

Planning Committee Dated: 22nd July 2020

Summary List of Detailed Plans and Applications

Recommendation: Approval with Conditions

Item: 1

Application No: DM/0759/19/FUL

Application Type: Full Application

Application Site: 59 Cheapside Waltham Grimsby North East Lincolnshire

Proposal: Erect a residential development of three bungalows (with rooms in the roof) with associated access and boundary treatments (amended site layout, dwelling designs, landscaping and erosion matting details 28th Nov 2019) (additional erosion control info Feb 2020)

Applicant: Mr Glover

Case Officer: Richard Limmer

Recommendation: Refused

Item: 2

Application No: DM/0130/20/FUL

Application Type: Full Application

Application Site: 36 Bargate Grimsby North East Lincolnshire DN34 4SW

Proposal: Change of use from social club (Sui Generis) to shop (A1), demolish existing outbuildings, erect single storey rear / side extension to create new entrance to side elevation, associated works to form additional accesses, car parking, landscaping and servicing facilities and various other alterations

Applicant: Langdale Capital

Case Officer: Jonathan Cadd

Recommendation: Approval with Conditions

Item: 3

Application No: DM/0977/19/OUT

Application Type: Outline Application

Application Site: 153 Humberston Avenue Humberston Grimsby North East Lincolnshire

Proposal: Outline application for the erection of three dwellings with access to be considered and a new access to 153 Humberston Avenue (amended plan June 2020)

Applicant: Dr Kumar

Case Officer: Richard Limmer

Recommendation: Approval with Conditions

Item: 4

Application No: DM/0387/19/FUL

Application Type: Full Application

Application Site: Grimsby Garden Centre Grimsby Road Laceby North East Lincolnshire

Proposal: Demolish existing bungalow (Russell Dene), greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and cafe, erect single storey green barn, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping (CHANGE TO THE CERTIFICATE SERVED) (Amended site plan Jan and March 2020)

Applicant: Ms Jo Keen

Case Officer: Richard Limmer

PLANNING COMMITTEE - 22nd July 2020

ITEM: 1

RECOMMENDATION: Approval with Conditions

APPLICATION NO: DM/0759/19/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 59 Cheapside, Waltham, Grimsby, North East Lincolnshire, DN37 0HE

PROPOSAL: Erect a residential development of three bungalows (with rooms in the roof) with associated access and boundary treatments (amended site layout, dwelling designs, landscaping and erosion matting details 28th Nov 2019) (additional erosion control info Feb 2020)

APPLICANT:

Mr Glover
96 Humberston Avenue
Grimsby
DN36 4SU
North East Lincolnshire

AGENT:

Mr Matt Deakins
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
DN32 0QH

DEPOSITED: 20th August 2019

ACCEPTED: 20th August 2019

TARGET DATE: 15th October 2019

PUBLICITY EXPIRY: 30th March 2020

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 27th December 2019 **CASE OFFICER: Richard Limmer**

PROPOSAL

The proposal is a full application for the erection of 3 dwellings within the rear garden area of 59 Cheapside, Waltham. The proposed dwellings are designed around a central courtyard area and provides two parking spaces per property. The three dwellings have been designed as single storey dwellings with rooms in the roof space. There would be 10 parking spaces within the site which includes 4 parking spaces for no.59 and no.59a Cheapside. As part of the proposed development erosion control measures to the bank of Buck Beck are also proposed.

This application was deferred at Planning Committee on the 1st March for a site visit and to allow further consultation with neighbours and the Parish Council. Due to the implications of COVID19 it is now proposed that the Committee site visit will be a virtual visit with a series of videos played to members.

SITE

The site lies to the rear of 59 Cheapside, Waltham. This property has been converted into two dwellings with a large rear workshop building removed to allow garden and car parking. The site has no specific allocation on the North East Lincolnshire Local Plan 2013-2032 but it is located within the Development Area Boundary for Waltham.

The site was cleared during the building works for the conversion of no.59 and now has the appearance of a cleared site. The north eastern boundary of the site has Buck Beck running along it with a mixture of landscaping along the top of the bank. Beyond Buck Beck are properties in Cheesemans Close (numbers 6 and 7) and Grove Lane (number 7). To the south east of the site are neighbours in Grove Lane (numbers 1 and 3). Along this boundary there is a mixture of hedge and fencing. Along the southern boundary with numbers 61 and 63 Cheapside is a 1.2m high retaining wall, as the site is lower than the neighbours with mixed landscaping above that. To the south west and north west boundaries are 2m high fences. Access to the site is taken off Cheapside to the south west of the site.

RELEVANT PLANNING HISTORY

DC/772/13/WAB - Outline erect 3 dwellings - approved

DM/0148/17/OUT - Outline erect 3 dwellings - approved

DM/0545/17/FUL - Convert existing dwelling into two dwellings and demolish workshop to create garden space and parking area - approved

DM/1157/19/FUL - Variation of Condition 2 (Approved Plans) as granted on DM/0545/17/FUL (Change of use from one dwelling to two dwellings, erect two storey extension to side and rear to include creation of access, parking spaces and installation of boundary treatments (Amended Plans August 2017)) for revision to window positions to the side and materials on the extension - approved

DM/0735/17/FUL - Erect 3 dwellings with associated parking, landscaping etc.. - Refused and dismissed at appeal

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF5 - Delivering a sufficient supply of homes

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

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

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

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

REPRESENTATIONS RECEIVED

Highways - no objections. Suggest conditions for access construction details and a construction management plan.

Parish Council - concerns over the lack of information on the erosion matting, the proximity of the buildings to Buck Beck and the provision of first floor accommodation. Recommend refusal.

Drainage - no objections, detailed response on surface water drainage and erosion control in Buck Beck

Police - no objection, comments on designing out crime

Environmental Health - recommend conditions; hours of construction, construction method statement and contaminated land.

Trees - no objections but recommend conditions for landscaping details to be submitted

Environment Agency - no comments

Heritage Officer - no comments

Neighbours

1, 4, 6, 7, 8, 9 & 14 Cheesemans Close

1 Grove Lane

37A, 53 and 60 Cheapside

The above neighbouring properties have objected to the proposed development with concerns over the following aspects:

- The way in which the site has been dealt with to date by the developer and the issues this has caused;
- The proximity of the proposed development to Buck Beck;
- The lack of detail provided on the proposed erosion matting and how it may affect the integrity of the banks of Buck Beck;
- How the foundations of the proposed development may affect the integrity of the bank of Buck Beck;
- The associated flood risk if Buck Beck is compromised;
- The provision of first floor accommodation and the impact this has on neighbouring properties residential amenities including overlooking and loss of privacy;
- The lack of details for the landscaping scheme especially along the top of Buck Beck where the planting is integral to the erosion control measures proposed;
- The lack of parking provision within the site and highway safety and amenity concerns around the site access.

Further consultation was undertaken following the 1st March Planning Committee and Waltham Parish Council , 7 and 8 Cheesemans Close maintained their detailed objections to the proposed development and provided further specific concerns over the amended Drainage and Erosion Control details submitted.

APPRAISAL

Material Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Impact on the Street Scene and Character of the Area
4. Parking and Highways
5. Drainage
6. Buck Beck
7. Contamination

1. Principle of Development

The principle of residential development on this site was first established in 2013 through DC/772/13/WAB which granted outline planning permission for three dwellings. This was then resubmitted and approved earlier under DM/0148/17/OUT. These previous outline planning permissions both had conditions restricting the proposed dwellings to genuine single storey dwellings only.

The site itself is located within the Development Area Boundary for the village in the NELLP. Policy 5 allows residential development within the defined settlement boundaries subject to the site specific impacts. These are considered below. It is therefore considered that, in principle, the proposed development would accord with Policy 5 of the NELLP.

It is noted that a previous application on the site for 3 dwellings (DM/0735/17/FUL) was refused and subsequently dismissed at appeal (appeal decision attached). However, the refusal and the appeal decision were based on specific reasons that does not question the principle of development. The specific reasons were based on the impact upon Buck Beck and the subsequent potential to increase the risk of flooding away from the site. This specific matter is discussed in section 6 of this report.

2. Impact on Neighbours

The proposed development has been set out along the theme set out in the outline consent, around a central courtyard. The proposed dwellings all have rooms within the roof space providing bedroom space. Plot 1 has two roof lights in the roof slope for a bathroom and stair well, and a bedroom window in each gable end. These openings have been positioned and designed to offer minimal overlooking to the neighbouring properties. The rear window overlooks the rearmost area of no.53 Cheapsides' garden and the front window looking over the development. Due to the relationship between the rear window and number 53 Cheapside it is recommended that this be part obscured.

Plot 2 has two bedrooms in the roof space both of which have a dormer window facing into the development area and a roof light in the bathroom facing to the rear. The position of the proposed openings to the roof space rooms have been designed so as to not offer any significant overlooking to the neighbours properties.

Plot 3 also has two bedrooms in the roof space and proposes a rear dormer window (bedroom) and roof light facing into its own garden space. There would be a front roof light to the other bedroom that faces up the access road. The proposed openings have been designed and set out to ensure that there would not be any adverse overlooking to the neighbours to the south and east.

The ground floor windows and the dwellings themselves have been positioned and designed in a way to ensure that there would not be any undue impact upon the neighbouring properties residential amenities. The dwellings have all been positioned within the site so that good separation distances are achieved between them and the

neighbouring dwellings so there would be no adverse massing or dominance impacts. The proposed development therefore accords with Policy 5 of the NELLP.

3. Impact on the Street Scene and Character of the Area

The proposed dwellings are located to the rear of the host property and a reasonable distance from Cheapside itself. There is a gap between no.59 the host property and the neighbour no.61 where the access to the proposed dwellings is proposed. This gap will provide a limited view to the proposed dwellings but due to the built up nature of the surrounding area this would be the only significant view from a public area. The proposed dwellings are of a reasonable design akin to others within the wider street scene.

Given the position of the site and design of the proposed dwellings it is considered that there would not be a detrimental impact on the character and appearance of the street scene or wider area in accordance with Policy 5 and 22 of the NELLP.

4. Parking and Highways

The proposed development has attracted concerns from neighbours regarding parking and access to the site. The access to the site will utilise the existing access to no.59. The proposed access road is 5m wide which allows for cars to pass when entering and leaving the site.

The Highways Officer has not objected to the scheme and recommended conditions for details of the construction of the access and a construction management plan. It is considered that the proposed scheme would not have a detrimental impact on highway safety.

Neighbours have also expressed concerns that the proposed development would lead to increased parking on Cheapside. The indicative layout shows two parking spaces per dwelling which is acceptable. It must also be acknowledged that outline planning permission has also been granted for 3 dwellings at the site previously.

It is considered that the proposed development would not result in a detrimental impact on highways safety or parking within the local area. It is therefore considered that the proposal accords with Policy 5 of the NELLP.

5. Drainage

The proposed development sits on the edge of Buck Beck which is a key part of the areas drainage infrastructure. The site, although directly adjacent to Buck Beck, is within flood zone 1 (low risk).

The surface water from the site has been considered by the Drainage Officer and it has been confirmed that the proposed system is acceptable. The proposed surface water drainage system restricts the run off rate from the site to 1.3 litres per second which is

less than 'greenfield' rates, this is an improvement from the run off from the site as it stands today. This will ensure that the runoff into Buck Beck is restricted to an acceptable level so as not to increase the risk of flooding away from the site. This accords with Policies 5 and 33 of the NELLP.

Foul water would be sent into the existing foul sewer that runs through the site. This is the preferred approach to dealing with foul water.

6. Buck Beck

The north eastern boundary of the site is defined by Buck Beck, with neighbouring properties in Cheesemans Close beyond. The channel of Buck Beck in this location is approximately 2.5m deep (from the top of the bank to the bed of the stream) with the top of the channel being approximately 3m wide and the bed of the stream being approximately 1.2m wide. The channel meanders along the site boundary but maintains a roughly consistent profile. Along the top of the bank, within the site, is a mixture of landscaping which includes a range of trees. These trees help to maintain the structure of the bank. The host site and neighbouring properties have used a range of ad-hoc erosion control measures including car tyres and scaffold boards.

The previous planning application on the site was dismissed at appeal with the Planning Inspector citing concerns over the confidence in the then proposed erosion control measures being suitable in the short and long term, the landscaping details on the bank and the proposed foundation details close to the bank.

To address the concerns raised by the Planning Inspector the applicant has amended the scheme in the following way;

- The proposed dwellings have been moved away from the top of the bank and are now at least 6m away (this is the back corner of plot 1);
- Foundation details have been provided (plan ref: RD3962-06D) which show the loading of the foundations and how this does not affect Buck Beck;
- The number of trees along the top of the bank to be removed has been reduced.

- A design note for the proposed erosion control works has been provided, this details the long term suitability of the scheme.

These proposed measures have been considered by the Drainage Engineers, who in turn have confirmed that they have no objections to the proposed scheme. This is subject to conditions that require the completion of the erosion control measures prior to the works on the dwellings starting.

With the inclusion of the aforementioned condition it is considered that the proposed development would not increase the risk of flooding either on or around the site, this is in accordance with Policies 5 and 33 of the NELLP.

7. Contamination

The former workshop on the rear of no.59 Cheapside has been removed and as a result of those works an extensive remediation plan for the decontamination of the site was undertaken. Contamination including asbestos from the demolition of the building. Remediation included the stripping of topsoil across the site. Following testing the site is considered to be acceptable for development. However the Environmental Health Officer has requested a condition relating to any unexpected contamination being found during construction having to be reported to the Local Authority and a scheme for remediation to be implemented. This is considered to be necessary in case anything unexpected is found. With the inclusion of this condition the scheme is considered to be acceptable and in accordance with Policy 5 of the NELLP.

CONCLUSION

In conclusion, it is considered that the proposed development would not unduly harm the residential amenities of the neighbouring properties, the character and appearance of the area and would not increase the risk of flooding or adversely impact on Buck Beck. The proposal therefore accords with Policies 5, 22 and 33 of the NELLP subject to a number of safeguarding conditions. The application is therefore recommended for approval.

RECOMMENDATION

Approval 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:

RD3962-01D Existing site layout
RD3962-02 Rev P Proposed site layout
RD3962-02 N Layout and Cross Section
RD3962-03E Plot 1 Plans and elevations
RD3962-04E Plot 2 Plans and elevations
RD3962-05B Plot 3 Plans and elevations
RD3962-06D Site cross sections
RD3962-09B Tree protection

1115-1163-CIV-30-P2

Cross Section erosion detail plan TR20-3317 RSS

Reason

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

(3) Condition

Development shall be built out in accordance with the Materials Schedule (dated 6th March 2020) unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(4) Condition

The development shall be built out in accordance with the surface water details on plan ref:1115-1163-CIV-10 (rev P9) which shall be fully implemented prior to the occupation of any dwelling.

Reason

In the interests of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032.

(5) Condition

Prior to any construction works or ground works for the construction of the hereby approved dwellings the erosion control scheme for the bank of Buck Beck, as detailed on plan ref: RD3962-02P and TR20-3317_RSS - V1 (reinforced soil slope) including the landscape planting, shall be fully completed and agreed in writing that it has been so with the Local Planning Authority.

Reason

In the interests of flood risk and erosion control in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032.

(6) Condition

The measures detailed in the Construction Management Plan (dated 6th March 2020) shall be adhered to at all times during the construction of the development.

Reason

In the interests of highway safety and to protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local

Plan 2013-2018 (adopted 2018).

(7) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class A, B, C, E shall be permitted within the curtilage of any dwelling.

Reason

To protect residential amenity and the visual character of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(8) Condition

Access to Buck Beck, as shown on plan ref: RD:3962-16, shall be provided at the request of the Local Planning Authority in order to do maintenance and repair work to Buck Beck.

Reason

In the interests of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032.

(9) Condition

Prior to any soils or material being brought onto the site details to verify that it is fit for use shall be submitted to and agreed in writing by the Local Planning Authority. All materials used shall be in accordance with the details approved.

Reason

In the interests of health and safety in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(10) Condition

If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. All remediation shall be undertaken in accordance with the details approved.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(11) Condition

The development shall be built out utilising the 'water use' measures as detailed in the

Water Use Calculator document (dated 6th March 2020).

Reason

To ensure the efficient use of water and to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

The scheme of landscaping and tree planting shown on drawing no.RD3962-02N shall be completed within a period of 12 months shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

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 of the North East Lincolnshire Local Plan 2013-2032.

(13) Condition

The window to be created in the first floor side elevation for plot 1 for bedroom 2 as defined on the approved floor plans shall be glazed in obscure glass 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

To protect residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(14) Condition

Prior to any development commencing on the construction of the hereby approved dwellings full details of the ground conditions and subsequent foundation designs 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 protect the integrity of Buck Beck in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032.

(15) Condition

Prior to the first occupation of any dwelling on the site details of a bin storage area for collection days shall be agreed in writing by the Local Planning Authority. The then approved bin store shall be constructed and made available for use prior to any of the dwelling being first occupied.

Reason

To protect residential amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

Informatives**1 Reason for Approval**

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

2 Added Value Statement**Article 31(1)(cc) Statement - Positive and Proactive Approach**

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by seeking to resolve issues that came up through the planning application process.

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 325959).

4 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.

Appeal Decision

Site visit made on 4 September 2018

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2018

Appeal Ref: APP/B2002/W/18/3195839

59 Cheapside, Waltham DN37 0HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Glover against the decision of North East Lincolnshire Council.
 - The application Ref DM/0735/17/FUL, dated 27 July 2017, was refused by notice dated 5 February 2018.
 - The development proposed is to demolish an existing workshop and erect a residential development of three bungalows with associated access and boundary treatments.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council determined the application, the new National Planning Policy Framework (the Framework) has been published (July 2018). Both parties have been given the opportunity to comment on the revised document.
3. The Council's decision referred to Policies 2 and 32 of the Submission North East Lincolnshire Local Plan (2016). This was formally adopted on 22 March 2018 and this involved the renumbering of the policies. The Council have confirmed in their statement that the relevant policies are now 5 and 33 and I have considered the Appeal against these.

Main Issue

4. The main issue is the effect of the development on the Buck Beck drain and the risk of flooding.

Reasons

Flood Risk

5. The appeal site is located to the rear of No 59 Cheapside and forms the rear garden for the dwelling with a workshop building present and partially demolished. The site has been subject to a previous outline planning permission for three bungalows and the main property, No 59, has planning permission to be subdivided into two dwellings. Since the appeal was submitted the Appellant has provided confirmation that the conditions relating to the

- conversion of the existing dwelling¹ have been formally discharged by the Council.
6. The surrounding area comprises residential development along Cheapside. Further dwellings are located to the rear of the site on Cheeseman's Close across the existing watercourse, known as Buck Beck. The proposal would introduce three detached dwellings into the site with associated garden and parking. The dwellings would be two-storey utilising the roof space to provide the upper floor.
 7. Buck Beck runs to the rear of the site and is a reasonably wide watercourse forming a main drainage channel for the area. The two proposed dwellings to the rear of the site, Plots 1 and 2² would be located in proximity to the watercourse at distances of approximately 5.4 metres and 3.9 metres from the top of the bank.
 8. It has been identified that the banks of the watercourse have suffered some instability and evidence of this was present in the makeshift methods of strengthening the bank which included the use of tyres. Furthermore, the watercourse bends reasonably sharply in proximity to the appeal site and whilst water levels were low at the time of my visit it was apparent from the flow of water that the channel potentially carries fast flowing water. The proposed development would introduce a formal method of strengthening the existing bank and I have had regard to the details submitted showing the proposed erosion mats slope installation. I have also had regard to the comments of the Council's drainage team and the information provided by the Appellant in relation to the foundation details for the properties.
 9. However, whilst the submitted details show the extent of the erosion control matting and the proposed compacted backfill, this is not supported by further technical details to show the reliability of the system that has been proposed in the short and long term. In addition, whilst some information has been provided in relation to the proposed foundations for the properties, given the proximity of the proposed dwellings to the bank I consider that there is potential for the stability of the bank to be affected by the construction of the dwellings on Plots 1 and 2. I consider that the level of information provided in relation to the foundations and erosion control are not sufficient to ensure that the development would not adversely affect the banks of Buck Beck.
 10. I note that the appeal site is within Flood Zone 1 which is not considered to be a high risk area for flooding and does not require a Flood Risk Assessment or the Sequential and Exceptions Tests to be carried out. I have had regard to the annotated plan provided by the Appellant demonstrating that the dwellings themselves would be located wholly in Flood Zone 1. However I consider that, without further details of the proposal in terms of the impact on the adjacent bank, this is not sufficient in itself to demonstrate that there would be no increased risk of flooding should the integrity of the adjacent watercourse bank fail as a result of the proposed development.
 11. The Appellant proposes to remove some trees from the bank of Buck Beck and replace them with additional trees and hedgerow planting and fencing in order to improve the stability of the bank. I viewed the trees which ran along the

¹ DM/0545/17/FUL and DM/0010/18/CND

² Originally numbered as Plots 3 and 4 but changed at the request of the Council.

rear boundary of the site and alongside the bank. However, I have little information before me to indicate the impact the tree removal would have on the bank and how the additional planting would strengthen it.

12. I acknowledge that the appeal site has planning permission for three single storey dwellings and as such the principle of residential development on this site is established. However, the approved application was submitted in outline only and as such I do not have specific details of the proposed works to the bank and the layout of the approved properties and their foundation details. As such, I find that the outline permission does not set a precedent for this proposal.
13. I have had regard to the site being within the settlement of Waltham and the level of services and facilities available. Nevertheless, in the absence of further information relating to the suitability of the proposed erosion control methods, the proposed landscaping and tree removal and foundation details I cannot be certain that the proposed system would be sufficiently effective and as a result I am not able to conclude that the proposed development would not result in the potential to increase the risk of flooding to the adjoining dwellings, including the properties on Cheeseman's Close, which sit lower than the appeal site. I consider that it would not be reasonable to impose conditions securing all of the above details as I do not have evidence that the proposed measures would ultimately be effective given the limited information provided at this stage.
14. The proposal therefore fails to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018). These policies seek to ensure that all development is considered having regard to flood risk and that there would be no unacceptable increased risk of flooding to the development site or to existing properties.

Other Matters

15. Local objections have been received which raise additional concerns relating to the first floor accommodation and the potential impact on wildlife. However, given my findings above it is not necessary for me to conclude on these matters.

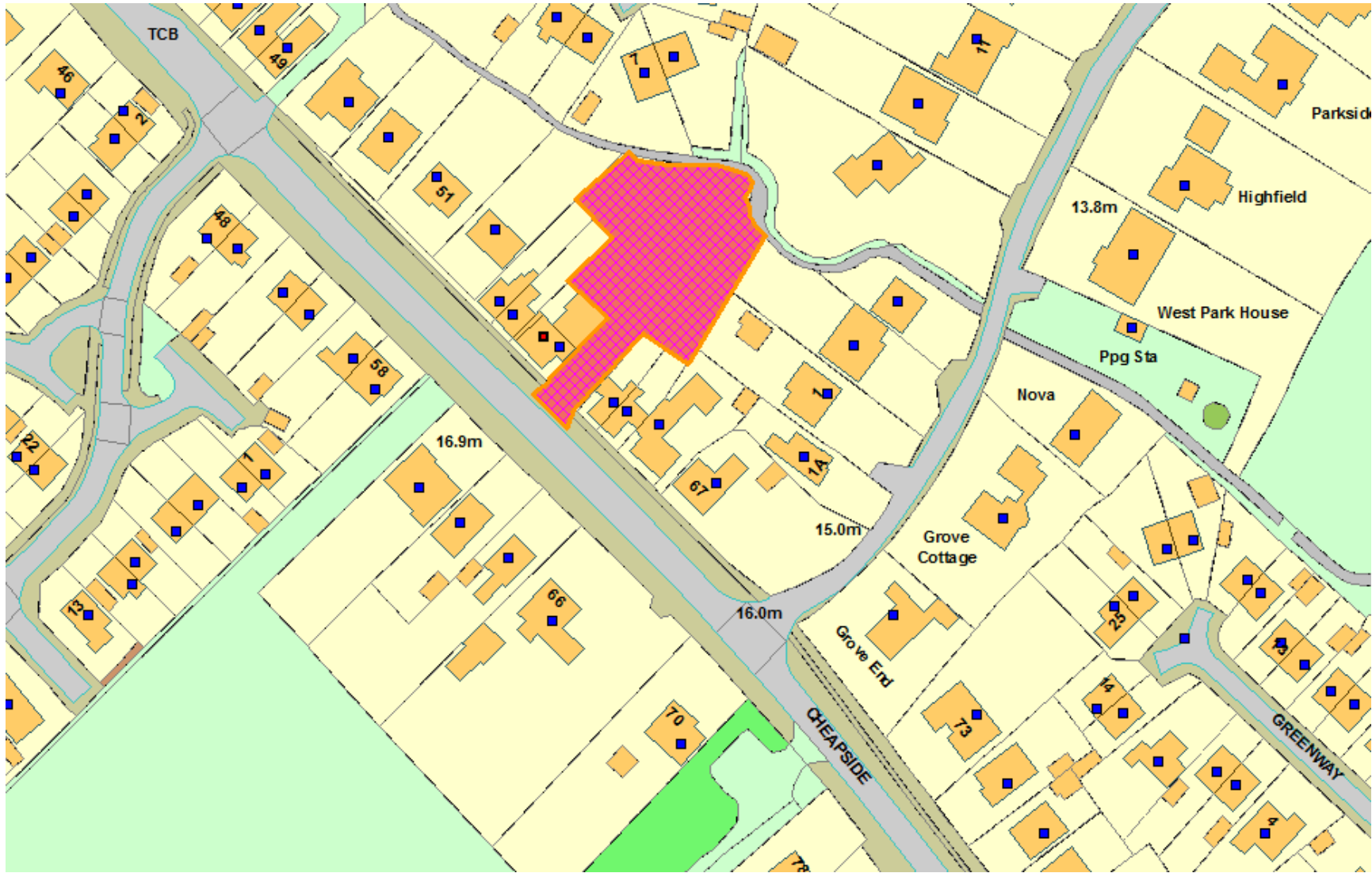
Conclusion

16. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR

DM/0759/19/FUL – 59 CHEAPSIDE, WALTHAM, GRIMSBY



v) Planning Application Reference: DM/0759/19/FUL Proposal: Location: 59 Cheapside
Waltham Grimsby North East Lincolnshire

Waltham Parish Council recommends refusal on grounds that there is a lack of detail regarding bank treatments within the application pack. The Parish Council still have concerns about building within the proximity of the main drainage channel, Buck Beck, which runs through the village. The original consideration for this site was single-storey bungalows only, to prevent two-storey properties overlooking neighbouring properties.

Planning - IGE (ENGIE)

From: Waltham Parish Council
Sent: 08 January 2020 13:36
To: Planning - IGE (ENGIE)
Subject: Planning Comments - Waltham Parish Council

Good afternoon,

Please may I pass on the comments below from Waltham Parish Council

- i) Planning Application Reference: DM/0759/19/FULProposal: Erect a residential development of three bungalows with associated access and boundary treatments (amended site layout, dwelling designs, landscaping and erosion matting details 28th Nov 2019) Location: 59 Cheapside Waltham Grimsby North East Lincolnshire.

Waltham Parish Council recommends refusal of this application on grounds that there is insufficient information and detail provided regarding bank reinforcement for this development site to allay fears over potential bank destabilisation arising from excavation works. Close proximity of the development nearest to the Buck Beck, which is a public drain, will further affect bank stability and maintenance access to the drain will be required. Additional grounds are that the proposed development is not single-storey living space.

Kind Regards

Tanya

Tanya Kuzemczak
Clerk to the Parish Council

Waltham Parish Council
Parish Office
Kirkgate Car Park
Kirkgate, Waltham
Grimsby
North East Lincolnshire,
DN37 0LS

www.walthamparishcouncil.org.uk

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Planning Application Reference: DM/0759/19/FUL

Proposal: Erect a residential development of three bungalows (with rooms in the roof) with associated access and boundary treatments (amended site layout, dwelling designs, landscaping and erosion matting details 28th Nov 2019) (additional erosion control info Feb 2020)

Location: 59 Cheapside Waltham Grimsby North East Lincolnshire

Waltham Parish Council recommends refusal of this application on the grounds that there is still concern over the proximity to the beck and the potential for flooding. It is noted that a site visit by NELC Planning Committee has been deferred and the Parish Council feel that further consultation following the site visit is required.

Tanya Kuzemczak
Clerk to the Parish Council

Tel: 01472 826233

Waltham Parish Council
Parish Office
Kirkgate Car Park
Kirkgate, Waltham
Grimsby
North East Lincolnshire,
DN37 0LS

www.walthamparishcouncil.org.uk

Planning - IGE (ENGIE)

From: Richard Limmer (Engie)
Sent: 24 September 2019 08:11
To: Planning - IGE (ENGIE)
Subject: FW: Application Number DM/0759/19/FUL

Morning,

Can you log this onto the file please

Thank you

Richard Limmer Msc URP | Senior Town Planner | ENGIE E +44 (0)1472 32 4299 | Mob - 07766923688 M ENGIE,
New Oxford House, 2 George Street, Grimsby, DN31 1HB www.engie.com/en | Email

North East Lincolnshire Council and ENGIE, working in partnership to deliver a stronger economy and stronger communities.

-----Original Message-----

From: David Nicholson
Sent: 19 September 2019 16:45
To: Richard Limmer (Engie) <Richard.Limmer@nelincs.gov.uk>
Subject: Application Number DM/0759/19/FUL

As a former parish and Cleethorpes Borough councillor my attention has been drawn to the above Planning application. I now live at number 1 Cheesemans Lane and am concerned at the possible effect the building of the proposed bungalows could and possibly would have on properties on this side of the Beck. To my knowledge the Beck has frequently been a bone of contention affecting these properties and unless these concerns can be dealt with I would propose that the Application should be refused.

Yours sincerely
David Nicholson

Sent from my iPad

DM/0759/19/FUL

Erect a residential development of three bungalows with associated access and boundary treatments

59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE

Mr Richard Limmer
NE Lincs Planning
New Oxford House
2 George Street
Grimsby
DN31 1HB

4 Cheesemans Close
Waltham
DN37 0ER



Dear Mr Limmer

We were surprised to see the planning notice that has been put up on the lamp post at the bottom of Cheesemans Close about the application to build on 59 Cheapside. It has been refused planning permission and the appeal against that decision was dismissed.

We object to this development as there are very few details about what is going to be done to the beck side except a plan of where trees and a hedge will be planted. Homes are still close to the bank in this plan. The application says they are bungalows, but bungalows do not have rooms in the roof and some dormer windows as the plans show these to have. The buildings will be very obvious as it is from Cheesemans Close because the land on that side of the beck slopes up to Cheapside.

Buck Beck drains all of the water from Waltham and has a history of flooding further up the beck. In 2007 homes at the bottom of Cheesemans Close were flooded then the gardens were flooded right up to the roadway and around the houses in 2014. This had never happened in the close before and we have lived here since the houses in Cheesemans Close were built. The beck seems to rise very quickly these days. Quite a few people in the close are now elderly and the last thing that people want is to be put through flooding again because work done to the bank was not good enough to stand the amount of water that flows down the beck in heavy rain.

It seems that an awful lot of work will need to be done to the bank after the mess the builder has left it in. The reason the last application was turned down was because there was no detail that would give confidence that the work would not make the bank liable to fail at a crucial time. This application seems to be no different and should be refused. We fully support comments made by neighbours regarding this application.

Yours sincerely

Lou and Eileen Vermeersch

Dear Richard Limmer

Planning Application: DM/0759/19/FUL (resubmitted 20 Aug 2019)

Address: 59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE

Proposal: Erect a residential development of three bungalows with associated access and boundary treatments.

I find it immensely frustrating that, 24 hours before the neighbours' comments deadline, highly important documents have not been submitted by the developer. There is a significant lack of detail surrounding issues such as boundary treatments or the proposed surface water drainage. With prevalent errors and information in documents that does not correspond accurately, I am wondering how carefully & thoughtfully this application has actually been compiled. I trust that you will consider the opportunity for neighbours' to comment further once all relevant detail has been included on the planning portal.

This application was refused planning permission 5th Feb 2018 by NE Lincolnshire Council on the grounds that the proposed development, due to the **size & position** of the proposed dwellings, would compromise the integrity of Buck Beck & increase the risk of flooding. Whilst the position has slightly altered the size has not. This application does not address these issues.

This planning application should come under careful scrutiny. There have been a number of enforcement notices given to the developer at this site and indeed Breach of conditions notices, so careful monitoring should also be considered with high importance when considering this application.

We are now 20 months on (27 months from the initial documentation) and facing significant changes in climatic conditions where flooding is becoming an ever increasing risk especially to those dwellings in Cheeseman's Close. We have delicate water and drainage systems here in the close with regular repair and maintenance visits from the various teams within Anglian Water. We want to protect our homes. It does not appear that the resubmitted application takes full note of the Planning Inspector's findings.

The Planning Inspector dismissed the Appeal by recognising the importance of the beck to the village and highlighted that there was not sufficient information provided in relation to the foundations, erosion control & tree planting on the beck side to show that the development would not adversely affect the banks of the beck in the future. The documents provided do not address these issues. This haphazard 'resubmitted application' continues to compound our worries about the development at 59 Cheapside.

Application for Planning Permission **5. Description of the Proposal**

Erect a residential development of three bungalows with associated access and boundary treatments. The original planning permission granted for any building on this site was for genuine single storey dwellings. Furthermore a condition was considered necessary at that time to ensure that the dwellings were limited to single storey only & permitted rights removed for dormers and roof lights so that there was a control in the future. This is reiterated in the objection of Waltham Parish Council 4th Sep 2019 and in each of their (and neighbours') historical comments to date.

In her Appeal Decision the Planning Inspector clearly regards these dwellings as two-storey as she states: **6. The proposal would introduce three detached dwellings... the dwellings would be two-storey.** The proposed dwellings lay further upslope making them increasingly prominent to homes in Cheeseman's Close. They will also block out natural sunlight, especially in the winter, to homes in Cheeseman's Close. Genuine bungalows would be more acceptable. The Planning Inspector also stated in Other Matters **15. Local objections had been received which raised additional concerns relating to the first floor accommodation**, but that she could not conclude on these matters. Genuine bungalows would be more acceptable.

Application for Planning Permission **7. Materials #Boundary Treatments**

Ownership of the banks of Buck Beck adjacent to this property remains with the landowner and future homeowners. The application instructs you to see attached document – I find NO document relating to appropriate bank treatments or proposed materials to be used. Any information provided will most likely need updating (as I mentioned we are 27 months on) and this area of Buck Beck is far from static and quite unstable.

The tree roots of the Western Red Cedar that constitutes the northern boundary of this site serve a purpose to bind the bank. The web of the extensive underground tree roots in this case are intertwined around numerous tyres, sink, concrete slabs etc. There is no evidence that suggests how the trees & stumps will be removed or treated or how the most appropriate planting has been considered. It is important to evaluate the site and consider the far-reaching effects before removing trees. Details must show how the proposed works will ensure the long term stability of the bank and how it can be maintained in a sustainable manner.

The Planning Inspector stated that she had little information before her to indicate the impact the tree removal would have on the bank. The Planning Inspector also stated that she had little information before her to indicate how the additional planting would strengthen the bank. This does not appear to have been addressed. The lack of detail available to the Planning Inspector and the basis upon which she dismissed the Appeal is still blatantly evident and appears to still stand.

Application for Planning Permission **9. Vehicle Parking**

The Application denotes the total number of proposed spaces (including spaces retained) 11 parking spaces. RD: 3962 – 02 K shows 10 parking spaces. Herein lies a lack of attention to detail. How carefully has this application been compiled?

Application for Planning Permission **10. Tree Survey**

Out of date

Application for Planning Permission **11. Will the proposal increase the flood risk elsewhere?**

Where is the proof that it will not increase the flood risk elsewhere? It is very easy to demarcate NO on the Planning Application but has a recent investigation and evaluation been conducted? The Planning Inspector stated that this plan failed to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018) which seek to ensure that all development is considered having regard to flood risk and that there would be no unacceptable increased risk of flooding to the development or existing properties. This does not appear to have been addressed.

Cheeseman's Close which lies adjacent to this site has suffered from flooding events. The beck is the main drainage channel for Waltham and the demands bestowed upon it are increasing. The beck carries deep and fast flowing water and water levels in the beck have risen much more quickly over the past two years than previously. In addition the beck drains much more slowly after heavy, prolonged downpours.

Application for Planning Permission **12. Biodiversity and Environmental Survey**

Whilst those of us in Cheeseman's Close continue to monitor the sightings of Kingfisher, Otter, Badger etc. it is reprehensible that with the ever increasing global awareness for the need to preserve wildlife habitats and feeding corridors that a Biodiversity and Environmental Survey has not been addressed.

The Planning Inspector stated in *Other Matters* **15. Local objections had been received which raised additional concerns relating to the potential impact on wildlife** but that she could not conclude on these matters. Due consideration should be given to the potential impact on wildlife.

Proposed Site Layout **RD:3962-02 B & RD:3962-02 K**

RD:3962-02 B This document details the foot of the bank, the shoulder of the bank and the watercourse channel of Buck Beck around the site. **RD:3962-02 K** The width of Buck Beck in this document, both behind 7 Cheeseman's Close and most noticeably on the 'S' bend at the back of 7 Grove Lane, appear different. Buck Beck has not decreased in width – recent weather patterns such as Beast from the East & frequent prolonged precipitation events have indeed eroded the channel scouring it out and making it wider. Neighbouring banks have indeed collapsed recently. Proposed work which would lead to a decrease in the total cross-sectional area of a channel are not permitted.

Is the developer proposing to alter the edge of the beck?

Is the developer proposing to bring the bankside closer to the opposite bank?

Which line on **RD:3962-02 K** is the actual boundary?

Has the boundary been mapped by an independent person?

How will it be measured if the trees are removed?

Proposed Site Layout RD:3962-02 K shows measurements of 6896, 12324, 8829 & 10621 but it does not show the measurements from the closest point of the proposed dwellings to the closest point of bank. These measurements need to be taken at a right angle to the property as that is where it meets the bank. Using the measurements given I have calculated that the proposed dwelling on Plot 1 would be **4436** from the edge and that the proposed dwelling on Plot 2 would be **5546** from the edge. Drainage comments stated that there should be no permanent structure within 6 metres of the watercourse.

This application was refused NE Lincolnshire Council on the grounds that the proposed development, due to the **size & position** of the proposed dwellings, would compromise the integrity of Buck Beck & increase the risk of flooding. Both the size and position of these three detached two-storey dwellings are still a major cause for concern.

Tree Protection Plan RD-3962 -09 A

Denotes tree RPA taken from a document produced for application DM/0148/17/OUT (31.08.17). This is clearly out of date. Has a more recent tree survey been conducted? Were the fences (and their stability stakes) in place when the developers hastily cleared the site in July 2016 (which according to the notes on RD-3962-09 could result in enforcement action and prosecution)?

Tree Protection Plan RD-3962 -09 A

Trees to be retained: I question whether this information is correct as the detail on RD-3962 -09 A appears to suggest that trees to be retained may have already been felled & currently present themselves as tree stumps.

In conclusion I support the views of Waltham Parish Council and I fully support their **refusal** of this application (4th Sept 2019). I agree that there is a lack of detail regarding bank treatments. I agree with their concerns about building within the proximity of the main drainage channel. I concur that the original consideration was for single- storey bungalows only.

As this application still fails to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018) I respectfully recommend refusal of this application.

Yours sincerely

Hannah Lucas

6 Cheeseman's Close

Dear Richard Limmer

Planning Application: DM/0759/19/FUL (additional documents 3 Dec 2019)

Address: 59 Cheapside, Waltham, NE Lincolnshire DN37 0HE

Proposal: Erect a residential development of three bungalows with associated access and boundary treatments.

Please include these additional comments to those which I have previously submitted.

This application was refused planning permission 5th Feb 2018 by NE Lincolnshire Council on the grounds that the proposed development, due to the size & position of the proposed dwellings, would compromise the integrity of Buck Beck & also increase the risk of flooding. Whilst the position has slightly altered, the size has not. The fourteen new documents which have been added to this planning application still lack a significant amount of detail & still fail to address the afore mentioned issues.

Bungalows ?

Erect a residential development of three bungalows with associated access and boundary treatments. The original planning permission granted for any building on this site in 2014 was for genuine single storey dwellings. Furthermore a condition was considered necessary at that time to ensure that the dwellings were limited to single storey only & permitted rights removed for dormers and roof lights so that there was a control in the future. This is the future. This is reiterated in the objections of Waltham Parish Council and in each of their (and neighbours') historical comments to date.

In her Appeal Decision the Planning Inspector clearly regards these dwellings as two-storey as she states: **6. The proposal would introduce three detached dwellings... the dwellings would be two-storey**. The proposed dwellings lay further upslope making them increasingly prominent to homes in Cheeseman's Close. They will also block out natural sunlight, especially in the winter, to northerly homes in Cheeseman's Close. Genuine bungalows would be more acceptable. The Planning Inspector also stated in Other Matters **15. Local objections had been received which raised additional concerns relating to the first floor accommodation**, but that she could not conclude on these matters. Genuine bungalows would be more acceptable.

Drainage (Documents 1115-1183-CIV-10 P8 & 1115-1163-CIV-51 P1)

Guidance indicates that run off of surface water into Buck Beck is not allowed, indeed there should be no run off into the Buck Beck. The Full Drainage Construction & Drainage Layout show plans for plots 1, 2 & 3 to discharge surface water from the roofs into the beck via a Storm Block Surface Water Attenuation Reservoir using a headwall. This implies that the attenuation reservoirs (no detail provided on the number of layers) are insufficient in managing surface water runoff.

Run off of surface water into Buck Beck has never been permitted. There should be no run off into Buck Beck. Looking at the photograph below – showing the back of the proposed site for development – the discharge of surface water would be using an outlet which itself would be submerged by the volume of water in Buck Beck. Will this create a build-up of water on the proposed site for development? Will it spill out over onto the lower lying bank of Cheeseman's Close?

The proposal still fails to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018). These policies seek to ensure that all development is considered regarding flood risk and that there would be no unacceptable increased risk of flooding to other properties.



Recently, November 2019, Buck Beck was close to full capacity behind Cheeseman's Close (see photo). Residents feared a repeat of 2007 & 2014.



Whilst the flood gates were used in Mount Pleasant, the height, volume & speed of the water in Buck Beck had to be seen to be believed – did anyone from the Planning department witness Buck Beck in spate?

Such was the volume & strength of the water in Buck Beck a felled tree trunk lying across Buck Beck (forming a bridge approximately 1.5m above the bed) was dislodged and manoeuvred and now rests on the bed (causing the bed downstream to begin filling with sediment).



This trunk is still lying there – yet to be removed by the council. One of the difficulties in removing it is a lack of access to this part of Buck Beck between Skinner's Lane & Grove Lane, and yet here we are shutting off another stretch of Buck Beck – out-of-sight out-of-mind.

Foul Water System

The remodelled foul water system connects with the Cheesman's Close system – which has a fragile balance. The implications for the proposed development on the existing system must be considered. Neither of the drainage plans show any detail outlining whether the impact of this has been investigated. The proposed foul water system must not have an adverse effect upon our existing foul water drainage system in Cheeseman's Close. These plans do not offer us any assurance. Detail should be available to allay any fears that adverse results will occur.

Geotextile type and use

Drawing RD: 3962-02 M, Proposed Site Layout shows the use of Geosynthetics Pyramat 25 erosion control matting for the bank in the North East corner of the site. The proposal suggests that the whole section of bank be removed down to the watercourse bed then subsequently rebuilt using alternate layers of Tenax Stratigrid & compacted to create a profile on which to lay the Pyramat 25 erosion control matting. This is a major intrusion into the bank at this point. Its use here

is presumably because this length of bank has several layers of car tyres & other materials embedded within (to stabilise the bank) which will need to be removed.

Foundations for dwelling Plot 1

What affect will the construction of foundations for Plot 1 so close to this disturbed area have? There is a distance of barely 6m between part of the building on Plot 1 and the edge of the bank. This is not much room for heavy machinery to manoeuvre or to construct foundations & to excavate the bank where erosion control matting is proposed to be laid. However it is still the intention of the developer to locate a dwelling – a home – with Buck Beck, when in full spate, only 6 metres from the kitchen window just as the photographs show.

This application was refused NE Lincolnshire Council on the grounds that the proposed development, due to the **size & position** of the proposed dwellings, would compromise the integrity of Buck Beck & increase the risk of flooding. Both the size and position of these three detached two-storey dwellings are still a major cause for concern.

Limited space on site

Additionally there is insufficient parking. Guidelines suggest (2.75 parking spaces provided for a 3 bedroom property) these 3 dwellings require 8.25 parking spaces in addition to 4 for the houses on Cheapside (12 required – 10 provided). Does this suggest additional parking on an already dangerous stretch of Cheapside.

There is no space for a garage on any of the dwellings. There is limited space for any outdoor storage. There is limited outdoor (no indoor) space for 3 green bins, 3 brown bins and 9+ recycling boxes. Not necessarily planning matters but contributes to the cramped nature of this proposal.

Suitability for Peak flow times in Buck Beck

The manufacturer states that Pyramat 25 is suitable for moderate flow rated to 6 m/sec. Is this enough for extreme events? Has this been investigated? Who has measured the peak time flow rate along this straight and wide channel within the Buck Beck drainage system? The most recent heavy & prolonged rainfall during November 2019 resulted in the water level in Buck Beck almost reaching the height of the 2007 floods.

Sequence of events / Time of year

There are no details outlining the order in which this process should take place.

What has to be done first, second, third, etc.?

What time of year will this take place? The weather cannot be controlled.

Buck Beck is the major drainage channel through Waltham and its efficiency should not be compromised at any time.

There is no evidence indicating that the sequence of events or the time of year has been investigated.

Consent to alter an ordinary watercourse.

Consent must be sought from the council in order to manage or make changes to a watercourse. My concerns are that the developer - who now has a compilation of Breach of Contract notices & most recently, 30th October 2019, incurred a Breach of Planning Legislation relating to the foul drainage – will not adhere to regulation. The boundary of the plot is unidentifiable to the eye. Andy Smith spoke with myself & Councillor Philip Jackson in January 2018 & said that G.P.S. mapping of the bank would be an option and could be done. Has the council used GPS to map this boundary? Will we find that the bank is restored to give 'Plot 1' a greater amount of land at the expense of the current width of Buck Beck? The existing Buck Beck should take priority.

Dramatic differences in resilience of bank profiles

Is the plan to have significantly different bank profiles along this stretch? These dramatic differences will create differing resilience along the length of the bank. These differences will promote erosion at the weakest points during times of high levels of water (which are occurring more frequently) in the beck where fast flowing water will scour the existing banks (on both sides affecting more properties than just at the proposed development). The eroded materials will be deposited downstream around the metal piling (which currently protects and reinforces the bank of the next property).

Dramatic differences in resilience of opposite bank profiles

Further issues arise from the significant differences in bank profiles on the opposite bank. There is currently no reinforcement to the banks of the properties opposite the proposed bank to be treated. The banks on the opposite side belonging to 2 properties have been suffering from erosion over the past few years. The scouring effect is apparent as it has eroded the soil from beneath the large sycamore tree. In making significant changes to one part of the bank repercussions will be adversely felt elsewhere. This does not instil confidence.

Fixing of Geo Textile Materials

Apart from fastening the geo textile in a toe trench and top of bank trench, will the vertical edges, upstream and downstream, need to be fixed in trenches to withstand forces of water in extreme events? Would the proposed method of fastening be sufficient in itself to withstand scour in extreme events when water levels are high and very powerful? According to the manufacturer's fitting instructions the geo textile has to be laid on a suitable bank profile. Will that be very different to the profile of the bank above the steel reinforcement?

Future maintenance of Geo Textile Materials

The manufacturer's fitting instructions detail that continued maintenance of this Geo Textile Materials say this is important to its continuing successful function. Due to the future property owners having Riparian Ownership they will be

responsible for maintaining these Geo Textile materials. Ownership of the banks of Buck Beck adjacent to this property remains with the landowner and future homeowners. No detail of future maintenance of the geo textile is included.

Should a new resident has move in to Cheeseman's Close they could be completely unaware that they are riparian owner's. A featherboard fence could be erected. Out-of-sight, out-of-mind. Nothing is communicated to new residents.

Other: re Geo Textile Material

In addition no separate detail of the use of geo textile has been given. It is only included on Drawing RD – 3962-02 M, Full Site Layout.

The proposed use of Geo Textile erosion control matting raises more questions and is not supported by adequate details to demonstrate its reliability of the system in the short and long term.

Proposed Foundations & Soil Investigation Results

The Site Cross Sections (RD-3962-06 D) document submitted on 3 December is all that details the foundation construction. A single line (stress line) shows the spread of the force towards Buck Beck. What type of foundation is this? How it will be constructed? Space on this site is limited & by proposing to fit in three bungalows foundation construction is of highly significant importance. The construction of adequately deep foundations needs careful calculation on this unstable land especially that which is incredibly close to Buck Beck, indeed the back corner of the plot will be far from stable if it is dug up for the Geo Textile and strengthening. How will the construction of dwellings on Plots 1 & 2 harm the structural integrity of the bank due to their closeness to the edge. There is a lack of detail to explain the type of foundation and method of construction.

Are the foundations going to be piled?

Will the stability of the bank be compromised by foundations being dug for Plot 1?

Tree Report and Bank Landscaping

The additional documents provide no new detail outlining proposals for the rest of the bank stretching around the boundary. The new Tree Report (3 Dec 19) provides no new detail and appears to be different to the 2017 tree report. Is this correct? The Planning Inspector's comments about the lack of detail pertaining to proposed planting is still relevant.

Tree Stumps

The Proposed Site Layout (Drawing RD-3692-02 M) does not show any evidence for Geo Textile being used. The rest of the bank stretches a significant distance around the site and includes the formation of an S bend heading towards Grove Lane. This bank is the responsibility of the developer (and future property owners). What does the developer propose to do with the tree stumps of the Western Red Cedar Trees? Will tree stumps be removed and how will that

affect stability of the bank? How will the landscaping be addressed and how is future maintenance planned for. Removal of the tree stumps would be very invasive and leave the bank unstable. Will the profile of this stretch of bank be the same as that covered by Geo textile? If the developer intends to make the two profiles match how will the long stretch without geo textile be maintained, given that this bank is dynamic and changes according to the pressures on it? In addition there are large slabs of concrete underneath the tree stumps towards the S bend – it will be invasive and disruptive to remove these.

Planting

The Tree and Woodland Officer noted that no species list had been provided. There is no planting list so it is difficult to comment on what is proposed is suitable for the site. This bank down to the water edge does not maintain a vegetation cover due to low light levels and regular fast flowing water along this stretch of Buck Beck. There is no detail on proposed maintenance which is necessary to ensure vegetation matures with an adequate root network to bind the materials on the bank together. Maintenance is necessary to ensure its long term effectiveness. The long term success of the geo textile would seem to depend on the long term viability of the vegetation that is seeded on to it after the mat is laid. It is the future effectiveness of the bank treatments that is a major concern to the residents of Cheeseman's Close.

One of our paramount concerns is to ensure that whatever is done by the developer to this long stretch of Buck Beck bank would not lead to possible failure of the bank at any point during a future extreme event.

The Planning Inspector, NE Lincolnshire Planning Officer and the residents of Cheeseman's Close recognise that the previous Planning Application showed that the bank treatment in combination with the digging of deep foundations and its close proximity to the bank of Buck Beck had the potential to destabilise it.

The continuous lack of detail from the developer has given us no confidence that the level of information provided in relation to the foundations, tree removal, erosion control, planting & subsequent maintenance are sufficient to ensure that the development will not adversely affect the banks of Buck Beck or form no unacceptable increased risk of flooding to other properties.

This application shows the three homes being moved further away from the bank but still they lie too close. The proposed dwelling on Plot 1 is barely the minimum distance from the shoulder of Buck Beck. This is not a strong bank. It is uneven, it slopes upwards towards Cheapside, it is laced with tyres, kitchen sink, pipes, slabs of concrete and rotten tree trunks. There has been a considerable change in council members since the last application of September 2017 so I invite any council members wishing to gain a greater understanding of the complexities of this site and the adjacent homes, to a site visit to observe first-hand the concerns of and perspective from residents in Cheeseman's Close.

In Summary:

1. There is not much more detail pertaining to the proposed foundations in the December documents.

2. Plot 1 is still very close to the bank (and arguably the foundations need to be constructed deeper because the ground rises towards Cheapside).
3. It is the intention to locate a home with Buck Beck in full spate 6 metres from the kitchen window – you have seen the photographs !
4. Far from resolving fears, the fact that what has changed is a more limited use of erosion control seems to throw up new questions in respect of the stability of the bank because it proposes two different treatments for the whole stretch.
5. There are no details regarding stump removal.
6. There are no details regarding landscaping.
7. There are no details regarding planting.
8. There are no details regarding maintenance to ensure what is done will be effective & sustainable into the future.

The new documents still fail to provide sufficient detail with regard to the continued stability of the bank.

The proposal still fails to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018). These policies seek to ensure that all development is considered regarding flood risk and that there would be no unacceptable increased risk of flooding to other properties.

The developer has a duty to allay fears that his actions will not interfere with the integrity of Buck Beck in the future.

I respectfully request that planning permission be denied.

Hannah Lucas

6 Cheesemans Close, Waltham DN37 0ER

Dear Richard Limmer

Planning Application: DM/0759/19/FUL (additional documents 12 January 2020)

Address: 59 Cheapside, Waltham, NE Lincolnshire DN37 0HE

Please include these additional comments to those which I have previously submitted.

This application was refused planning permission 5th Feb 2018 by NE Lincolnshire Council on the grounds that the proposed development, due to the **size & position** of the proposed dwellings, would compromise the integrity of Buck Beck & also increase the risk of flooding. Whilst the position has slightly altered, the size has not.

1 Bungalows ?

The original planning permission granted for any building on this site in 2014 was for genuine single storey dwellings. Furthermore a condition was considered necessary at that time to ensure that the dwellings were limited to single storey only & permitted rights removed for dormers and roof lights so that there was a control in the future. This is the future. This is reiterated in the objections of Waltham Parish Council and in each of their (and neighbours') historical comments to date. It is clear that this site can hardly cope with three bungalows, cars etc. that will need to be housed here.

In her Appeal Decision the Planning Inspector clearly regards these dwellings as two-storey as she states: **6. The proposal would introduce three detached dwellings... the dwellings would be two-storey.** The proposed dwellings lay further upslope making them increasingly prominent to homes in Cheeseman's Close. They will also block out natural sunlight, especially in the winter, to northerly homes in Cheeseman's Close. Genuine bungalows would be more acceptable. The Planning Inspector also stated in Other Matters **15. Local objections had been received which raised additional concerns relating to the first floor accommodation,** but that she could not conclude on these matters. Genuine bungalows would be more acceptable.

2 Additional documents

The direct sliding analysis and the deep seated analyses are principles of theory. They are not site specific to 59 Cheapside because they do not consider the topography or surrounding landscape within the context of this specific area in Waltham. Further topographical features must be taken

into account. Analysis has only been made on an isolated patch of land which has not truly been considered in the full context or indeed the circumstances of this complex location.

The analysis of a simple standing area of slope is unspecific to this case study. The bank in question lies at the foot of a continuous slope where the level of the land rises 2m higher and the increase in height from the bed of Buck Beck could be up to 4metres in difference to the road at Cheapside. The gradient significantly affects the groundwater, infiltration rates, saturation of soil and subsequently overland and surface water flow.

Once saturated the area become a ground full of standing water. Frequently my garden (on the opposite bank) experiences this – it frequently becomes an area of standing water. The groundwater will have no place to go, and with Buck Beck being the main drainage channel for Waltham draining water from all manner of sites across the village, the water level will rise and drainage water will top the bank at the lowest point – my property in Cheeseman's Close. The Planning Inspector highlighted this as a concern.

During November and most recently in February during Storm Ciara and Storm Dennis the volumes of water that were evident of the roads of Cheeseman's Close built up to a point where the drains on the street has nowhere to go. If a system has nowhere to drain to water will block up. The recent storm events and those during 2019 where we endure prolonged rainfall events will see increased surface water build up around the properties.

We should be working towards alleviating the pressures on the drainage channel Buck Beck not continually adding to the capacity that it must endure. The system needs to be made sustainable not stretched to its limit. Recent flooding events across England should serve as a warning. It is not invincible.

Consideration of the angle of slope across the site from the highest point of the land at 59 Cheapside (the road) must be carefully measured and considered in these calculations. We should not forget the past historical use that this plot of land has been responsible for (ie maggot farm, garage, etc.)

The calculations are based on a no water scenario. Stability of a slope is affected part by what lies beneath and in part by what lies above (upslope in this case). This particular site needs to very carefully consider the volume of water from drainage both as through-flow and the body of water in Buck Beck when in full spate.



The frequency of events whereby water levels in Buck Beck rise to a level which borders on a potential flood 'risk' event are increasing. I cannot see a section in the Design and Philosophy Program which calculates or even considers Peak Flow Data, saturation levels or slope analysis.

3 Proximity to Buck Beck – Drainage Channel

PLOT 2 - 9134 is not a perpendicular measurement to the true shoulder of Buck Beck therefore the site map is still giving a false impression of distance from the Beck itself. Measurement 9134 is taken from a corner of the proposed dwelling which is not the closest corner of the proposed dwelling to the beck thus again giving a false impression of the distance the proposed dwelling truly lies from the shoulder of the beck.



PLOT 1 – 6000 does not meet with the diagram provided showing the Cross Section of the Reinforced Soil Slope which details a measurement of 3.30 metres from the high post and rail fence (presumably classed as the official boundary of the site) to the anchorage trench for the erosion control blanket which allow a the Biodegradable Erosion Control Mat to be laid at a 45 degree angle. Either the developer plans to move the new bank into the channel of Buck Beck and in doing so change where the foot of Buck Beck lies and thus also decreasing the capacity of the drainage channel therefore making it narrower at this point OR the measurement needs to be subtracted from the plot itself in which case 6000 is an inaccurate measurement and the proposed dwelling on Plot 1 will NOT be the recommended 6 metres from the watercourse.

4 True boundary

Where does the true boundary of this site lie? It appears from version P of the site plan that the new boundary of fencing will be erected outside of the treeline. When the plot existed as the orchard the fencing was attached to the line of the trees. This still exists. Are the measurements now claiming part of the bank of Buck Beck? It appears that the developer intends to create a straight line along the beck which at present is not the case. There is a significant curve in Buck Beck behind 7 Cheeseman's Close.



5 Discharge into Buck Beck

Document 1115-1163-CIV-10 P9 illustrates that the developer continues to intend discharging surface water into Buck Beck although the number of headwalls has been decreased to one. Any kind of discharge into the beck in our area which is at risk of flooding should not be permitted. Whatever the greenfield runoff rate there should be no further discharge of surface water into Buck Beck.

6 Raising of ground levels

The measurement given from the anchorage trench for the erosion control blanket to the top of the slope is given as 2.0m. Previous application comments have stated that there should be no raising of ground levels. I find 2.0 m an inaccurate measurement.

7 45 degree angle will not fit the profile of the rest of the bank

After the bank is reinforced it will lay at 45 degrees which will be significantly different to the profile of the banks upstream and downstream. The varying bank profiling will create erosion points and scouring of any unevenness thus results in a deteriorating bank – which we can ill afford to occur.

8 Assumptions

There are a lot of 'presumed' parameters within the Quantities document which have been based on a cross-sectional height of 2.0m a length of 8.25 metre with the necessary 45 degree slope angle. There is no evidence of accurate measurements having taken place therefore these new documents are based on assumptions. We should not have to base the protection of our properties against flooding on assumptions.

Further assumptions are referred to in the Cross Section of the Reinforced Soil Slope. The parameters have been assumed in order to do the calculations. The document states that the properties will need to be checked with the actual soils at the project site, so as to refine the calculations. This is therefore just a model – the model needs to be applied to this specific site with the afore mentioned topographical factors, previous nature of the site and factors relating to drainage.

The Cross Section of the Reinforced Soil Slope is simply an indicative drawing and not site specific. The notes to this Cross Section of the Reinforced Soil Slope also notes that material susceptible to effects of the weather or that which is susceptible to rapid deterioration will require further tests and may not be suitable as engineering fill. Who will determine its suitability?

9 Fit for purpose

The new documents do not illustrate the forces that would be exerted by the proposed new dwelling. Nor does it answer the questions regarding the excavation and digging of suitable foundations, the disturbance that this will call or the maintenance issues.

10 Denotes existing trees retained

There are thirteen trees drawn into the proposed site layout. The trees behind plot 3 have already been felled yet they are referred to as existing trees. They do not exist. The developer cut the height of these trees in haste and they have been left in a shocking condition. Throughout the development which has occurred on site their roots have not been protected. We have endured the bonfires which ensued from their felling. Can it be imposed of the new home owners that these trees remain?

11 Maintenance plan

There is still no evidence of a maintenance plan for the immediate short term or long term by the future home owners.

12 The rest of the stretch of the bank.

Consideration of the rest of the stretch of the bank has not been detailed. This photograph shows the state at the North edge of Plot 2. A concrete slab with a Western Cedar tree growing above it.. There is recent evidence which shows animals have been burrowing into the bank. There are areas of destabilisation.



The new documents still fail to provide sufficient detail with regard to the continued stability of the bank.

The proposal still fails to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018). These policies seek to ensure that all development is considered regarding flood risk and that there would be no unacceptable increased risk of flooding to other properties.

The developer has a duty to allay fears that his actions will not interfere with the integrity of Buck Beck in the future.

I respectfully request that planning permission be denied.

Hannah Lucas

6 Cheesemans Close, Waltham DN37 0ER

Comments for Planning Application DM/0759/19/FUL

Application Summary

Application Number: DM/0759/19/FUL

Address: 59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE

Proposal: Erect a residential development of three bungalows with associated access and boundary treatments

Case Officer: Richard Limmer

Customer Details

Name: Mrs Debbie Fuller

Address: 7 Cheesemans Close Waltham

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Regarding the new planning application for the above property, which refers to the properties as bungalows, but are in fact dormer and therefore 2 storey dwellings, I would like to add my objections to those already received relating to this planning application and state that I agree fully with all the issues covered so thoroughly by neighbours over the past 2 years.

The garden of my property backs directly onto the land at 59 Cheapside separated by Buck Beck, and as with neighbouring properties, we sit lower than the site in question.

As mentioned when the application went to appeal, I am concerned about the development proposed for the site and the way it has been handled in the past, particularly in light of the breaches which have already occurred.

The new application seems to have altered little and there is no mention of the geotextile to be used to protect the bank of the Beck. I know one of the biggest concerns is the drainage aspect of the site and the inability of the Beck to withstand further pressures on it. The Beck is often a trickle but heavy rainfall as was seen in April 2018 and again this year can transform it to several feet deep.

The application is lacking in detail and there is no mention of how the current tree boundary is to be dealt with eg will trunk/roots removal undermine the bank?

Both issues of drainage and the protection of the banking will have a huge impact if they are not handled correctly and again there appears not to be enough information available in this new application to satisfy concerns we've already raised.

In summary:

I do not think the site is suitable for 3 dormer bungalows due to the issues mentioned with drainage and the lack of detailed information regarding landscaping, tree removal and foundation work does nothing to put our concerns to rest.

On an environmental note, after an otter sighting in my garden in May 2018, in June 2019 a family

of 3 passed through from the Beck side and I would like to think that development of the site would not be detrimental to any wildlife that the Beck encourages.

I agree with all the objections already raised to this development by neighbours and request that this application is taken to full Planning Committee scrutiny, and if further works are given the go ahead, in light of the previous breaches, I would be mindful that close supervision at all stages must be necessary.

Comments for Planning Application DM/0759/19/FUL

Application Summary

Application Number: DM/0759/19/FUL

Address: 59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE

Proposal: Erect a residential development of three bungalows with associated access and boundary treatments (amended site layout, dwelling designs, landscaping and erosion matting details 28th Nov 2019)

Case Officer: Richard Limmer

Customer Details

Name: Mrs Debbie Fuller

Address: 7 Cheesemans Close Waltham

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to add my brief comments once again relating to this application to back up the relevant and much more detailed comments of my neighbours.

All my previous comments still stand and I would like to reiterate that I am concerned about the development proposed for the site and the way it has been handled in the past, particularly in light of the breaches which have already occurred and it is my understanding there has been another one quite recently. This does not instil confidence in the developer to address our continuing concerns.

Having looked at the new documents submitted it is clear that the stability of the bank is still in question. There is still a lack of detail to allay fears about the stability of the bank of the beck when removing tree stumps and no detail to say what is proposed for the rest of the bank.

Where there was previously no information about the geotextile to be used on the banks of the beck, the information now available brings more queries as to the reliability of it under pressure. The beck in the summer is a trickle but should not be underestimated as it is quite a concern when in full flow after periods of heavy rain as we experienced very recently in Waltham. Presumably future maintenance of the geotextile could be a problem once houses and boundary fences/trees are in place?

The proposed dwellings are still being referred to as bungalows when they are dormers and therefore 2 storey dwellings and being built on a site that is higher than the Cheesemans Close side of the beck.

I'm most concerned about Plot 1, the closest one to the boundary of my garden. The building on plot 1 is very tight to the bank of the beck - in fact just the minimum distance of 6m away. Deep foundation works for this plot so close to the bank are a worry especially as this is the area of the bank that is earmarked for the geotextile but currently built up from tyres which will presumably need excavating.

The ground floor window of the dwelling on Plot 1 will overlook my garden. Currently there is no detail relating to what new privacy planting/screening there will be along the edge of the beck here to maintain my privacy. It will feel very close to the boundary of my garden and sound will travel. The mature trees currently bounding plots 1 and 2 have very little screening lower down their trunks. This is particularly noticeable in winter while some of my own trees are bare - I can see straight through to the site and therefore into the potential gardens of plots 1 and 2.

I feel the whole site is unsuitable for 3 dwellings of the kind proposed.

Once again, I would like to ask that this planning permission be denied.

Angela Tynan (Engie)

From: Debbie Fuller
Sent: 24 February 2020 21:42
To: Planning - IGE (ENGIE)
Subject: URGENT FAO Richard Limmer Planning Application Ref: DM/0759/19/FUL 59
 Cheapside, Waltham

I have just tried to submit my comments but the following message is where I'd usually upload.

Comments may not be submitted at this time.

The consultation period for this application has ended however you can still submit your comments until a decision is made by emailing planning@nelincs.gov.uk. Comments that have been submitted may be viewed within the list of documents for this application.

The letter I received on 12th February said comments were to be received by **26th February**. As it is only the 24th I am assuming there is a glitch in the system or I'm doing something wrong. I will attempt to upload my comments again tomorrow but I am providing them here so they can be added before the cut off date.

Thank you

Debbie Fuller
 7 Cheesemans Close

Planning Application Reference: DM/0759/199/FUL

In light of the new documents submitted I wish to add my comments once again to back up my previous comments and the concerns voiced by neighbouring properties who will be affected by this proposed development.

Slope documents/cross section

The types of documents supplied I couldn't possibly comment on due to their technical nature but assume that as they have been provided they are there to address our concerns.

The technicalities of the slope documents provided suggest this needs to precise work - is a specialist contractor to be employed?

The bank of the beck is to be excavated to 45 degrees – does this maintain the 6m required to the edge of plot 1?

Erosion matting and bank work

I see that just 10m or so stretch of bank is to be reinforced with the matting and the new bay laurel planting. It's been asked before but not addressed - how does this new area of banking tie in with the rest of the bank?

The beck continues to be a concern and has been very high and fast flowing on two occasions just this past month and seems to be a more regular occurrence.

Fencing

The site plans show a line of post and rail fence on the beck side of the existing trees, the new tree planting and through the hatched area on the plan which denotes the new banking. We have viewed the opposite bank from

my garden and can't see how a fence could be erected beck side as the trees are right on the sloping edge of the banking – does this mean that banking is being built up to accommodate a fence?

Drainage

Still a concern and not addressed – surface water should not be allowed to flow into the beck.

Once again I would like to object to the planned works on this site for the reasons of drainage, potential flood risk and the complexities of the site being so near to the beck – I consider it is not suitable for 3 plots and Plot 1 is a particular concern.

Angela Tynan (Engie)

From: Debbie Fuller
Sent: 29 April 2020 09:35
To: Richard Limmer (Engie); Planning - IGE (ENGIE)
Subject: Planning Application: DM/0759/19/FUL

I was extremely surprised and disappointed to see the one line comment from Drainage on 30th March stating "The surface water drainage proposals and erosion control measures have been approved". I would have expected, at the very least, a response that reflected the amount of research that has gone into neighbours' submissions.

These two aspects are crucial, therefore, to be so briefly summed up, with no reference made to any of the issues and queries raised in our last submissions, it feels as if our comments haven't been taken into account.

Before lockdown, a site visit was thought necessary by the Planning Committee and I would hope that this is still to go ahead when appropriate.

Debbie Fuller
7 Cheesemans Close

Comments for Planning Application DM/0759/19/FUL

Application Summary

Application Number: DM/0759/19/FUL

Address: 59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE

Proposal: Erect a residential development of three bungalows with associated access and boundary treatments

Case Officer: Richard Limmer

Customer Details

Name: Mr Stephen Boyd

Address: 8 Cheesemans Close Waltham

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:DM/0759/19/FUL

As neighbour to this proposed development, I feel that the importance of the northern boundary of this development - namely the bank of Buck Beck which is the main drainage channel of the village - means that this planning application should come under careful scrutiny to ensure that actions taken to affect the beck side are appropriate and considered. Plans outlining proposed works to the bank should contain all the detail to show how the proposed works are the most suitable for the long term stability of the bank. These resubmitted plans do not contain that detail. Changes made to the bank here are far from simple and must consider future stability.

This site has been refused planning permission; it has gone to appeal and was dismissed by the Planning Inspector.

I consider the basis of that dismissal of appeal still stands today in these resubmitted plans because:-

The Planning Inspector identified that the banks of the watercourse have suffered some instability, evidence for that was present and that the watercourse bends reasonably sharply in proximity to the site and even though water levels were low at the time of her visit it was apparent from the flow of water that the channel potentially carries fast flowing water.

In dismissing the appeal the Planning Inspector noted that "though the site fell in Flood Zone 1 which is not considered to be a high risk area for flooding and does not require a Flood Risk Assessment or the Sequential and Exceptions tests to be carried out" she considered "that, without further details of the proposal in terms of impact on the adjacent bank, this is not sufficient in itself to demonstrate that there would be no increased risk of flooding should the integrity of the adjacent watercourse bank fail as a result of the proposed development."

This was noted in respect of two proposals in the subject of the planning appeal namely:

a) The proximity of Plots 1 and 2 to the edge of the watercourse and the danger that constructing

deep foundations in unstable soil would pose to the instability of the beck.

b) The proposed formal method of strengthening the bank by the use of erosion mats, the removal of trees with additional tree and hedge planting combined with fencing.

The Planning Inspector considered "that the level of information provided in relation to the foundations and erosion control are not sufficient to ensure that the development would not adversely affect the banks of Buck Beck."

As regards the tree removal and planting she said, "I have little information before me to indicate the impact the tree removal would have on the bank and how the additional planting would strengthen it."

I make no apologies in including these statements above because I feel the lack of detail the Planning Inspector found and which led her to dismiss the appeal is still very relevant and apparent in the resubmitted Planning Application DM/0759/19/FUL:

Position of Plots 1 and 2 and foundations

The homes on these plots have been moved back further from the beck side. Plot 1 is just beyond the 6m mark that the Drainage Officer required. However, the site slopes up from the bank so that now that the homes have been moved further back the foundations that should be dug down to the sand and gravel layer the beck flows on should correspondingly be deeper.

There are no details for foundations, no indication in these resubmitted plans that moving the homes further back removes the potential to make the banks unstable in the digging of them. The Soil Survey from Application DM/0735/17/FUL bears out the unstable nature of the soil. That survey has not been included in this application. Its findings still stand.

Proposed tree removal and planting

Geotextile erosion matting was considered necessary in the appeal planning application to strengthen the beck. In this application it is now considered unnecessary. Again there are no details apart from a plan that indicates where trees and a hedge are proposed. Where is the evidence that if erosion matting was once thought necessary, why is it not needed now?

Where is the evidence and detail that give neighbours the confidence that the developer has taken into account the most appropriate trees and hedges chosen for the long term stability of the beck. Most importantly, what is there to show the method of tree stump removal has been considered or indeed if it is necessary to remove them. The roots of these stumps which were once tall trees still bind the banks. I would have thought they are crucial to the stability of the bank as would be the method of their removal.

A stretch of the north-west portion of the bank that adjoins the neighbouring garden in that corner has been reinforced by layers of car tyres from the bottom of the bank to the top. These have been here for years and are well embedded. Are these to be left or will they be removed? How would removal affect the stability of the bank?

If Proposed Site Plans from DM/0735/17/FUL and DM/0759/19/FUL are examined there appear to be an anomaly between the shapes of the southern edges of the beck in the two set of plans. Is this an anomaly between the drawings or a proposed alteration to the edge of the beck?

I would remind you that the developer pre-empted any planning permission by prematurely cutting down the very tall and mature Western Red Cedar hedge that ran along the bank. Incidentally, the burning of the resulting debris caused distress to neighbours. The present state of the beck side is

largely of the developers own making.

The Original Outline planning Permission

It was noted in the appeal decision that the original outline planning permission for three bungalows that was granted "does not set a precedent for this proposal."

However, I see that the homes are still called bungalows in this new planning application. The homes in each of the plots have rooms in the roof. They are patently not bungalows. Despite the best efforts of the architects some neighbours are affected by overlooking. This site with its up slope from the beck makes homes on this site more prominent than they would be on a flat site. Neighbours find true bungalows more acceptable.

Cheesemans Close has already suffered flooding and I, as a neighbour, is asked to trust the developer (who has breached planning conditions in the past) to ensure that the bank of the beck is developed in an appropriate and suitable manner so as not to render this sizeable length of bank unstable in time of heavy rainfall; such as was encountered in 2007 and since. Having lived here since 1990 I can confirm the inspector's observation that the beck carries deep and fast flowing water in spate. In fact water levels rise much more quickly than in the past. Maybe as a result of all the house building that has taken place in and around the village since I moved here. Buck Beck is the main drainage channel to Waltham and if the bank collapsed at this development, in proximity to a sharp bend and so blocked the beck, many homes, all the way back into Waltham, would be affected by flooding. This seems to have been forgotten. Such a failure only has to happen once.

In the Appeal findings the inspector said that she did not "consider it reasonable to impose conditions securing all of the above details as she had no evidence that the proposed measures would ultimately be effective given the limited information provided by the appellant."

I do not believe that the resubmitted plans contain any more detail or evidence to show measures taken would be ultimately effective or that they take full note of the inspector's findings, in fact there are fewer details.

The proposal still fails to comply with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018). These policies seek to ensure that all development is considered regarding flood risk and that there would be no unacceptable increased risk of flooding to other properties. The developer chose to develop this site so he has a duty to allay fears that his actions will not interfere with the integrity of the beck in the future.

I respectfully request that planning permission be denied.

Planning Application Reference: DM/0759/19/FUL

Stephen Boyd 8 Cheeseman's Close

I wish to add to my earlier comments now that new documents have been added to this planning application. I feel that there are still questions to be asked.

Foundations

In the 2017 application it was not known how the construction of Plots 1 and 2 might have harmed the structural integrity of the bank due to the closeness of the buildings to the bank because of a lack of detail to explain the type of foundation and method of construction. Although part of the building on Plot 1 in this application is the minimum distance of 6m away from the bank, there are still implications for the proposed earthworks to create instability in this corner of the site.

There is still little detail in the new documents submitted in December 2019 regarding foundation construction apart from that on *Drawing RD-3962-06 D, Site Cross Sections*.

The drawing shows the depth of foundation and a stress line indicating the spread of forces towards the beck. There is little in the way of notation to indicate type of foundation and construction method. The fact that three houses are proposed for the site means that space is tight.

Does a single line drawn on a cross section drawing confidently predict the force that the weight of the building will exert? Deep foundations still need to be constructed in unstable ground close to the North West corner of the site that will itself be deeply disturbed in order fit geo textile and reinforcement. Heavy machinery will presumably be used to dig the foundation and there is still the consideration that the weight of the building may cause the bank to slip in to the water channel.

There seems to be little indication that foundations will be piled or deep dug to give confidence that construction of foundations on Plot 1 would not compromise the stability of the bank.

Use of Geo textile

Drawing RD: 3962-02 M, Proposed Site Layout shows the use of Geosynthetics' "Pyramat 25" erosion control matting for the bank in the North East corner of the site. This is used in conjunction with "Tenax Stratigrid". Its use here is presumably because this length of bank has several layers of car tyres embedded to stabilise the bank. Presumably these will have to be removed by excavator. This whole section then apparently having to be excavated down to the watercourse bed before it is then built up using

alternate layers of “Tenax Stratigrid” with compacted infill to create a bank profile on which to lay the “Pyramat 25” erosion matting. This would seem to be quite a major intrusion into the bank at this point.

What affect will construction of foundations for plot 1 so close to this disturbed area have? A distance of 6m between part of the building on Plot 1 and the edge of the bank means there is not much room for heavy machinery to manoeuvre to construct foundations and to excavate the bank where Erosion Control matting will eventually be laid.

Does the sequence of what is done first in this corner of the site matter? There is nothing to indicate this has been taken into account.

The geo textile and reinforcement will be constructed immediately downstream of an existing section of steel piling reinforcing the bank of the neighbouring property. This means the bank profiles where they meet may be significantly different. Erosion by scour in fast flowing water is displaced to the end of a solid structure, in this case the piling.

What is there in the plans that take into account the possibility that the change in bank profile from steel piling to the geo textile covered bank could be adversely affected by scour in high flow events?

According to the manufacturer’s fitting instructions the geo textile has to be laid on a suitable bank profile. Will that be very different to the profile of the bank above the steel reinforcement?

Apart from fastening the geo textile in a toe trench and top of bank trench, will the vertical edges, upstream and downstream, also need to be fixed in trenches to withstand forces of water in extreme events?

Or would the proposed method of fastening be sufficient in itself to withstand scour in extreme events when water levels are high and there is a strong flow of water?

No detail is included on future maintenance of the area of the bank where geo textile is fitted. The manufacturer’s fitting instructions say this is important to its continuing successful function.

The manufacturer states that “Pyramat 25” is suitable for moderate flow rated to 6 m/sec. Is this enough for extreme events? Have any measurements been made of the beck in spate?

No separate detail of the use of geo textile has been given. It is only included on *Drawing RD-3962-02 M, Full Site Layout*.

The use of erosion control matting raises more questions and is not supported by further details to show that the system may be reliable in the short and long term.

Bank Landscaping

According to *Proposed Site Layout, RD-3692-02 M and Tree protection Plan RD-3962-09- B*, geo textile is not being used on the rest of the long stretch of bank so the stability of this long stretch is entirely down to what the contractor does with the tree stumps, the subsequent landscaping and future maintenance of the bank.

There does not appear to be any detail in the new documents to show what is proposed for the rest of the bank other than what is in *Drawing RD-3962-02 M, Proposed Site Layout*. The Planning Inspectors comment about planting is still relevant. The new documents do not appear to take account of the inspectors comment. They have no detail and do not appear to match the original Tree Survey. Removal of the tree stumps would be very invasive and leave the bank unstable. Detail of what is intended here is important if a judgement about the bank's long term stability is to be made.

Will tree stumps be removed and how will that affect stability of the bank?

After their removal will the profile of this stretch of bank be different to the profile of the stretch of bank covered by Geo textile?

Would the profile of the bank then need to be remodelled to match the profile of the area where geo textile had been used?

If it is proposed to match the two profiles how will the long stretch without geo textile be maintained, given that this bank is dynamic and changes according to the pressures on it?

There is no planting list so it is difficult to conclude that what is proposed is suitable for the site. The Tree and Woodland Officer noted that no species list had been provided.

The long term success of the geo textile would seem to depend on the long term viability of the vegetation that is seeded on to it after the mat is laid. Most of this bank down to the toe is generally clear of vegetation due to a combination of low light levels along this stretch and water flow.

There is again no mention of maintenance which would be vital in ensuring any planting matures in order that roots, particularly of trees, have time to bind the bank together. Maintenance is then needed in the long term to ensure its continued effectiveness. **It is the future effectiveness of any major changes to the bank that is so concerning to us who live in Cheeseman's Close.**

Drainage

Drawing 1115-1183-CIV-10 P8 Drainage Layout and Drawing 1115-1163-CIV-51 P1 Full Drainage Construction shows the use of a headwall for each plot to discharge surface water from roofs into the beck from each Stormblock Surface Water Attenuation Reservoir.

Is this because the proposed numbers of layers of “Stormblock” forming each attenuation reservoir are not sufficient to manage the run off of surface water? The drawing does not specify how many layers will be used.

Originally run off of surface water into the beck was not allowed. There should be no run off into the beck.

Can we have confidence that the remodelled foul water system proposed for the site in the drainage plans 1 and 2 will not adversely affect the existing system of foul water drainage in Cheeseman’s Close given that it joins on to the end of the Cheeseman’s Close system?

Summary

One of our main concerns was to ensure that what was done to this quite long stretch of bank would not lead to the failure of the bank at a future extreme event. In the 2017 application the bank treatment in combination with the digging of deep foundations so close to the bank had the potential to destabilise it. The Planning Inspector, NE Lincolnshire Planning Officer and neighbours to the site recognised that. Despite this application moving the three homes further away from the bank part of the building on Plot 1 is only 6m from it, which is the very minimum distance.

Also of consideration is the fact that because the site is so small some neighbours will suffer from overlooking, in particular from Plot 1. The ground on the site is higher than on the opposite bank so will make the proposed homes very obvious when viewed from Cheeseman’s Close. The small site also means that the limited parking proposed for the 3 homes would mean that parking for most visitors to the homes would be on Cheapside, compounding the parking issue for existing Cheapside residents.

The lack of detail supplied by the developer in 2017 did not give confidence that *the level of information provided in relation to the foundations, erosion control, tree removal, planting and maintenance were sufficient to ensure that the development would not adversely affect the banks of Buck Beck, hence refusal at planning and appeal.*

There is not much more detail on how foundations will be constructed in the December documents. Plot 1 is still very close to the bank so arguably the foundations would need to be constructed deeper because the ground rises towards Cheapside.

What has changed is the limited use of erosion control now proposed. Far from resolving fears it seems to throw up new questions in respect

of the stability of the bank because it proposes two different treatments for the whole stretch.

There are no details regarding stump removal, landscaping, planting or maintenance to ensure what is done will be effective into the future.

The new documents still fail to satisfy that sufficient detail with regard to the continued stability of the bank has been provided.

The proposal **still** fails to comply with **Policies 5 and 33 of the North East Lincolnshire Local Plan 2013 to 2032 (2018)**. These policies seek to ensure that all development is considered regarding flood risk and that there would be no unacceptable increased risk of flooding to other properties.

The fact that this site falls into Flood Zone 1 is something of a red herring given the possible instability that could affect the bank. The developer chose to develop this site so he has a duty to allay fears that his actions will not interfere with the integrity of the beck in the future by providing enough detail before work is begun so that a considered judgement can be made as to whether what is proposed is right for this problematic site. This is important as experience so far shows that imposed planning conditions may not be adhered to.

I respectfully request that planning permission be denied.

Planning Application Reference: DM/0759/199/FUL

I have viewed the 12 new documents submitted on the 12 January 2020 and wish to add additional comments relating to these new documents to my previous submissions.

Surface Water and Foul Drainage

The NE Lincs Drainage Team previously commented that the original design showed that surface water discharge rates were greater than the Greenfield Run off Rates so were unacceptable. Presumably the **5 documents relating to Micro Drainage** show that is not the case or else they would not have been included. However *Drawing no. 1115-1163-CIV-10 P9* shows that the developer still wishes to discharge surface water into the beck, this time through the use of one Headwall. - **Discharge into the beck in this flood risk area should not be allowed, regardless of the Greenfield run off rate submitted.**

As a homeowner who lives at the bottom of Cheeman's Close I can attest to the large volumes of water that drain down the slope of the close in times of heavy rain. This is the factor that has led to the flooding of our homes as our street gullies discharge into the beck. When the beck is high our street gully cannot discharge so water builds up around our homes having nowhere to go.

This development is exactly modelling the circumstances that occur in Cheeseman's Close. Water flowing along the gutter in Cheapside will now follow the slope and flow down the access road to this development, into the gullies, and then into the attenuation tank. If the system cannot contain the sort of flows that will be experienced in periods of prolonged rain it will be discharged out into the beck. **When the beck is high the headwall will be submerged so there will be a build up of surface water around the homes exactly as happens in the close on the opposite bank.** Could this flow over the top of the bank and cause damage to it?

The surface water drainage in Cheeseman's Close was designed in the 1960's when flooding was not an issue. If it were to be proposed today I would be equally adamant in opposing it.

With what we know today about the high water flows in the beck and the need for alleviating the increasing possibility of flooding, discharge into the beck for any beck side property **should not be considered.**

Recent rainfall around Britain illustrates that **we should be seeking to raise developments and homes to a higher level of resilience** than SuD's at present.

The Geo textile Reinforcement of the Bank

Having examined the **7 new documents on slope data, cross section of reinforced soil slope and amended site layout** it would be impossible for me as a layman to contest the data. One can only presume that the data tells the planners that the design considerations such as:

- A) site consideration,
- B) suitability of indigenous soil to backfill,
- C) the basis for geo textile selection,
- D) the design methodology,
- E) the reinforcement layout,

have been followed to reassure that the reinforcement will cope with not only the pressure of the beck, **but also the digging of foundations close to it and the forces exerted by a nearby building.**

These documents may well show that the work proposed on this short stretch is of careful design, but **in themselves they do not answer many of the questions residents have as to how this short stretch integrates with the whole bank regarding possible instability to the bank.** There is no comment attached to it that would set at rest our fears or indeed give detail to **all** the planning departments' objections at appeal.

1 The NW corner of the building of Plot 1 is **exactly 6 meters** from the top of the beck, **less** if you take the measurement from the edge of the proposed excavation shown on the drawing submitted.

2 There is **still** nothing to show in these documents how the digging of foundations, which are as deep as the layer of clay and gravel the beck flows on, may affect the stability of the bank in this corner as they are being dug. **Does the data submitted take into**

account the forces that will occur during construction of the foundations and the forces of the building on plot 1 after construction? Which will come first, foundations or construction of the bank?

3 The excavation required to reinforce the base of the bank is 3.30 meters in from the toe, then excavation that encroaches even further into the site is required to produce the 45 degree slope and lay the Geogrid Strata reinforcement, **thus bringing excavation closer to where foundations will later be dug.**

4 It is not yet known whether the indigenous soil on site is suitable for infill. The choice of infill is important as good performance of reinforced slopes depends upon prevention of excess pore pressure development within the infill. **What is there to ensure the correct infill material is used? Will the construction be carried out by someone familiar with such work?**

5 The slope of the bank after reinforcement, profiling and laying of geo textile will be 45 degrees so is radically different from the profile of the bank it abuts immediately upstream. Here vertical steel piling reinforces the toe of the bank with a different bank profile above that. **How will scour at the downstream end of the piling affect the short new section of the bank?**

6 There is no maintenance plan attached for the short or long term. If a future homeowner of Plot 1 wished to radically alter part of this stretch of bank would that reduce the strength of the reinforcement and render it ineffective. **Will there be anything in place that would inform future homeowners of the reinforcement?** This bank has to be stable far into the future.

7 The use of the geo textile reinforcement for only this short stretch brings a two-tier treatment to the whole of the bank. **How will the differing bank profile on the rest of the unreinforced bank affect the performance of the whole bank in a high flow event?**

Is the bank beyond the reinforcement to be remodelled?

Existing trees and landscaping

Drawing RD-3962-02 P, Proposed Site Layout This drawing indicates that the rest of the bank is lined with existing trees, but many of these are the truncated remains of the overgrown Western Red Cedar hedge. They are left as a direct result of the hurried attempt to circumvent planning conditions by the developer in truncating them and burning the resultant debris with no thought to neighbours. It is hard to see how anyone would wish the truncated remains as part of their garden.

This drawing also shows a new boundary line for the fence which does not follow the tree line and lies north of it. When *Drawings RD-3962-01 B, RD-3962-02 C and Existing Block Plan 0006.04.02 (Sept 2013)* are compared to Revision P it is obvious that the line of the top of the bank differs from its current configuration. The present top of the bank, with wire fencing, runs along the line of the trunks of the Western Red Cedars, not north of them and the bank slopes down to the water from the line of trees. As this is Revision P it is hard to imagine it is an error. **Does this mean that the developer intends to create a straight line along this stretch thus claiming part of the existing beck?** Also this plan now appears to show that the measurement of 9134 from Plot 2 is no longer the shortest distance.

8 **This drawing seems to indicate that the line of cedars will be left, but that the bank will be built up past them to accommodate the proposed fence thus straightening this stretch of bank.** It is hard to see how this would be done if the trees remain in place. **Will they be removed?** If the trees are to be excavated this will involve invasive work to the bank. Is it to be left up to the judgement of the developer as to whether they need to be removed? If they are to be left would there be provision to prevent future homeowners removing them given their importance in binding the bank?

9 **Still no** detail on what exact landscaping there will be to the rest of the bank. **Still no** species list to ensure that what is planted will be viable for this unstable, dynamic bank to bind it safely in the short and long term - apart from the three Bay Laurels it is the intention to plant along the top of the reinforced section and which replace the mature Pear that was to be retained. **Still no maintenance plan** for the future or access shown. Maintenance is vital for the viability of the bank.

I see that the developer has amended the description of the three homes to *bungalows (with rooms in the roof)*. This site was given outline planning for bungalows only. Outline planning sets the **principle** for development it does not set a **precedent** for development in this particular form because of the lack of detail supplied for outline consideration. Some residents are concerned that overlooking spoils the amenities they have enjoyed since their homes were built. **It should be fairly obvious by now that even the principle of three homes is too much on this tight and complicated site.**

These new documents introduce little that convinces us that if this development were to go ahead our homes nearby would not face an increase in the risk of flooding should the integrity of the bank fail during high water levels as a result of the proposed development.

This development still fails to comply with policies 5 and 33 of the NE Lincolnshire Local Plan.

I respectfully request that planning permission be denied.

Stephen Boyd

8 Cheesemans Close

#

Angela Tynan (Engie)

From: stephen boyd
Sent: 28 April 2020 15:06
To: Richard Limmer (Engie); Planning - IGE (ENGIE)
Subject: Planning Application; DM/0735/19/FUL 59 Cheapside :Additional comments
Attachments: Comment on 30.03 2020 Drainage Team comment.doc

Dear Richard

I have given the comments submitted by the Drainage team, 30 March 2020 a great deal of thought and feel that despite the portal being closed to comment there are some valid points as a neighbour that ought to go on record.

I have attached my comments and request that you put them on to the portal as a decision pending a site visit has not yet been made.

Despite these difficult times I feel that a site visit remains vital and trust it will go ahead when able.

I appreciate how busy you are and the difficulties you must be working under. I am sharing my comment with Waltham parish Council and ward councillors, Phillip Jackson and Nick Pettigrew

Stay safe

Stephen Boyd

Sent from [Mail](#) for Windows 10

Planning Application: DM/0759/19/FUL

I view the comment of the drainage team 30 March 2020 with dismay. It is a bald statement that the proposals for drainage and erosion control are approved. Given the nature and number of objections to this development, along with the complications of the site, neighbours hoped to see a more detailed assessment of the proposals, especially as:

1 the discharge of surface water looks set to be allowed through a single headwall into the beck.

2 There are several issues regarding the erosion control that are clearly unresolved.

1. Drainage

(Site Investigation Report, DM/0735/17/FUL).

Infiltration tests were carried out only in Trial Pit 4 Why was an infiltration test not carried out in Trial Pits 1 and 2? The geology beneath the top soil at Trial Pit 4 is sand and gravel with pockets of slightly silty sand to a depth of 0.6m bgl overlaying glacial till **of low impermeability**. Groundwater was reached here at a depth of 2m.

The Attenuation tank is sited in the vicinity of Trial Pit 2. Here the geology is very sandy clay to a depth of 1.5m underlain by very silty clayey sand with some chalk gravels to a depth of 2.5m before the glacial till is reached. There was no ingress of ground water in this trial pit; though the sand was damp indicating that ground water was not much deeper.

This is not wildly different to the geology of Trial Pit 4 where the infiltration test was done, but is it different enough to warrant an infiltration test at the proposed site of the attenuation tank? No borehole test to locate the level of ground water here has been undertaken. Before the infiltration tank can be sunk a borehole test to find the level of ground water must happen. An infiltration tank should be at least 1m above the level of ground water if it is to be at all effective; seasonal variations in the height of groundwater must also be taken into account.

As the findings of The *Site Investigation Report (DM/0735/17/FUL)* show, the proposed site of the tank means that it is at a shallow depth and has a relatively small horizontal area. Little wonder that discharge into the beck is considered. **This only emphasises the unsuitability of the site as there is little room for a much larger attenuation tank.** I have

seen no data regarding peak flow data of the beck mentioned anywhere in relation to this development or any other in Waltham. Neighbours have submitted photographs of the beck in spate at this point showing that it fills the channel up to the top of the bank. Headwalls would need more than ever to discharge into the beck at such a time. **They cannot do that if they are underwater!**

More stringent rainwater harvesting to be used by each house should be proposed to reduce surface water run off from the three roofs if the attenuation tank cannot handle the volume.

The topography of the site will also influence how much more rain water flows down the access road to the site. The small tank beneath the road is at an even shallower depth and is not adequate. We in Cheeseman's Close know to our cost just how much surface water flows down to the bottom of our close.

Again I point out that this is but one small development going on in Waltham yet ultimately all developments feed surface water into the beck. Attenuation or on site storage is required for holding back water to slow down the rate of discharge or hold it back allowing gradual discharge at a controlled rate. That water ultimately reaches the beck no matter how slowly it is released and extends the peak flow of the beck during very high rainfall.

Each new development is adding to the capacity that the beck can endure. All the more reason to ensure that; in the case of Waltham **with only one drainage channel**, stringent applications of attenuation, storage and rainwater harvesting are insisted on by our planners. Maybe it is time that, nationally, the parameters that determine Qbar and 1 in 100 year events are revised in the light of the 2019-2020 winter? We can't wait until the beck reaches its limits or more areas of Waltham will be affected by flooding each wet winter and more money be spent on remediation.

If it is felt that discharge into a watercourse is the only alternative then that site should have a total rethink on planning as being in the wrong place.

2. Erosion Control

There are numerous issues relating to erosion control and the treatment of the banks that have not been satisfactorily explained:

- a) The proposed construction details (*TR20-3317 RSS Full Cross Section Reinforced Soil Slope Indicative Plan- not for construction*) of the erosion control is little more than an “off the shelf” plan, as yet there is little evidence that, measurements apart, the geological and topographical conditions of this site have been applied to it.
- b) What the infill between layers of Stratigrid will be and who actually constructs what is a very technical build.
- c) How, apart from a condition that the erosion control be constructed first (*Committee Report 04 Mar 2020*), it relates to the closeness of deep foundations of Plot 1.
- d) How the new bank profile created relates to upstream and downstream banks and the potential to create scour points or weaknesses at profile changes during peak flows.
- e) *RD3962-02 Rev P Proposed Site Layout* clearly shows construction of a fence in front of the existing trees that line the bank of Plot 1 and the new planting of 3 Bay Laurel on land that exists at the moment as steep bank, not as flat ground in front of the trees. No explanation of this has been given.
- f) It is decided that the truncated remains of the Red Cedar trees left after lopping and that are **eyesore rather than amenity**, but **vital** for the bank, will remain. Nothing has been put in place to prevent their removal after construction and habitation of the homes for now or the future.
- g) No planting list required by the tree officer has been provided apart from the unimaginative use of Bay Laurel. Clearly amenity value for home owners or neighbours is a low priority. As neighbours this rings alarm bells regarding future intentions.

Stephen Boyd

8 Cheesemans Close

Angela Tynan (Engie)

From: Richard Limmer (Engie)
Sent: 06 July 2020 08:04
To: Planning - IGE (ENGIE)
Subject: FW: 59 Cheapside- DM/0759/19/FUL

Could you pop this on the file for me 😊 thank you

Richard Limmer MSc URP
 Major Projects Planner
 Planning and Development Team
 Places & Communities North – NEL
 Tel. +44 (0) 147 232 4299
 Mob. +44 (0) 7766923688



Working in Partnership

engie.co.uk

New Oxford House, George Street
 Grimsby, North East Lincolnshire, DN31 1HB

From: stephen boyd
Sent: 03 July 2020 08:36
To: Richard Limmer (Engie) <Richard.Limmer@nelincs.gov.uk>; Cllr Philip Jackson (NELC) <philip.jackson@nelincs.gov.uk>; Cllr Nick Pettigrew (NELC) <Nick.Pettigrew@Nelincs.gov.uk>; Martin Dixon (Engie) <Martin.Dixon@nelincs.gov.uk>
Subject: 59 Cheapside- DM/0759/19/FUL

Sent from [Mail](#) for Windows 10

Good Morning Mr Limmer

Thank you for your email inviting me to submit a video for 59 Cheapside.

I understand the need to get on with planning applications and these times need imaginative solutions. I do feel that with this particular development it is important that members of the committee make a physical viewing for themselves to appreciate the complications of the site given its history. I appreciate the difficulties this causes.

The possible risk to flooding relates to the erosion control along with the treatment of the remainder of the bank and the unsuitability of the site for this development of three houses due to the proximity to the bank and its unstable geology; particularly at Plot 1. Added to these now is the proposed scheme for surface drainage.

I must point out that nowhere in any application has any evidence been submitted as to the effect and frequency of peak flows in the beck. Those peak flows are occurring far more frequently and are the significant factors in possible flood risk. We have to live with the development and are first in line if some unforeseen issue in construction or short cut to save money causes our homes to be flooded. As you know the beck is very powerful when in spate and

carries huge volumes of water. Under those conditions, even a comparatively small failure of the bank could cause a major problem.

If the application is passed as it stands there will be no opportunity to comment on the actual construction plans of the bank reinforcement. We are being asked to have faith in the developer; some of whose actions so far show a lack of respect to the planning process. Also unresolved is the possible harmful relationship of the reinforcement to the rest of the bank. It is a leap of faith for us to believe future homeowners will be content to have the truncated remains of the hedge as a boundary for their homes. Not an unimportant point as the roots currently bind the rest of the bank.

Also, the opposition of neighbours and Waltham Parish Council to rooms in the roof is well documented. We believe the topography of the site and the proximity of Plot 1 to the top of the beck make the proposed homes unsuitable. Genuine bungalows would be more acceptable, but not until a thorough and transparent resolution to the problems relating to the long term stability of the bank has been presented.

It is for those reasons I think a physical viewing is a necessity. I am not sure that I can produce a 2-minute video that would encompass all of the above that neighbours regard as combining to make this a complicated development. However, if need be I am prepared to try and will contact you by phone as you suggest after giving it thought.

Regards

Stephen Boyd 8 Cheesemans Close Waltham

DM/0759/19/FUL | Erect a residential development of three bungalows with associated access and boundary treatments | 59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE



Dear Mr Limmer

I wish to object to the granting of planning permission for this site. My house in Cheesemans Close was flooded in 2007. I am in my mid eighties and am most concerned that what the builder proposes to do to the bank of Buck Beck could destabilise the bank when the beck rises when there is heavy rainfall. It has already been refused planning permission and the appeal against that was dismissed for that very reason.

The planning inspector noted that although the site fell into Flood Zone 1 which is not considered to be a high risk area for flooding and does not require a Flood Risk Assessment or the Sequential and Exceptions Test to be carried out, she considered that this was not sufficient in itself to demonstrate that there would be no increased risk of flooding should the integrity of the watercourse bank fail as a result of the proposed development.

The inspector said there was a lack of technical detail in construction of the foundations, the impact tree removal would have on the beck and how the additional planting would strengthen it.

The resubmitted plans are essentially those dismissed at Appeal and still show an absence of information in the proposed landscaping and tree removal and foundation details (even though the properties are moved further back plot 1 remains just outside the 6 meter mark so still quite close to the bank). There is little to show that the proposed works to the bank and foundations for the proposed development would not result in the potential increase to risk of flooding to the adjoining dwellings, including the properties on Cheesemans Close, which sit lower than this site.

The inspector said that she did not consider it reasonable to impose conditions securing all of the above details as she had no evidence that the proposed measures would ultimately be effective given the limited information provided. We feel that is important given this developers historic disregard of imposed conditions.

I do not think that the resubmitted plans contain any more detail that takes account of the Planning Inspectors findings. Moving the homes back slightly from the beck would seem to me to require the foundations to be deeper because the site is rising ground so the problem of digging them close to the bank remains. We also note that the new plan states the homes are

bungalows, they are two storey dwellings, so the issue of overlooking remains. The site slopes up from the beck so will make any building more prominent..

I think the proposal still fails to comply with Policies 5 and 33 of the North East Lincolnshire local Plan 2013 to 2032. These policies seek to ensure that all development is considered having regard to flood risk and that there would be no unacceptable increased risk of flooding to the development site or to other properties.

Yours sincerely

Peter Dawson

9 Cheesemans Close, Waltham

RECEIVED

9 SEP 2019

14 Cheeseman's Close¹
Waltham DN31 0ER

16 SEPT 2019

To Planning Dept.

App. No. DM/0759/19/FNL

Re 59 Cheapside Waltham,

I have been residing at the above address for 20 years now.

In that time I have seen the problem caused by flooding at the lower end of Cheeseman's Close and the resultant problems caused by that with regard to getting home insurance at a reasonable price. Nevermind the building work!!!

My walks through Grove Park with my dog have also brought to my notice the flooding there and resultant machinery.

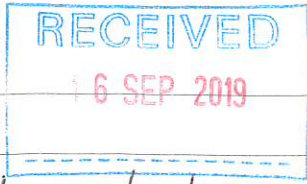
Indeed the Beck is at the lower end of my garden behind my boundary fence.

Hence, I object most strongly to any development which might put the flood risk higher whether now or in the future.

This year has shown so much indement and surprisingly vicious weather problems on a World wide scale.

Please consider any development of ANY SORT in great detail with regard to the BECK, and do not allow permission for the wrong reasons.

Sincerely,



Mr & Mrs J Denton 1

1 Grove Lane
Waltham.

DN370HD

REFDM/0759/19/FUL

To Richard Simmer..

Thank you for your time discussing the development rear of 59 Breapsidewith us. We are concerned about the large, leaning Leylandii which in our opinion needs to be reduced to a reasonable height, also, clarification is needed on the boundary to rear of 1 Grove Lane which according to our solicitors is our hedge/fence, on developers plans it is a bit vague.

I trust these comments receive your consideration.

Regards, Pam & Dave Denton

Comments for Planning Application DM/0759/19/FUL

Application Summary

Application Number: DM/0759/19/FUL

Address: 59 Cheapside Waltham Grimsby North East Lincolnshire DN37 0HE

Proposal: Erect a residential development of three bungalows with associated access and boundary treatments

Case Officer: Richard Limmer

Customer Details

Name: Mr Ian Mercer

Address: 37a Cheapside Waltham

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My house is upstream of the property and having seen large diameter concrete culvert pipes at the development I am concerned of a future flood risk to those of us in the valley, if they are used.

It is only 10 years ago properties further upstream of me were flooded when the culvert under the Skinners Lane bridge could not cope with flood waters. Mount Pleasant park also flooded due to the culvert under High Street.

Planning - IGE (ENGIE)

From: Richard Limmer (Engie)
Sent: 17 September 2019 08:33
To: Planning - IGE (ENGIE)
Subject: FW: Planning for 59 Cheapside

DM/0759/19/FUL

Could you log this onto the system for me

Thank you

Richard Limmer Msc URP | Senior Town Planner | **ENGIE**

☎ +44 (0)1472 32 4299 |

Mob - 07766923688

✉ ENGIE, New Oxford House, 2 George Street, Grimsby, DN31 1HB

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North East Lincolnshire Council and ENGIE, working in partnership to deliver a stronger economy and stronger communities.



From: Gill Turner
Sent: 16 September 2019 19:00
To: Richard Limmer (Engie) <Richard.Limmer@nelincs.gov.uk>
Subject: Planning for 59 Cheapside

From Mrs Gillian Turner 53 Cheapside DN370HE

I have lived at the above address for 40 years and over this time I have had to have the dyke in buck beck shored up twice because it has been washed away with the extra water and also because the soil is quite fine, I do not have a problem with any of the removal of the trees but because those trees have been there so long the roots will be a problem because they must be holding the bank together so if this is goes a head

Mr Glover or the water Authority need to look at reinforcing the bank side as it put a big risk on flooding in to Cheeseman 's close Gardens.

Also the letter I received on the 27th August 2019 is a little miss leading as it states Bungalows no mention of Dormer Bungalows which is still on your planning web site, and this will over look into mine and my elderly neighbours.

Since Mr Glover purchased this land and property there has been changes to planning for his benefit and also he has not dealt with thing s on site correctly , E.g. bonfires, burning of paint and oil from the garage and the asbestos clearance. So I do hope that you will take these things in to account when you are looking at planning in the future.

Yours Sincerely Mrs Gillian Turner.
16/9/2019

Mrs and Mrs C Garner
60 Cheapside
Waltham
Grimsby
DN37 0HW
27th December 2019

Development Management Services
New Oxford House
2 George St
Grimsby
NE Lincolnshire
DN31 1HB

Planning Application Reference DM/0759/19/FUL

Case Officer Richard Limmer

Dear Sir,

On receiving your letter dated 3rd December 2019.

We are amazed that despite all the letters from neighbours and the professional agencies we are still looking at resubmitted plans for the development of three substantial 3 bedroom houses – not bungalows as the buildings are still referred to in the revised plans.

From a non-professional point of view, the revised plans seem to have changed little to address our concerns.

Our house is exactly opposite this building development and all through this planning application process we have raised concerns for safety on Cheapside a busy main road linking with both the A16 and the A46. This includes the regular passing of heavy goods vehicles at all times.

The revised plans show parking for 10 vehicles – it may look possible on paper but I would like to know the opinion of an expert in building/planning control. Even if there is room for 10 medium sized family cars I doubt there is room for safe and easy access for them all. My guess is it would be tempting to not bother and park on the road especially in the dark.

I reiterate that Cheapside is a very busy main road. Properties 55, 57, 61, 63 do not have parking facilities and residents and visitors to these properties park on the road causing tail backs as traffic wait to pass.

A serious road traffic accident outside 61 and 63 Cheapside in October this year shows the type of problems that can and do arise. This incident involved two cars travelling in opposite directions negotiating around a parked car on an icy morning. Police were called to the scene after the collision; an ambulance took at least one person to hospital and the parked car was a right off. Police and ambulance records will provide any further details required.

We are also concerned that the potential lengthy building time of the proposed development of three bungalows would severely restrict access and space for vehicles in this area whilst it is in progress as experienced during the conversion of the original dwelling into two properties.

Although our plot is elevated in relation to the 59 Cheapside site, I share the concerns of our friends and neighbours who are lower and closer to the beck. It would be a disaster for the whole village of Waltham if it overflowed causing flooding due to an on over ambitious building development. This is not a concern without foundation. In the summer of 2007 prolonged torrential rainfall caused substantial flooding in the beck area. A friend of mine was unable to return to her flooded home for over 12 months - this is not something that can be ignored.

Yours sincerely

Mr and Mrs C Garner

flat roofed extension would also be demolished to the south. The remaining building would be refurbished and extended to form the new store. Many of the internal walls and features including the staircase in the original building would be removed. A single storey flat roofed extension (110 sq.m) would be constructed to wrap around the western and southern elevations of the original building to form a new customer entrance with access ramp to the south. It would also accommodate a store and dedicated service entrance to the west. The original door to the front of the building whilst retained would be permanently sealed and unused. In addition to this, a 2.5m high fenced compound to the south western corner would be provided for plant and equipment whilst to the northern elevation facing Augusta Street a further storage compound would be formed with 2m high fencing surrounding it.

The layout of the site would be dominated by car parking with space for 22 vehicles (2 being to disabled drivers standards), access/exit and servicing areas. Access only would be formed from Bargate opposite the existing Abbey Road/Wellowgate junctions. Two exits are proposed to Augusta Street one for service vehicles and one for customers. The service exit would be protected by retractable bollards.

In addition to this, landscaped strips would be formed adjoining the Bargate frontage along with the boundary to 28 Bargate. In addition, two smaller landscaped areas would be formed to the Augusta Street frontage and the boundary to 1 Augusta Street.

This application is brought to the committee at the request of the Ward Councillor.

SITE

The application site is a large 19th Century former villa at 36 Bargate, known locally as Grimsby Conservative Club, a private members club, although this has been vacant for some time. The building is located to the northern side of the site with access/exit from Augusta Street only. The structure is designated as a locally listed building and is positioned within the Wellow Conservation Area.

The building is an attractive two storey red brick villa with stone features including entrance porch, belt course and large sash window surrounds. The main building has a pleasant symmetry to it with a slate hipped roof and prominent chimneys. To the rear, facing Augusta Street, is a brick wing of a similar but plainer design and a further collection of smaller red brick additions including single storey rendered buildings with a yard area that directly adjoins the back edge of the footpath and forms a 4m high boundary to 1 Augusta Street.

The majority of the ground is laid with tarmac/ fine gravel creating a parking area. Several large mature trees exist to all the boundaries of the site except to the west. Some of these trees have preservation orders with the remaining protected by the conservation area designation. To Bargate the site is bounded by a red brick wall with stone dressings. To Augusta Street a more modern 500mm high wall with concrete coping exists. A further traditional brick 1.5m high wall exists to 38 Bargate but the difference in ground levels

mean this is lower to the application site.

To the south is 28 Bargate another large red brick villa with large projecting bays to the front. Adjoining the site boundary a driveway exists along with a detached garage. Within the northern flank wall facing the application site are a number of windows at ground and first floor some of which are large and appear to serve habitable rooms. To the east is Bargate and opposite are a number of traditional residential properties including some which have been converted to flats. To the north opposite the site is 34 Bargate which accommodates a Veterinary Practice and has car parking to the front and rear both of which are accessed from Augusta Street. Finally to the west is 1 Augusta Street a detached inter war villa with large conservatory to the rear. A driveway exists adjoining the application site along with a detached garage. The boundary to the site is partially formed of the walls of the application building but further south is a 3.5m high wall/fence before it drops down to an original 2m high boundary wall at the rear most part of no. 1's garden.

RELEVANT PLANNING HISTORY

A large number of applications and TPO consents relate to this site but the most relevant are as follows:

20011 Change of use to licensed club. Approved 26 Nov 1956

20011 (A) Internal alterations and car park. Approved 16 August 1957

20011 (B) Internal alterations and extension to car park Approved 25 Nov 1957

20011 (F) New store and car park Approved 01 Mar 1967

DM/0829/14/CEA Certificate of lawfulness for proposed change of use from Class A4 to A1/A2 or A3 - withdrawn

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF1 - Introduction

NPPF6 - Building a strong, competitive economy

NPPF9 - Promoting sustainable transport

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

NPPF15 - Conserv. & enhance the natural environ.

NPPF16 - Conserv. & enhance the historic environ.

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

PO3 - Settlement hierarchy

PO5 - Development boundaries

PO22 - Good design in new developments

PO23 - Retail hierarchy and town centre develop

PO24 - Grimsby town centre opportunity sites
PO32 - Energy and low carbon living
PO33 - Flood risk
PO34 - Water management
PO36 - Promoting sustainable transport
PO38 - Parking
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Highway Officer: (In summary) 30th June 2020 - The applicants are looking to introduce a new access coming off Bargate in an area where there are already several other junction points in the form of Augusta Street, Abbey Road and Brighowgate. Bargate is also a main link through to the town centre and is a main bus route.

The applicant has been unable to demonstrate that the proposed development will not have a severe impact on the highway network in this location and the Highway Authority is not content with adding another conflicting junction point in this location. It is on this basis that the Highway Authority recommend refusal of the application on road safety grounds.

18 May 2020: The fundamental issue here is not specifically the arrangement form of the ghost island (within Bargate), but the provision of a further right turn hazard. It would be preferable to reduce the total number of right turns at this site or seek to not increase the number of right turns above the current situation. Essentially all four right turns cannot exist safely at this site and provision of the new right turn is likely to increase the level of collisions at this location. It is on this basis that the Highway Authority would look to recommend refusal of the application in its current form.

26 Feb 2020 Traffic have concerns regarding the proposed entrance off Bargate. There are no immediate concerns regarding vehicles wishing to turn left into the site, however due to the presence of multiple junctions (3) in the immediate vicinity, the presence of a new entrance on this section of Bargate would create additional conflict with those vehicles waiting to turn left into either Brighowgate or Abbey Road. With vehicles waiting

to turn right into the site queuing traffic is likely to build up across the junctions. There would also be potential conflict particularly during peak times with vehicles wishing to exit these roads, causing congestion. There is insufficient carriageway width to accommodate with ease a right turning vehicle and to allow vehicles to be able to pass. This is a major bus route. Any vehicles waiting to turn right would block the passage of buses which again would cause congestion.

Rights of Way: No objection

Environment Agency: No objection

NE Lincolnshire Drainage Board: No comments to make

Drainage Officer: (in summary) Runoff should be as close as possible to greenfield run off rates to mitigate flood risk. 13.6% reduction in surface water runoff is not sufficient reduction and a surface water condition is sought to increase this.

Trees and Woodlands: (in summary) No fundamental issues - replacement trees agreed under recent TPO consents should be shown on landscaping plans.

Environmental Protection: (in summary) Conditions sought including method statement for demolition/construction (including hours and days), extraction and ventilation details. Also requests hours and days of delivery and servicing be agreed. Based on applicant's assessment background noise exceeds 50dB is when deliveries can take place without harm to neighbours. A condition limiting servicing to 7am - 7pm Monday to Friday and 8am - 1pm on Saturday and not at all on Sundays and Bank Holidays is therefore acceptable. Also, the condition also needs to require that vehicle refrigeration units be turned off once on site.

Humberside Police: (In summary) CCTV needs to be considered. Cycle parking at front is positive but is positioned around the corner somewhat hidden away and should be covered by CCTV as should store and car park. Details of windows and doors security should also be detailed.

Heritage Officer: (in summary)

2 June 2020 - It is acknowledged that the building is locally listed and therefore does not have the same full protection that it would if the building was listed, support is possible for the removal of significant historic features, in the form of the majority of the remaining ground floor plan form including the decorative features that still remain in order that a successful conversion can be made. However, the staircase is particularly good example of its type and it's mentioned specifically in the Historic Environment Record, presumably the information originating from the local listing notes. I do not support the removal of this staircase and the plans should be altered to either retain the staircase as a feature within the store or it should be boarded up in such a way that would not cause damage to either the staircase or the first floor landing.

Further details about replacement windows and their materials should be provided as well as any lighting, signage and pipework, such as air conditioning units which may be attached to the building. It would be desirable to replace any UPvC windows with the original sashes, which are currently stored safely inside the building. This should be secured by condition.

There are a number of original window openings that have been proposed to be blocked up and this will make a significant negative impact on this building and the conservation area. Surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible. In particular there is a stained-glass window to the rear elevation which should be retained. The applicant should work towards finding a security solution that secures the windows appropriately from the inside while still retaining the original sashes and windows in situ. This should be secured by condition.

Currently the boundary is brick which is an appropriate material in this area, and I recommend that this should continue to be the boundary treatment rather than fences. This should be secured by condition.

The moulded string course should be continued through the extension. This should be secured by condition.

Full historic building recording should be undertaken prior to any work starting on site, including any demolition should be undertaken Archaeological monitoring should be undertaken on all groundworks, including grubbing up of any foundations as this site is within the historic core of Grimsby and lies between areas where significant medieval archaeology has been recorded. This can be conditioned.

20th March 2020 - The building is an important building within the Wellow Conservation Area and is a locally listed building. there is a fine level of preservation both inside and externally with many of the original features surviving internally. A key feature being the staircase. Biggest change has been the creation of a bar area.

The assessment focuses on the deterioration of the building not the impacts of the proposal. The outbuildings (to be demolished) are not fully detailed, could have been two small cottages and their history and relationship to the main building are not adequately explored. Loss of such buildings is not supported.

The internal staircase is a good example of its type and should be retained. If necessary, it could be boxed in.

Replacement windows should be wooden sash windows not PVCu.

The boundaries should be walled not wooden fences.

The stone string course should be retained

A full historic building recording should be made and archaeological monitoring if works should be undertaken.

Neighbours:

Representations supporting the scheme have been received from 6 Eaton Court and on balance 38 Bargate.

Representations objecting to the scheme have been received from 111 Abbey Road; 3 Augusta Oaks; 1, 4, and 8a Augusta Street, 33 College Street; Northumberland Close; 17 The Roundway and 22 Westlands Avenue.

Support for the scheme can be summarised as:

- there are many elderly people in area without a car and it would be lovely to walk to the store rather having to get two taxi journeys to and from the shops;
- site is an eyesore at the entrance to the town centre it is shameful if it is left as it will become a large rat infested unofficial public toilet and illicit drug taking facility and;
- On balance it is better as a convenience store even if it would create traffic concerns.

Objections to the scheme can be summarised as:

- Principle

Whilst most responses recognise that the re-use of the building would bring benefits it is considered other issues would outweigh this.

There are already plenty of shops in walking distance, this is a residential area. It should be kept as a social club or used as a hotel or even flats but not a shop with 7 days a week activity including early mornings and late evening opening. Food stores in Grimsby are already under trading so there would be minimal benefits.

- Highways

Increase in traffic and conflicting traffic movements within a very short of section of Bargate where there are three other junctions and a pedestrian crossing. The area is well used by school children, students from the colleges, workers and residents who do not always make use of official crossing points. A shop would increase footfall and additional road crossings increasing risk of accidents. They also create a blind spot for traffic leaving Augusta Street if they are walking along the pavement obscuring views of oncoming traffic.

The proposal will add significantly to traffic in area. Also, the number of conflicting vehicle movement will add to congestion and reduce safety. Congestion already extends past site in peak hours and often back to Dudley Street and on a Saturday/ Christmas time to the Wheatsheaf in the other direction. Additional vehicles and/or vehicle movements crossing the traffic will lead to further hold ups and accidents. The customer exit junction to Augusta Street is too close to Bargate. At times vehicles already wait three/four vehicles deep for access onto Bargate only gaining access to Bargate when the

pedestrian crossing activates. Often vehicle drivers disregard keep clear signs making matters worse. If drivers exit the site and are caught in the queue this would block traffic turning into Augusta Street causing further hold ups and accidents.

Plans show that large commercial vehicles turning right will block the road whilst stationary awaiting right turn into the site. This would not affect cars but if a bus or another larger vehicle were behind, they would not be able to pass creating congestion. This would also affect traffic to Abbey Road. Plans shows that larger vehicles would have to pull across the central line into the oncoming lane to allow larger vehicles to the pass or leave vehicles to mount pavement causing safety issues and damaging pathway. Any delay would create frustrations which could lead to rash moves increasing likelihood of collisions. This is worse due to its proximity to the Wellowgate/Abbey Road/Bargate junction. Visibility from Augusta Street is poor and would lead to further accidents.

Traffic from Abbey Road is prohibited to turn right onto Bargate, but drivers already ignore this. This will increase with a shop opposite.

Traffic lights such as those at Millfields would alleviate issues.

It would lead to increased on street parking to Augusta Street and rat running. Already an issue in terms of safety but also residential amenity. Any parking restrictions would impact on neighbours.

- Residential amenity

Servicing area, plant and machinery and exit are located to the rear - noise would increase for residents especially 1 Augusta Street. Currently 4m and 3.2m high walls and a fence would be lost and replaced by 2m high fence which would not protect residential amenities. There would also be a loss of privacy. The storage area shown could be used to store waste causing nuisance to neighbours.

Hours should be changed to 8am - 9pm to protect residents. A 6am start, with staff even earlier, would create noise and nuisance to neighbours with doors banging, people talking, cars starting etc. Adjoining residents should be allowed to sleep at this time.

In general activity in the wider area will increase detracting from the character of the residential neighbourhood - early and late opening and increased traffic and parking in the area. Loss of peace of mind and outlook/ view. 11pm closing and the sale of alcohol would attract those leaving other establishments in area (town centre) leading to further disruption on the streets for residents with litter thrown into adjoining gardens.

- Design and character

Proposals would detract from the appearance and character of the site. Loss of trees and walls. Loss of important features and parts of the building externally and internally (staircase). The Wellow Conservation area is an overall character grouping of 19th and

20th development which in tandem with the People's Park was constructed around the development/ expansion of Grimsby Docks. Similar in principle to overall character areas like Brighton and Hove's Regency architecture this overall zone should be protected.

There are other more appropriate uses in the area, St James School, the Veterinary Surgery, Abbeyfields Winchester House are good examples of appropriate conversions retaining the historic character of area without substantial alteration and demolition. Other options such as municipal, medical, residential and cultural developments are more desirable. Grants from the lottery or English Heritage could assist a more sympathetic conversion. A partnership approach is required with Council on marketing. Coop is not of local, convenience or community benefit overall and like the Tesco proposal it should be resisted.

There is a green canopy of trees along Bargate and these are a key characteristic of the area that must be protected. Trees are already being cut down. Fences proposed for the site are not in character with the area.

APPRAISAL

Main issues

1. Principle of a food store in this location
2. Design and heritage issues
3. Highway capacity, safety and parking
4. Residential amenity
5. Drainage and flood risk

Appraisal

1. Principle of a food store in this location

The site is located within the urban area of Grimsby where development of key services and facilities are in principle supported, policy 3. The site is previously developed and is located close to high frequency bus routes with adequate pedestrian infrastructure within the area. Retailing, however, particularly with respect to high streets and town centres are struggling with many shops closing. Grimsby Town Centre and surrounding smaller centres are no exception and this proposal could create competition which would further harm the established centres particularly as 36 Bargate is not located within any designated centre as established through the retail hierarchy within policy 23 of the NELLP.

Outside designated town centres within the hierarchy and specifically the defined primary shopping frontages, policy 23(4) states proposals for town centre uses, specifically retail and leisure floorspace comprising 200 sq.m gross or more, will only be acceptable if it is demonstrated that:

A. the development cannot be accommodated on a suitable site within first, the identified primary shopping frontages, then, within the defined town centre boundary, including identified opportunity sites, or finally close to, the town centre boundary (sequential test); and,

B. the proposed site is accessible and well-connected to the town centre; and,

C. development will not adversely impact upon the vitality and viability of any of the town centres, (impact test) having regard to:

- i. committed, planned or proposed public and private investment in the town centres;
- ii. evidence as to retail expenditure capacity which shows that the development would not adversely impact upon consumer choice and existing town centre trading levels.

The applicant has indicated that the store seeks to serve a local top up shopping catchment although accepts that its location along a main route into the town centre would capture some top up shopping from passers by. The proposed development exceeds the 200 sq.m threshold and is located outside of the primary shopping frontages and could therefore have an impact on the town centre and other existing local centres in the area. As a result of this a sequential assessment of alternative sites within the town centre and other local centres in the area has been undertaken. Officers have assessed the detail supplied and have requested additional sites be considered, including Cartergate. A specialist retail consultant has also been utilised to assess the detail provided.

Having considered the report submitted and visited the area including sites suggested by officers the advice concludes that the nature of the convenience provision sought and the area which it would serve would be mainly residential with walking distances of 500 - 800m. Whilst some town centre sites were available these would effectively serve a different market (workers) and would be beyond the majority of the residential areas (800m walking distance of 36 Bargate) which the proposal seeks to serve. It should be noted that it would be unreasonable to require a retailer to serve a completely different market to that which is sought. Other sites, suggested including Cartergate by virtue of location and accessibility would not fulfill the retail role proposed. It is recommended that the applicant's sequential assessment be accepted with respect to the requirements of policy 23(4)A.

The site is located within central Grimsby and is located on Bargate, the A1243. It is served by 4 bus routes with a further two a short distance away at Dudley Street with bus stops less than 400m from the site. There is also an extensive lit footpath network within the area and quiet cycle routes (the Cycle Hub with secure parking is also within 450m of the site at Grimsby Town railway station to the north east). Given the geographical area the store seeks to serve all would be within the 800m walking distance usually accepted an acceptable indicator of sustainability (Manual for Streets) and the site would therefore meet criteria policy 23 (4)B of the NELLP.

The third assessment required under policy 23(4)C is the potential impact on the vitality and viability of existing centres. Here the applicant and the Council's advisers differ in the nature of their assessment of where the greatest impacts would be experienced, however, both conclude that the impact of this proposal, if permission were to be granted, would not harm the overall vitality and viability of either the town centre nor surrounding local centres (Littlefield Lane, Farebrother Street and Chelmsford Avenue). It is not expected that any store closures would occur in these centres as a result of the proposal. If a closure did occur (in the very worst case scenario) it would be the secondary convenience store in the local centres, the level of diversion of trade not being such that the main store would become unviable maintaining the top up function of each of the local centres. Whilst some convenience trade (4%) would be drawn from the town centre and Freeman Street together the draw would not be significant particularly when aggregated with comparison shopping. In a similar way, whilst some trade would be drawn from the main supermarkets, it is considered that the draw would not be as great as the applicant suggests, as top up shopping is now generally done away from these main stores. As such the impact on these stores would be less and would not harm their vitality. As such therefore both assessments conclude, despite the difference in focus, that any trade draw as a result of this proposal would not be of a material adverse impact on the vitality and viability of any existing centre including any planned investment within the town centre nor surrounding area (policy 25) and would not therefore conflict with policy 23(4) C of the NELLP.

In principle therefore, despite its location outside of the retail hierarchy of centres the proposal would not be likely to harm the vitality or viability of these centres and alternative sequentially preferable sites are available. It is considered therefore that the proposal would in principle augment and enhance the scale and extent of locally available shopping facilities within the vicinity of the application site.

2. Design and heritage issues

36 Bargate is an attractive detached 19th Century brick villa with stone detailing and a hipped roof. The building features on the list of locally important buildings and forms part of the Wellow Conservation Area. To the front the building has clean symmetrical lines but with a two-storey rear wing and smaller additions to the rear, west fronting Augusta Street which much less detailing and likely to have formed ancillary service quarters for the house. The building is set in grounds with traditional stone capped brick walls found on most boundaries either alone or with fencing added. The building is highly prominent upon one of Grimsby's premier roads and forms an end stop to several roads which have junctions to Bargate at this point.

Policy 22 of the NELLP requires a high standard of sustainable design for all development with an approach to each development informed by:

A. a thorough consideration of the particular site's context (built and natural environment, and social and physical characteristics);

B. the need to achieve:

- i. protection and enhancement of natural assets;
- ii. resource efficiency;
- v. accessibility and social inclusion;
- vi. crime and fear of crime reduction;
- vii. protection and enhancement of heritage assets, including character and local distinctiveness;
- viii. high quality public realm; and, in this instance:

D. iii a Conservation Area Appraisal

Further to this, policy 39 of the NELLP states: (1.) Proposals for development will be permitted where they would sustain the cultural distinctiveness and significance of North East Lincolnshire's historic urban, rural and coastal environment by protecting, preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings. The policy further notes (2.B) that the Council will take a positive and proactive approach to addressing heritage at risk and f. encourages sympathetic uses, and repair, maintenance and restoration of heritage assets. Section (3.) of the policy notes development will be supported, and planning permission granted, where proposals:

A. protect the significance of heritage assets, including their setting; through consideration of scale, design, materials, siting, mass, use and views;

C. preserve and enhance the special character and architectural appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal;

However, policy 39 (5.) warns that 'The Council will assess each application individually in terms of the magnitude of impact of any change on the significance of the asset or the contribution that setting makes to that significance or experiencing significance. Where an impact equates to substantial loss of significance (demolition in the case of direct harm or the effective destruction of an asset's setting in the case of indirect harm), a proposal will be considered to cause substantial harm. Permission will only be granted where substantial harm to assets of the highest significance is wholly exceptional, and for all other nationally designated assets, exceptional.'

The applicant has submitted a heritage assessment in accordance with the requirements of policy 39(4.). This outlines that the significance of the building and its importance within the surrounding area. It is noted that the main changes to the building would be the demolition of the ancillary wing to the rear of the main villa, the erection of a new single storey extension wrapping around the south and west of the building and internally the removal of the stair case, a stained glass window and the majority of the internal walls and fittings at ground floor to create the main retail floor area.

It is noted that the building is presently vacant and has been so for some 7 years.

Neighbours comments attest to this as well as articles within the Grimsby Evening Telegraph. The proposal would therefore bring a large proportion of the primary structure back into operational use, which should be given some weight in any planning balance under paragraph 195 of the NPPF (2019).

The loss of the rear wing buildings is, however, deemed to harm the historical significance of the building, it removes a part of its story of how the building was utilised and indeed fronts Augusta Street. The Council's Heritage Officer has indicated that this would harm the significance of the building but the harm would be classified as less than substantial. Conditions should, however, require that full recording of this part of the building before demolition is undertaken.

In addition, she notes that the internally there would be the loss of the main staircase which is noted as a key feature of the building and various other original fittings to accommodate the modern open plan retail floor space. This causes some concern. The applicant has been requested to retain the staircase, albeit fully enclosed, but has declined to do so due to the limitations it would have on its retail and operation floor space. The building is a locally listed building within the conservation area but it is not a listed building and as such its internal features are not protected and could be removed without any consent being required. Whilst the loss of the staircase is very disappointing the limitations of protection through the conservation area and indeed local listing has to be acknowledged and the loss of significance is not deemed substantial and has to be balanced with the public benefit of the reuse and external renovation of the building. In this instance, it is considered that weight has to be placed on retaining the main building at Bargate to preserve the character and appearance of this part of the conservation area and this would outweigh the disbenefits of the loss of the internal features which have no protection in policy in any case.

Externally, it is recommended that conditions requiring details of the renovation of windows, doors, materials, including provision of string course to the extension and replacement of fencing/ railings with brick walls to frontages would be required to ensure that externally the significance of the building is retained.

The proposed extension to the south and west of the building follows the design of the existing extension on site. Its modern clean lines would contrast with the classic design of the former villa but would equally retain traditional proportions and dimensions which would connect it to the original building. This together with the slightly set back position proposed and matching red brick design would make the extension acceptable.

Similarly, the car park and landscape design would enhance the appearance of the site within the surrounding area. The works would retain most of the mature trees on site with those trees noted to be removed having previously received consent for felling. As such the proposal, subject to conditions would accord with polices 22, 39 and 41 of the NELLP.

3. Highway capacity, safety and parking

In general, policy 36 seeks to reduce congestion, improve environmental quality, and encourage more active and healthy lifestyles, as the Council seeks to promote more sustainable transport choices. As noted above the site is well located for sustainable travel with bus routes, cycle paths, footway networks which will aid access to the store without using private motor vehicles and would therefore accord with sections A, B and C of the policy.

Bargate (A1243) is a busy road with significant traffic levels including buses and HGV's serving the town centre and wider areas but also with significant pedestrian and cycle traffic. The site is located at a complex of junctions with Augusta Street, Brighowgate and Abbey Road all joining Bargate at this point. In addition to this, a pedestrian signalised crossing is located to the north of the site. The development would include a new access point from Bargate and amended/ new accesses from Augusta Street. Egress would only be allowed from Augusta Street. This has raised a number of objections from residents in the area regarding highway safety and capacity with concerns raised for both vehicle users but also pedestrians and cyclists.

Policy 5 and 36 seek proposals to be considered with respect to their suitability and sustainability in terms of access and traffic generation. Indeed policy 36(2.) notes: 'Planning permission will be granted where any development that is expected to have significant transport implications delivers necessary and cost effective mitigation measures to ensure that development has an acceptable impact on the network's functioning and safety.' This accords with the guidance within the NPPF para 109 which states: 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The applicant has supplied a Transport Assessment which indicates that the development would not generate significant additional traffic on the network and the highway authority have accepted this. This is due to the ability of customers to walk to store but also that most of the vehicular traffic to the site would be passing already so would not add to flows on the network and. The store is therefore unlikely to generate levels of traffic which would cause a severe impact in accordance with policy 36 of the NELLP and provisions of the NPPF.

The site, however, due its proximity to the junctions of Augusta Street, Brighowgate and Abbey Road to Bargate causes significant concern with respect to highway safety. This is due to the proposed new access from Bargate. Such an access would lead to increased numbers of conflicting traffic movements as vehicles enter and leave Bargate not just from existing side roads but also to access the application site. The applicant has provided accident data for the period 2014 - 2018 and this indicates three serious accidents in the area (two around the Augusta Street, Brighowgate junction) and 5 slight accidents over the same period.

Despite additional information being provided, including a potential right-hand turn lane within Bargate the Highway Authority continues to object. Vehicles turning into the site

would add an extra obstacle, another consideration for drivers who must already take account of the others junctions and on coming traffic. This part of Bargate is already busy with traffic, and with the complexity of the current situation the addition of right turning vehicles on Bargate to access the site would significantly increase the likelihood of accidents, whether this be: nose to tail shunts, head on collisions or side swipes.

In addition to this, the width of Bargate is such that a rigid HGV waiting to turn right would either hold traffic up behind it or would need to straddle the centre line bringing it into conflict with on coming traffic. In the same way only sufficient carriageway is available for a car to pass another stationary one on Bargate without hold ups occurring. Anything larger or more than one car waiting would lead to congestion. Given this is a busy bus and commercial route this is a concern. It is also possible that this could lead some drivers to become frustrated mounting the pavement to get past any such vehicles. Pavements in the area are narrow in places and as such this would be a significant risk to pedestrian in this area. As a number of residents have stated this is a busy pedestrian route due to the presence of St James School to the north and Grimsby Institute to the south with students passing the site, to and from establishments but also to use outdoor recreational areas and the town centre. Equally, substantial residential areas surround the site leading to further pedestrian movements to the town centre for jobs, recreation and shopping adding to concerns. Finally, it is noted that the town is seeking to enhance cycling and any narrowing of the carriageway by vehicles waiting to turn right would squeeze cyclist increasing the likelihood of collision.

Whilst delivery vehicles are more likely to operate earlier in the morning when traffic levels are less the schedule for servicing still covers busier times of the morning, increasing concerns. It is also not just larger vehicles which cause concerns though as multiple smaller vehicles waiting to turn into the site from Bargate could also create similar obstructions.

The applicant has provided informally a number of potential solutions including a right hand turn lane but the particular nature of this set of junctions is such that there are simply too many access/ exit points onto Bargate at this point and any additional turning movements would represent an unacceptable impact on highway safety contrary to policy 5 and 36 of the NELLP and the provisions of the NPPF para 109.

Further concerns are also raised with respect to the any vehicles waiting to turn right from Bargate into Augusta Street, because of the car park exits proximity to Bargate. If a queue were to form of more than two vehicle lengths were to be waiting to access Bargate it could lead to any addition vehicles leaving the car park to straddle the opposing carriageway. The driver of a vehicle turning right from Bargate is more likely to concentrate on oncoming traffic assessing gaps between vehicles than perhaps another vehicle overhanging his/her onward carriageway on Augusta Street. Accelerating away from the junction could lead that driver little time to react to any obstruction of the highway again increasing the risk of collisions. On street parking at Augusta Street would increase such risks.

Car parking is noted on site as being 22 spaces with 2 being proposed to disabled driver dimensions which represents 9% of provision and accords with policy 38 of the NELLP. Evidence has also been supplied to show that the level of spaces accords with similar types store. In Grimsby Tesco Express Cromwell Road has 26 spaces, albeit these are shared with a standalone off licence and Coop Bradley Cross Roads - 8 Spaces - although other spaces are available across the road or in the adjoining garage if it is closed and as such it is not considered that the car park would be unacceptable.

In addition to this, six cycle spaces are shown to the south of the building close to the main store entrance, which is positive although, these are not shown to be covered spaced. Given their position close to a locally listed building this is not deemed to be a significant issue.

Having regard to the substantial highway concerns it is considered that the application be refused on these grounds. The proposal is contrary to Policies 5 and 36 of the North East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

4. Residential amenity

Several objections have been received outlining concerns over noise and nuisance generated from vehicle and customer movements within the area. Policy 5 of the NELLP indicates any development will be assessed as to its suitability with respect to its: 'D. impact upon neighbouring land uses by reason of noise, air quality, disturbance or visual intrusion;' Similarly, para 170 of the NPPF states the planning system should prevent: 'both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, water or noise pollution or land stability.'

Whilst the area is predominantly residential in character (except for the vets across Augusta Street) it is located on a busy 'A' road and throughout normal office hours traffic past the site creates considerable background noise whereby any activity at the site is unlikely to cause a nuisance to the wider surrounding area, including any additional traffic to Augusta Street. The store would open from 06:00 to 23:00 each day including Sundays and Bank/Public Holidays. Earlier in the morning or late evening noise levels from traffic are considerably less leading to potential impacts on adjoining the properties.

The two dwellings closest to the are 28 Bargate to the south and 1 Augusta Street to the West. The applicant has undertaken noise assessments at both properties have concluded that the general operation of the store and car parks, subject to the proposed boundary treatments being in place would not generate unreasonable levels of noise and nuisance. Delivery vehicles and servicing could however, cause nuisance by reason of larger, heavier vehicles, earlier periods of activity, noise from unloading and refrigeration units. The applicant has proposed to limit noise and activity through a service delivery plan which can be conditioned. This requires hours of serving to be limited to 07:00 - 21:00 Monday to Friday and 08:30 - 16:00 on Saturdays and 10:00 - 16:00 on Sundays, but also agreed delivery times to ensure no vehicles queue to unload, refrigeration units

and engines are turned off on site, store delivery doors opened before arrive of vehicles and general mindful behaviour during operations. This together with boundary treatment to 1 Augusta Street including maintaining as much of the high boundary wall to the west as possible would reduce noise to an acceptable level.

Further assessment of noise from the extract equipment proposed to the western side of the building facing 1 Augusta Street is noted but subject to detailing is deemed acceptable and would be unlikely to cause concerns subject to conditions.

Details have been assessed by the Environmental Protection Team who have not raised an objection to the scheme subject to conditions re: boundary treatments, hours or operation and deliveries and the management plan. In addition to this, conditions are proposed to control demolition and rebuilding to protect residential amenity.

Impacts with respect to light and sunlight and dominance are likely to reduce because of the proposed demolition of the part of the rear wing to the building. The boundary treatment proposed to the car park is such that neighbours privacy will not be protected. Lighting has not be detailed and conditions would be required to control this. Overall, subject to conditions the proposal is deemed to accord with policies 5 and 22 of the NELLP.

5. Drainage and flood risk

The majority of the site and all of the building is positioned in Environment Agency flood zone 1 with only two small areas of the site being located in flood zone 2. Retail is a less vulnerable use within NPPG guidance which is deemed appropriate in flood zones 1 and 2 and as such the use is deemed acceptable in accordance with policy 33.

Surface water drainage is a consideration, however, and although the current hard surfaced carpark would be reduced in scale with greater landscaping proposed reducing runoff conditions are still required to reduce surface water flows further.

CONCLUSION

This application seeks to utilise and extend a vacant locally listed building within the Wellow Conservation Area bringing it back into economic use and whilst parts of this building would be lost affecting its significance these have been deemed to be less than substantial in nature. On balance therefore, and subject to conditions, the proposed alterations and extension to 36 Bargate is deemed to accord with policies 5, 22 and 39 of the North East Lincolnshire Local Plan.

The proposal would benefit the surrounding residential area by providing top up shopping for local residents without the need for motorised transport. It is also recognised, however, that its location on a key highway into the town centre would be attractive to passers by. Any retail development would impact on the town centre and local centres in the area, but evidence has been provided confirming this impact would not be substantial

and would be unlikely to lead to (individually or cumulatively) significant harm to the vitality and viability of designated centres. Equally, alternative sites for an equivalent unit covering the market the applicant seeks to serve have been shown to be unreasonable or unsuitable in line with sequential requirements of the Local Plan policy 23 and the provisions of the NPPF.

The reuse of the site would impact on adjoining residential properties in terms of activity, noise and nuisance but subject to conditions, including servicing, hours of operation, lighting, extract equipment and boundary treatment these impacts are not deemed unreasonable in line with policies 5 and 22 of the NELLP. In a similar way subject to conditions surface water drainage and flood risk can be managed at the site in accordance with policy 33.

The site, however, is located on a busy A road into the town centre where three roads already join Bargate immediately outside of the property. In addition to this, a signalised crossing exists immediately to the north of the site. This section of Bargate has already been the subject of 3 serious and 5 slight accidents over a four year period and it is considered that the positioning of an additional access from Bargate would cumulatively with other junctions create an unacceptable level of conflicting vehicle movements reducing highway safety. In addition to this, the restricted width of Bargate at this point would lead to a level of queuing to gain access to the site, and with larger vehicles being unable to pass unless mounting the pavements reducing pedestrian safety or straddling the centre line into oncoming traffic increasing the chance of collisions. This would also squeeze cyclists using the road. Given the area is a route used by shoppers, workers, pupils and students this is a serious concern. Finally, further conflict could be identified through vehicles leaving the site to access Augusta Street with oncoming traffic. The proposal is therefore considered to reduce highway safety in a significant manner contrary to policies 5 and 36 of the North East Lincolnshire Local Plan.

Whilst recognising some of the positive attributes of the proposal it is considered that the harm to highway safety would be so severe that this issue would outweigh the benefits of the proposal and the application is therefore recommended for refusal.

RECOMMENDATION

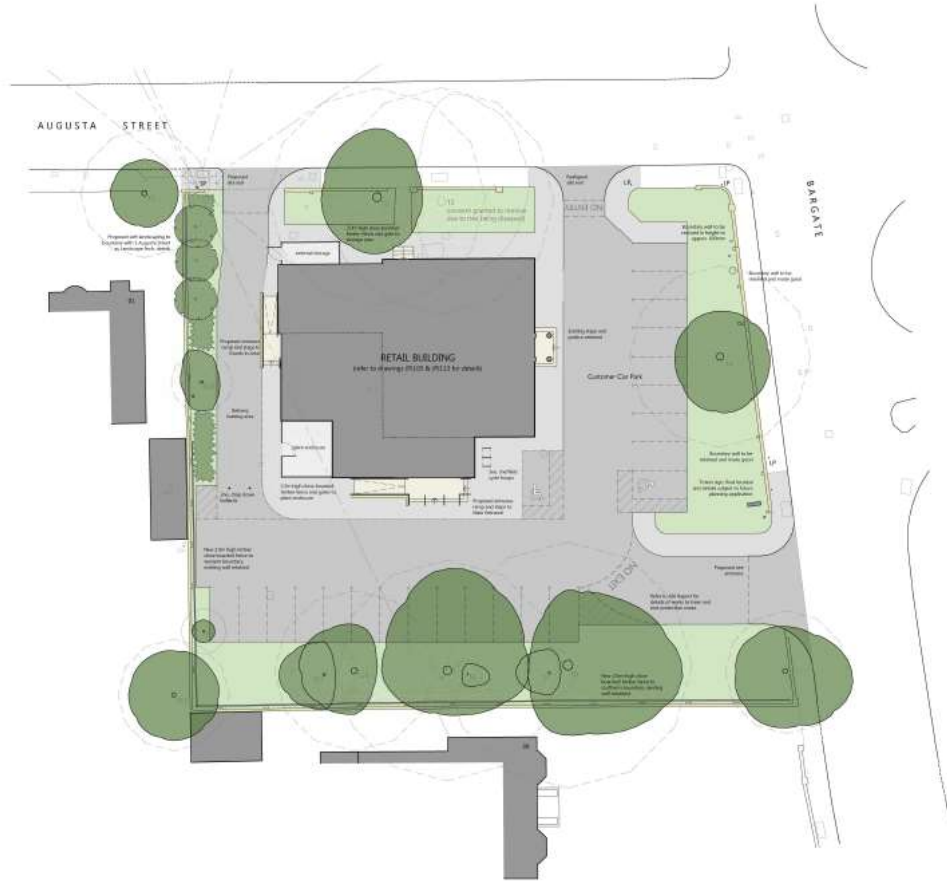
Refused

(1) The proposed development would result in a severe adverse impact on highway safety, road and pedestrian safety, by reason of conflicting traffic movements in an already complex network of junctions and limited road widths contrary to policies 5 and 36 of the North East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

DM/0130/20/FUL - 36 Bargate, Grimsby



DM/0130/20/FUL - 36 Bargate, Grimsby



PROPOSED SITE PLAN
1:200

  <p data-bbox="301 322 671 360">Working in Partnership</p>	<p data-bbox="959 62 1513 100">Development Management Services</p> <p data-bbox="1236 136 1513 277">New Oxford House 2 George Street Grimsby DN31 1HB</p> <p data-bbox="963 320 1513 389">Telephone (01472) 326289 – Option 1 Email: Planning@nelincs.gov.uk</p>
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REQUEST FOR APPLICATIONS TO BE HEARD AT PLANNING COMMITTEE

Ward Member Reply Slip for Applications to be reported to the Planning Committee

Application No.	Reason for Referring to Planning Committee
<p data-bbox="201 804 528 875">Planning Application DM/0130/20/FUL</p>	<p data-bbox="692 804 1409 1095">There have been differing views regarding a convenience store at this location, with concerns as to traffic and road safety; however, this is outweighed by the community benefit having regard to the need for a retail premises within walking distance for this residential area where a significant number of elderly residents live.</p> <p data-bbox="692 1137 1409 1243">There is no compelling reason to believe that this facility would be detrimental to other convenience stores within the wider locality.</p> <p data-bbox="692 1285 1409 1424">It might be appropriate to consider restrictions on delivery times to the premises, having regard to potential nuisance to nearby households.</p>

Contact Details: -

Signature:

Date: 4th June 2020

Name: Cllr - Debbie Woodward (NELC)

Address: Rye Corner, 10, Welholme Road, Grimsby, North East Lincolnshire, DN32 0DU

6, EATON COURT,
GRIMSBY
DN34 4UA

Ref. DM/01 30/20/Feb

Dear Sir,

I was delighted when I heard that the old Conservative Club on BAR GATE might be going to be developed by the Co-op to be opened as a convenience store.

I live in the block of flats at Eaton Court. Our nearest shop is the town. There are several flats in this area and the majority of their owners are, like me, getting on in years. I stopped having a car last year and I need two taxi journeys to buy my food and other things. Having a shop in this area would be wonderful. A great many people to whom I have spoken would be delighted to have a shop there.

Also I am concerned about the appearance of the old Cons Club

as BARGATE is the main entrance to Gainsly, I am ashamed when I have visitors as it appears that Gainsly Council does not care about this eyesore, I know that our Council is concerned but appearances because on one or two occasions when I have spoken about issues, they are pleased and acted very quickly.

I appeal to you to look favourably on this application. Please may I have a reply,

Yours sincerely
 Jean Neilson

6, Eaton Court
 GX

Comments for Planning Application DM/0130/20/FUL

Application Summary

Application Number: DM/0130/20/FUL

Address: 36 Bargate Grimsby North East Lincolnshire DN34 4SW

Proposal: Change of use from social club (Sui Generis) to shop (A1), demolish existing outbuildings, erect single storey rear / side extension to create new entrance to side elevation, associated works to form additional accesses, car parking, landscaping and servicing facilities and various other alterations

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Michael Holden

Address: 38 Bargate Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: The building at no. 36 Bargate is currently an eyesore, and if it is left to further rot it will surely become a permanent blight on the Augusta Street/Brighowgate/Abbey Road/Bargate area. As a resident occupying the adjacent property I would much rather that this shabby and neglected, but once impressive-looking building was transformed into a shiny new convenience store, notwithstanding that this will undoubtedly mean additional noise and vehicular activity, than it be allowed to deteriorate into a very large, rat-infested, unofficial public toilet and illicit drug-taking facility.

However, I also appreciate that the location does not appear to be able to easily accommodate the additional traffic that this development will obviously attract.

Since I moved to Grimsby in November 2019, I have witnessed in broad daylight from within my house, both a low-speed, non-serious collision between a van and a small car at the junction of Abbey Road and Bargate, and a pedestrian cross the road, enter the site at No. 36, and relieve himself against the wall of the relatively secluded south-facing elevation of the former Working Men's Club, so I think I can see both sides of the argument.

I would also like to support the point made by another respondent regarding the telegraph pole near the proposed supply vehicle site exit on Augusta Street. That telegraph pole supports the telephone line to my house, and I would be very concerned at the thought of large lorries travelling beneath it on a regular basis.

Overall though, I think that in the long term the area would probably benefit more than it would suffer, from the proposed development on this site.

Comments for Planning Application DM/0130/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Lorraine Christensen

Address: 111 Abbey Road Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write to object to this application as a neighbour, who lives directly opposite this address. The proposed planning will greatly affect my quality of life by the continuous traffic to and from this address. There are plenty of supermarkets nearby, and I feel we simply do not need yet another. Furthermore, this is a conservation area and should be protected. The property itself was not built for this purpose. We do not object to it remaining as a social club or hotel or even apartments, but we do not need a co-op with continuous traffic which proposes to be open every day of the week.

Comments for Planning Application DM/0130/20/FUL

Application Summary

Application Number: DM/0130/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr B Adamson

Address: 3 Augusta Oaks Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Whilst appreciating the need to provide job opportunities it should not be at the detriment of public safety. The junction of Augusta Street and Bargate is already a hazard not only from the point of vehicular traffic but also pedestrians both young and old. The application would become more acceptable if linked to an improvement in the road network preferably by the addition of traffic lights similar to the access to and from the Millfields Hotel further along Bargate.

Comments for Planning Application DM/0130/20/FUL

Application Summary

Application Number: DM/0130/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Graham Hodge

Address: 1 Augusta Street Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write in connection with the above planning application. I have examined the plans and I know the site well. A previous proposed development plan was abandoned by the present lease holder in part due to the objections by the local community. Whilst accepting that the building is in need of development, I object to the planning application for the following reasons.

Highway safety and road access

The proposed development, as it stands, will increase the traffic and pedestrian hazards. The area already suffers from traffic congestion being the junction of four roads, additional junction in the locality will only increase the traffic problems and risk of a serious accident. Tailbacks often occur in both directions on the main road as a result of the volume of existing traffic at peak times.

The pathways on Bargate are heavily used by pedestrians travelling to and from the local college and schools, this use is also focused by the close proximity of a pedestrian crossing point.

The proposed entrance to the proposed store would be roughly opposite the Abbey Road junction which would become blocked by vehicles waiting to turn. The 'No right turn' instruction from Abbey Road onto Bargate is frequently ignored by motorists. The proposed entrance on Bargate is close to a bus stop.

The proposed exit onto Augusta St is too close to the junction with Bargate and is likely to cause a serious hazard to vehicles turning into Augusta Street from Bargate.

Exiting from Augusta Street onto Bargate has always been very difficult as there are few opportunities and pedestrians impede visibility as vehicles look to turn into Bargate. The traffic studies included in the application do not appear to take into account the increase of parking of vehicle in Augusta St by town centre users, this parking will limit the turning circle of the delivery lorries exiting the store from the new proposed lorry exit on Augusta St.

Whilst the traffic studies show that there is room for smaller vehicles to pass on Bargate with vehicles waiting to turn into the proposed store, large vehicles using Bargate are likely to mount the kerb, endangering pedestrians and damaging the fabric of the road furniture.

This stretch of Bargate has enough problems already and consideration needs to be given to the effects of any increase in traffic or additional entrances/exits in this area before permission is granted to change the use of this building.

Noise

At present my property is a private and tranquil space to live with the local noise levels not affecting the outside use of my property. The use of the proposed building and associated area is very likely to increase the noise levels locally to an adverse level and in particularly effect my property being only metres away from some of the noise sources. Separate reports have been provided on the noise levels likely to emanate from deliveries, plant and customers, however none of the report cover the total increase in noise which will have a significant adverse impact on our health and quality of life. In reality the proposed development involves the demolition of the rear outbuilding which includes a major wall (approx. 4m tall) and a fence/wall (approx. 3.2m tall) and replacing it with a 2m fence. The reports and plans do little to mitigate and reduce to a minimum the potential adverse impacts resulting from noise from the proposed development.

Different siting of the plant, away from the south west elevation of the propose development and improved noise barriers between the store and adjoining property could mitigate this issue.

In reality the proposed development means that the site will be used for 17 hours a day, 7 days a week which will have a major impact on adjoining properties.

Privacy

My property is surrounded by walls which maintains my privacy. The proposed development involves the demolition of the rear outbuilding which includes a major wall (approx. 4-6m tall) and a fence (approx. 3.2m tall) and replacing it with a 2m fence; this will reduce the privacy of my property. See above for mitigation.

Street Lighting

The proposed development of a rear delivery lorry exit will impact on the local street lighting as a lamp post is directly in the way of the proposed junction onto Augusta Street. The street light could be moved however the close proximity of a telegraph pole may also complicate the move.

Waste

The planning application states that all waste will be stored internally and removed by the delivery vehicles; however, there is an external storage area to the north side of the building as indicated on the building floor plans. This storage area could be used as a waste storage area and would need to be classed not suitable for waste storage in any planning consent.

Bird Nesting

I have concerns over the disturbance of the birds that are nesting in the chimneys of 36 Bargate.

RECEIVED

03 MAR 2020

2

1st MARCH 2020
11 AUGUSTA ST
GRIMSBY
DN34 4TA

TEL 01302 238128
TO MR JONATHAN CADD,

REF:- DM/0130/20/FUN

Regarding 36 BARBATE DN34 4SW

I would very much like to see something done with this lovely old building, its going to rack & ruin, but I dont want anymore traffic in Augusta St. I have been complaining for years about it, some days its so bad I cant get in and out my drive, if I ask them please move there car or vans I am often verbally abused, people use it as a cut through and its very dangerous especially if there were young children around.

What will you do about all the people who park down here? they will block the ins and outs of the Co'op and use its own Car Park if its allowed. Double yellow lines were put down College St and it moved the problem on to this one. This needs some serious thinking, Please let me know if there is a meeting about it. Thank You
RS I AM NOT ON LINE

Comments for Planning Application DM/0130/20/FUL

Application Summary

Application Number: DM/0130/20/FUL

Address: 36 Bargate Grimsby North East Lincolnshire DN34 4SW

Proposal: Change of use from social club (Sui Generis) to shop (A1), demolish existing outbuildings, erect single storey rear / side extension to create new entrance to side elevation, associated works to form additional accesses, car parking, landscaping and servicing facilities and various other alterations

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Roy Roberts

Address: 8A Augusta Street Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed change of use would create significant additional traffic and hazards associated with it in an area which already suffers from chronic congestion. Traffic which is unable to turn right out of the car park onto Augusta Street will inevitably turn to the left instead disturbing the residential area. A convenience store retail outlet is not in keeping with what is otherwise a residential area. There are ample similar retail stores within walking distance.

Comments for Planning Application DM/0130/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr philip jones

Address: 33 college street grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:re : 36 bargate/ coop foodstore proposals

i'm a very long term resident in nearby college street and ask nelc planners to decline this proposal.

the coop store: local, convenient and serving the community? a current trend for food stores on busy routes
and edge of centre? not really.

foodstores in grimsby are undertrading, minimal market benefit there.
substantial traffic flow and junction congestion.
impact on local residents and neighbourhood of a busy retail operation
substantial risk and harm to significant historic townscape and natural resource (trees...) assets.
substantial risk and harm to significant architectural building/ asset- the fascia, the interior- grand staircase,
and the surrounds- customer parking space, also cutting down mature trees (already started),
substantial alterations: 'additional accessing, landscaping, car parking and servicing facilities'
opportunity cost of more sympathetic and sociable development and re use of 36 bargate

36 bargate is on the historic register list, was built at the same time as the docks,
records the rapid expansion of the late 19/ early 20 c
late victorian/ edwardian town house: typical red brick and slate roof, grand interior

(the staircase), brick walls, with a green canopy of old trees.

wellow conservation area, is the largest hectorage in grimsby,

36 bargate is of the bargate group and all of a piece with the park area.

as say, brighton/ hove has its regency conservation areas, (policy 39 of the ne lincs local plan and articles 15, 16 of the nppf)

of special architectural and historic interest to residents and visitors.

natural assets

old trees: already two have been chopped down, reducing the overall canopy (why? irreplaceable too),

a green canopy of mature trees along bargate and park ward, a greening, green infrastructure of the town

(policy 40).

residential/ neighbourhood assets and quality of life impacted

prime residential neighbourhood properties, area and their residents, augusta/ college st/ bargate

the volume of customers, cars and car parking (22 vehicles)

retail opening times, days of the week,

disturbance of peace of mind and outlook/ view.

bargate main route into/ out of the town centre

coop have chosen the bargate location for their advantage/ convenience: customers passing in their cars,

but the augusta/ bargate junction is already very busy and difficult to navigate,

and bargate's already high volume traffic flow would pile up as cars turn in and out through the day,

congestion with highway/ pedestrian safety at risk.

the veterinary clinic opposite is a good example of 'blending in' (and abbeyfield's winchester house in nearby pelham road, and st james' school in the old vicarage with paddock). community assets, well designed and with a vitality of their own, yet preserving and enhancing the architectural/ historic/ natural/ residential and neighbourhood significance.

municipal, medical, residential, educational, cultural developments are possible and desirable,

a grant may help a prospective buyer to renovate/ repair sympathetically.- english heritage?

national lottery? a partnership approach maybe, and with marketing?

the coop proposal is not of local, convenience and community overall benefit.

the local council recommended refusal of the tesco interest,

please decline this proposal too.

philip jones.

Comments for Planning Application DM/0130/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs K Lepley

Address: Northumberland Close Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I accept that something needs to be done to bring this building into use before it becomes too dilapidated and vandalised. However I have concerns with this plan because of the disruption to the surrounding properties and the increase in traffic to an already congested junction.

The application shows replacement of the boundary walls with 2m fences. This is not adequate for the neighbouring houses. Fences are not as aesthetically pleasing, will not provide as much security, will not block the inevitable noise and will not last as long. They will need more maintenance by the neighbours. The walls should be retained or where applicable replaced with like for like or 2m brick walls. In the whole scheme of this the co-op can surely afford this both financially and the goodwill to their neighbours.

My main concern is the exit from the car park onto Augusta Street. Both Langdales and the TS reports state that the majority of trips will be "non-primary". Whilst this is true for traffic using Bargate it is not correct for traffic using Augusta Street which all vehicles will now have to use. All co-op traffic in Augusta Street will be primary. 6.10 of Langdales report states "The TS expects that during peak periods, new trips associated with the proposed development will equate to one additional vehicle on the surrounding highway network every 3-4 minutes at peak morning and evening periods. It is not expected that this additional trip generation and the proposed access and exit arrangements (the latter including improvements to the existing arrangements) would have any significant impacts on the surrounding highway network."

There will be significant impact on the surrounding highway. The majority of vehicles exiting will be turning right from the co-op towards Bargate. At present there are cars parked daily on the unrestricted part of Augusta Street. This will impede both public but mostly larger delivery lorries

turning right into Augusta Street. The proposed exit will be 16m from the Bargate junction. This is just three car lengths (using an Audi A6 as the TS report does) from the Give Way. At present at peak times 3-4 vehicles can be waiting up to five minutes at the Give Way to join a main road into town, or even longer times to make the already hazardous right turn into Bargate. I know I have used this junction thousands of times. Add to this additional 20-40 co-op customer/delivery vehicles per hour and this junction will be extremely busy. Even though the wall on Bargate is to be lowered to aid vision this will not help much as it is pedestrians who block the view of Bargate traffic.

There is not enough distance between the Give Way and the exit. Vehicles will be waiting to turn right into Augusta Street if there are more than two vehicles waiting at the Bargate Give Way. If they do not wait they will block the incoming traffic on Augusta Street, causing gridlock. If vehicles cannot get out of the car park there will be a backlog. This will block spaces within the car park, making them unusable and a queue would form within the car park to get out. This could impact on vehicles being able to enter the car park causing backlogs on Bargate, the main road. A gridlock would ensue.

This is not an "improvement to the existing arrangements". No-one presently uses this car park; therefore there are no existing arrangements. When the property was used it did not have the volume of vehicles expected to use this convenience store. The TS plan (6.2.5) states it will "reduce congestion" but this plan will increase congestion both in Augusta Street and Bargate and potentially at the Abbey Road and Brighowgate junctions.

Another concern is vehicles, especially large delivery lorries turning right into the entrance. The TS report states that vehicles can pass waiting lorries on the inside therefore not causing queues behind them. This is shown possible in the Drawings only because the lorry is in fact over the central line in Bargate. If this happens traffic will not be able to continue towards town as the road is not wide enough. There is not enough room for vehicles to pass waiting lorries on the left hand side. Reality is that lorries waiting to turn right will cause delays and disruption. They will also impact on Abbey Road and Brighowgate which are within a few meters of the proposed entrance, causing queues waiting to enter Bargate.

Lastly, most concerns of mine and others are about traffic congestion and safety and the outside impact. There are no real details as to how this lovely building will be destroyed inside. I understand there is a beautiful staircase inside, which will be lost forever.

Comments for Planning Application DM/0130/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Miss C Davies

Address: 17 Roundway Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposed change of use would create additional traffic and hazards in an already very busy and complex area of the town, and I therefore oppose to it on those grounds.

Appendices B and F show a newly-created entrance onto Bargate, increasing the number of junctions to 4 on a very small stretch of road - Abbey Road, Augusta Street, Brighowgate and this proposed car park entrance, while the 'Details of development proposals' states "the truck will enter the site via the Bargate entrance ... then leave via the car park ... onto Augusta Street" and "Customer access is via Bargate with the customer car park exit onto Augusta Street".

There is also a nearby pedestrian crossing which already becomes blocked when traffic backs up at peak times or cars are waiting to turn into Augusta Street from Bargate and this may well increase when larger vehicles are waiting to turn. There are many pedestrians in this area, from school children, college students, workers and shoppers visiting the town centre, who choose to cross in various places on Bargate, not just at the designated place. This crossing has a very long delay which is presumably an indication that stopping the traffic has to be managed carefully to avoid problems with the traffic flow into and out of the town centre, and one reason that pedestrians try to cross elsewhere.

Vehicles will be able to turn right from Bargate, as well as left, into the car park. Delivery lorries will probably have to approach from the north owing to their size and turning circle, and will be slower to manoeuvre, resulting in even more congestion and driver frustration which, in turn, may lead to collisions. This proposed entrance would be roughly opposite the Abbey Road junction which

would become blocked by vehicles waiting to turn into the car park. Additionally, the 'No right turn' instruction from Abbey Road onto Bargate is frequently ignored by motorists (despite two clear signs and the road structure guiding them to turn left) as are many of these signs around town.

Exiting from Augusta Street onto Bargate has always been very difficult as there are few opportunities and pedestrians (through no fault of their own) impede visibility as they approach the junction. Often the only chance of exiting from here is when the crossing is in use but that is entirely dependent upon considerate motorists not blocking the junction as the keep clear markings are largely ignored and have become faint again.

Traffic is already held up at the Brighowgate, Abbey Road and Augusta Street junctions while motorists wait to turn onto, or from, Bargate. Tailbacks then occur in both directions on the main road as a result of this, the volume of existing traffic at peak times or whenever the weather is poor. Even weekend traffic often stretches back from the Dudley Street junction to Augusta Street and sometimes as far back as the Wheatsheaf on Saturdays and towards Christmas. This is, after all, one of the main roads in Grimsby, providing access to the town centre, supermarkets, retail parks, and work places for many people.

This stretch of Bargate has enough problems already and consideration needs to be given to the effects of any increase in traffic or additional entrances/exits in this area before permission is granted to change the use of this building.

From: Paul Smith
Sent: 18 May 2020 13:09
To: Planning - IGE (ENGIE) <planning@nelincs.gov.uk>
Subject: 39 Bargate Grimsby (old Conservative Club building) -

FOR THE ATTENTION OF THE LICENSING TEAM

Could you please advise me of the progress of the licensing application for the above building by the Co-operative Society, as it is my intention to **strongly object** to any licence - this building is in a conservation area and is in my opinion a wholly inappropriate location for a retail facility of the proposed or indeed any nature.

With grateful thanks.
Mrs. EM Morey
22 Westlands Avenue
Grimsby

Sent from my iPad

Planning - IGE (ENGIE)

From: Elizabeth Morey
Sent: 21 May 2020 15:43
To: Planning - IGE (ENGIE)
Subject: Change of use for 36 Bargate Grimsby

Change of use for 36 Bargate.

Having been in self isolation for the past 8 weeks I am very concerned to have only just discovered, so near to the closing date, that the Co -Op intends to open a store in the old conservative building there , and open from 6 am- 11pm seven days a week,with a full licence to sell alcohol during these hours. Bargate is in a busy residential area and the road itself is not only very busy, there are three other busy roads opposite , leading off Bargate at this point. There are also two very well established private houses, one on each side of the proposed CO-OP building, and further houses close by on both sides of the road. 36 Bargate is in a conservation area, and must be treated as such. It is Not set among a small group of other shops, which is more common, it stands alone, and thoughtless opening hours will render the neighbouring houses unsaleable. A modification of planned opening times, changing from 6am -11pm to 8am- 9pm would be far more tolerable for people living close by, and would avoid the many people still asleep being woken at 6am by the sound of staff cars arriving, doors opening and closing , and delivery trucks unloading. Selling Alcohol until 11pm will inevitably mean that the late hour customers will be youths who have been in the pubs in the town centre, then , on their way home, finding the shop still open, will, half drunk, buy more alcohol, and make their noisy drunken way down Bargate, throwing empty tins into gardens as they pass by. Closing at 9pm would avoid all this.

It must not be overlooked that this is a conservation area, and those of us who have lived here for many years do NOT want it to be thoroughly spoiled.

Elizabeth Morey, 22 Westlands Avenue .

Sent from my iPad

PLANNING COMMITTEE - 22nd July 2020

ITEM: 3

**RECOMMENDATION: Approval with
Conditions**

APPLICATION NO: DM/0977/19/OUT

APPLICATION TYPE: Outline Application

**APPLICATION SITE: 153 Humberston Avenue, Humberston, Grimsby, North
East Lincolnshire, DN36 4SX**

**PROPOSAL: Outline application for the erection of three dwellings with access to
be considered and a new access to 153 Humberston Avenue (amended plan June
2020)**

APPLICANT:

Dr Kumar
153 Humberston Avenue
Humberston
Grimsby
North East Lincolnshire
DN36 4SX

AGENT:

Mr Byron Smith
By Design
47 The Avenue
Healing
Grimsby
N E Lincolnshire
DN41 7NA

DEPOSITED: 25th October 2019

ACCEPTED: 25th October 2019

TARGET DATE: 20th December 2019

PUBLICITY EXPIRY: 2nd July 2020

AGREED EXTENSION OF TIME DATE:

**CONSULTATION EXPIRY: 23rd
November 2019**

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is an outline planning application for the erection of 3 dwellings in the rear garden of 153 Humberston Avenue with access to be considered and to construct a new vehicular access to the host property 153 Humberston Avenue.

This application has been brought to Planning Committee for Consideration due to an objection from Humberston Parish Council and the number of objections received from neighbouring properties.

SITE

The primary site lies to the rear of 153 Humberston Avenue and is part of the garden area for the host property. The site contains a number of trees and as such a Tree Report has been supplied by the applicant as part of this submission. The site has strong boundary treatments with hedges between 2m and 3m high along with a selection of high trees.

Access to the site would utilise the existing access to the host property directly off Humberston Avenue and a new access would be created for the host property. The existing access runs between the host property and the eastern boundary of the site to a large detached garage set behind the house. The proposed development would seek to extend this access into the rear garden.

RELEVANT PLANNING HISTORY

DM/0581/15/FUL - Erection of a detached dwelling - Approved (Permission Expired)

DM/1035/16/OUT - Outline application for 1 detached dwelling - Approved (Permission Expired)

DM/0481/18/FUL - Erection of a detached dwelling renewal of DM/0581/15/FUL - Approved (Permission Extant)

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

PO38 - Parking

PO42 - Landscape

NPPF5 - Delivering a sufficient supply of homes

NPPF14 - Climate, flooding & coastal change

NPPF12 - Achieving well designed places

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

for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Drainage Officer - No objections, condition for surface water drainage.

Environmental Health - No objections, condition for construction management plan

Highways Officer - No objections, conditions to secure construction details

Trees and Landscape Officer -

Humberston Parish Council - Object to the proposed development due highway safety and amenity. The impact of the development on the character of the area due to infill nature of the proposed development and the need for planning policy.

Neighbours

155 Humberston Avenue
134 Humberston Avenue
41A Humberston Avenue
39A Humberston Avenue

The above neighbours have objected to the proposed development with concerns over the following matters:

- Highway safety due to the increase in traffic and proximity of the access to the bus stop;
- Highway amenity due to space to turn cars within the site;
- Over development of the site;
- Impact on the character of the area due to back land (infill) type of development;

APPRAISAL

Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Impact on Character of the Area
4. Highway Safety and Amenity
5. Drainage

1. Principle of Development

The site is located within the development area boundary for Humberston on the NELLP and forms part of the established residential area of Humberston Avenue. Policy 5 of the NELLP does not preclude new residential development within the defined settlement boundaries.

It is also noted that the site has an extensive planning history with two dwellings having already been approved under planning application references DM/0481/18/FUL and DM/1033/16/OUT. DM/0481/18/FUL remains extant whilst DM/1033/16/OUT has expired. These permissions if implemented would have seen two dwellings constructed in the rear garden of 153 Humberston Avenue. The indicative site layout provided for this planning application proposes splitting the site subject to DM/0481/18/FUL in half and instead of one large dwelling, there would be two dwellings and a single dwelling would be retained on the site of DM/1033/16/OUT.

It is considered that the principle proposed development would not conflict with Policy 5 of the NELLP and would follow the parameters set by the previous planning applications.

2. Impact on Neighbours

The proposed development is focused to the rear of the host property 153 Humberston Avenue the properties either side no.151 and 155 Humberston Avenue both benefit from very large gardens. It is noted that no.155 has objected to the proposed development with particular concerns over lack of parking within the development, highway safety regarding the access, impact of new development infrastructure and services within the area and the impact of the construction of the proposed development on their amenities. No.151 has not commented on the application.

The proposed development would include the access to the dwelling being located adjacent to the side elevation of no.155. In terms of traffic generation, the proposed development is for 3 dwellings and this would not attract a significant amount of traffic or create a subsequent significant impact on the amenities of this neighbour as a result. However, to ensure that there is suitable protection to the neighbour it is considered that a condition should be imposed requiring the details of the eastern side boundary.

In terms of physical impacts on the adjoining neighbours; both 151 and 155 are set in extensive grounds and would be located a significant distance from the proposed dwellings. It must be remembered that this is an outline planning application with only the means of access to be considered but an indicative plan has been submitted to show a development could occur without causing undue impact. The final details and subsequent impacts would be determined at the reserved matters stage. It is therefore considered that, in principle, the site could accommodate 3 dwellings without causing undue impacts to the neighbouring properties. The proposal is therefore in accordance with Policy 5 of the NELLP.

3. Impact on the Character of the Area and Trees.

It is noted that the Parish Council and neighbours have raised concerns over the proposed development and how it would have a detrimental impact on the character of the area by its nature as backland or infill development.

Over a number of years backland and infill development has become an intrinsic part of the character of Humberston Avenue. There are numerous examples of very similar developments on both sides of Humberston Avenue along its length with other much larger forms of development also now present. There is therefore no objection in principle to backland or infill development along Humberston Avenue in accordance with Policies 5 and 22 of the NELLP.

In terms of this outline planning application for 3 dwellings the site specific impact on the wider character of the area must still be considered. The proposal would see the existing access into 153 Humberston Avenue altered to accommodate the development and a new access to 153 itself created. Numerous dual accesses exist along Humberston Avenue and this proposal would not offer an undue harm to that established character. In terms of visual impact on the area from the actual proposed dwellings, due to the extent of the host properties garden and the position of the dwellings on the indicative plan provided there would not be any readily available views from the public domain to them. It is therefore considered that the proposed development would not harm the visual character of the area in accordance with Policies 5 and 22 of the NELLP.

The application has been submitted with an updated Tree Report and Method Statement which the Tree Officer has considered in detail. Whilst concerns have been raised over the potential impact with T.16 adjacent to plot 1 this concern relates the potential future conflict with the occupiers of the dwelling and the tree. It is considered that this potential impact can be reduced through the detailed design process at the reserved matters stage. It is therefore considered that the development would not harm the longevity of the trees on and adjacent to the site in accordance with Policy 42, subject to the recommendations of the Tree Report.

It is therefore considered that the proposed development would not, in principle, harm the established character of Humberston Avenue and would be in accordance with Policies 5 and 22 of the NELLP.

4. Highway Safety and Amenity

The Parish Council and neighbours both close to the site and further afield have expressed concerns over the proposed development and the impact it would have on highway safety and amenity. This is due to traffic generation from the development, proximity of the access to a nearby bus stop and from a lack of turning facilities within each plot of the development.

The proposed development has been assessed in detail by the Highways Officer and the scheme has been significantly amended to have a new separate access to 153 Humberston Avenue, a wider access point to the highway to allow two vehicles to pass each other, an increase in the width of the access road and provision of passing places along the access road.

The concerns raised by neighbours and the Parish Council have been considered in detail; the proposed development would not create a significant increase in traffic movements, the indicative layout shows that vehicles can turn within each plot and the proximity of the new access arrangements to the existing bus stop would be acceptable. It is also noted that domestic accesses close to bus stops is not an unusual situation in residential areas and indeed is common down Humberston Avenue. In terms of parking provision within the site for each plot the indicative site plans shows a detached garage and space for a further 2 cars. Policy 38 requires appropriate levels of parking for the scale of the development. It is considered that a garage and 2 spaces per property is acceptable for this type of development.

It is therefore considered that the proposed development accords with Policies 5 and 38 of the NELLP in terms of highway safety and amenity.

5. Drainage

The nature of the proposed application being in outline form means that a detailed surface water drainage scheme cannot yet be designed. As such it is considered that a condition requiring a detailed sustainable surface water drainage scheme to be submitted at the detailed design stage is appropriate. The Drainage Engineers have considered this proposal and support this approach. It is therefore considered that the proposal is in accordance with Policies 5, 33 and 34 of the NELLP.

CONCLUSION

In conclusion, it must be remembered that this is an outline planning application with only the means of access to be considered. The indicative site plan shows that 3 dwellings can be positioned on the site without causing any significant harm to the neighbouring properties residential amenities and the character and appearance of the area. The proposed access arrangements detailed ensure that there would not be an unduly detrimental impact on highway safety and amenity. The proposal therefore accords with Policies 5, 22, 38 and 42 of the NELLP. The application is therefore recommended for approval subject to conditions.

RECOMMENDATION

Approval with Conditions

(1) Condition

Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within three years of the date of this permission and the development to which it relates shall begin no later than whichever is the later of the following dates:

- (a) three years from the date of the grant of outline planning permission
- (b) two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(2) Condition

This permission hereby granted is in outline form only and no development shall begin until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- (a) The layout, scale and appearance of the development;
- (b) A landscaping scheme for the site including details of existing trees, hedges and planting to be retained.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(3) Condition

The development is approved in accordance with the following plans:

- 21940-01A Site location plan
- 21940-02 Existing block plan
- 21940-03F Proposed block plan
- 1609/001 - Topographical survey

Reason

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

(4) 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

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).

(5) Condition

No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 10m behind the Highway boundary. They shall then be maintained in such hard bound material for the life of the development.

Reason

To reduce the possibility of deleterious material being deposited on the public highway (loose stones, etc.) in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

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

Reason

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

(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;
- Construction traffic management plan.

Reason

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

(8) Condition

The development shall be carried out in complete accordance with the Arboricultural Report and Arboricultural Method Statement both dated 6th March 2020. Unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of tree protection in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

Prior to development commencing full details of the eastern boundary fencing and landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be fully installed prior to the occupation of any dwelling on the site.

Reason

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

(10) Condition

Prior to occupation of any dwelling, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be adhered to at all times following first occupation.

Reason

To ensure the efficient use of water and to accord with Policy 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives**1 Reason for Approval**

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal 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, 38 and 42.

2 Added Value Statement

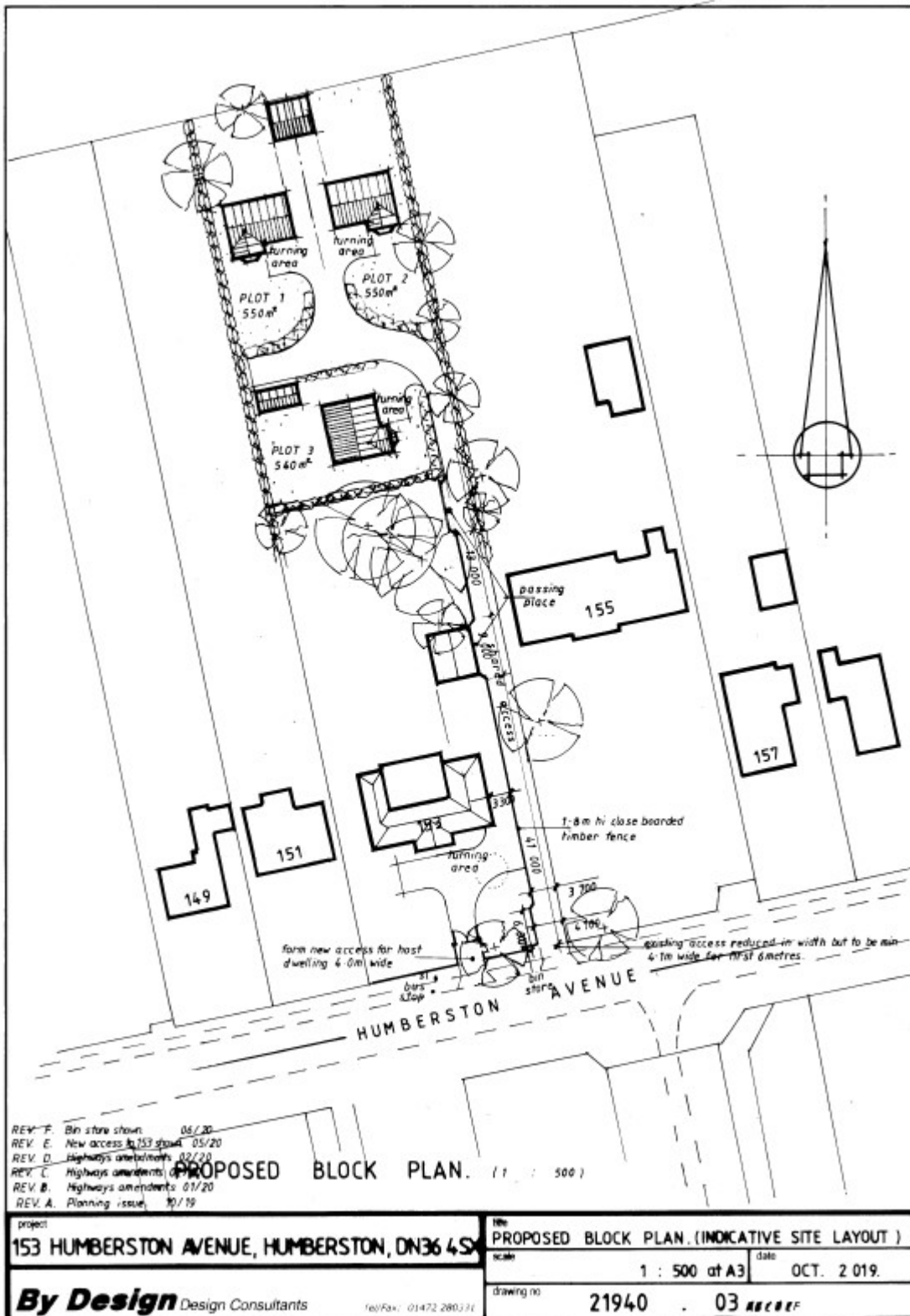
Article 31(1)(cc) Statement - Positive and Proactive Approach

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 resolving issues that arose through the planning process.

DM/0977/19/OUT – 153 Humberston Avenue, Humberston



DM/0977/19/OUT - 153 Humberston Avenue, Humberston





Humberston Parish Council

Clerk to the Council – Kathy Peers Telephone 07494 577661
e-mail 'clerk@humberstonparishcouncil.com'

TO: planning@nelincs.gov.uk

Planning Consultation Comments

17th June 2020

Dear Sirs,

The Parish Council considered the following applications at its virtual meeting held on Tuesday 16th June 2020 and wishes to submit the comments as shown:

Planning Application Reference: DM/0977/19/OUT

Proposal: Outline application for the erection of three dwellings with access to be considered (amended plan June 2020)

Location: 153 Humberston Avenue Humberston

Objections – the Parish Council is against any further infill development on Humberston Avenue and would reiterate its wishes to the Planning Committee to see a stop put on Any further infill development. This type of development has dramatically altered the Overall character of this area and no further development should be allowed. The Parish Council has called for a policy to be adopted by NELC supporting the Parish Council in its wishes and the Parish would once again ask for NELC to give serious Consideration to this matter.

On a material level, the Parish Council would support neighbours' objections to this

*1 Beach View Court, Norfolk Lane, Cleethorpes
NE Lincs. DN35 8BT*

Application. The entrance is right opposite Humberston Cemetery and also opposite a Bus stop. The additional traffic at this location from an extra 3 4-bedroomed properties Will impact on the access at this point and it is noted that the host property is Proposing a dedicated access point which would only serve to increase the danger Of traffic accessing the main Humberston Avenue at this busy point in the road. There Is the bus stop, the entrance to both the allotment site and the cemetery and now another access point proposed. Notwithstanding the Parish Council's stance that no further development should be allowed on Humberston Avenue, this application should be refused.

Yours faithfully,

KJ Peers

KJ Peers

Clerk to the Council

*1 Beach View Court, Norfolk Lane, Cleethorpes
NE Lincs. DN35 8BT*

Comments for Planning Application DM/0977/19/OUT

Application Summary

Application Number: DM/0977/19/OUT

Address: 153 Humberston Avenue Humberston Grimsby North East Lincolnshire DN36 4SX

Proposal: Outline application for the erection of three dwellings with all matters reserved

Case Officer: Richard Limmer

Customer Details

Name: Mrs Edith Hinchliff

Address: 155 Humberston Avenue Humberston Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to lodge my objection to the proposal to build 3 properties in the grounds of my next door neighbour's home, 153 Humberston Avenue.

The addition of three more families on this plot will potentially increase the amount of vehicles requiring parking access to the properties. If each of the new dwellings has at least one car, there will probably be vehicles parked on the street, outside our houses. As our homes are positioned directly opposite the Humberston Cemetery, this could cause problems with vehicles turning into and out of the cemetery. Humberston Avenue is a very busy thoroughfare and we already have issues leaving and returning to our house due to a constant flow of traffic, which is exacerbated by the large amount of vehicles accessing the cemetery, the Country Club, and Humberston Meadows - the 400 house development which is still ongoing.

I also have concerns regarding more stress on the infrastructure of our area, and the impact on the environment which has already been deeply affected on the Avenue due to the various housing developments which are underway.

A major issue for myself is that I live with my 82 year old Mum who has dementia, and I am concerned that the noise from this long term construction will cause her further confusion and anxiety - particularly because her bedroom is next to the fence dividing our property from 153.

Comments for Planning Application DM/0977/19/OUT

Application Summary

Application Number: DM/0977/19/OUT

Address: 153 Humberston Avenue Humberston Grimsby North East Lincolnshire DN36 4SX

Proposal: Outline application for the erection of three dwellings with all matters reserved

Case Officer: Bethany Loring

Customer Details

Name: Mrs Lyn Short

Address: 134 Humberston Avenue Humberston Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There have been a number of planning proposals put in from the residents of 153 in the last few years, the most recent of which was for a single dwelling. We felt this was reasonable and had no issue with the plans being approved, although building never commenced.

However, we now see that this particular application is proposing that 3 dwellings be built. We feel that this proposal is an excessive number of houses for the space available and will make activity at the drive access of 153 too busy.

Each house will have "4+" bedrooms, so are obviously aimed at families. Many families these days have more than one car, and looking at the plans, it does not appear that there is adequate space for each of the 3 houses to have 2 parking spaces. What about delivery or visitor parking to the 3 houses? If there is not enough space to park next to the houses that will mean having to park on Humberston Avenue itself.

Because of the location of 153 on the avenue i.e. almost opposite the turning for Humberston cemetery, and also with a bus stop directly outside 153, any cars parked near the new proposed shared access to the drive will cause problems for buses and for people wanting to turn into or out of the cemetery turning.

Also the very fact that an extra number of cars belonging to the new residents will be entering /exiting the avenue from the new shared drive will be dangerous due to the proximity of the bus stop and cemetery turning. Any drivers wanting to overtake, from behind, a parked bus at the bus stop will find themselves potentially colliding with cars exiting 153 and we feel this is extremely unsafe.

In our opinion, building 3 houses in this location is an example of over development. There is certainly no shortage of family houses locally due to the ongoing large development at Humberston Meadows which is just a few doors away from 153, so 3 more are simply not needed. Also given the position of 153's drive in relation to the cemetery and bus stop, this proposal will cause safety issues for local traffic.

Comments for Planning Application DM/0977/19/OUT

Application Summary

Application Number: DM/0977/19/OUT

Address: 153 Humberston Avenue Humberston Grimsby North East Lincolnshire DN36 4SX

Proposal: Outline application for the erection of three dwellings with access to be considered (amended plan June 2020)

Case Officer: Richard Limmer

Customer Details

Name: Mrs Lyn Short

Address: 134 Humberston Avenue Humberston Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I continue to object to these plans for the following reasons.

These plans from June 2020 have now been amended to propose a 2nd driveway be built, serving the residents of 153 only, even closer to the bus stop outside their house than their existing driveway! The existing driveway will then be used by the proposed 3 new dwellings. Surely this new proposal is even more dangerous to road safety than the original plan from Oct 2019, as road users on Humberston Avenue would then have to be aware of traffic entering/ exiting from TWO driveways, possibly at the same time.

The problems this planning application will cause to the flow of traffic remain the same and have already been discussed in my previous comments on 8th Nov 2019: it is important to note that this site is almost opposite the shared entrance to the cemetery and allotment area. Additionally this site is not only adjacent to a bus stop but also near to the bus stop on the opposite side of the road (outside 136A). So buses are slowing down to stop to drop/ pick up passengers, thereby temporarily stopping the flow of traffic and obstructing the view of drivers on both sides of the avenue.

Regarding the vehicular turning areas incorporated into the plans near the proposed 3 new dwellings (to enable cars etc to enter and exit the site in forward gear in the interest of road safety): these turning areas can obviously only be used if not already parked on. They could well be obstructed by other vehicles belonging to visitors or indeed the 2nd/3rd car of the individual new households, as I believe the current parking provision is inadequate. This in turn leads to Humberston Avenue itself being used for parking, cutting down the views of drivers even further.

It is worth repeating that this application, as pointed out by the Clerk to the Parish Council, is an

example of the over-development of Humberston Avenue, and should not be approved when there are still properties on both new large housing estates - Humberston Meadows and Millennium Farm - which have still not yet sold. I urge the council to reject these plans.



For the attention of the case officer Bethany Loring

DM/0977/19/OUT

Neighbour objects to application

I consider the proposal of three dwellings to the rear garden is not in-keeping with the character and appearance of the area. Design wise, the three dwellings will appear to look "crammed" into the rear garden of Number 153 and would contrast uncomfortably with the layout of plots in other parts of Humberston Avenue (particularly those in close proximity) and would therefore appear as an incongruous form of development.

As well as being an over-intensification I believe there will also be access/safety issues going forward.

A previous request to build one dwelling on this site appears to be much more in-keeping and fitting with regards to character and appearance issues.

Mr Ron Horner
41A Humberston Avenue, Humberston

Dated 12th November 2019

Comments for Planning Application DM/0977/19/OUT

Application Summary

Application Number: DM/0977/19/OUT

Address: 153 Humberston Avenue Humberston Grimsby North East Lincolnshire DN36 4SX

Proposal: Outline application for the erection of three dwellings with all matters reserved

Case Officer: Bethany Loring

Customer Details

Name: Mr mark carrie

Address: 39A humberston avenue humberston grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I consider that the proposal of three dwellings would be an unsatisfactory and incongruous form of development not in-keeping with the character and appearance of the area. Going forward the living conditions of existing and future residents would be negatively impacted upon with regards to privacy and disturbance. Design wise, the three dwellings will appear to look "squeezed" into the rear garden of Number 153 and would contrast uncomfortably with the prevailing layout of plots in other parts of Humberston Avenue particularly those in close proximity and would therefore appear as an incongruous form of development.

The proposal would therefore harm the character and appearance of the area and in this regard would conflict with Policies GEN1 and H10 of the NE Lincs Local Plan which require the development of dwellings in gardens to be of a suitable scale and form which is not out of character (amongst other things). These policies are broadly consistent with the National Planning Policy Framework in respect of requiring good design.

A previous request to build one dwelling on this site appears to be much more in-keeping and fitting with regards to character and appearance however.

Please see report prepared by David Cross an Inspector appointed by the Secretary of State in relation to application DM/0426/17/OUT and subsequent appeal APP/B2002/W/17/3187041 and his arguments which are supportive of the comments I have made herewith.

Comments for Planning Application DM/0977/19/OUT

Application Summary

Application Number: DM/0977/19/OUT

Address: 153 Humberston Avenue Humberston Grimsby North East Lincolnshire DN36 4SX

Proposal: Outline application for the erection of three dwellings with all matters reserved

Case Officer: Richard Limmer

Customer Details

Name: Mr Mark Carrie

Address: 39A Humberston Avenue Humberston Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to raise concerns whether the proposed design of three properties to this particular plot is actually workable in practice. The properties are described as four bedded plus (suitable for a family). If back land development, such as this, has insufficient levels of allocated parking to meet the needs of the inhabitants (these days families can own three or four motor cars as well as a work vehicle such as van) going forward I suggest there would be an increased likelihood of residents parking over turning areas and possibly the actual access road itself leading to obstruction for other residents living off it too. If parking does occur on the turning area (as a consequence of limited availability of parking spaces to the property) there will be an increased likelihood of visitors reversing out of the access road rather than exiting in forward gear. As such this type of scenario presents a serious safety risk. As for residents, insufficient parking provision to back land dwellings, applies to visitors too. If back land developments do not have the necessary parking spaces for visitors to the home, similarly there could be a temptation for visitors to park over the turning area or partially obstruct the access road. Having poorly parked vehicles, as a consequence of over-intensified back land plots, runs the risk of emergency services being delayed/impeded from carrying out their duties.

The other option for residents and visitors to back land developments in this area would instead be to park on Humberston Avenue itself. However this too is less than ideal given Humberston Avenue experiences a heavy traffic flow (which in all likelihood will continue to increase in levels given the amount of development occurring to the area) and as a negative consequence lead to increased levels of congestion. Having increased levels of parking to Humberston Avenue will also run the risk of obscuring the driver's view as they exit the access road therein creating a further road safety issue in itself.

Given the above factors, it is my assertion parking provision to back land developments in Humberston Avenue warrants extra special consideration even more so than a proposed dwelling sitting in full view on an adopted road where the management of road safety issues is much more

readily achievable.

Extracts taken from the adopted Local Plan 2013-2032, Policy 38 appear to support my comments:

14.170 Parking can present problems when it is not considered as part of an integrated design approach, or when too little parking is provided relative to the local site circumstances.

14.171 Much evidence now exists to suggest that the over-restriction of residential parking approach taken by local authorities in response to Planning Policy Guidance 3: Housing (PPG3), has had a negative impact on highway safety and good urban design.

14.172 It is important to ensure future developments provide sufficient parking that will not result in on-street parking congestion.

As per comments made previously, the proposed development does appear to be an over-intensification in comparison to other properties in close proximity. Reducing the number of dwellings to the rear would naturally free up space for additional parking provision to be put into place.

have resulted in significant changes to the scheme including the removal of a proposed wind turbine, change in layout of the parking and access arrangements.

This application has been brought to Planning committee due to the number of objections received from neighbouring properties.

SITE

The application site sits to the south side of the A46 within the open countryside. It is an established Garden Centre. The site comprises predominantly of low, single storey buildings of a range of styles and materials. It houses a number of polytunnels to the west and southern sides which are used to grow their own produce for sale in the garden centre. The car park sits at the front of the site. Maltby Avenue, a private access road sits to the west and serves two semi-detached properties at the rear of the site.

Residential properties adjoin to the east, south east and west. Morrison's supermarket sits on the opposite side of the A46 to the north east. Open, agricultural fields border the southern boundary.

RELEVANT PLANNING HISTORY

DM/0835/14/FUL - Refurbishment of existing garden centre including extensions, alterations, new accesses, additional parking, relocation of poly tunnels, erection of fences and the demolition of Russell Dene (dwelling) - Approved

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF6 - Building a strong, competitive economy

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO23 - Retail hierarchy and town centre develop
PO33 - Flood risk
PO34 - Water management
PO38 - Parking
PO42 - Landscape

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless

material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Environmental Health - No objections, construction management plan condition.

Drainage - No objections, condition for surface water drainage scheme.

Fire Brigade - No objections.

Heritage Officer - Comments but no objections.

Highways - No objections, conditions for details and amenity.

Anglian Water - No objections, condition required for surface water drainage.

Ecology - No objections, condition to secure biodiversity improvements.

Trees - No objections, condition for landscaping plan.

Police - No comments

Laceby Parish Council - Initially objected to the proposed development due to the impacts of the proposed wind turbine, traffic generation from the site and impact upon Wold View. The scheme has since been amended with the removal of the wind turbine but concerns remain over the impact from traffic generation and the impact upon Wold View.

Neighbour Comments

11 Ash Tree Close - Fully supports the scheme

Wold View - Objects due to impacts on amenity, noise, drainage/flooding, privacy and the wind turbine.

80 Brookfield - Object due to impact upon Wold View in relation to noise, disruption, air quality, privacy.

Meadowside, Bradley - Objects due to the impacts on Wold View from the adjacent car park.

Hedgerow Cottage - Objects due to the wind turbine.

Hope Cottage - Objects due to the wind turbine.

Rose Cottage - Objects due to the wind turbine.

Sweet Briar - Objects due to traffic generation and highway safety.

APPRAISAL

Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Highway Safety and Amenity
4. Impact on the Character of the Area
5. Drainage

1. Principle of Development

The site is owned and run by Navigo Health and Social Care, the existing garden centre forms an integral part of their services by providing patients the opportunity for employment and focus.

The site is located outside of the defined development area boundary of a settlement in the NELLP. However, the proposed development relates to the refurbishments and improvement of the existing garden centre. This is considered to meet Part 3 (b) and (c) of Policy 5 in that the existing garden centre is considered to be a local service place and supports rural leisure and tourism. It is considered therefore that the proposed development, in principle, would accord with Policy 5 of the NELLP subject to the site specific impacts of the proposed development.

The proposed development is designed to extend and improve the facilities at the centre and to make it more economically viable. The proposal does increase the overall retail floor space at the site with the extension to the front entrance and the rear extension. The 'green barn' building to the rear of the site would be a flexible space for conferences, markets and children's play and so in this sense it is not considered to be full retail floor space. Policy 23 of the NELLP seeks to protect the retail hierarchy of the borough by focusing retail and leisure to the town centre or smaller local centres. However, this proposal would not change the fundamental use of the site as a garden centre which is not a town centre use. Furthermore, there are many examples across the country where this type of development has taken place to help sustain the garden centre function. The

development also seeks to improve the garden centre element with the relocation of the poly tunnels and retention of the greenhouses. It is also noted that the proposed development would result in less additional retail floor space than the previously approved scheme DM/0835/14/FUL. It is however important to ensure that the additional retail floor space is restricted to garden related products by condition. This is the same approach as taken in DM/0835/14/FUL.

It is noted that several of the objections received from neighbouring properties are due to a wind turbine being proposed. For clarification, the plans have been amended and the wind turbine is no longer part of the proposed development.

2. Impact on Neighbours

It is noted that there have been several objections received in relation to the potential impacts on the residential amenities of Wold View which is located to the northwest corner of the site. The proposed layout of the site has been amended to try to address the concerns raised by moving the coach parking area and car parking area away from this neighbour.

The amended site layout plan now details good separation between Wold View and the proposed parking area with extensive landscaping to be planted between the two. The access to Wold View is to be altered but this is in the control of the applicant and has not raised concerns with Wold View. Following the amended plans it is considered that the proposed development would not unduly impact upon the residential amenities of Wold View in accordance with Policy 5 of the NELLP.

On the western boundary of the site are the residential properties of Dar-Es-Saalam and The Orchards. The Orchards also benefits from planning permission in the rear garden for a detached dwelling. These neighbours are close to the western boundary of the site which in turn would be close to the proposed parking area for the garden centre. However, landscaping is proposed to separate the car park from the neighbours and this area is already an active part of the existing garden centre. It is considered that the proposed development would not unduly harm the residential amenities of these neighbours.

In terms of the proposed built form of the development the closest extension to neighbours would be the café extension close to the eastern boundary with the neighbours Bloemendall and Sandy Croft. However, the proposed extension is well separated from the actual rear elevations by at least 40m and there is a boundary fence approximately 2m high and extensive planting on the boundary. It is therefore considered that the impact of this element would be minimal. There is also a large two storey (5.5m high) extension to the front of the existing garden centre which is adjacent to the side elevation of Bloemendaal, however there are large conifer trees on the boundary and a 2m high fence which together form a screen between the two. Given the scale of the proposed extension and its position on the site it would not have an unduly detrimental impact upon the residential amenities of the neighbour.

No.1 and 2 Maltby Avenue are located at the rear of the site and share their vehicular access with the garden centre. There is a small extension proposed at the rear of the site close to these neighbours front boundary. However, the scale of the extension is modest and would blend into the existing built form of the garden centre. The impacts of this extension would therefore be minimal. The existing poly tunnels would be relocated to the southern most section of the site but would be well separated and screened by existing landscaping from these neighbours.

It is considered that the overall proposed development would not offer any significant detrimental impacts on the residential amenities of the neighbouring properties in accordance with Policy 5 of the NELLP.

3. Highway Safety and Amenity

The proposed development would see the overall site revamped and extended which is designed to increase visitors to the site. To establish the potential impacts of this additional traffic generation a Transport Assessment has been submitted with the application. Significant discussions and negotiations on the content of the Transport Assessment has been undertaken by the applicant and the Highways Team. The overall site and access layouts have been changed to reflect these discussions and the coach parking has been removed. Maltby Avenue will need to have some localised widening to ensure larger vehicles entering the site do not overrun and damage the verge. To ensure that these works would be safe the applicant will be required to complete a Road Safety Audit.

The Transport Assessment details that there would be an increase of 16 two way trips in the weekend peak hours, from 47 to 63, following the development which would not be a significant increase. The car park would be increased to accommodate 92 spaces (4 of which would be disabled spaces). This number of spaces would accord with Policy 38 of the NELLP.

It is considered that whilst the proposed development would create an increase in traffic generation it would not be a severe impact. The Highways Team recommend conditions are imposed for final construction details, a Road Safety Audit and construction management details. With the inclusion of these conditions it is considered that the proposed development would accord with Policies 5 and 38 of the NELLP.

4. Impact on the Character of the Area

The proposed development would represent an overall refurbishment and improvement to the site in both in terms of the practical use of the site and its visual appearance. The proposed extensions and alterations to the site would change its visual appearance however this is considered to be an improvement. The existing site has a somewhat tired appearance in places and would benefit from improvements. The proposed front extension would be the most visible change to the site but this has been designed around

modern architecture. It would utilise steel containers for the main construction and then a timber cladding to the external elevations.

The existing polytunnels will be relocated to the south. They would continue to be used for growing of produce to sell on the site. The use and nature of the structures are what you would expect to see in the open countryside. Views would be limited, particularly from the A46. Therefore, they would not be out of character nor would they be harmful in this setting given the development which adjoins.

The proposed 'green barn' would be located close to the open countryside and has been designed to take an agricultural appearance with the use of block work, timber cladding and profiled sheeting to the roof. The backdrop to the barn from the open countryside would be the garden centre itself and so it is considered there would not be a detrimental impact on the character and appearance of the area in accordance with Policy 5 of the NELLP.

5. Drainage

The proposed development would increase the overall amount of impermeable surfacing on the site. The proposal includes a new pond which could be part of the surface water drainage scheme. However, the final details of the drainage system are required to ensure that there would be no increased risk of flooding on or off the site. A condition has been recommended for a sustainable drainage system by both the Drainage Engineer and Anglian Water. It is considered that in order to comply with Policies 33 and 34 of the NELLP this condition for the final surface water drainage system is required.

CONCLUSION

In conclusion, the proposed development seeks to improve and sustain the existing garden centre and improve the overall facility for Navigo and their long term aims to deliver high quality health and social care. There would be an increase in retail floor space which should be controlled by a condition limiting the type of sales in order for the development to accord with Policy 23 of the NELLP.

The proposal has been assessed in terms of the impact on highway safety and amenity. Improvements to the roads and access into the site are required and detailed in the Transport Assessment, these improvements can be secured by a condition.

The proposal would not have a unduly detrimental impact on the residential amenities of the neighbouring properties subject to the final details of landscaping and boundary treatments. The overall visual impact on the character of the area would be an improvement.

It is therefore considered that the proposed development would accord with Policies 5, 22, 23, 33, 34, 38 and 42 of the NELLP. It is therefore recommended for approval.

RECOMMENDATION

Approval 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:

18-08-001A - Existing block plan
18-08-002 - Existing elevation 1
18-08-003 - Existing elevation 2
18-08-004A - Site Location Plan
18-08-221 - Existing poly tunnel
18-08-222 - Existing poly tunnel
18-08-223 - Existing poly tunnel
18-08-301H - Proposed block plan
18-08-303 - Proposed front extension plans and elevations
18-08-304 - Proposed cafe plans and elevations
18-08-305A - Proposed rear sales plans and elevations
18-08-306B - Proposed barn plans and elevations
18-08-311 - Proposed elevations 1
18-08-312 - Proposed elevations 2
18-08-313A - Proposed elevations

Reason

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

(3) Condition

Prior to their use on site all external construction materials shall be submitted to and approved in writing by the Local Planning Authority.

Reason

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

(4) Condition

The extension hereby approved shall only be used for the sale of plants and related garden item sales and for no other purpose within Use Class A1 (Shops) of the Town and Country Planning (Use Classes) Order 1987 (as amended). For the avoidance of doubt, related garden sales shall be limited to sale of the following items only:

Horticultural products, trees, plants, shrubs, houseplants and flowers.
Propagation seeds, bulbs, seed trays, plant pots etc.
Sundries, plant protection and plants support, hanging baskets and auxiliary products.
Compost and gravels, aggregates and other garden hard landscaping sundries.
Fencing, trellis, gates and other associated products (landscaping materials).
Fertilizer and chemicals.
Garden and outdoor clothing, and footwear, tool belts, gloves and kneelers etc.
Garden buildings, sheds, summerhouses and outdoor play equipment.
Outdoor garden furniture.
Outdoor aquatics and water garden equipment and their accessories.
Outdoor spas and pools.
Barbecues and their accessories.
Garden equipment, mowers, garden machinery, hand tools and accessories.
Bird and wildlife care products, hedgehog houses, bat boxes, bird feed, bird tables.
Wood preservatives and other treatments necessary for the maintenance of garden furniture.
Confectionery
Craft products

Reason

In the interests of retail hierarchy in accordance with Policy 23 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) 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;
- Construction traffic management plan.

Reason

In the interests of highway safety and to protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local

Plan 2013-2032 (adopted 2018).

(6) Condition

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

Reason

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

(7) Condition

Prior to any development commencing on the site details of all of the site boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall then be fully installed prior to any part of the development coming into use.

Reason

To protect the residential amenities of the neighbouring properties in accordance with Policy 5 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 any new or altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, a Stage 1 Road Safety Audit for these works (including the approaches to the A46 and Maltby Avenue) 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

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 highway improvement works detailed within the Transport Statement (Orbis Transport Planning ref: OTP_190101_TS REV C) shall be fully completed prior to any part of the development first coming into use.

Reason

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

(10) Condition

No development shall commence until:

- (a) A scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees and shrubs to be planted;
- (b) 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) Confirmation of the timing for all of the landscaping works to be completed.
- (e) A plan for the on-going maintenance of all planting and replacement of losses within at least 5 years of the plants being planted.

have been submitted to and approved in writing by the Local Planning Authority. Landscaping shall be in accordance with the details approved.

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 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(11) Condition

The development shall be built out in accordance with the recommendations set out in the Ecology Appraisal by KJ Ecology (dated 31st July 2019) unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

(12) Condition

Prior to development commencing, details shall be submitted to and approved in writing by the Local Planning Authority to show the location and type of bin storage proposed. Once approved, the bin storage facilities shall be implemented in their entirety with the details approved prior to any part of the development first coming into use and retained thereafter.

Reason

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

(13) Condition

Prior to the commencement of demolition works, a method statement outlining:

- The method of demolition;
- Measures to identify and remove asbestos if present;
- Measures to prevent nuisance from dust and noise to the site operatives and the surrounding occupiers;

Shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the measures identified shall be adhered to at all times.

Reason

In the interests of public safety and neighbouring amenity and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(14) Condition

Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the lighting shall be installed in strict accordance with the agreed details.

Reason

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

Informatives**1 Informative**

Advanced Notice works within Highway

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

Advance Notice Traffic Regulation Order

As a Traffic Regulation Order is required to be implemented on Maltby Avenue, in order to enable the development to take place, please contact the Traffic and Road Safety Team at least 6 months in advance of the commencement of works. (Tel: 01472324528).

2 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, 23, 38 and 42.

3 Added Value Statement

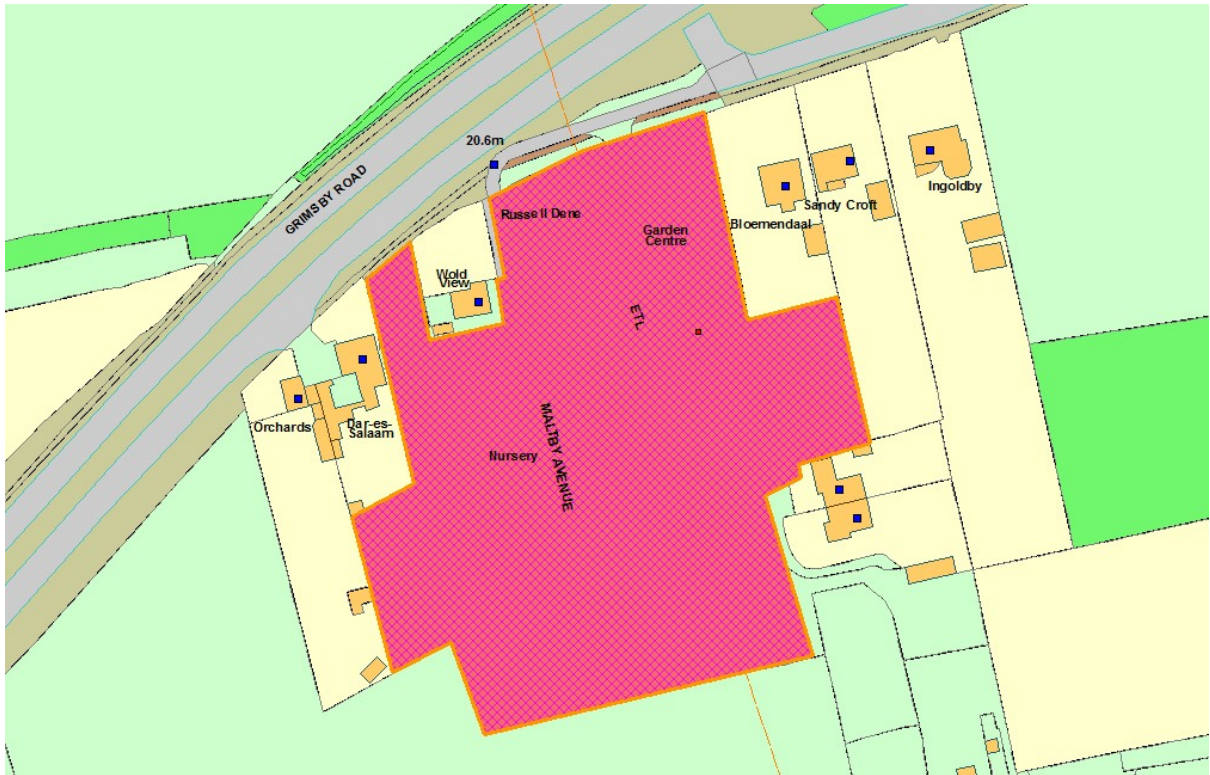
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating on details through the planning process.

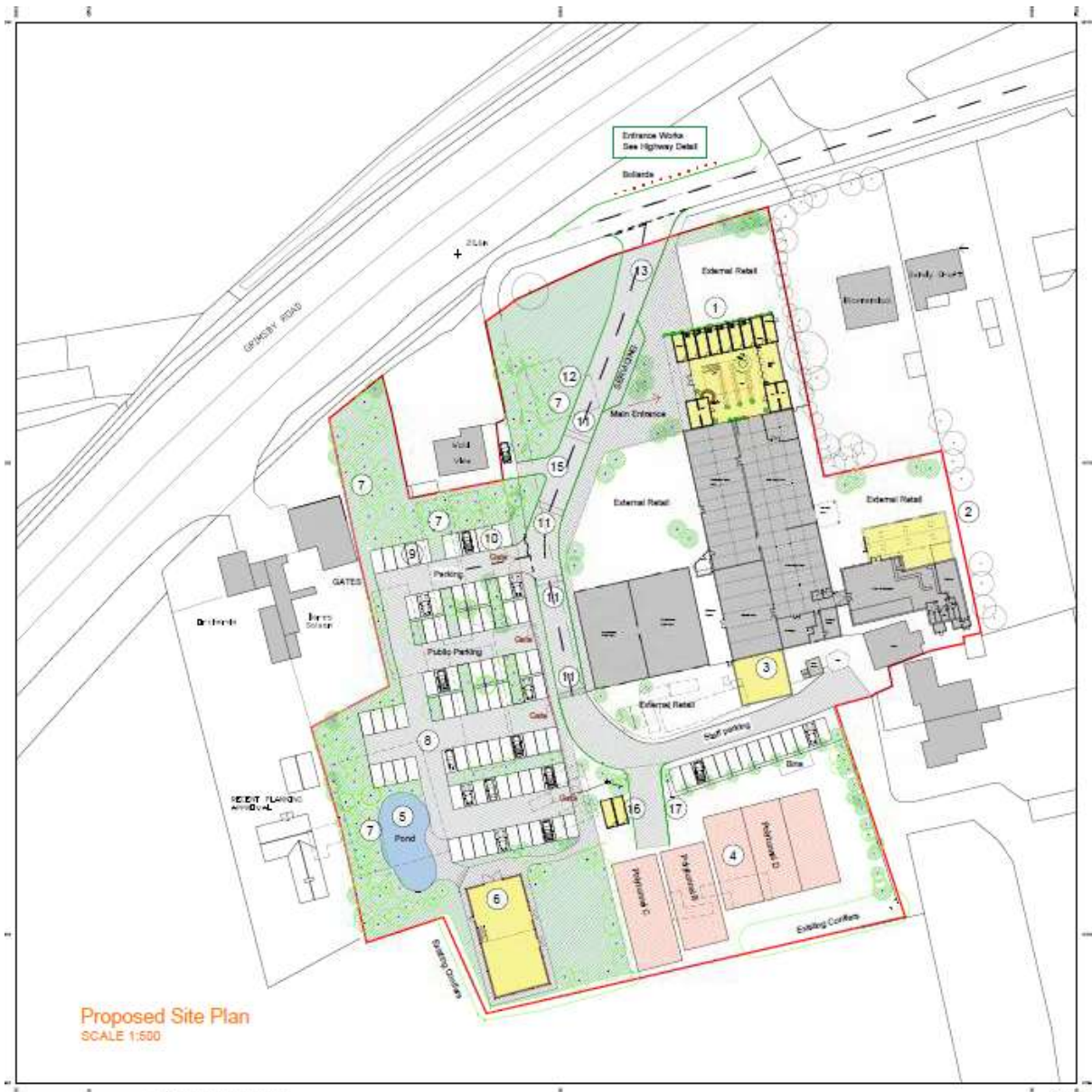
4 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 325959).

DM/0387/19/FUL - Grimsby Garden Centre, Grimsby Road, Laceby



DM/0387/19/FUL - Grimsby Garden Centre, Grimsby Road, Laceby



Laceby Parish Council

Mrs N Ashton, Clerk to Laceby Parish Council
 2 Church Lane, Laceby, Grimsby, DN37 7BW
 Email: lacebypcclerk@gmx.co.uk



Planning Department,
 Origin One, Origin Way,
 Europarc,
 Grimsby,
 DN37 9TZ

8th August 2019

For the Attention of Mr Richard Limmer

Dear Sir

DM/0387/19/FUL – Demolish existing building, Russell Dene, greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and café, erect single storey green barn and 16m high wind turbine to rear of site, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping; Grimsby Garden Centre, Laceby.

Thank you for the details and plans in respect of the above planning application. This application and associated plans were presented to the Laceby Parish Council at their meeting on the 6th August 2019 and discussed at length. In essence we do not have any reason to object to the plans, however, three concerns have been raised in regards to the plans that we feel need addressing.

Firstly, the main concern is around the impact that the carpark and volume of traffic will have on the resident of Wold View. The plans show an entrance road to one side and then car parking to two other sides; this in our view would isolate the resident and put undue stress onto them. We would appreciate consideration be given to removing the car parking around the bungalow and guarantees that the volume of traffic would not have a negative effect on the residents' access and egress to their property.

Secondly, our concerns are around the volume of traffic that would be going to and from the site, the number of buses and the impact that this will have on an already busy and traffic heavy area – especially at times such as Sundays, Bank Holidays, Easter and Christmas to name just a few. We would like clarification that the existing road to the site (after the roundabout) is fit for purpose, whether any consideration needs to be made for the increase in pedestrians around that area and people who will be crossing a very busy and dangerous A46 bypass.

Finally, whilst we appreciate the idea of self-generating energy, we are not one hundred percent convinced that the wind turbine is a suitable addition to the area which sits on the edge of a conservation area.

Yours faithfully,

NJ Ashton

Mrs N Ashton
 Clerk to Laceby Parish Council

Laceby Parish Council

Mrs N Ashton, Clerk to Laceby Parish Council
2 Church Lane, Laceby, Grimsby, DN37 7BW
Email: lacbypcclerk@gmx.co.uk



Planning Department,
Origin One, Origin Way,
Europarc,
Grimsby,
DN37 9TZ

8th November 2019

For the Attention of Mr Richard Limmer

Dear Sir

DM/0387/19/FUL – amended plans re Grimsby Garden Centre, Laceby.

Thank you for the details and plans in respect of the above planning application. This revised application and associated plans were presented to the Laceby Parish Council at their meeting on the 5th November 2019 and discussed at length.

Can we firstly acknowledge the changes in the plans and the impact that this will have on the residents and area in general. We appreciate that time has been taken to consider the concerns that were raised and the changes that have been suggested.

Laceby Parish Council does not have any further concerns or objections in regards to this planning application.

Yours faithfully,

NJ Ashton

Mrs N Ashton

Clerk to Laceby Parish Council

Laceby Parish Council

Mrs N Ashton, Clerk to Laceby Parish Council
2 Church Lane, Laceby, Grimsby, DN37 7BW
Email: lacebypcclerk@gmx.co.uk



Planning Department,
Origin One, Origin Way,
Europarc,
Grimsby,
DN37 9TZ

4th February 2020

For the Attention of Mr Richard Limmer

Dear Sir

DM/0387/19/FUL – Demolish existing building, Russell Dene, greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and café, erect single storey green barn and 16m high wind turbine to rear of site, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping; Grimsby Garden Centre, Laceby.

Thank you for the details and plans in respect of the above planning application. This application and associated plans were presented to the Laceby Parish Council at their meeting on the 4th February 2020 and discussed at length. The Parish Council appreciated the amendments that were made to the original plans by Navigo, most specifically in respect of the Wold View resident. In regards to these new amendments we do have further concerns that we feel need addressing.

Firstly, the main concern is around the impact that the coach park will have on the resident of Wold View, now that it has been moved. To have coaches within meters of the property, large numbers of people embarking and disembarking the coaches, the noise, fumes and the impact this will have on the resident and their privacy of Wold View will add to isolation and add undue stress. We would request that consideration is taken to change the location of the coach park to a more suitable location away from the resident.

Secondly, our concerns remain around the volume of traffic that would be going to and from the site, the number of buses and the impact that this will have on an already busy and traffic heavy area especially at times such as Sundays, Bank Holidays, Easter and Christmas to name just a few. We would like clarification that the existing road to, and on the site, are fit for purpose, and that they do not impact on the property or the area, and that the coaches travelling on the site will not affect the residents in the area.

We hope that the planning team consider these points in respect of the amended plans.

Yours faithfully,

NJ Ashton

Mrs N Ashton

Clerk to Laceby Parish Council

Laceby Parish Council

Mrs N Ashton, Clerk to Laceby Parish Council
2 Church Lane, Laceby, Grimsby, DN37 7BW
Email: lacbypcclerk@gmx.co.uk



Planning Department,
Origin One, Origin Way,
Europarc,
Grimsby,
DN37 9TZ

7th April 2020

For the Attention of Mr Richard Limmer

Dear Sir

DM/0387/19/FUL – Demolish existing building, Russell Dene, greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and café, erect single storey green barn and 16m high wind turbine to rear of site, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping (change to certificate served); Grimsby Garden Centre, Laceby.

The above planning application was discussed at the Parish Council Meeting on the 7th April 2020. The plans and details of the application were scrutinised by Councillors attending the meeting and no further objections were recorded.

Yours faithfully,

NJ Ashton

Mrs N Ashton
Clerk to Laceby Parish Council

Comments for Planning Application DM/0387/19/FUL

Application Summary

Application Number: DM/0387/19/FUL

Address: Grimsby Garden Centre Grimsby Road Laceby North East Lincolnshire DN37 7DY

Proposal: Demolish existing bungalow (Russell Dene), greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and cafe, erect single storey green barn and 16m high wind turbine to rear of site, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping

Case Officer: Richard Limmer

Customer Details

Name: Mrs Elizabeth Scott

Address: 11 Ashtree Close Ashtree Close Immingham

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This is a wonderful and very exciting idea. The whole aspect of recreating something new and different will generate visitors to our area putting us wider on the map.

Creating new job prospects and training opportunities for all is fantastic whilst supporting our service providers.

Lots of people are speaking about this whole new exciting plan and are looking forward to seeing it hopefully developed.

I for one will 100% be visiting and love the idea of keeping things green in our are.

Definitely has my backing.



MRS LOUISE JOHNSON
WOLD VIEW
GRIMSBY ROAD⁴
LACEBY DN37 7DY
15TH JULY 2019

DM/0387/19/FUL

DEAR MR R. LIMMER,

THE ARCHITECT
TOOK A PHOTOGRAPH OF MY
BUNGALOW WITHOUT MY PERMISSION
AND USED IT IN THIS APPLICATION

ALSO HIGHLIGHTED THE FLOODING
ROUND WOLD VIEW, HENCE MY
OBJECTIONS I HAVE ENCLOSED
FOR YOU.

Yours sincerely

I DID NOT GIVE MRS LOUISE JOHNSON
PERMISSION FOR MY WOLD VIEW
BUNGALOW TO BE PHOTOGRAPHED AND USED GRIMSBY ROAD
IN THIS APPLICATION LACEBY DN37 7DY

4

GRIMSBY GARDEN CENTRE

PLANNING APPLICATION

DM/0387/19 / FULL

RECEIVED

17 JUL 2019

REGARDING THE FLOODING TO WOLD VIEW
MY LATE HUSBAND AND I BEING OF THE
OLDER GENERATION COPE, WITH A LOT
OF HELP FROM OUR SON, WE DID NOT RUSH
TO OUR SOLICITOR TO COMPLAIN THE
GARDEN CENTRES SURFACE WATER COMES
ONTO US FROM THE BOTTOM OF THEIR ROAD
AND BOTH SIDES OF THEIR PROPERTY ONTO
OUR PROPERTY AND SHOULD HAVE BEEN
DEALT WITH BY THE GARDEN CENTRE.

I STRONGLY OBJECT TO A CAR PARK
21-6^{FT INC} OR 654 CM FROM MY PATIO WINDOW
KITCHEN WINDOW AND BACK DOOR, I SIT
ON PATIO, PUT WASHING OUT AND OTHER DAILY
ROUTINES, MY ONLY OPTION TO AVOID THIS LOSS
OF PRIVACY IS IN MY 85th YEAR IS TO MOVE
FROM MY HOME OF 39 YEARS IF THIS PLAN
IS PASSED. Yours Sincerely

Comments for Planning Application DM/0387/19/FUL

Application Summary

Application Number: DM/0387/19/FUL

Address: Grimsby Garden Centre Grimsby Road Laceby North East Lincolnshire DN37 7DY

Proposal: Demolish existing bungalow (Russell Dene), greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and cafe, erect single storey green barn, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping (Amended site layout plan and description 26th September 2019)

Case Officer: Richard Limmer

Customer Details

Name: Mr Ray Johnson

Address: 80 Brookfield Road Grimsby

Comment Details

Commenter Type: Amenity Group

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This objection is on behalf of our mother Mrs Louise Johnson who is the sole owner and occupier of Wold view.

I am Ray Johnson (son) my sister is Wendy Marriot and my Brother in-law is Richard Marriott, we have full power of attorney on all matters concerning our mother Mrs Louise Johnson .

We have studied the revised plans having totally rejected the original plans which would have had a massive impact on any occupier's of Wold view and their quality of life.

Our thoughts on the new plans are , although not perfect they are a big improvement on the original plans particularly getting parked cars away from the close proximity of the house which was right up to our boundary .

The main objection we have with the revised plans is the new position of the Coach park which has been moved within yards of Wold Vieweven after us objecting last time to the old position which was further away but still close enough to impact on the house.... so why make it worse not better ?

The new position will let people see straight into the front bedroom and lounge as they will be elevated above the fence height which is already about 2m high and they will also see over any screening that will take year's to grow when it does.

On top of loss of privacy the engine noise, ground vibration fumes and people movement of 50 plus people per coach will make life intolerable so we cannot understand why the coach park is there.

The overall size of the Nurseries site does not lend itself to having a coach park incorporated in it unless , its down near the staff car park well out the way.

If its going down the bottom the new road (item 11 on the plan) will need serious foundation work strong enough to take the extra load of coaches and not crack Wold views structure.

Maybe switching staff parking and coach parking places is an easy answer , just a thought but it reduces in an instant the loss of privacy , noise and fumes so we could probably live with that.

Failing that there is ample room along the existing layby to accommodate coaches including a cut in that's already there but may need widening a bit , so why put coaches next to a residential house which if it was anywhere else it most definitely would not be allowed.

We object to the coach park position as it stands and trust the planners will have it changed before passing this latest application.

We would like to add that all though Navigo do not wish to purchase Wold View they have been good enough to work with us and mum to lessen the impact of its new expansion plans on our her loss of privacy and the value to the property by adding buffer zones and screening around the house and although we are still not totally happy we see the coach park been our only strong objection now. Sort that and am sure we can all move forward.

Kind Regards

Ray Johnson

Comments for Planning Application DM/0387/19/FUL

Application Summary

Application Number: DM/0387/19/FUL

Address: Grimsby Garden Centre Grimsby Road Laceby North East Lincolnshire DN37 7DY

Proposal: Demolish existing bungalow (Russell Dene), greenhouses and various outbuildings and erect two storey extension to front, single storey extensions to side and cafe, erect single storey green barn and 16m high wind turbine to rear of site, relocate existing polytunnels, create new access, form new coach parking, create additional parking to side, creation of pond and various landscaping

Case Officer: Richard Limmer

Customer Details

Name: Mr Ray Johnson

Address: 80 Brookfield Road Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My sister, Brother in-law and I wish to make the following comments and objections about this application on behalf of our 85 year old Mother who we hold full joint power of attorney for.

Our mother is the sole owner of Wold View and has lived there for nearly 40 years and is finding this planning application very stressful and upsetting for the following reasons which we want to be taken into consideration before anything is passed or accepted.

The History of Wold View..... before it was sold to the late Mr R. Johnson our father, his wife and present owner Mrs L. Johnson, it belonged to the Alford Nurseries owners hence Wold View is in a very central position of the plans on this application and as such become the most affected residential property by a country mile of this application.

Alford Nurseries as it was, to our knowledge was a plant growing centre selling to the trade not the public, we are not quite sure when this changed and it was allowed it to become a commercial venture selling to the public. We would be interested in seeing anything showing the change / agreement of operation as it must have been several years ago now when the centre suddenly expanded under the former owners before Navigo, Mr & Mrs Skiba.

The present proposal will have a massive and extremely detrimental impact on Wold View with a total loss of privacy on three sides, East, West & South, particularly West where it shows cars

been allowed to park right up to the fence and within 5 meters of the front room window were Mother sits and only 3 meters if she decides to sit outside , this we find totally unacceptable and object to it in the strongest terms.

The South side is no better having a sprawling car park which according to the Design and access statement on page (12) is set to double in size accommodating a staggering 110 vehicles. You need to just sit and take that in110 vehicles constantly changing all day.

We appreciate there is to be a treeline buffer but this will not stop noise or pollution. Added to this is the constant stream of traffic that is now set to come right past and next to Wold View seven days a week including bank Holidays.

Presently visitors turn off the layby road into the Nurseries and do not come down Maltby lane.

The plans seem to swallow up Maltby lane but it does not actually belong to the Nurseries' it is shared accesses, granted these plans improve Maltby lane but Wold View loses far more than it will benefit from the upgrading of the lane as the sole purpose of upgrading Maltby lane is to gain access to the carpark which is for commercial gain.

Unbelievably on the East side of Wold View just yards away there is to be coach park (I kid you not) , again there will be a lot more noise and pollution as coaches tend to leave engines running to keep the interiors either cool or warm for when the passengers return , the elevated seat positions of a coach will mean passengers peering into wold view so again loss of privacy.

The increased car park size and new coach park go against the green and environmentally friendly theme been used to drive this application as it increases the carbon foot print of the area quite substantially.

The fact that the main pedestrian walkway now goes from the new car park past Wold View to the garden centre reception will only add to the loss of privacy.

Presently there is constant flooding around and on Wold Views land as some rain water runs off the Nurseries' land .

This is something that came up during the previous application around November 2014 DM/0835/14/FUL and our objections at the time I believe a proper drainage system had to be put in place.

In conclusionWold View will become an island marooned in the middle of a giant car and coach park which is totally unacceptable. It will make the property unbearable to live in and devalue it overnight by at least 50% if not more making it hard for Mother to sell and find an identical or similar property that she could move into to enjoy her twilight years instead of been a

car park attendant in a goldfish in a bowl.

I trust anyone reading this will look at our comments objectively , take them onboard and not think we are completely negative about the project , we do not want to stand in the way of what for many will be a good thing but for Wold View and our elderly Mother its a complete disaster.

We are more than happy to talk and work with Navigo to find an amicable solution to the impending nightmare.

Kind Regards

Ray Johnson.....Son

Wendy Marriott.....Daughter

Richard Marriott.....Son In-law

Planning - IGE (ENGIE)

From: val.a.turner
Sent: 15 July 2019 20:34
To: Planning - IGE (ENGIE)
Subject: RE: Planning Application ref DM/0387/19/FUL

Sorry Becca

I should have thought about that, my address is Meadowside, Church Lane, Bradley, Grimsby DN37 0AE

Hope that's all ok
Thank you

Val.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Planning - IGE (ENGIE)" <planning@nelincs.gov.uk>
Date: 15/07/2019 15:13 (GMT+00:00)
To: Val Turner
Subject: RE: Planning Application ref DM/0387/19/FUL

Hi Val,

Thank you for the below. Please can you confirm your address so I can add this as a neighbour comment to our system.

Many thanks

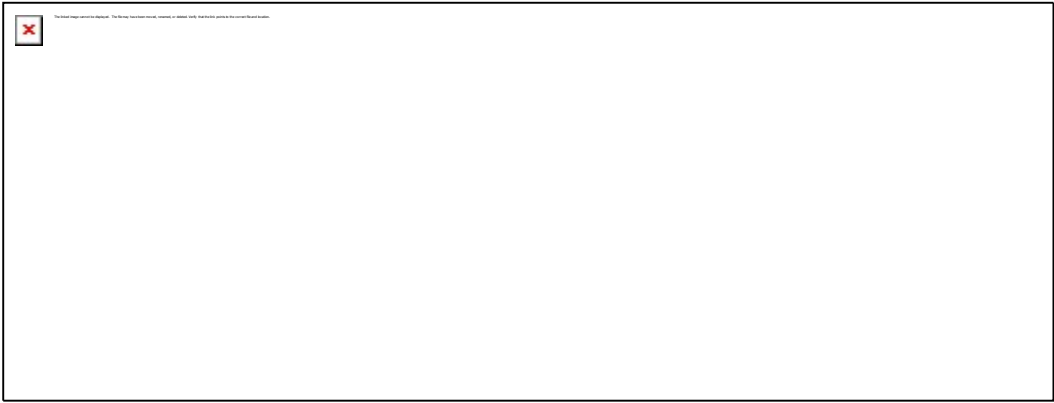
Becca Asquith

Business Support Assistant | **ENGIE**

ENGIE, New Oxford House, George Street, Grimsby, DN31 1HB

+44 (0)14 7232 4614

www.engie.com/en/ | www.nelincs.gov.uk | rebecca.asquith@nelincs.gov.uk



From: Val Turner
Sent: 15 July 2019 15:12
To: Planning - IGE (ENGIE) <planning@nelincs.gov.uk>
Subject: FW: Planning Application ref DM/0387/19/FUL

Good Afternoon Richard

As we discussed this morning I am now sending my letter below from myself as a resident neighbour.

Thank you

Val Turner.

From: Val Turner
Sent: 13 July 2019 13:24
To: 'planning@nelincs.gov.uk'
Subject: Planning Application ref DM/0387/19/FUL

Good Afternoon,

I am sending in my comments on the above Planning Application as a resident neighbour.

I think everyone in the area feels that NAVIGO have done amazing things with this Nursery site through the time they have been running it. They have brought back the original quality of the plants and garden products and their Cafe is a real pleasure to attend. The quality of the food is excellent and the staff are always courteous and welcoming.

However with this new proposal I have great concerns on the welfare of the resident of the one and only privately owned property on the site, this resident has lived at the property for around 40yrs, she recently lost her husband and so is holding on to many happy memories of her time living in the house.

Now looking at these proposed plans it shows she is basically surrounded by car and coach parks, the coach parking is no more than the width of the service road from her door, there will be noise pollution and serious air pollution for her to experience, the coaches will keep their engines running in the summer to keep their air conditioning working and again in the winter to keep their coaches warm and , along with everyone of the cars visiting the nursery passing this property on their way to parking , and I feel all this pollution will be a serious health hazard for a lady in her 80's. There doesn't appear to be any kind of screening on the service road side of the coach park so nothing to absorb sound or pollution.

As it stands at the moment the opening hours seem acceptable but as part of this expansion it looks like the inclusion of some kind of function room is imminent so this could easily result in longer opening hours which in turn would increase the noise pollution and possibly also the air pollution problems.

As I stated earlier we all feel that NAVIGO are doing a great job with the site but I feel there must be some way a compromise can be reached to be right for both parties enabling NAVIGO to go forward and for the resident to live a happy and comfortable life that she so deserves.

Thank you

Val Turner (resident neighbour)

Comments for Planning Application DM/0387/19/FUL

Application Summary

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Case Officer: Richard Limmer

Customer Details

Name: Mr Graham Coulbeck

Address: Hedgerow Cottage Cottagers Plot Laceby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:With reference to the above planning application my wife & I would like to object to the proposed erection of a 16m high wind turbine to the rear of the site. As residents of the conservation area, Cottagers Plot, our concerns are the visual intrusion and the accompanying noise effecting the area. Having attended a consultation meeting at the garden centre we were reassured that the proposed plans would be resubmitted to planning to not include the proposed wind turbine but include instead solar panels.However we were advised to still submit our concerns.

Comments for Planning Application DM/0387/19/FUL

Application Summary

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Case Officer: Richard Limmer

Customer Details

Name: Mr Brian Chapman

Address: Hope Cottage Cottagers Plot, Laceby Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Re the above planning application.

After reading the above planning application and attending the meeting. We strongly OBJECT to the 16M high Wind Turbine, due to visibility noise and health risks.

We do not have any problem with of the expansion of the garden center and the demolition of the bungalow Russell Dene.

Mr BE & Mrs J Chapman.

RECEIVED

22 JUL 2019

4

Rose Cottage
Cottagers Plot
Keeby
Grimsby

DN 37 7DX.

18.7.19.

Re: Planning Application

DM/0387/19/FUL.

To Whom it may concern.

We have no objection to the improvement plans to the Grimsby Garden Centre, but we do object to the proposed Wind Turbine.

This would encroach on the sky line from the gardens of residents living within Cottagers Plot Conservation Area.

Other sustainable energy sources could be used eliminating extra noise levels which may occur from the wind turbine.

Yours sincerely

Mr and Mrs A. Chamberlain

Comments for Planning Application DM/0387/19/FUL

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Case Officer: Richard Limmer

Customer Details

Name: Ms Irene Jordan

Address: Sweet Briar, Cottagers Plot Cottagers Plot, Laceby Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I live in Cottagers Plot which uses the same exit and entry from the A46 roundabout. My concerns are two fold, the additional amount of vehicles that this would bring to the area. At the present time trying to get out onto the roundabout with vehicles going to and from Morrisons especially at weekends and when they have a petrol promotion on means queueing traffic and difficulty getting out onto the A46. Sunday's also have the same impact due to the car boot sale on land next to Morrisons and also cars parked along the turning outside the garden centre people park and cross the road. There is no pedestrian crossing nearby and crossing the road to and from the shop is another trial usually involving a lot of running to avoid collisions. The bus stops outside Morrisons so crossing the road to and from the garden center by public transport is a necessity. I can see Christmas being especially busy.