.

RESOLVED – That the information be noted, and further investigations be carried out as requested.

There being no further business, the Chair closed the meeting at 11.42 a.m.