

Planning Committee Dated: 7th October 2020

Summary List of Detailed Plans and Applications

Recommendation:		Approved Conditions and signing of S106
Item:	1	
Application No:	DM/0211/20/REM	
Application Type:	Reserved Matters	
Application Site:	Land At Station Road Habrough North East Lincolnshire	
Proposal:	Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered	
Applicant:	Mr Mark Snowden	
Case Officer:	Jonathan Cadd	

Recommendation:		Approval with Conditions
Item:	2	
Application No:	DM/0146/20/FUL	
Application Type:	Full Application	
Application Site:	Courtyard View Waltham Road Brigsley North East Lincolnshire	
Proposal:	Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations, erect front boundary wall and alts	
Applicant:	Mr Adrian Haagensen	
Case Officer:	Owen Toop	

Recommendation: Approval with Conditions	
Item:	3
Application No:	DM/1032/19/FUL
Application Type:	Full Application
Application Site:	45 The Avenue Healing Grimsby North East Lincolnshire
Proposal:	Demolish existing outhouse and erect single storey side and rear extension to include garage (amended plans showing reduction in height of side and rear extension and stepping back of front elevation of garage)
Applicant:	Mrs Brigit Cheeseman
Case Officer:	Owen Toop
Recommendation: Approval with Conditions	
Item:	4
Application No:	DM/0596/20/FUL
Application Type:	Full Application
Application Site:	Waterside Cottage 28 Phillips Lane Laceby Grimsby
Proposal:	Alterations to replace exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras
Applicant:	Mr And Mrs David Townend
Case Officer:	Lauren Birkwood
Recommendation: Approval with Conditions	
Item:	5
Application No:	DM/0396/20/LBC
Application Type:	Listed Building Consent
Application Site:	Waterside Cottage 28 Phillips Lane Laceby Grimsby
Proposal:	Listed Building consent for the replacement of exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras
Applicant:	Mr And Mrs David Townend
Case Officer:	Lauren Birkwood

PLANNING COMMITTEE - 7th October 2020

ITEM: 1 **RECOMMENDATION: Approved Conditions and signing of S106**

APPLICATION No: DM/0211/20/REM

APPLICATION TYPE: Reserved Matters

APPLICATION SITE: Land At, Station Road, Habrough, North East Lincolnshire,

PROPOSAL: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

APPLICANT:

Mr Mark Snowden
Keigar Homes Ltd
Keigar Lodge
Canberra View
Barton Upon Humber
North Lincolnshire
DN18 5ER

AGENT:

DEPOSITED: 9th March 2020

ACCEPTED: 25th March 2020

TARGET DATE: 24th June 2020

PUBLICITY EXPIRY: 31st August 2020

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 26th April 2020

CASE OFFICER: Jonathan Cadd

PROPOSAL

This proposal seeks reserve matters approval to develop 118 residential dwelling units. The application follows the grant of outline permission, ref. no. DM/0950/15/OUT (with access considered) on the 28th July 2017 and requires the following matters to be considered: layout, scale and landscaping.

The proposal includes a mix of house types and sizes, including a two storey dwellings, bungalows and dormer bungalows. Access from Station Road would be made in between 31 Station Road and the former vehicle garage. In addition to dwellings, garages roads and pathways two large landscaped areas would be formed to the north western portion

of the site. In addition to this, a series of the sustainable urban drainage features are proposed including retention ponds, swales and rain gardens.

This application is presented to planning committee due to the level of objection from neighbours and the comments of Habrough Parish Council.

SITE

The site is located on the north-western side of Station Road, Habrough and is located to the south east of the A180 major trunk road. Access to the site would be from Station Road in between no. 31 and the former commercial garage connected to 34 Station Road

The site has an area of 5.45 hectares with a general width of 236 metres (south-west to northeast) and a length of 262 metres (south-east to north-west). The north eastern corner (closest to the A180) has a rectangular void which falls outside of the application site as does an extended triangular garden serving 35 Station Road which projects into the proposal site in the south-east.

The site has a generally flat topography with a height of 14.6 metres Above Ordinance Datum (AOD) at the edges of the site, dipping gradually to 13.7 metres AOD in various points within its centre.

The site is roughly divided into two fields which are demarcated north west to south east by a field hedge and occasional tree to close to the rear of 35 Station Road and a further hedge, trees and ditch to the north eastern boundary (to the rear of 43 Station Road).

The north-eastern edge of Habrough village is located directly to the south-west of the site, with Kesteven Court being the nearest residential street which runs parallel to the side boundary of the site. The residential properties that share a boundary with the site on this street are numbered 6-22. These properties are a mix of bungalows and dormer bungalows. A significant number have been altered or extended in some way, whilst others have garden buildings within the rear amenity areas. Boundary treatment to these gardens varies between hedging and fencing with others appearing more open to the field.

The other nearest residential properties are those located along Station Road. Numbers 29, 30 and 31 are bungalows, whilst 34, 35, 37, 39, 40, 41, 42 and 43 are more varied in character. 34 Station Road is a two storey Georgian style villa with a more modern (former) commercial garage and forecourt alongside and brick barn type outbuilding to the rear. Nos. 35 - 39 are bungalow and dormer bungalow designs with 41 - 43 being two storey semi detached dwellings.

To the north is a drainage ditch which appears to be connected to the A180 and beyond this is another paddock. Along this northern boundary is an informal but well used pathway. To the east is an agricultural field, which like the application site is in an overgrown condition.

RELEVANT PLANNING HISTORY

DM/0622/20/MDO Application to modify the planning obligation under Section 106 as granted on DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) - Reduce on-site provision of affordable housing to 10%, Remove dwellings allocated for Over 55's from education contribution, Provide off-site contribution for play facilities at land off Craven Lane - to be determined

DM/0950/15/ Outline application for a residential development of up to 118 dwellings, with access to be considered. Approved with s106 agreement 28.07.2017

DM/0924/15/SCR Environmental impact assessment No EIA Required 13.10.2015

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF5 - Delivering a sufficient supply of homes
NPPF8 - Promoting healthy and safe communities
NPPF9 - Promoting sustainable transport
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

PO2 - The housing requirement
PO3 - Settlement hierarchy
PO4 - Distribution of housing growth
PO5 - Development boundaries
PO6 - Infrastructure
PO13 - Housing allocations
PO15 - Housing mix
PO16 - Provision-elderly person's housing needs
PO17 - Housing density
PO18 - Affordable housing
PO22 - Good design in new developments
PO32 - Energy and low carbon living
PO33 - Flood risk
PO36 - Promoting sustainable transport
PO38 - Parking
PO41 - Biodiversity and Geodiversity
PO42 - Landscape
PO43 - Green space and recreation

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

Habrough Parish Council: (in summary) Outline concerns - Due to Covid19 the usual Parish Meeting has not been possible. The following are the concerns raised. In doing so it is accepted that the majority of Habrough residents do not object to the proposal and welcome additional housing and the potential of such development could assist to bring additional services to the area. The following issues which were agreed at outline stage have been reversed, however:

- 1) Large houses backing onto bungalows causing privacy concerns
- 2) An additional house being constructed at the access limiting the site entrance
- 3) It is not clear that the drainage system is adequate for the number of houses proposed - issues occur during the winter months
- 4) There is no recognition of the informal pathway from Kesteven Court to Station Road which is a concern given the lack of safe pathway (for walkers, dog walkers and horse riders) in the village. It is well used as a loop route and has been established for more than 30 years
- 5) Only one road going in and out and further work needs to be considered going forward to reduce traffic speeds.
- 6) Road noise and the requirement for new tarmac- probably an issue to be taken up with the Highways department

Highways: The site itself received outline approval in 2016 and was considered for any impact it may have had on the adopted highway network at that time. The Highway Authority were content that no severe impact would be made by the approval of the planning application.

As this is a reserved matters application it has been necessary for the applicant to submit more in-depth plans to satisfy the Highway Authority requirements.

Should the planning authority look to approve the application then conditions are advised.

Drainage: (in summary) The proposed surface water drainage strategy is acceptable with lots of different sustainable drainage techniques used throughout the site, however drainage calculations will be required to assess it fully. Conditions and informatives are therefore required.

Environment Agency: The Environment Agency does not wish to make any comments on this application. It does not appear to meet any of the criteria listed on our External Consultation Checklist.

NE Lindsey Internal Drainage Board: (in summary) The boards maintained 8F- Habrough Marsh Drain Branch No.3 runs along the North West boundary of the site. As mentioned in our previous response to DM/0950/15/OUT, under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance of 7m of the top of the bank of a Board maintained watercourse. Clear and unobstructed access to a maintenance margin is required, either side of Habrough Marsh Drain for the board's machinery for the future maintenance of the watercourse.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for the introduction of any water into the District whether directly or indirectly

No development should be commenced until the Local Planning Authority, in consultation with the Lead Local Flood Authority has approved a scheme for the provision, implementation and future maintenance of a surface water drainage system.

Environmental Protection: (in summary) request electric vehicle charging point condition

In response to road noise the following is stated;

Further response received on 26 June 2020 indicated: (in summary) I have reviewed the noise report submitted on the 17th June 2020. Section 5 of the report provides details on the proposed sound attenuation scheme. Section 5.03 discusses enhanced ventilation / glazing scheme in table 5.1 to be implemented at locations specified in Appendix 3 (for locations of enhanced ventilation) of this report. Section 5.05 also states: "In order to protect garden amenity at the application site, it is recommended that circa 2.7- metre-high solid timber barriers are installed to the gardens of Plots 85, 87 and 88 (in closest proximity to the A180), with 2.4-metre-high solid timber barriers installed to remaining exposed gardens (see Appendix 3 for locations of barriers)." The timber barriers should be built in double-thickness solid timber construction as illustrated below. The barriers should have no gaps or holes (cover strips should also be used to prevent gaps forming over time) and should be fully sealed at the ground (i.e. include a gravel board). I can confirm we are satisfied with the report and proposed noise mitigation measures stated within section 5 of this report.

Strategic Housing: (in summary) I have had a look at what the contribution should be if we apply the normal size mix which reflects the mix being provided onsite and 75%/25% tenure split. Reference to the need to respond to housing need.

Trees and Woodlands Officer: It is suggested that the tree planting element of the landscape plan is revisited. Whilst there is no major objections to the broad outline of the location of trees, it is the species chosen and their

use that is not acceptable. The use of *Carpinus betulus* as proposed is certainly needs to be revisited. The tree planting associated with the POS needs to be revisited.

Crime Reduction Officer: There appears to be no section on designing out crime in this application. Informative advice has been provided suggesting that the applicant incorporate Secured By Design standards in the proposal, with a recommendation that the applicant apply for the Secured By Design Award. Detail needs to be provided to allow a submission to be made.

Humberside Fire and Rescue: (in summary) the development will need to accord with Building Regulations including the need for high reach appliances to access the site. This should be constructed to provide a minimum carrying capacity of 24 tonnes. Adequate provision of water supplies for firefighting appropriate to the proposed risk should be considered. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities. This is likely to include the requirement for fire hydrants.

Heritage Officer: No objection

Neighbours: Neighbour letters and site notices displayed (As of 22nd Sept 2020)

Object - 18, 31, 35, 39, 52 Station Road, 5, 6, 7, 10, 13, 16, 19, 31 Kesteven Court

Support: 4 Dawson Court

Summary of objections:

- I was told there would be land, road then bungalows behind our bungalows and I do not want to be overlooked. To Kesteven Court a 10m wide landscaping strip with trees was to be formed. There is now no such protection. Bungalows should back onto bungalows at Kesteven Court - this should not include large dormer bungalows. Plot 28 also has a short garden increasing overlooking.

- Concern over the capacity of the pumping station to accommodate increased loads - there is an Anglian Water report outlining limitations and tankers regularly (every few weeks) attends to pump out the site to aid flows and capacity. How will it cope with 118 more houses? It was not good enough for a developer 30 years ago, so it certainly will not be now as nothing has changed. Underground pipework unblocking has been carried out in November 2016, September 2017 with contractors and a NE Lincs Council official in attendance. More recently mid December 2019 AWA had to be called out as sewerage system full again. This is an accident waiting to happen.

- There are minimal facilities within the village - whilst the only shop is now selling emergency provisions (bread milk etc) it is hardly a convenience store. The developer should assist in providing a store.

- Is the connection to the substation likely to disrupt supplies to existing residents and for how long. Similarly, for gas?

- Surface water needs to be considered to avoid flooding due to increased hard surfacing. Another Snaith in Yorkshire is a potential if it isn't considered properly. One in fifty /one hundred-year events are happening more and more. Large amounts of water currently stand on the fields after heavy rain and concerns are raised whether the two small ponds would be enough - surface water flowing back to the houses at Kesteven Court would not be acceptable.

- A bus service is required so bus passes can be used- train services are good but limited in their destination.

- Traffic congestion and safety concerns due to 236+ additional cars being brought onto the network. Some level of management is required as the road is busy at Humber Bank shift change time, when HGV tankers from the refineries drive past at 40mph and with boy racers/ motorcycles exceeding the present speed limit - minimum speed restrictions are required - 30mph please. Family houses will bring families to the area and they will have to drive children to schools increasing risks. A traffic island to the road is required. The access has been narrowed by the erection of one additional house narrowing the access road impeding flows. The changes to the level crossing gates cause further tail backs along the road at peak times as does the roundabout outside the church.

- Boundary treatment to open spaces are require thought to ensure occupants do not enter adjoining gardens.

- How will anti-social behaviour be dealt with?

- Will the education contribution take account of increased costs of Covid19 distancing regulations and reduced class sizes?

- The need for the affordable housing is not demonstrated.

- The need for more housing in Habrough is not demonstrated - a sea of empty houses is a real concern. The village would increase by 40% which is unacceptable.

- There is a roost of bats at my property and think the development will affect their quality of life.

Concerns that the application is being considered during the pandemic which prevents any meaningful dialogue with others objecting but also the developer and Parish Council.

Reason for support:

Looking forward to this development starting in Habrough, this may give the village enough residences to sustain a village shop and give the local pub more local trade.

Some villagers wish the road to be reduced to a 30mph speed limit, this may help their cause as we will have another access onto Station Road.

APPRAISAL

Main issues

- 1) Planning policy issues
- 2) Layout, design and character
- 3) Residential amenity
- 4) Flood risk and drainage
- 5) Landscaping and ecology
- 6) Highway safety and parking
- 7) Other matters

Appraisal

- 1) Planning policy issues

The site has an extant outline consent for 118 dwellings with access to Station Road detailed, ref. no. DM/0950/15/OUT. The current application seeks approval of the remaining matters: layout, scale and landscaping reserved at outline only. In addition to this, the site is allocated within the NELLP for housing (HOU134) with a site capacity of 118 houses. Despite some concerns raised by residents re the sustainability of Habrough, the limited facilities and public transport connections available and the scale of development proposed, the principle of a residential development of this scale on site has been established and is not under consideration in this proposal.

Policy 15 of the NELLP, however, seeks development to provide a mix of housing units and types and this development proposes 19% - 2 bed dwellings, 41% - 3 bed dwellings, 21% - 4 bed and 19% - 6 bed. In addition to this, 21 of units (18%) proposed would be either bungalows or dormer bungalows with 6 (5%) being dormer bungalow designs. 21 (18%) are proposed as being designated for over 55 occupants whilst 12 (10%) are identified as being suitable for affordable units. It is considered therefore that the proposed development represents a balanced development of tenures, types and sizes. It is considered therefore that the proposal would also accord with policy 16 of the NELLP which seeks increased provision for the elderly.

It is noted that the applicant seeks only 12 affordable housing units (10%) compared to the 24 (20%) units agreed at outline stage. The outline planning permission and policy was granted in 2017 before the current Local Plan was adopted. Policy 18 of the NELLP indicates that within medium housing market zones, a greenfield site should provide 10% of all units as affordable houses. The Council Affordable housing officer has outlined that the current proposals accord with this policy and the units identified would adequately assist to meet the correct level of housing need in the NE Lincolnshire in accordance with

the most up to date policy. It is therefore recommended that the development with reduced level affordable housing provision is accepted to bring the 2017 approval into line with current policies. A separate application to modify the s106 agreement to accord with this has been submitted. In addition, condition 8 of the outline planning permission requires further details to agree the actual location of the affordable houses to be submitted.

In a similar manner the increase in over 55 units, which were not previously considered as part of the outline proposal is also the subject of an amendment to the s106 agreement, s106 application ref. DM/0622/20/MDO Such units provided are generally bungalows and underlines that Habrough is popular with the older age groups and provides an extra balance to the development which was not proposed previously. The Council's Housing Officer has not objected to the change to over 55 units subject to control over the age of future occupiers of these units. By their nature, such units will not accommodate school children and modifications to the s106 to address this is with respect to education contributions sought are also proposed. The number of affordable homes will also be reduced as noted but any additional market homes above those previously seeking approval will now be subject to an education contribution. Having regard to the fact that the development is being considered against up to date Local Policy through the S106 amendment both primary and secondary contributions apply in principle under Policy 6 of the Local Plan. To this end a primary contribution is to be paid. However with regards to secondary following consultation with the Councils Schools Advance Asset Practitioner it has been confirmed that there is secondary capacity to serve the development and therefore no secondary school contribution is required.

2) Layout, design and character

The layout of the proposal has changed since the original outline was approved. It should be noted, however, that at outline stage, and in this specific instance, proposal the layout was indicative only. Nevertheless, the layout continues to allow access from Station Road with only bungalow or dormer bungalows backing onto Kesteven Court in a similar line to that shown at outline.

The layout also provides for two specific open spaces within the development: one close to the entrance and the other to the north eastern fringe of the site facing onto open countryside. In keeping with this, the housing proposed would also face onto these open spaces and open field to the north/ north east as well as a section of houses facing the eastern side onto a field hedge and countryside.

The site access would be 5.5m wide at the entrance with 2m pavements either side, although this would reduce to a pavement to the western side only after 13m to allow for a surface water swale to be provided.

As noted above the development would be a mixture of bungalow, dormer bungalow and housing designs with brick walls, bays, pitched roofs and gables. Similarly, plots backing onto Station Road and Kesteven Court seek bungalow and dormer bungalow designs.

Whilst it is accepted that the indicative plans at outline may have been uniformly of bungalow designs at this point, the current scheme proposes bungalows and dormer bungalows where similar existing properties are constructed to the west. Whilst not fully matching existing property designs and heights the general spacing of units is such that the character of these existing areas would be maintained. The slight exception to this, would be the proposed 2 storey dwellings to the rear of the former commercial garage on Station Road. However, this is an unattractive building and the positioning of 2 storey dwellings some 26m back (with screen trees) would not appear unduly dominant nor contrary to the pleasant nature of the area.

It is considered therefore that the proposal would maintain the appearance and character of this part of Habrough and accord with policies 5 and 22 of the North East Lincolnshire Local Plan.

3) Residential amenity

A significant concern of a number of residents is the impact of the proposal on their amenity, particularly with reference to bungalow properties to Kesteven Court. Following negotiations, the two storey dwellings previously proposed to the western side of the development have been altered to bungalow or dormer bungalow designs. It is noted that dormer bungalow designs are not particularly welcomed by some residents but generous spacing of most plots is noted, as are a number of existing dormer conversions to Kesteven Court itself. It is noted that where dormer designs are proposed, only 4 in total, the rear elevations only include roof lights rather than actual dormers. Whilst still providing accommodation at first floor the back or rear dormers provides a less dominant appearance. Finally, the dormer bungalow designs (Maxstoke) have a 6.8m high ridge and are not therefore particularly dominant features compared to the bungalows at Kesteven Court, particularly when the intervening gaps between structures are taken into account.

One area which is slightly more constrained would be to plots 27 and 28 and their relationship with 7 Kesteven Court. The dining room to plot 27 would, at their closest, be within 18m of the rear elevation of the bungalow at no. 7 whilst the sunroom at plot 28 would be within 17.5m of the rear elevation. Both of these elements of the building designs at the plots would be single storey which would protect privacy. Where first floor elements within the roof to plot 28 are to be found (20.8m away from the closest part of no. 7) the main elevations of the two structures would angle away from each other reducing any impact further. It is, however, considered prudent to remove permitted development right to the rear of these two plots to protect the amenity of neighbours.

To Station Road distances between the proposed structures and existing properties would be acceptable, a large two storey outbuilding/ barn type building would be 18m of the rear elevation of plot 9 but this is not considered to be a habitable building at this time and has a blank north elevation facing the proposed plot.

It is noted that 29 - 31 Station Road would have their back gardens backing onto a road,

this would however, only serve 5 dwellings and a 3m wide landscaping strip is proposed to divide the road from the rear garden boundaries. Together this indicates that the proposal would adequately protect amenity.

Within the estate, distances between properties, building scales and garden area would all be deemed acceptable maintaining residential amenity in terms of open space, outlook, privacy and light and sunlight.

The other issue of importance is noise and nuisance from the A180 which runs to the east of the site. Sufficient information was provided at outline stage to allow that application to be granted subject to a more detailed assessment. The applicant has now undertaken a further detail assessment (January 2020) for both daytime and night-time noise levels. This concludes that subject to a number of features future occupiers would not be subject to unacceptable noise levels. This includes all dwellings, which have a face to the northern and eastern boundaries, having a standard double glazing but with acoustic trickle vents and gardens in a similar area having either a solid 2.7m high boundary fencing or 2.4m high fencing elsewhere to reduce noise levels to external areas. The alterations to the designs through the changed request have reduced the need for some of the higher fences to the eastern side of the estate but not the double glazing. Whilst the layout has altered slightly, since the application was submitted the overall approach is sound and in any case condition 12 remains to be discharged and any slight alterations can be achieved through this condition.

It is considered therefore that the proposal would accord with policies 5 and 22 of the North East Lincolnshire Local Plan.

4) Flood risk and drainage

The site is in Environment Agency Flood Zone One, the lowest risk category for development and is deemed suitable for housing. There are some localised areas of known surface water flooding and these are noted and considered within the drainage/ flood risk assessment submitted. The drainage team, nor the Environment Agency have objected to the proposals.

The drainage designs proposed still require to be fully detailed, but the layout shows the ability to accommodate swales alongside the roads, rain gardens and two ponds. The drainage team support the scheme and conditions attached to the outline ensure that the final design and any outflows into the wider network would need to be confirmed.

Several objections have been received from residents and indeed the Parish Council regarding the capacity of the foul pumping station and the need for tanker lorries to remove waste from the facility on a fairly regular basis. The capacity of the foul drainage network is within the control of the Anglian Water. The site has been allocated within the Local Plan and as such Anglian Water has had the opportunity to object to the proposal at that stage. It is the responsibility of the water undertaker to ensure that sufficient capacity is available within the network and has powers upgrade facilities to

accommodate additional flows. In doing so Anglian Water must consider the allocation in the Local Plan when formulating its own investment programme over a 5-year period. Anglian Water did not object to 118 houses at outline stage indicating it had sufficient capacity to accommodate the scheme but did seek to protect the operation of the pumping station by requiring that no residential dwelling should be located within 15m of the pumping station without being supported by the noise assessment. The applicant has amended the proposal to ensure that the dormer bungalow at plot 29 is 15m away from the compound boundary.

Condition 3 of the outline permission does, however, require full details of a proposed foul drainage system to be provided and this remains to be discharged.

5) Landscaping and ecology

The application includes two areas of open space, as noted previously, the largest at the north eastern corner of the site has an area of 4451 sq.m whilst the smaller area towards the front of the site would be 776 sq.m in area. This would exceed the requirements of open space provision within policy 43 of the NELLP. In addition to this a Local Area of Play (for children under 5) is shown to be provided on site, whilst play equipment for older children - up to 12 a LEAP would also be required. The applicant has proposed that this be placed elsewhere in the village to aid access for all rather than being on the edge of the village. The applicant, officers and the Parish Council have begun discussions over this aspect and these discussions are on-going. Considerations include distance to walk to the facilities and the nature of the proposed play areas. Although these discussions are on-going, it should be noted sufficient space is available on site for such facilities and condition 13 of the outline permission remains outstanding providing a level of control to ensure such features can be provided on site if necessary. It would not therefore prevent this application from being determined.

The site also forms part of an informal loop walk which the villagers use, and the Parish wish to be retained. The path adjoins the drainage ditch which is rather deep and could therefore be a danger if a dedicated pathway were to be formed to this edge. The applicant has shown that the existing path from Kesteven Court would be redirected slightly onto a shared surface along the northern frontage of the site. A further area is demarcated across the proposed open space to meet up with the existing formal pathway maintaining this informal loop walk and again aiding outdoor recreation.

6) Highway safety and parking

The outline permission approved a single estate access to Station Road, and this proposal does not change that despite concerns raised. The overall highway network within the estate, however, is for consideration, and has been assessed by the Highway Authority. This includes carriageway and footpath widths and includes bin collection area. The main roads within the estate are proposed to be adopted and would include areas of both tarmac and block paving. These have also been assessed by the Highway Authority and are deemed to be acceptable. Several short private drives serving up to 5

dwellingings have also been proposed. The first condition sought by the highway authority is a standard condition which requires detailed construction specifications to be provided and is already imposed within the outline permission, no. 10.

It should also be noted that the developer will also need to comply with condition 7 of the outline approval for two vehicle speed activated signs and the relocation of bus stops.

Sufficient parking is proposed on the site, with the majority of road allowing on street parking without causing nuisance to traffic flows and therefore accords with policy 38 of the NELLP.

This together with the links to the footpath network to the rest of the village, the bus stop and railway station are deemed acceptable and would ensure the development would accord with policies 5 and 36 of the NELLP.

7) Other matters

It is noted that the electric vehicle charging points are requested by the Environmental Protection Team. Whilst noted, this really is a matter for the outline stage when the principle of development was under consideration and cannot now be added at reserved matters stage.

In terms of designing out crime the layout provides for good definition of private space, boundary treatments and well overlooked public spaces. Secured by design is an important scheme which developers are encouraged to work for but is not a requirement of the planning system, several requirements of the award are also outside of the remit of the planning system such as locks, window and door designs and lighting.

CONCLUSION

The proposed scheme would provide an attractive addition to this part of Habrough with a range of house type and tenure to suit both young and old. Affordable housing would also assist to meet the needs of NE Lincolnshire. The design would maintain the appearance and the character of the area and providing a positive transition from open countryside to the village, whilst open space would provide a visual buffer but also suitable amenity area for residents. Access would be as previously approved and is deemed suitable for traffic levels generated as is the estate layout.

The layout also provides sufficient detail to ensure suitable sustainable urban drainage can be provided at the site for surface water, although conditions for the full detail remain to be discharged from the outline consent. A similar condition is also required for the foul drainage. Finally, the positioning and scale of the proposed dwellingings would maintain suitable amenity for existing residents subject to conditions as recommended and those that apply from the outline permission. The proposal therefore is considered to accord

with policies 3, 4, 5, 6, 13, 15, 16, 17, 18, 22, 33, 36, 38, 42 and 43 of the North East Lincolnshire Local Plan.

The application is therefore recommended for approval subject to the completion of the amended Section 106 Legal Agreement with the issue of the decision notice being delegated to the Interim Director of Economy, Growth and Environment.

RECOMMENDATION

Approved Conditions and signing of S106 with the decision delegated to the Director of Economy and Growth - Place

(1) Condition

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

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area and in accordance with policy 5 and 22 of the North East Lincolnshire Local Plan.

(2) Condition

Before construction above damp course (dpc) level on any plot commences a scheme of screen walls, fences and gates shall be submitted to and approved in writing by the Local Planning Authority. Such approved scheme shall be completed before the dwelling to which it relates is occupied and shall thereafter be so retained.

Reason

To ensure a satisfactory appearance for the development and to safeguard residential amenity in accordance with policy 5 and 22 of the North East Lincolnshire Local Plan.

(3) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class A, B, C, D and E, shall be permitted within the curtilage of the dwelling(s) noted to plots 26, 27 and 28.

Reason

To protect residential amenity (privacy and outlook) of existing occupiers but also for

future occupiers from the noise and nuisance from the Anglian Water Pumping station but also for the visual character of the area and in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan

(4) Condition

No development shall commence above damp course level (dpc) on any plot until a scheme based upon landscape design drawing no. showing:

- (a) 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

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

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity and in accordance with policies 5, 22 and 41 of the North east Lincolnshire Local Plan.

(5) Condition

The scheme of landscaping and tree planting to be approved by the Local Planning Authority under condition 5 shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity and in accordance with policies: 5, 22 and 41 of the North East Lincolnshire Local Plan.

(6) Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be taken in or dispatched from the site in connection with the construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time unless agreed in writing with the Local Planning Authority.

Reason

To protect the amenities of nearby residents and in accordance with policy 5 of the North East Lincolnshire Local Plan.

(7) Condition

The bin day storage areas, as shown on approved drawing HA/143/03 rev E shall be completed and available for use before the dwellings which they serve are first occupied and shall be retained as such thereafter.

Reason

To allow refuse to be collected in a safe and satisfactory manner and in accordance with policy 5 and 22 of the North East Lincolnshire Local Plan.

(8) Condition

The development shall be carried out in accordance with the approved plans and specifications. Approved plans have the following drawing nos.

Site plans

HA/143/03/E - Site Plan

HA/143/05/D - SUDs features

HA/143/06/E - Materials

HA/143/07/D - Landscaping

House types

AA/AS/18/102

AA/AS/18/103

BU/AS/18/103

BU/AS/19/102

BU/AS/19/106

CA/AS/16/101

CA/AS/18/101

CA/AS/19/102

CH/AS/12/103

DU/AS/18/103

DU/AS/18/106

DU/OP/18/103

DU/OP/19/106

HD/AS/16/102

HD/AS/16/103

HD/OP/16/103

HH/AS/16/101

HH/AS/18/102

KI/AS/18/102

KI/AS/18/103

KI/OP/18/103

KI/OP/18/102

M/OP/19/101

M/AS/19/102

MC/AS/19/101

MC/OP/19/101

MC/AS/19/102

MCA/AS/18/101

MCA/OP/18/101

MCA/AS/19/101

M.DG/AS/19/102

M.DG/OP/19/102

MCM/AS/12/101

M.SG/OP/19/102

MX.SG/OP/19/102

PO/AS/16/001

TE.BA/AS/19/103

TE.BA/OP/19/102

TE.SR/AS/19/102

TE.SR/OP/19/102

TE.SR/OP/18/103

W/AS/18/101

W/OP/18/101

W/AS/18/102

W/OP/18/102

Garages

GA/HA/ST1

GA/HA/ST2

GA/HA/ST3

GA/HA/P11
GA/HA/P30
GA/HA/P34
GA/HA/P6
GA/HA/P86
GA/HA/P88
HA/HA/P1

Reason

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

Informatives

1 Informative

This reserved matters permission must be implemented in accordance with the approved plans and conditions but also the outline consent, ref. no. DM/0950/15/OUT, and conditions attached to that permission. Only together do the outline and reserved matters permissions form a valid planning permission which the developer can be implement. Conditions to both consents therefore need to be addressed and discharged.

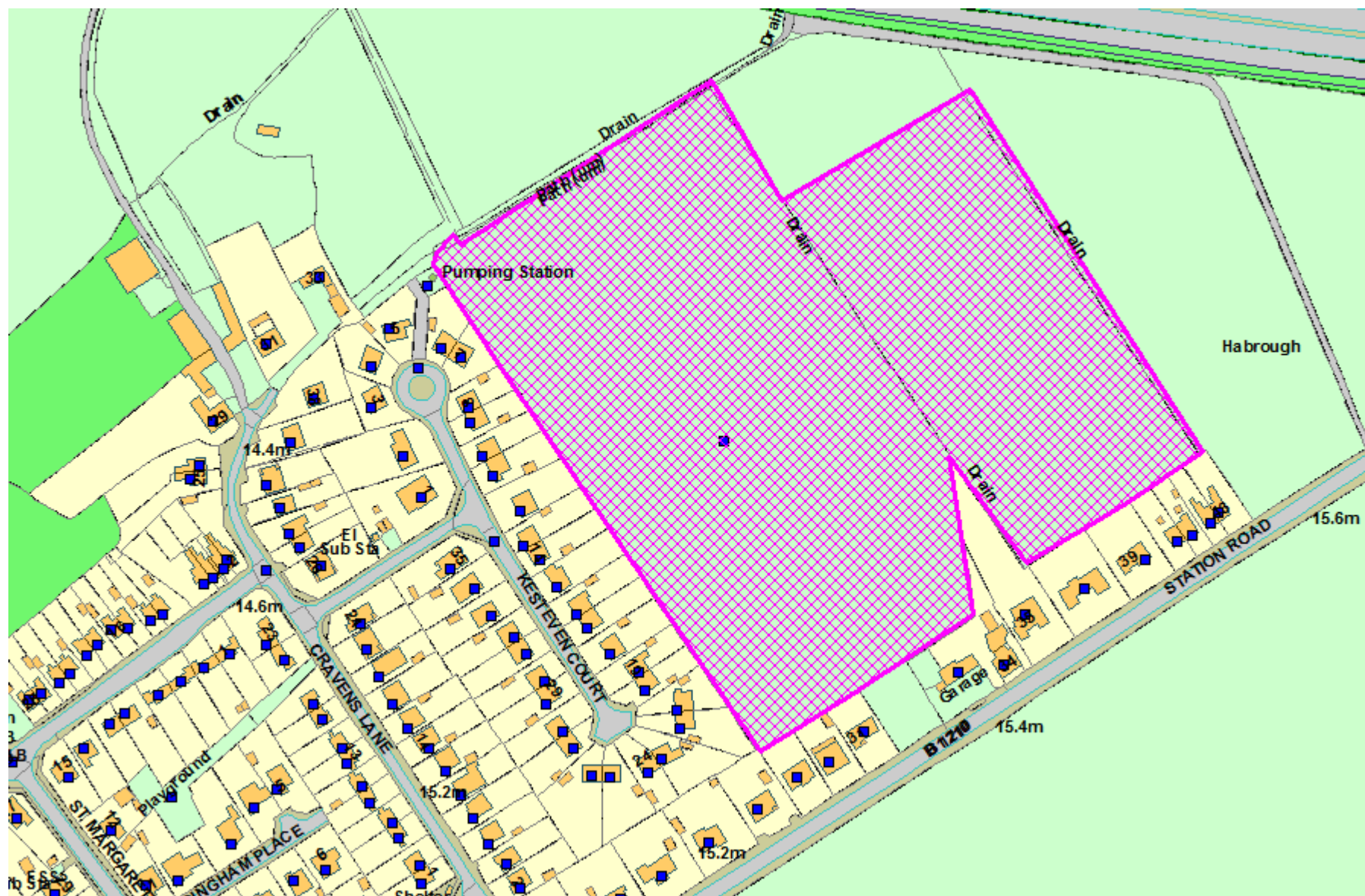
2 Informative

If the highways within the site are to be adopted by the Council, in accordance with Section 38 of the Highways Act 1980, please contact the Highway Management Team six months in advance of the commencement of works (Tel: 01472 324505)

3 Informative

If the footway or carriageway is damaged as a consequence of any excavation or any other operations relating to the development, the Highway Authority may make good the damage and recover expenses reasonably incurred. You are required to contact the Highway Management Team at least 4 weeks prior to commencement of works to arrange for a highway pre-condition inspection (Tel: 01472 324431).

DM/0211/20/REM – LAND AT STATION ROAD, HABROUGH





NELC
 Development Management Services – Planning,
 New Oxford House,
 2 George Street,
 Grimsby,
 North East Lincolnshire,
 DN31 1H B

31st May 2020

Dear Sir

Re Planning Application DM/0211/20/REM

Land at Station Road Habrough North East Lincolnshire

Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered.

Due to Covid-19 the council have not been able to hold the usual meeting to discuss any issues and are unable to attend any of your meetings to put the issues forward so Habrough Parish Council would like to put forward this letter of concern on behalf of the resident's regarding this new development,

The majority of Habrough residents do not object to the new residential area and welcome it as it can only be good for the area with the possibility of increasing local amenities and services to the area.

The residents with issues have sent in separate letters regarding their concerns in detail so we would just like to summarize the main areas of concern.

The planning application was originally passed five years ago after causing some debate with over 30 residents attending the Town Hall meeting over various issues that were resolved before the planning application was approved. However, residents have looked back and compared the new application to the previous one and the developers seem to have gone back on some of the changes.

- A) Large houses being built overlooking and backing onto bungalows causing privacy concerns.
- B) An additional house being built on the new residential site entrance limiting road access.
- C) To make sure the drainage system and pumping station for the new residential area is more than adequate and making sure it doesn't have an impact on the rest of the village throughout various times of the year.
- D) The previous planning committee accounted for the un-official footpath that is used between Kesteven Court and Station road, this does not seem to have been taken account of this time around. Residents of Habrough would like this to be retained for both dog walkers and horse riders as there is very little safe footpath/bridle way in the area. This also links nicely making a safe walking loop within the village. Residents tell us it has been used for over 30 years and would like to get this recognised officially.

- E) Only one road going in and out of the residential area. To look further into steps to lower speed limits and put speed monitoring signs up. Consideration to the road noise and re tarmacking to quieten the roads (this is probably an issue we need to take up with the Highways Department).

We hope you can look at these concerns and ask the developers why they have gone back and changed previous alterations made with the residents on the previous application.

We ask that your planning committee take the resident's concerns into consideration when making your decisions to approve the application.

Kind regards

Vanessa Suddaby
Habrough Parish Clerk

Comments for Planning Application DM/0211/20/REM

Application Summary

Application Number: DM/0211/20/REM

Address: Land At Station Road Habrough North East Lincolnshire

Proposal: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Paul JOHNSON

Address: 18 Station Road Habrough Immingham

Comment Details

Commenter Type: Councillor

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I do hope that consideration is taken,with regards to the increase in vehicles entering and leaving the proposed new estate along Station Road, a road which the residents petitioned for a reduction to 30mph because of the type and amount of vehicles that at present use that stretch of the road.I have been informed that this is not part of planning approval and not worthy to submit, however there is mention of a two speed activated signs in the proposed plans, and not to sort out the the actual signs permitted speed limit at the outset is delaying what could only increase a future problem at a later date. This is not an objection, I as a resident I dont have one, just a issue that can be easy resolved now at the outset, instead of a future issue all over again.

Comments for Planning Application DM/0211/20/REM

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Linda Ball

Address: 31 station rd. Immingham. Habrough N.e.lincs

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to know what is happening. I was told there would be land rd then bungalows at the back of our bungalows. Please can this be confirmed. I do not want my privacy taken awsy

Comments for Planning Application DM/0211/20/REM

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Varaidzo Mapunde

Address: 35 Station Road Habrough Immingham

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: I completely agree with the sentiments of the comments you have already received and would like to add the following points:

- please can you confirm that you intend to honour the original agreement to have bungalows backing up onto existing properties? I suspect that you have factored in overlooking properties into the new builds, but we need confirmation that you will respect our right to not be overlooked too.
- our property will share a boundary with one of our proposed parks/green spaces - how do you propose to keep any unwanted objects and visitors out of our property?
- The village does not have any amenities that can sustain this increase in population. What are the plans for this? Are you hoping that retailers will suddenly move into nearby Immingham? What are the plans for dealing with an increase in traffic? We already have the Habrough Station and the little roundabout by the church acting as bottlenecks.
- I understand that in your previous application there was mention of contributing some premium to the council to contribute to potential increase in pupils registering for state schools in the area. In the COVID-19 era and beyond, how will this work in terms of class sizes?
- What are the plans for monitoring and controlling anti-social behaviour?
- I do understand the need to provide more affordable housing and support that, however I am not so sure where the new buyers will be coming from and where they will be working. Grimsby is the

nearest big town here and there are plenty of housing developments there. Not many, if any community beyond Scunthorpe. This concern is based on Habrough Fields which is under 2 miles from the village and that struggles with flooding and retaining residents, never mind attracting them. I agree with another villager that suggested a phased approach to building so that we do not end up with a sea of rooftops that are not inhabited.

Finally, I would strongly suggest that the council and developer host a virtual meeting with all those concerns seeing as we cannot meet face to face.

Comments for Planning Application DM/0211/20/REM

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Ian Legard

Address: 39 Station Road Habrough

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs,

When the meetings were held regarding this application it was expressed that the development would increase the size of our rural village by 40%. When this was questioned as being unreasonable, the answer given was that Habrough would have to have its fair share.

Can you please confirm or deny that an increase of 40% is in line with the general increase in housing in all places where such development is happening?

Whilst I think people generally accept that things have to progress, I believe that the number of proposed houses is excessive and represents a lot more than a 'fair share'.

I would ask that any development is done in a slow and controlled way so that the village can grow at a rate that it can cope with if it must go ahead. 118 new houses is just too much as we are already over-loaded on the roads and under resourced in terms of amenities, not to mention the other negative effects it will have on our way of life.

A response would be appreciated.

Ian Legard



J E & P Adshead
Rose Cottage
52 Station Road
Habrough
DN40 3AY

21 May 2020

Jonathan Cadd
North East Lincolnshire Planning
New Oxford House
2 George Street
Grimsby
DN31 1HB

Dear Mr Cadd,

Planning Application Reference DM/0211/REM

We have received your communication regarding the above planning application for the construction of 118 dwellings off Station Road in our village and we take this opportunity to offer the following observations. The immediate response is to reject the proposal and the reasoning is identified below. However, certain options are included which may change the direction of our decision depending on the response.

There are a number of issues which concern us and the following should be taken as neither prioritising nor exhaustive.

Firstly, however, we would like you to note that we are mindful of the need to provide additional housing at all levels but wonder about the wisdom of choosing the location planned – other than purely commercial!

We now address our concerns. Again, in no particular order but are numbered for easy reference.

The main questions relate to the adequacy of local utilities and facilities.

- 1.1 The present **facilities** for general living were, until very recently, at almost zero. The writer joked that someone could shoot their partner but couldn't read about it in the national press. It is pleasing to note that the only shop in the village is now providing a valuable service in offering newspapers as well as emergency provisions such as milk, bread, non-alcoholic beverages and the like but it is hardly a convenience store.
- 1.2 The question is, what consideration has been given to requiring the developer to provide support to improve the provision of convenience shopping – offering assistance to the existing provider is, without doubt, a preferred option? The cost would be minimal when related to the overall cost of the scheme.
- 2.1 As the existing **electricity** network is designed to accommodate the existing accommodation, it is suggested that a new feed would be required from the sub-station (a single dwelling could probably be satisfied by the existing network but 118 houses???) Is this correct and, if so, what disruption will be experienced by all the occupiers, en-route, by the installation operation of a new supply and for how long?

- 3.1 A similar question arises in connection with the **gas service**. However, in the case of this service there is no local break-down station. Will the existing network be sufficient to take the extra load? Alternatively, are the proposed properties being denied a gas supply and must rely on electricity? If the latter, what form of temperature control is specified for each dwelling – heat pumps possibly? Good for the environment as not requiring fossil fuel?
- 4.1 The former paragraph touches on the environment whereas this is directed to it. The questions relate to **waste**. Again, the question of the existing network being able to accommodate an almost doubling in the size of the village thus doubling the foul waste requirement. What provisions are to be put in place to ensure that the existing network can satisfy the increased load?
- 4.2 Floods have been prevalent in recent months, even years, in some areas. Advice has been given in many quarters to minimise the extent of 'closed surfaces' on gardens and driveways to the extent that pavements now incorporate lugs which prevent a closed cell installation. This is all well and good, but this strategy cannot be employed on a roof. What provisions are proposed to control surface water collection/disposal? In many cases, discharge of surface water is restricted further along the network. Has the provision of surface water retention been considered further down the line of the network, or even upstream, in order that the present proposal does not contribute to the sorts of catastrophic flooding experienced in Snaith, and the surrounding area?
- 4.3 Credence is often given, even quoted, that the networks can accommodate a 50 year storm or possibly a 100 year storm but, in these days of climate change and the fact that the storms allude to above have happened in successive years, suggest that this is an area where deep consideration is required before consent is given.
- 5.1 **Traffic** is a major consideration and the concern is twofold. Firstly, the village has been given a cursory bus service although this does not even pass through the inhabited part of the village! Further, the service is sporadic at best and such circumstances, together with the service routes available, effectively cause the Bus Pass to be pretty useless.
- 5.2 It is acknowledged that the train service is, now, very good and the station will be within walking distance of the development, but the use depends on the service going where you want to go! The option is to use the motor car.
- 5.3 With the infrequent public service facilities, it is suggested that out of 118 houses, there is likely to be a total of about 200 cars. It is not suggested that they would all take to the road at the same time but management thereof is imperative.
- 5.4 Station Road is straight for a distance of approximately 1000 yards – certainly more than 0.5 mile (according to the trip-meter on the car). The road is particularly busy each workday morning and evening, depending on shift patterns at the refinery. It is also quite busy at weekends with the general populous enjoying time off but it is a particularly desirable route for 'boy-racers' on both two and four wheels. It is understood that representation has been made, by the Parish Council, to incorporate speed restrictions and monitoring in the village but to no avail.
- 5.5 Last, Saturday, whilst gardening, five motorcycles passed, in convoy, at a speed well in excess (estimated) of the 40mph speed limit! The issue is the combination of the speed and density of traffic on Station Road and the density of traffic trying to exit the new complex. The poor bus service and the need to, probably, transport a number of children to the station, the family car will be used to get to the station even if public

transport is used! It follows, that consideration must be given to making the exit from the development much safer.

- 5.6 To this end, it is suggested that, at the intersection between the new development access road and Station Road, a new traffic island be installed. This only needs to be of the mini-island variety similar to that outside the village church. Such a construction would have the dual effect of slowing the Station Road traffic and easing ingress and egress to and from the new proposed development. Again, this would add minimal costs to the overall development expenditure if considered favourably by the developer.

It is hoped that the foregoing is of interest, not least in offering opportunities rather than outright condemnation. However, should adequate answers not be forthcoming, be in no doubt that the proposal would be rejected, by members of this household, on safety and environmental grounds.

It should be noted that these are personal observations and have not been communicated to anyone else whether interested parties or not.

Your observations would be appreciated, and now await your future communication. In the meantime, we remain,

Yours sincerely

Comments for Planning Application DM/0211/20/REM

Application Summary

Application Number: DM/0211/20/REM

Address: Land At Station Road Habrough North East Lincolnshire

Proposal: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Christine Davies

Address: 5 Kesteven court Habrough

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have looked through the amended plans and nowhere can I see any comment regarding the pumping station. Neighbours living in the vicinity of the pumping station are very worried about the increased load of waste. Is there a report from Anglia water.

Comments for Planning Application DM/0211/20/REM

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Christine Davies

Address: 5 Kesteven court Habrough

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: I am concerned regarding the pumping station that is situated at the side of my house. I have lived here for 42 years and it has never been a problem apart from a tanker coming to pump out every few weeks or so.

The building of 118 properties is bound to have some impact.

Comments for Planning Application DM/0211/20/REM

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Andrew Pagram

Address: 6 Kesteven Court Habrough Immingham

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the proposed new plans for the development on the following grounds.

1. When previous planning permission was sought for this site, the developers conceded that all the new properties backing onto Kesteven Court would be bungalows. This hard fought concession has been reneged on as indicated by the proposed Maxstone Executive homes proposed at plots 28 and 29 and other selected plots adjacent to Kesteven Court.

The close proximity of the proposed development of plot 28 in particular, to the boundary of properties in Kesteven Court is of concern as it is set much closer than Plot 29 - presumably due to legal distance requirements of Plot 29 from the pumping station.

2. The two soak-away ponds designed to cope with excess water on the site are not, in my opinion, sufficient to cope with the volume of surface water that lays on the site during periods of heavy rain. I along with other residents in Kesteven Court fear the development will cause "run back" of the surface water onto our properties.

3. The sewerage pumping station at the end of Kesteven Court already struggles to cope with the sewerage from the existing 250+ homes in Habrough and is frequently attended by Anglian Water staff and tankers to pump out / unblock the system when backlogs occur and impact on existing homes.

The addition of 118 new homes to a sewerage system that already struggles is a "nightmare waiting to happen" for existing residents who are confident that the system will not cope with the

additional through-put.

4. The concerns previously raised about increased traffic flow onto and off of Station Road have still not been addressed and may have been worsened with the inclusion of an additional new property being sited at the entrance to the development, appearing to narrow the access road even further.

The alterations to the railway level crossing gates have severely impacted on traffic flow along Station Road at peak times and there is a fear that the additional volume of traffic from the proposed development will add to the risks to traffic and pedestrians along this road.

I would also like it noted that myself and other residents are aggrieved that this application is being considered at a time when the Covid-19 restrictions have prevented any proper meetings between residents to discuss the application or to convene any form of public consultation with the developers to iron out the many queries that we have relating to the scale and layout of the proposed development.

There has also been no opportunity for residents to raise issues about the development with Habrough Parish Council, whose meetings have also been suspended due to government restrictions.

Comments for Planning Application DM/0211/20/REM

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Natalie Mason

Address: 7 Kesteven Court Habrough

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the proposed new plans for the development on the following grounds.

1. When previous planning permission was sought for this site, the developers conceded that all the new properties backing onto Kesteven Court would be bungalows. This hard fought concession has been reneged on as indicated by the proposed Maxstone Executive Homes proposed at plots 28 and 29 and other selected plots adjacent to Kesteven Court. Furthermore the house of plot 28 is very close to our border & as we live in a bungalow with a short garden this would have an impact on our privacy.

2. The two soak-away ponds designed to cope with the excess water on the site are not, in my opinion, sufficient to cope with the volume of surface water that lays on the site during periods of heavy rain. I along with other residents in Kesteven Court fear the development will cause "runback" of the surface water onto our properties.

The sewerage pumping station at the end of Kesteven Court already struggles to cope with the sewerage from the existing 250+ houses in Habrough and is frequently attended by Anglian Water staff and tankers to pump out/unblock the system when backlogs occur and impact on existing homes. the addition of 118 new homes to sewerage system that already struggles is a "nightmare waiting to happen" for existing residents who are confident that the system will not cope with the additional through-put.

4. The concerns previously raised about increased traffic flow onto and off at Station Road have still not been addressed and may have been worsened with the inclusion of an additional new property being sited at the entrance to the development appearing to narrow the access road even further. Also the alterations to the railway level crossing gates have severely impacted all the traffic flow along Station Road at peak times and there is a fear that the additional volume of traffic

for the proposed development will add to the risks to traffic and pedestrians along this road.

I would also like it noted that myself and other residents are aggrieved that this application is being considered at a time when the Covid-19 restrictions have prevented any proper meetings between residents to discuss the application or to convene any form of public consultation with the developers to iron out the many queries that we have relating to the scale and layout of the proposed development. There has also been no opportunity for residents to raise issues about the development with Habrough Parish Council whose meetings have also been suspended due to government restrictions.

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Jeffery Thomas Shenstone

Address: 10 Kesteven Court Habrough

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Approx 30 years ago the land in question was almost sold off to Property Developers. However, at the last minute they (the Developers) realised that the Pumping Station (end of Kesteven Court) was inadequate to properly serve houses being built on the Station Road land. Another Developer is now again wanting to build 118 house on the land at Station Road. The Pumping Station has not changed since 30 years ago. Speaking to Engineers who regularly attend the Pumping Station Area all say the Pumping Station is woefully inadequate to connect a further 118 extra houses to.

Therefore I object to houses being built on the Station Road land. Also Oil Refinery Road Tankers moving at 40 mph long Station Road would be a concern for joining traffic from the Station Road land entry/exit point.

Comments for Planning Application DM/0211/20/REM

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Jean Keyworth

Address: 13 Kesteven Court Habrough Immingham

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: All the residents of the properties backing onto Kesteven Court asked for ALL bungalows and it was agreed, now it's been changed to include some 4 bed detached houses overlooking 6-7 and other properties surely this contravenes by laws, also the closeness of the pumping station to the properties is a concern.

The amount of surface water which occurs every winter during rainy periods causes great concern as the two soak always we feel are not suffice to cope with the run back, and I and others. In Kesteven court feel it will impact on our properties .

The pumping station on Kesteven Court struggles to cope with 275+ properties in Habrough and is often in need of Anglian water workers with there large. Tankers to pump out and unblock when backlog occurs, the addition of another 118 dwellings we feel. Is going to impact on the village very badly and we are sure the system in place just will not cope.

The extra traffic into and off station road still needs to be looked at and it seems the extra bungalow on the entrance to the proposed build will not be helpful as it narrows the entrance and exit road, we already have severe traffic problems when the crossing gates are down, meaning there is a big build up traffic and with a potential 236+ cars joining the road at busy times it's felt accidents will follow.

The village as a whole feel this application has been rushed through with no time for public meetings due to covid19, we should have had time time for proper meetings and discussions there are many queries which we would have liked to discuss with the builders, planners and N E Lincs councillors.'

Comments for Planning Application DM/0211/20/REM

Application Summary

Application Number: DM/0211/20/REM

Address: Land At Station Road Habrough North East Lincolnshire

Proposal: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Dave Howden

Address: 16 Kesteven Court Habrough Immingham

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the proposed new plans for the development on the following grounds.

1. Before the previous permission was granted there was a concession agreed to for a 10 metre wide tree lined strip between the rear of the properties on Kesteven Court and the rear of the properties on the new estate, on the 3D plans shown (19th March) this does not appear to be there now.
2. There was also an agreement that all the new properties that back on to Kesteven Court would be bungalows, again on the 3D plans this is not the case.
3. On the plan there are 2 soak-away ponds designed to cope with excess water, with the amount of water that stands on the field I don't consider this will be sufficient. Take a look at Habrough Fields estate that have the same type which ended up with severe flooding after the estate was built on land that flooded.
4. The pumping station at the end of Kesteven Court will not cope with the extra properties, even now there is a tanker there every 6 to 8 weeks pumping out when the village only has approximately 250 properties when you double the size of the village it will not cope with the extra, there has already been severe flooding in the village with several properties suffering major damage.

I hope all these comments will be taken into consideration before any agreement is taken.

Yours sincerely

Dave Howden

Comments for Planning Application DM/0211/20/REM

Application Summary

Application Number: DM/0211/20/REM

Address: Land At Station Road Habrough North East Lincolnshire

Proposal: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

Case Officer: Jonathan Cadd

Customer Details

Name: Miss Rachael Kirk

Address: 19 Kesteven court Habrough

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I do not wish for a large development to be erected behind my bungalow. I have a roost of bats and I think any changes will affect their quality of life.

Comments for Planning Application DM/0211/20/REM

Application Summary

Application Number: DM/0211/20/REM

Address: Land At Station Road Habrough North East Lincolnshire

Proposal: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Gordon Luck

Address: 31 Kesteven Court Habrough

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Outline planning permission for this site shows bungalows only backing onto existing properties

http://planninganddevelopment.nelincs.gov.uk/online-applications/files/CD86F32BF861E29B644339BE241E4D96/pdf/DM_0950_15_OUT-PROPOSED_SITE_PLAN-1235981.pdf

This is one of the few concessions previously gained.

The drainage comment from Dan Harrison is particularly relevant about not building up land levels. During periods of wet weather a pond forms in this field. If land levels were increased it could potentially move the problem to existing properties.

We continue to have problems with sewerage build up in times of wet weather. Underground pipework unblocking has been carried out in November 2016, September 2017 with contractors and a NE Lincs Council official in attendance. More recently mid December 2019 AWA had to be called out as sewerage system full again.

In other village planning applications Andy Smith the drainage officer seems to be aware of ongoing problems in Habrough, but Planning choose to ignore him!

It has also been noted that the only way that ordinary Habrough residents affected by this application found out about it was because a resident found it on the planning website.

Comments for Planning Application DM/0211/20/REM

Application Summary

Application Number: DM/0211/20/REM

Address: Land At Station Road Habrough North East Lincolnshire

Proposal: Reserved matters application following DM/0950/15/OUT (Outline application for a residential development of up to 118 dwellings, with access to be considered) to erect 118 dwellings with appearance, landscaping, layout and scale to be considered

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Matthew Cruddas

Address: 4 Dawsons Court Habrough Immingham

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Looking forward to this development to be started in Habrough, this may give the village enough residences to sustain a village shop and give the local pub more local trade.

Some villagers wish the road to be reduced to a 30mph speed limit, this may help their cause. As we will have another access onto Station Road.

PLANNING COMMITTEE - 7th October 2020

ITEM: 2 **RECOMMENDATION: Approval with Conditions**

APPLICATION No: DM/0146/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Courtyard View, Waltham Road, Brigsley, North East Lincolnshire, DN37 0RQ

PROPOSAL: Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations, erect front boundary wall and

APPLICANT:

Mr Adrian Haagensen
Courtyard View
Waltham Road
Brigsley
North East Lincolnshire
DN37 0RQ

AGENT:

Mr Steve Bennett
SHB Design Ltd
The Studio
1 Acer Court
Grimsby
North East Lincolnshire
DN33 2JA

DEPOSITED: 19th February 2020

ACCEPTED: 19th February 2020

TARGET DATE: 15th April 2020

PUBLICITY EXPIRY: 11th May 2020

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 20th March 2020

CASE OFFICER: Owen Toop

PROPOSAL

This proposal seeks to vary conditions 2 (Approved Plans), 3 (Sustainable Drainage) and

6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe).

The proposed changes are retrospective works and relate to and include the demolition of a previous garage and the erection of a two storey annexe which also includes alterations to the annexe in the form of the installation of solar panels, a rear enclosure to house heat pumps and the repositioning of the garage door. The changes to the original approval also include amendments to the windows and doors of existing dwelling at the front, the erection of a front boundary wall and alterations to the side elevations of the property.

The previous approval (which was approved at planning committee) sought to apply a condition in the interest of controlling flood risk through a sustainable drainage scheme submitted by the applicant. The applicant seeks to vary the condition to reflect what is currently in the ground and on site. Notably the original approval also contained a condition relating to obscurely glazed windows on the side elevation of the two storey annexe. The windows have not been built in accordance with the approved plans and this application seeks to vary the permission to allow for a film to be applied to the south facing window; rather than the glass itself being obscure.

Due to the objection from Brigsley Parish Council, this application is brought to planning committee.

SITE

Courtyard View, previously known as Reinsden, is located at Waltham Road which connects the villages of Waltham and Brigsley.

Close to the site is the recent housing development situated at Mushroom Close, which is located just to the north of the application site. To the east of the application site is open land and to the west is Prospect Farm. The site is to the east side of Waltham Road. Residential properties sit adjacent the site to the north and south. The area is predominantly residential and semi-rural in character.

Originally before planning permission was sought, the property included a double garage to the rear of the main bungalow. DM/0146/20/FUL sought to utilise this garage as an annexe to be connected to the bungalow through a single storey link extension. However the garage was demolished during construction and subsequently reconstructed to meet building regulations.

RELEVANT PLANNING HISTORY

DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation

of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) - Approved at planning committee in December 2018.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO34 - Water management

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

REPRESENTATIONS RECEIVED

Drainage Department - No objections.

Highways Department - No objections.

Environmental Health - A site visit was undertaken by the planning officer and environment officer in regard to the proposed air source heat pumps in response to neighbour concerns. Following a site visit, the applicant agreed to provide mitigation and confirmed that the air source heat pumps would be enclosed on its sides with a wall. The environment officer and planning officer are content with the mitigation provided that there are no fire risks. A condition is recommended.

Brigsley Parish - Supports the comments of neighbours and objects to the proposal on the grounds of noise, flooding and loss of privacy.

Neighbour Representations - 2 received.

Richmond - The neighbour objects to the proposal and has provided photographs in

relation to the existing first floor window of the annexe. The neighbour raises concerns in regards to loss of privacy due to the window and highlights the original planning condition attached.

The neighbour has also provided photographs and raised issues in relation to flooding onto their property since the development has occurred. The neighbour has expressed concerns in regards to finished ground levels.

6 Mushroom Close - The neighbour objects to the proposal.

The neighbour highlights concerns in relation to the first floor window on the north and side facing elevation of the annexe. The neighbour also raises concerns in relation to the heat pump and associated noise pollution in relation to neighbouring properties, including potential future builds on the land recently approved with planning permission to the east. Additionally the neighbour raises concerns to the number of changes overall and highlights concerns in regards to flooding control and drainage methods.

No other neighbour representations received - however it should be noted a site visit was made to Redroofs in order to assess the impact of the air source heat pumps.

APPRAISAL

The material considerations as are follows:

- 1) Principle of Development;
- 2) Design and Impact to the Character of the Area;
- 3) Drainage and Flood Risk;
- 4) Impact to Neighbours;

- 1) Principle of Development;

The proposal is for amendments to the approved scheme, DM/0401/18/FUL.

S.73 of the TCPA 1990 allows for applications for amendments to be made to an existing planning permission, the application is then considered against the relevant Policies of the North East Lincolnshire Local Plan (NELLP).

It is considered that in principle the proposed amendments are acceptable subject to the site-specific impacts and the impact on the overall design concept (Policy 22) and impact to residential amenity (Policy 5) including considerations of surface water drainage management in this case (Policy 34).

- 2) Design and Impact to the Character of the Area;

The design of the proposal was a consideration of the previous application. The previous application was considered acceptable in terms of Policy 22 (Good Design in New

Developments) of the NELLP. It should be acknowledged that works have taken place and the scheme is built out and so the changes to be considered are retrospective in nature.

With this current variation, there are a large number changes but for the most part the scheme is consistent with the original permission. For example, a site visit by the planning officer recognises that there is no noticeable increase in terms of the overall structural footprint of the scheme. Predominantly the changes relate to alterations in terms of amending window sizes, positions, door size and positions, placement of solar panels and rooflights. There have also been a number of alterations in regard to the frontage of the dwelling. This relates to changing the design of the front door, the addition of a small boundary wall to the front and the adaption of previous bay windows into square bays.

The main changes are considered to be at the rear with the demolition of the annexe and its reconstruction. Whilst originally the scheme sought to utilise the existing annexe, this variation seeks to apply retrospectively for the demolition of the annexe and its reconstruction. It should be acknowledged that the overall footprint of the proposal remains the same, the principle of the original proposal also remains the same and minor alterations form the majority of the variation. Notwithstanding this it is acknowledged that there are some larger changes. These are considered to relate to the addition of air source heat pumps, a change to the obscurely glazed window and the amendment to the surface water drainage plans. Therefore these aspects will be considered in more detail under the sections: 3) Flood Risk and Drainage, and 4) Impact to Neighbours respectively.

In design terms, it is considered that the proposed changes are not detrimental to the character of the area and so are considered to accord with Policy 22 of the NELLP.

3) Drainage and Flood Risk;

Under DM/0401/18/FUL, surface water and flooding concerns were raised by neighbours and Brigsley Parish Council. The Drainage Department was consulted and a scheme for surface water drainage was requested. Amended plans were received and a scheme was provided that was satisfactory and subsequently approved under DM/0401/18/FUL at planning committee.

Under this variation, plans have been submitted to apply to vary the previously approved drainage scheme. The Drainage Department have assessed the plans and deem them acceptable. It should be noted that the adjoining neighbour to the south, known as Richmond, has submitted concerns in regard to flooding and drainage. These concerns will be addressed in section 3) Impact to Neighbours; along with other points raised in the neighbour's representation.

In regard to the variation of Condition 3 (Sustainable Drainage), the changes are considered acceptable and accord with Policy 34 of the NELLP.

4) Impact to Neighbours;

The site is located within an established residential area. Notably there are two immediate adjoining neighbours, Richmond (to the south) and Red Roofs (to the north). To the east of the site is a plot of land that has planning permission for one dwelling. It should also be reflected that there is a recent housing development in the surrounding area which includes properties at Brigsley Grange Close and Mushroom Lane. In terms of representations made, 2 neighbours have put their comments forward. A number of representations have been received from Richmond and Brigsley Parish Council has objected to the application.

Objections from 6 Mushroom Lane relate to the number of new windows, the size of the annexe, the noise as a result of the air source heat pumps and problems with the soakaway. Representations from Richmond concern the first floor window of the annexe and its impact to their privacy, ground levels of the site as well as drainage and flooding concerns.

Brigsley Parish Council supports the objections of the neighbours. The Parish comments make reference to the retrospective nature of the proposal, that the works have not been carried out in accordance with the original plans, the drainage issues on site, that the hardstanding is not permeable, and expresses concerns regarding noise from the air source heat pumps and privacy.

A key consideration in the original application was the assessment of impact to neighbouring amenity in terms of massing, overlooking and surface water impact as a result of the development. It should be reflected that the original application was approved and so it is only the amendments that can be considered under this application. As stated in section 2) Design and Impact to the Character of the Area; the physical changes that can be seen mostly relate to minor alterations; although it is acknowledged that the annexe was demolished and subsequently rebuilt. Again, whilst this is the case and works occurred in contrast to what was approved, it remains that the overall footprint of the development is similar. Given this it is considered that the changes of this variation do not present any detrimental concerns in regards to massing to any neighbours.

In terms of overlooking, it should be noted that all first windows facing Red Roofs are proposed to be obscurely glazed. However in respect of the first floor window facing Richmond, the application seeks to vary condition 6 as granted on DM/0401/18/FUL. Whilst initially the applicant wanted to remove this condition, following discussions officers expressed that the first floor window at this location should still be obscurely glazed to a minimum level of 3 on the Pilkington Scale, even though a clear window has been installed. It is therefore proposed that this condition remain but be varied so that the level of obscurity can be achieved with a glazed film and the applicant is in agreement to this. Provided the window is obscurely glazed as suggested, the proposal is considered to be acceptable in this regard.

It should be noted that the proposal includes 2 air source heat pumps. The neighbour at 6 Mushroom Lane has raised concerns in regard to noise pollution. In response to this, a site visit was conducted by the planning officer and environmental health officer at 7pm to gather an understanding of the concerns made. As a result, it is considered that noise from the air source heat pumps can and needs to be mitigated through a number of measures; provided that they are consistent with building control. The applicant has provided specifications of the pumps, sound insulation and confirmed that the pumps will be housed (to the side elevations) by a brick wall. It will be the applicant's responsibility to ensure the specification of the insulation involved is suitable in regard to fire risk. With this in mind, it is considered that there would be no detrimental impacts to residential amenity in terms of noise from the air source heat pumps.

Other comments from 6 Mushroom Lane relate to the size of the annexe and the overall numbers of windows as a result of the changes. The material planning considerations in relation to this neighbour are that of massing and overlooking. No windows would overlook this neighbour and it should be noted that the first floor windows on the north and side elevation are obscured due to the fact the window facilitates a bathroom. The overall height of the annexe is approximately 6.5m, the previously approval was 6.45m. Given this and that there is a relatively large separation distance between this neighbour, it is considered that there are no detrimental impacts in terms of massing. It should be noted that Red Roofs and Richmond are the two closest neighbours, and it is considered that there are no detrimental impacts in terms of massing given that the scheme is of a similar footprint and height to the previously approval. 6 Mushroom Lane has also made comments regarding the soakaway and flooding experienced. It should be noted that the drainage officer has assessed the application, and with regard to flooding it should be noted that there was exceptional flooding in general last year. The proposed soakaway is acceptable and has been designed to a suitable standard and so it is considered that there are no detrimental impacts in this regard.

Comments from Richmond also relate to flooding and the raising of ground levels. Photographs have been provided of flooding. In respect of the surface water drainage, it should be reflected that the drainage officer has assessed the proposal and the surface water drainage scheme. Furthermore the applicant has confirmed that the ground levels were not raised; this has been confirmed by a site visit by the planning officer. The scheme is considered acceptable in terms of surface water drainage sustainability and so there are no detrimental impacts in this regard.

No other neighbour representations have been received.

Having considered the above section on impact to neighbours, the proposal accords with Policy 5 as there are no detrimental impacts as a result of the proposed retrospective changes to DM/0401/18/FUL.

CONCLUSION

This proposal seeks to vary conditions 2 (Approved Plans), 3 (Sustainable Drainage) and

6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe). The proposal is retrospective in nature.

The proposed changes to vary the approved plans, sustainable drainage scheme and first floor window are not considered to cause any detrimental impacts in terms of design or residential amenity.

In summary the proposal does not present any detrimental impacts and is considered to accord with Policies 5, 22 and 34 of the NELLP.

RECOMMENDATION

Approval with Conditions

(1) Condition

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

Proposed Dwelling and Garage Plans - AH001-01A

Proposed Front Garden Wall Plans and Elevations - AH001-02

Site Location Plan - AH001-03

Block Plan - AH001-04

Reason

For the avoidance of doubt and in the interests of proper planning in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

(2) Condition

The proposal shall be retained in accordance with the drainage details in the submitted sustainable drainage scheme shown in AH001-01A.

Reason

To protect the amenities of nearby residents and mitigate impacts of surface water and flooding in accordance with Policy 5 and 34 of the North East Lincolnshire Local Plan, 2013-2032 (adopted 2018).

(3) Condition

The additional residential accommodation created by the works shall be used only in conjunction with and ancillary to the main dwelling on the application site, identified as

Courtyard View in the application, and shall not be let, sold or rented separately therefrom.

Reason

To protect the amenities of neighbours to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The first floor window in the annexe facing north shall be retained with obscure glass at a level of 3 or above as measured on the Pilkington scale for the lifetime of the development. The first floor window in the annexe facing south shall be glazed with obscure film at a level of 3 or above as measured on the Pilkington scale and shall be retained at the same level of obscurity for the lifetime of the development. The latter shall be implemented within 3 months of this decision date.

Reason

In the interests of residential amenity to accord to Policy 5 of the North East Lincolnshire Local Plan (adopted 2018).

(5) Condition

The proposal shall be completed in accordance with the soundproofing details regarding the air source heat pumps, namely:

Amended Plan - AH001-01A

Acoustic Egg Box Foam Specifications - EMAIL dated 24/08/2020 from SHB Design

The details shall be implemented within 3 months of this decision.

Reason

This condition is imposed in the interests of protecting residential amenity in accordance with Policy 5 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 and 34.

2 Added Value Statement

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

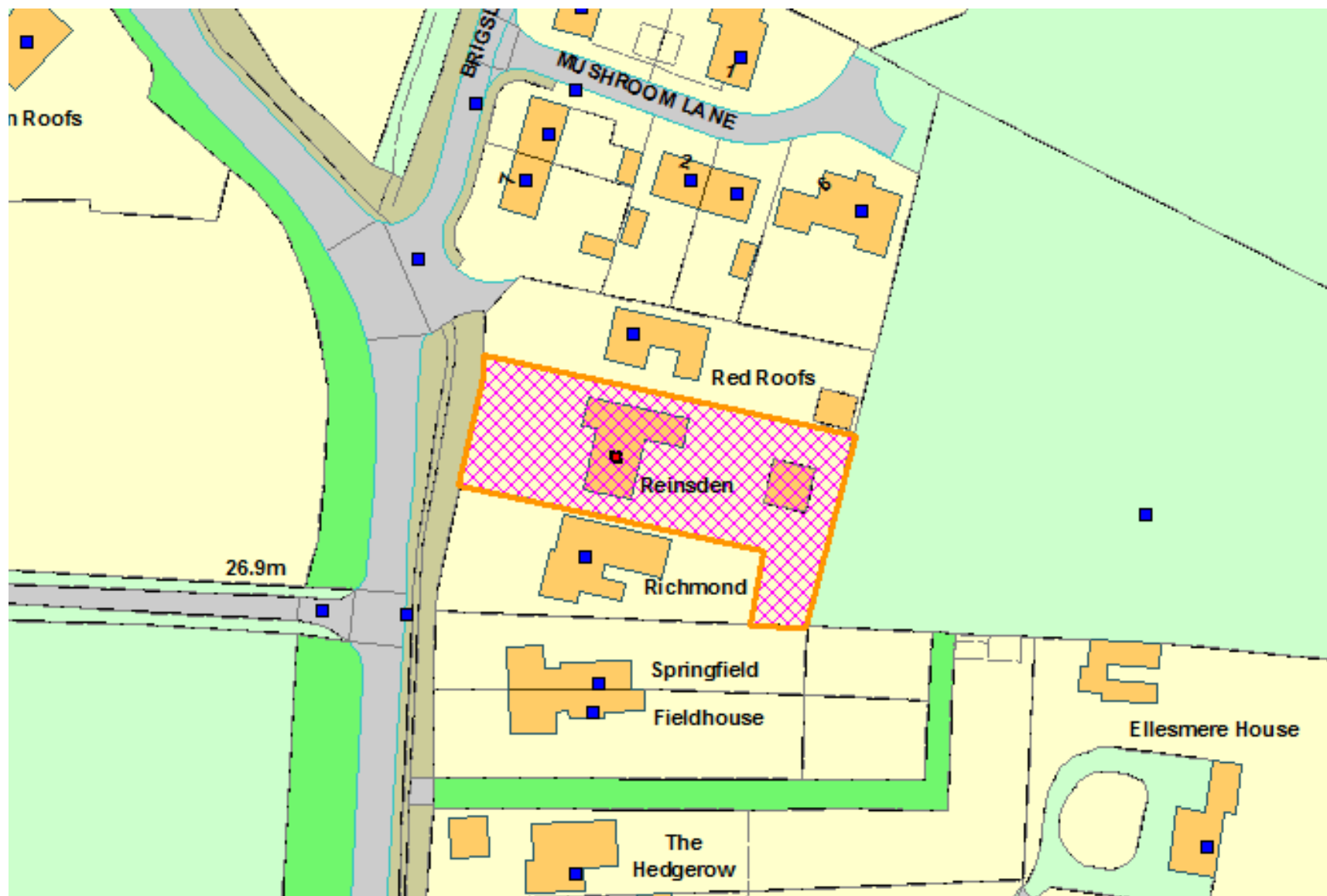
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by imposing conditions in the interest of local amenity.

3 Informative

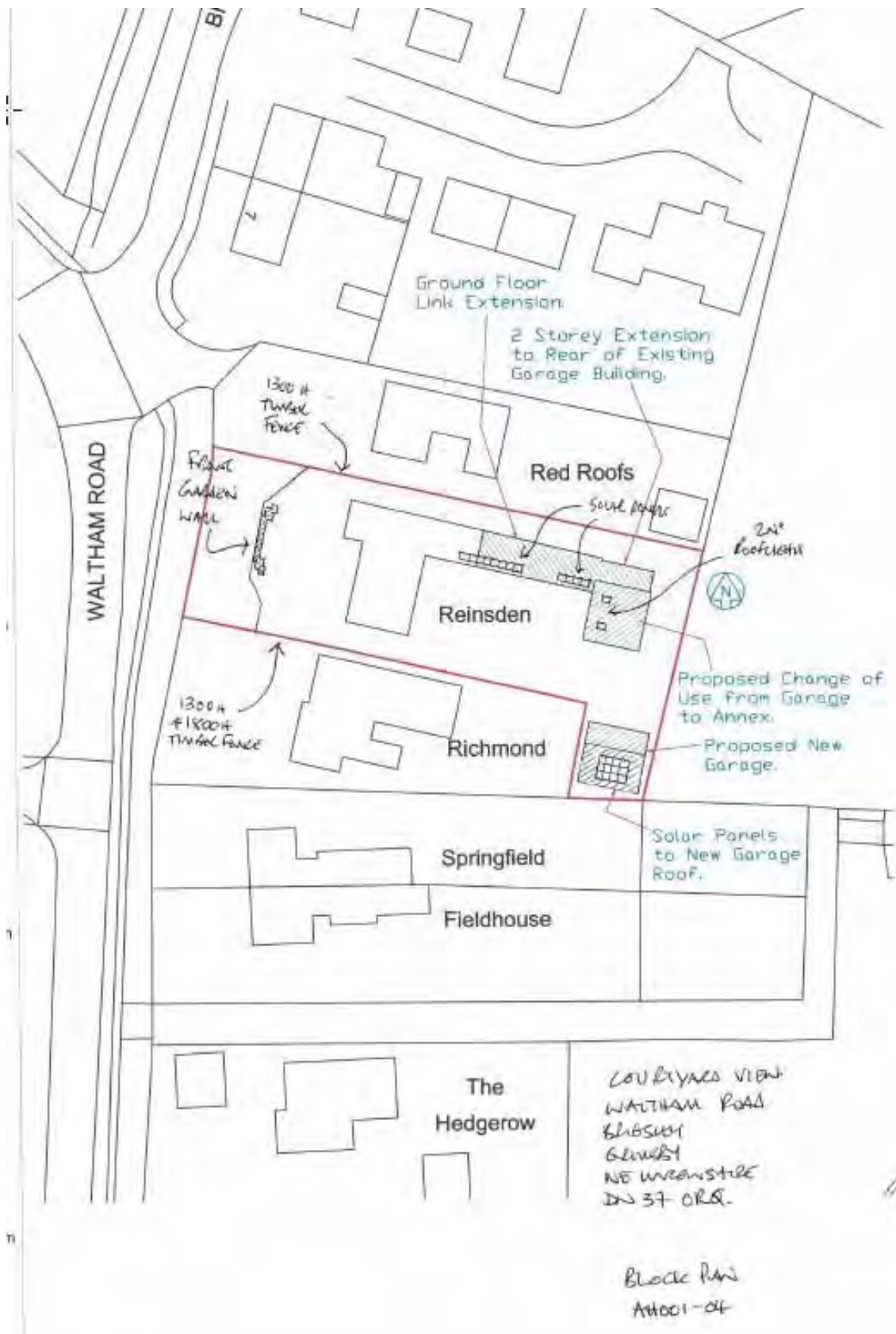
Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 325959). You are requested to seek specific advice with regards to the soundproofing measures.

4 Informative

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



DM/0146/20/FUL – COURTYARD VIEW, WALTHAM ROAD, BRIGSLEY



BRIGSLEY PARISH COUNCIL

2



Clerk to the Parish Council
Mrs. Kim Kirkham
The Sycamores, Chapel Lane, Ashby cum Fenby Dn37 0QT
Telephone 07711551978
Email – brigsleyparishcouncil@hotmail.com

Emailed to planning@nelincs.gov.uk

Date: 25th June 2020

Case officer: Owen Toop

Dear Sir,

REF: - DM/0146/20/FUL – Courtyard View, Waltham Road, Brigsley.

DM/0146/20/FUL | Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Removal of Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations and erect front boundary wall.

Brigsley Parish Council unanimously agreed to **oppose** the above planning application on the following grounds: -

1. This application contravenes the original plans as granted on DM/401/18/FUL.
2. The hard landscaping should have been permeable to alleviate concerns in respect of flooding on this site (garage had history of flooding).
3. Change of obscure glass to clear (first floor window) overlooks neighbouring properties giving loss of privacy. The Parish Council would prefer this to be replaced with the obscure glass as per original plans.
4. The Parish Council believe that a heat pump has been installed (not indicated on the original plans), which is creating noise pollution for surrounding properties.

Without these points being thoroughly addressed Brigsley Parish Council feel that the application proposal should not be granted; therefore, for the above-mentioned reasons Brigsley Parish Council wish to **object** to this application.

Yours Sincerely

Mrs. Kim Kirkham

For the attention of Mr Owen Toop, Planning Officer, North East Lincs Council

Planning Application for Court Yard View, Brigsley DM/0146/20/Ful

Firstly we would object to the change of glass to the first floor window from the agreed obscure glass (level 3) as per the Pilkington Scale as previously laid out in the original approval App. No. DM/0401/18/Ful, to plain glass as applied for in the new application App. No. DM/0146/20/Ful. Taking into account that the annexe was previously a double garage with no windows, the new window on the south facing wall overlooks the whole of our rear garden, and possibly two other rear gardens. We would say that our previous privacy has been somewhat impaired by the installation of this window. We would say, therefore, that as a compromise we would agree to the previous approval that obscure glass (level 3) should be installed in this window. (see condition 6 attached).

Secondly we are concerned that no ground works details have ever been submitted. In the previous application that received approval, we voiced our concerns regarding the finished levels. Since the majority of the building work has now taken place, the natural soakaways, lawns, garden, etc have been built over, and on the 9th November 2019 our garden was subjected to flooding, this had never happened before in the nine years we have lived here, (see enclosed photographs), the natural flow and soakaway of rainwater having been interrupted by the new building works. We are really concerned that finished groundworks, which again have not been detailed, will result in continuous flooding of our property. If ground levels were raised we assume this would move any flooding problem to our property on a permanent basis. (see condition 3 attached)

Mr and Mrs Hopkinson Richmond, Waltham Road, Brigsley

to those accompanying this application and as listed below ;

Proposed Dwelling & Garage Layout Plans & Elevations	AH001-01
Proposed Front Garden wall plan & elevations	AH001-02
Location Plan	AH001-03
Block Plan	AH001-04

The changes, in the main, have been designed to make better use of the proposed dwelling and improve the aesthetic character of the building and most of these changes cannot be seen from the frontage of the property, nor do any of the changes create any issues of overlooking of neighbouring properties.

Condition 3

This application seeks approval of variation to the approved drawing listed below ;

18-022-03F-A1

to those accompanying this application and as listed below ;

Proposed Dwelling & Garage Layout Plans & Elevations AH001-01

The change is the increase in size of the soakaway as site percolation test demonstrated the need for the larger size, and also the omission of pumped foul drain as sufficient falls were achieved to enable gravity drainage to work.

Condition 6

This application seeks approval of variation to the approved application, by changing the glass to the Annexe 1st floor Bedroom on the South elevation to be clear glass.

Proposed Elevations (Annexe) - 18_022-09D

Proposed Floor Plans (Annexe) - 18_022-09C-A1

Proposed Garage Floors Plans and Elevations - 18_022-05C-A1

Reason

For the avoidance of doubt and in the interests of proper planning in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

3 Condition

The proposal shall be carried out in strict accordance with the drainage details in the submitted sustainable drainage scheme shown in:

Amended Floor Plan (Main) - 18-022-03F A1

Site Location and Block Plan - 18-022-06D

Proposed Elevations (Annexe) - 18-022-09D

The scheme shall be implemented in accordance with the approved details prior to occupation and use of the development and shall remain in place thereafter.

Reason

To protect the amenities of nearby residents and mitigate impacts of surface water and flooding in accordance with Policy 5 and 33 of the North East Lincolnshire Local Plan, 2013-2032.

4 Condition

The proposed development shall be constructed using materials, as detailed on the approved plans and described in the application form, unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

5 Condition

The additional residential accommodation created by the extension shall be used only in conjunction with and ancillary to the main dwelling on the application site, identified as Reinsden in the application, and shall not be let, sold or rented separately therefrom.

Reason

To protect the amenities of neighbours to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

6 Condition

The first floor windows in the proposed annexe conversion facing north and south shall be glazed with obscure glass at a level of 3 or above as measured on the Pilkington scale and shall be retained at the same level of obscurity thereafter.

Reason

In the interest of residential amenity to accord to Policy 5 of the North East Lincolnshire Local Plan.

Informatives:-

1 Reason for Approval

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

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by seeking a sustainable surface water drainage scheme

3 Informative

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

4 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 325959).

This Notice is issued on behalf of North East Lincolnshire Planning Authority.

Signed: *ACB Cote*

Angela Blake

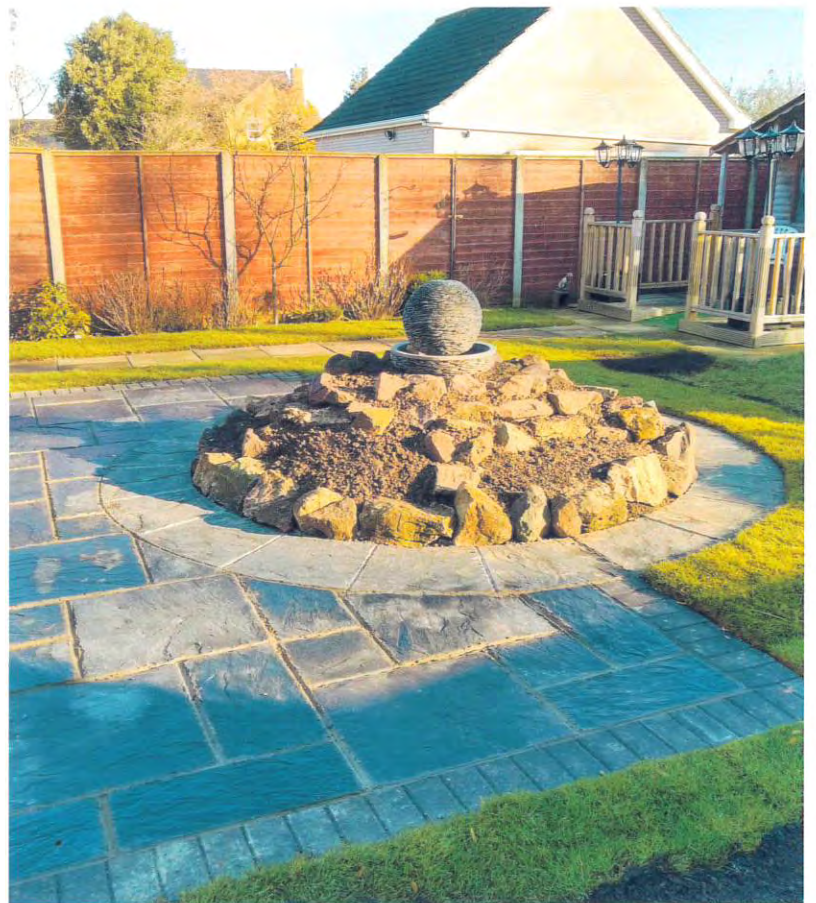
Official Capacity: Director of Economy and Growth - Place

Date: 7th December 2018



PRESENTLY²
CLEAR GLASS.

After



BEFORE





Comments for Planning Application DM/0401/18/FUL

Application Summary

Application Number: DM/0401/18/FUL

Address: Reinsden Waltham Road Brigsley Grimsby North East Lincolnshire DN37 0RQ

Proposal: Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe (Amended plans submitted 27/09/2018 showing that the annex height will not be changed and will remain as existing)

Case Officer: Owen Toop

Customer Details

Name: Mr michael hopkinson

Address: richmond waltham road brigsley

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are really concerned that there has been no detail as to how much area of the ground level will be raised 0.35m, if this happens to the rear of our property then this will impact on our existing fence and ground levels in our rear garden, with any possible accumulated standing water undermining the existing buildings. We make these observations after seeing the Brigsley Parish Council comments, made on the 7th September and after seeing the latest proposals from the applicant, which we feel would not address the possibility of flooding to the rear of our property.

Comments for Planning Application DM/0146/20/FUL

Application Summary

Application Number: DM/0146/20/FUL

Address: Courtyard View Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Removal of Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations and erect front boundary wall

Case Officer: Owen Toop

Customer Details

Name: Mr michael hopkinson

Address: richmond, waltham road, brigsley grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It is noted that from the drainage comments, that the soakaways have been designed to BRE365, so how did we flood in our property, as stated in my previous comments

Comments for Planning Application DM/0146/20/FUL

Application Summary

Application Number: DM/0146/20/FUL

Address: Courtyard View Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Removal of Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations and erect front boundary wall

Case Officer: Owen Toop

Customer Details

Name: Mr michael hopkinson

Address: richmond, waltham road, brigsley grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I find it quite illuminating that the environment team has no comment to make, taking into account the the site has been so radically altered and that our garden flooded for the first time last year as previously stated. Is that altering the environment?.

Comments for Planning Application DM/0146/20/FUL

Application Summary

Application Number: DM/0146/20/FUL

Address: Courtyard View Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Removal of Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations and erect front boundary wall

Case Officer: Owen Toop

Customer Details

Name: Mr michael hopkinson

Address: richmond, waltham road, brigsley grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I must agree with the latest comments by Brigsley Parish Council, as it seems that the annex is now occupied with visible signs of movement behind the first floor window, also we have had no significant rainfall since our garden was flooded back in November 2019, as previously stated, so we are not convinced that the flooding will not re-occur.

Comments for Planning Application DM/0146/20/FUL

Application Summary

Application Number: DM/0146/20/FUL

Address: Courtyard View Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Variation of Condition 2 (Approved Plans), Condition 3 (Sustainable Drainage) and Removal of Condition 6 (Obscure Glazing) as granted on DM/0401/18/FUL (Erect single storey detached garage to the rear to include installation of solar panels to roof, convert existing garage and games room to detached self-contained annexe and erect two storey extension to the rear, demolish existing conservatory and erect single storey link extension from dwelling to annexe) retrospective works to include the demolition of existing garage and erect two storey annexe to include the installation of solar panels and rear enclosure to house heat pumps, reposition garage door, amendments to windows and doors of existing dwelling at front and side elevations and erect front boundary wall

Case Officer: Owen Toop

Customer Details

Name: Mr Paul Hansen

Address: 6 Mushroom Lane Brigsley Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We find it strange that there are so many amendments on what is effectively a brand new build. There seems to be a doubling of the amount of glass including a glazed gable, are these accounted for in the energy calculations?

From our personal perspective the north facing annexe window has been tripled in height and overlooks the garden. It does have obscure glass at present but still concerning why as a bathroom it was increased in size?

Originally there was no heat pump indicated on the plan and the building was altered to accommodate this and there is now a noise in the garden of around 60db at times, and can be heard in the house occasionally. There is no wall to baffle it at present and it concerns me that it will still be heard directly behind if the indicated wall is built. This would have an impact to the east where there is permission for a new house.

Originally our objection was on drainage and unfortunately our fears have come to fruition, in the winter the soak away failed to work as the soil in the area is clay and has no drainage, especially with the extra roof capacity. It resulted in the owner resorting to pumping the water into the dyke on the side of Waltham Road. Therefore as a remedy he then installed it permanently by digging the pipe under his drive into the dyke, which does not seem to be on the extensive list of alterations to planning.

PLANNING COMMITTEE - 7th October 2020

ITEM: 3 **RECOMMENDATION: Approval with Conditions**

APPLICATION No: DM/1032/19/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 45 The Avenue, Healing, Grimsby, North East Lincolnshire, DN41 7NA

PROPOSAL: Demolish existing outhouse and erect single storey side and rear extension to include garage (amended plans showing reduction in height of side and rear extension and stepping back of front elevation of garage)

APPLICANT:

Mrs Brigit Cheeseman
45 The Avenue
Healing
Grimsby
DN41 7NA
N E Lincs

AGENT:

DEPOSITED: 9th November 2019

ACCEPTED: 27th November 2019

TARGET DATE: 22nd January 2020

PUBLICITY EXPIRY: 21st September 2020

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 27th December 2019

CASE OFFICER: Owen Toop

PROPOSAL

This proposal relates to the demolition of an existing outbuilding and the erection of a single storey extension to the side and rear of an existing semi-detached residential property.

This application is brought to the attention of planning committee due to the objection from Healing Parish Council.

SITE

The site is located within an established residential area. Notably the property in question

is semi-detached with a large rear garden. Protected trees are to the front and rear of the site.

The Avenue itself is a street of varied character; in particular this portion of the street on the north west side incorporates a range of traditional and modern properties where materials are varied.

The host property in question incorporates an outbuilding and boundary treatments to the side including hedging; the ground level is raised higher at the property than the adjoining neighbour to the north east.

RELEVANT PLANNING HISTORY

None relevant to the proposal.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF16 - Conserv. & enhance the historic environ.

NPPF12 - Achieving well designed places

NPPF15 - Conserv. & enhance the natural environ.

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

PO42 - Landscape

PO5 - Development boundaries

PO22 - Good design in new developments

PO39 - Conserve and enhance historic environ

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 Department - No objections.

Heritage Officer - No objections following amended plans.

Trees and Woodlands Officer - Has recommended that a tree protection plan be in place

with any approval.

Drainage Department - Recommends standard surface water drainage informative.

Healing Parish Council - Objects to the proposal on the grounds of impact to the streetscene and impact to neighbouring residential amenity.

Neighbour Representations -

Objections

47 The Avenue - The neighbour objects to the proposal on the grounds of general loss of amenity to number 47 and detrimental impact on the character and appearance of the area.

Support

43 The Avenue.

34 The Avenue.

37 The Avenue.

APPRAISAL

The material considerations are as follows:

- 1) Principle of Development;
- 2) Design and Impact to the Character of the Area;
- 3) Impact to Neighbours;
- 4) Other Considerations;

- 1) Principle of Development;

The proposal is located within the development boundary of Healing as designated in Policy 5 of the North East Lincolnshire Local Plan, 2013-2032 (NELLP) and relates to the removal of an existing outbuilding and the erection of a single storey extension to the side and rear. The principle of development is therefore acceptable provided that there are no detrimental impacts in terms of design (Policies 22 and 39) and that there are no detrimental impacts to neighbouring residential amenity (Policy 5).

- 2) Design, Heritage and Impact to the Character of the Area;

The proposal relates to a single storey side and rear extension. This would form a garage, utility, wc and dining room. The proposal is set back from the streetscene, as is the case with other garages at the Avenue. In this case the work would be adjoined to the

existing property.

Amended plans have been received as part of this application to address concerns of heritage and design and as a response to Healing Parish Council and neighbour objections. The proposal is now set further back (approximately 10m from the front of the dwelling) and the height of the garage has been reduced in order to make it appear more subservient.

In terms of materials, the proposal includes a slate roof to match the existing dwelling, render and timber to the gable of the garage to match the existing dwelling, and red facing brickwork to match the existing dwelling for the frontage. The remainder of the exterior would be rendered but this would not be seen from the street. After further correspondence with the applicant it is noted that the windows would be upvc.

The proposal is composed of two elements. The first is the side projection forming a new garage. The total height of this element would be approximately 3.6m to the ridge (approximately 2.4m to the eaves). It would project to the rear approximately 6.75m and have a width of approximately 6m. The second element of the proposal relates to the rear lean-to extension which would be connected to the garage and existing house. It would project to the rear approximately 3.7m and its height would be approximately 3.6m (2.4m to the eaves). It would have a width spanning approximately 4.9m (the total width of the proposal would be approximately 11.1m).

Given that the proposed garage is set back from the main street, of similar appearance in terms of materials, single storey and subservient in nature to the dwellinghouse, it is not considered that there are any detrimental impacts to the streetscene or character of the area.

It should be noted that the Heritage Officer was consulted as part of this application. The site is not within any conservation area and the building is not listed. However the site was raised as a non-designated heritage asset as part of the neighbour consultation process and so it was considered prudent to engage with the Heritage Officer. Concerns were initially raised regarding the scale of the proposal, particularly the garage element. Amended plans were received and after re-consultation the Heritage Officer has no objections to the proposal.

The proposal is therefore considered to accord with Policies 22 and 39 of the NELLP.

3) Impact to Neighbours;

The proposal is set within an established residential area. In particular there are neighbours adjoining on both sides and to the rear, although it should be acknowledged that the rear garden of this property is extensive.

To the north east of the proposal is 47 The Avenue. This neighbour has raised concerns in relation to overshadowing and massing. The proposal in total projects approximately

7.2m to the rear. The orientation of the proposal would be in line with the neighbouring property, it would be single storey and there would be a suitable separation distance of approximately 4.6m. Given this it is considered that any impacts in terms of overshadowing would be minimal.

The neighbour has made reference to the proposal being higher than the existing structure, in particular it would be double the existing outbuilding. The larger height of the proposal is acknowledged, as is the slight raise in ground level. As part of the amendments, the design of the roof was reduced in height from 5m to 3.6m. It is acknowledged that the proposal brings the overall property closer to this neighbour. That being said there is a separation distance of approximately 4.6m between the proposed side element and this neighbour. Having considered the above it is not considered that there are any detrimental impacts in regards to massing.

The neighbour has also made reference to the design of the proposal and the potential to impact on the heritage of the area. In this regard it should be acknowledged that the Heritage Officer has raised no concerns to the scheme. In terms of design, this has been addressed in the section above and as such there are no detrimental impacts.

There would be no side windows facing in the direction of this neighbour and so it is considered that there are no detrimental impacts in terms of overlooking. It is acknowledged that stepping the proposal back reveals the existing kitchen window. The single storey level of the existing window ensures that there are no detrimental impacts in terms of overlooking.

To the south west of the proposal is 43 The Avenue. Notably on the proposed side elevation there are white uPVC double glazed windows and bi-folding doors. However given the single storey nature of the proposal, it is not considered that there are any detrimental impacts in terms of overlooking onto this neighbour. Notably the proposal would be separated from this neighbour by approximately 4.5m. It is not considered there are any detrimental impacts in terms of massing or overshadowing in relation to this neighbour. Indeed, this neighbour has written in with support.

Neighbours to the rear are separated from the proposal by over 50m and so there are no detrimental impacts in terms of massing or overlooking.

Neighbours to the front are also separated by over 40m and so there are no detrimental impacts in terms of massing or overlooking.

It should be noted that 3 neighbours have written in support of this application, including the adjacent neighbour number 43.

Having considered the above the proposal accords with Policy 5 of the NELLP.

4) Other Considerations;

The site contains a number of protected trees and the Tree Officer has requested that a tree protection plan be provided. In principle the tree officer agrees to the proposal providing these terms are met. Moreover the applicant has agreed to provide the information through condition.

Having considered the above the proposal accords with Policy 42 of the NELLP.

CONCLUSION

The proposal relates to the erection of a single storey side and rear extension in order to form a new garage, utility room, wc and dining room in place of an existing outbuilding.

The proposal would not present any detrimental impacts in terms of its design, nor would it cause any detrimental impacts to neighbouring residential amenity. As a result, it is considered that the proposal accords with Policies 5, 22, 39 and 42 of the NELLP and is recommended for approval with conditions.

RECOMMENDATION

Approval with Conditions

(1) Condition

The development hereby 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:

Proposed Ground Floor Plan - 010 D

Proposed Roof and Block Plan - 011D

Proposed Elevations - 013C

Site Location Plan - 004 A

Reason

For the avoidance of doubt and in the interests of proper planning in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032.

(3) Condition

The proposed development shall be constructed using materials, as detailed on the approved plans and described in the application form, unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(4) Condition

Prior to commencement of construction of the single storey side and rear extension hereby approved, a detailed scheme of tree protection measures shall be submitted to in writing and agreed with the Local Planning Authority. The scheme shall include details of:

- storage and cement mixing areas
- construction parking areas
- protective fencing or sacking

The approved details shall be implemented and adhered to at all times throughout the period of construction.

Reason

In the interest of protecting the nearby protected trees during the construction phase and to accord with policy 42 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, 39 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 applying conditions in the interest of protecting residential amenity and protected trees. Amended plans were also sought in an attempt to address the concerns of the Parish and improve design.

3 Informative

The use of water butts or similar sustainable surface water drainage arrangements such as a soakaway are encouraged on a proposal of this nature.

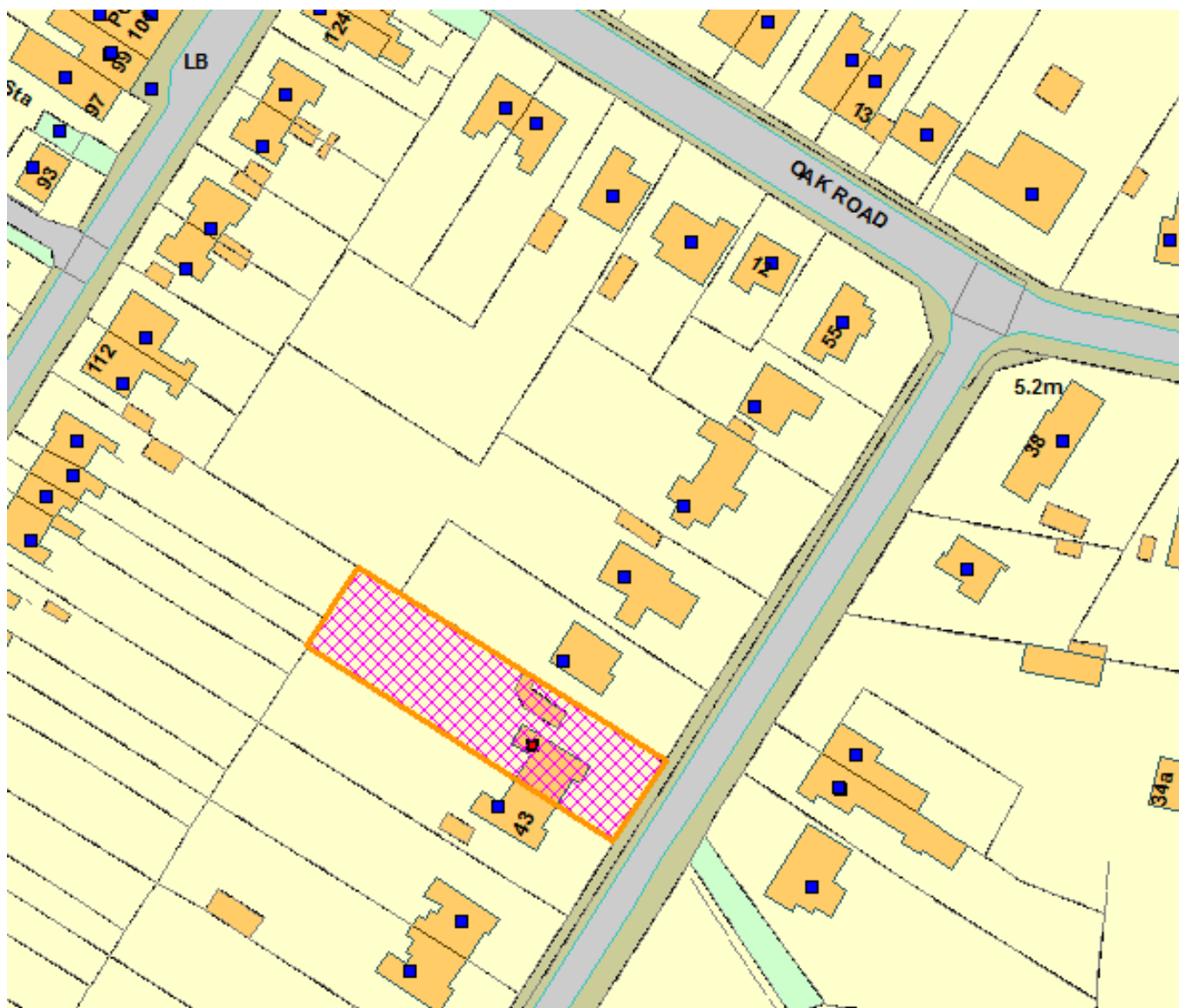
4 Informative

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

5 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/1032/19/FUL – 45 THE AVENUE, HEALING



DM/1032/19/FUL – 45 THE AVENUE, HEALING

**BLOCK PLAN AS PROPOSED**

Scale 1:500

TPO KEY:

- 56 - Scots Pine
- 57 - Scots Pine
- 58 - Scots Pine
- 59 - Scots Pine
- 60 - Scots Pine
- 62 - Horse Chestnut
- 63 - Silver Birch

TPO 56, 57, 58, 59, 60 & 62 not affected by works.

Root and tree protection to TPO 63, Silver Birch. Extent of protection to be design by specialist prior to commencement to works on site, and submitted to the Local Planning Authority for approval.

Healing Parish Council

1 Beach View Court, Norfolk Lane, Cleethorpes DN35 8BT

13th December 2019

Planning Dept. NELC
BY EMAIL

Dear Sirs,

The following applications were discussed at a meeting held of Healing Parish Council on Tuesday 10th December 2019 – the comments and observations from the Parish Council are shown as follows:

45 the Avenue**Demolish existing outhouse and do rear extension.**

The Parish Council objects to this application. The proposed pitch of the proposed garage roof is way too high for this location and would result in an overbearing dominant structure which would have a detrimental impact on the neighbouring property and on the overall streetscene. Such a large proposed garage and roof pitch is not in keeping with other similar developments in this area and for this particular site and the Parish Council feels it important in this particular area of The Avenue that developments should be in keeping with the overall character of the area. The proposed height of the roof pitch is unacceptable and needs to be scaled down to be less overbearing.

Yours faithfully,

Mrs. Kathy Peers
Clerk – Healing Parish Council

Healing Parish Council

1 Beach View Court, Norfolk Lane, Cleethorpes DN35 8BT

15th March 2020

Planning Dept. NELC
BY EMAIL

Dear Sirs,

The following applications were discussed at a meeting held of Healing Parish Council on Tuesday 10th March 2020 – the comments and observations from the Parish Council are shown as follows:

Planning Application Reference: DM/1032/19/FUL

Proposal: Demolish existing outhouse and erect single storey rear extension to include garage (AMENDED PLANS)

Location: 45 The Avenue Healing Grimsby North East Lincolnshire

Objections reiterated on height and primary rooms immediately adjacent. The PC would prefer to see the applicants reduce the pitch of the roof, which has not been amended, and keep the proposed roofing material.

Yours faithfully,

Mrs. Kathy Peers
Clerk – Healing Parish Council

Mr & Mrs B Smith,
 47 The Avenue,
 Healing,
 N E Lincs,
 DN41 7NA.

Planning Dept.,
 N.E Lincs Council,
 2 George Street,
 Grimsby,
 N.E Lincs

2 February 2020

Attn. Mr O Toop.

Dear Mr Toop

Single storey rear extension and attached garage: 45 The Avenue, Healing, DM/1032/19/FUL

Further to the above planning application which we *object* to on the following grounds;

1. General loss of amenity to no 47 The Avenue
2. Detrimental impact on the character and appearance of the area.

The proposed attached garage is more than twice as high as the existing detached garage having an overbearing effect on no 47 and in particular the bedroom window in the ground floor side elevation which is immediately adjacent to the proposed garage.

Number 45 is to the south of our property and the height and mass of the proposed garage will significantly reduce the amount of daylight and sunlight reaching number 47, this is and this has also been recognised in the past by exacerbated by the fact that the ground level to number 45 is higher than the ground level of number 47 by approximately 400mm where the garage is proposed.

The council has identified The Avenue as being an undesignated heritage asset and this has been recognised in the past by appeal inspectors when reaching their decisions. Number 45 is one of a row of eight Victorian semi detached houses built by Henry Marrows around 1910, Marrows was a renowned builder in the Victorian period responsible for building many houses in Healing.

Number 45 retains many of its original features, however the proposed extension is an incongruous addition and out of character with the street scene. Six of the other seven semi

detached properties have erected detached garages, subservient in size and generally reflecting the character of the area. The proposed render cladding does not reflect the character. Repositioning of the access to their back garden along the boundary with number 47, close to our living room and bedroom windows, will impact on our living amenities giving us less than reasonable privacy.

We are not against development and do not want to stop our neighbours from developing but we hope our concerns can be considered at the design stage. For example, if the applicants garage were to be detached and with a lower roof height this would satisfy our amenity concerns and then may be exempt from building regulations, negating the need for a build over agreement with Anglian Water and may also reduce application and construction costs etc.

Attached below are plans with our property shown which we feel highlight our concerns.

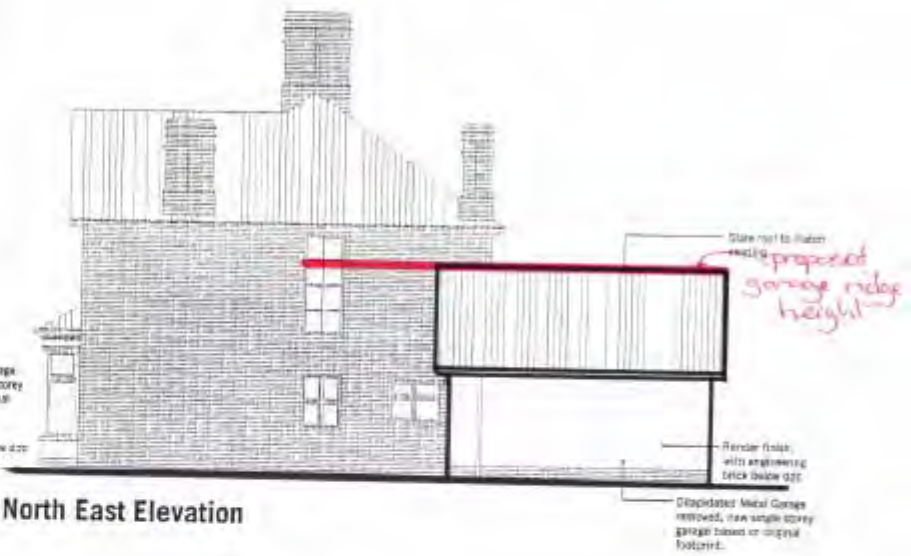
Yours sincerely

Mr & Mrs B Smith





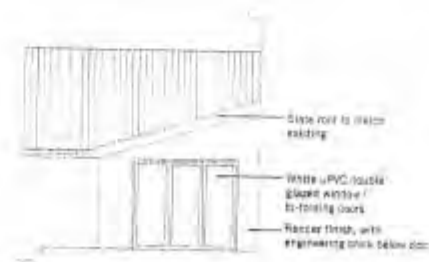
South East Elevation



North East Elevation



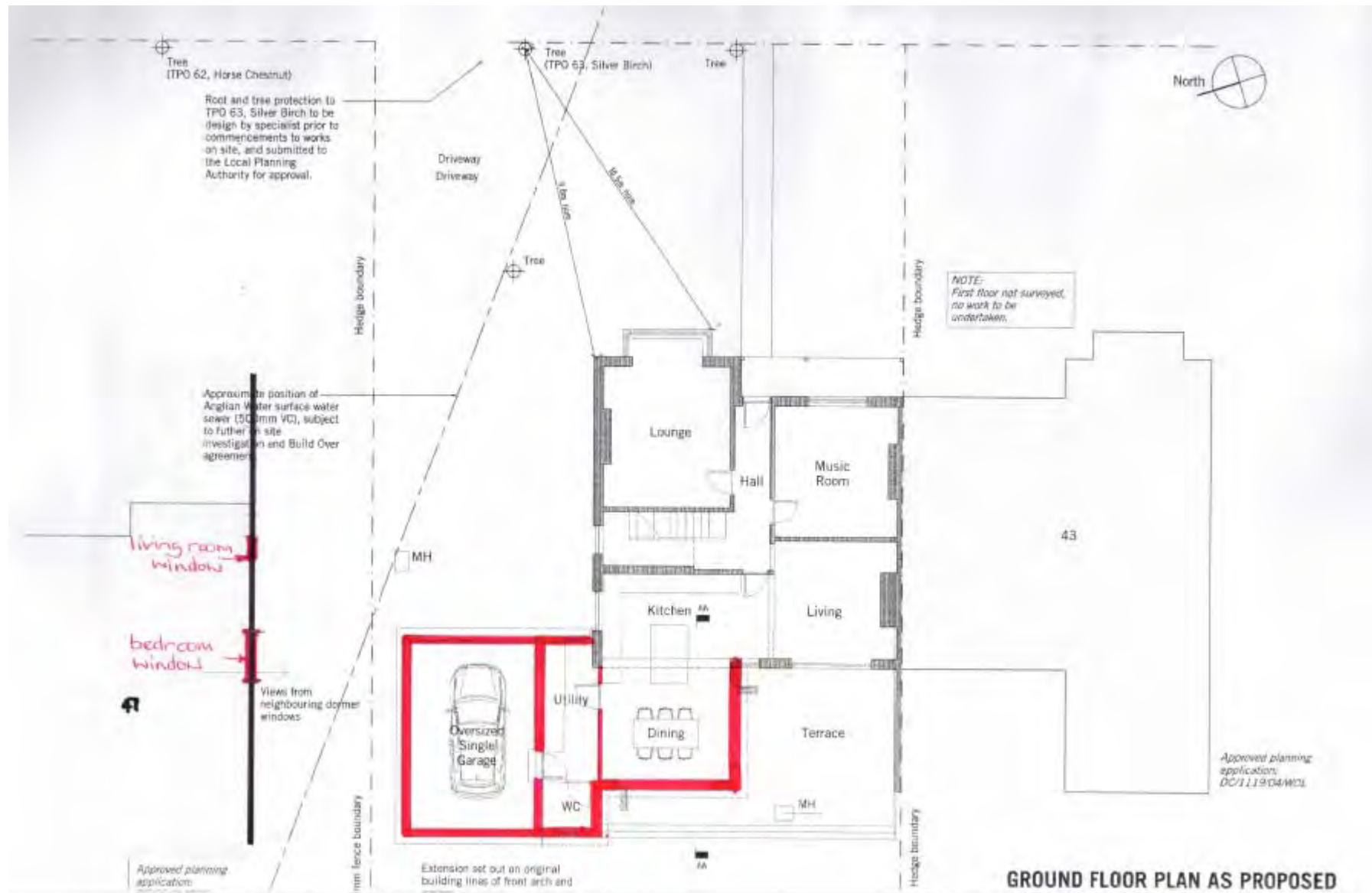
North West Elevation



South West Elevation



Section AA



GROUND FLOOR PLAN AS PROPOSED



South East Elevation



North East Elevation



North West Elevation



South West Elevation

EXISTING ELEVATIONS

Mr & Mrs B Smith,
 47 The Avenue,
 Healing,
 N E Lincs,
 DN41 7NA.

Planning Dept.,
 N.E Lincs Council,
 2 George Street,
 Grimsby,
 N.E Lincs

10 March 2020

Attn. Mr O Toop.

Dear Mr Toop

Single storey rear extension and attached garage: 45 The Avenue, Healing, DM/1032/19/FUL (AMENDED PLANS)

Further to the above planning application which we *object* to on the following grounds;

1. General loss of amenity to no 47 The Avenue
2. Detrimental impact on the character and appearance of the area.

Thank you for your letter dated 27th February 2020 regarding the amended plans submitted by the applicant for the above planning application, which we have examined. It would appear that the amendments only relate to changes of materials to the front elevation of the proposal, therefore our previous comments regarding the detrimental impact on the character and appearance of the area and loss of amenity to our property still remain.

The proposed attached garage extends to 1 metre from the boundary with number 47 and has a ridge height of approximately 5 metres, which is more than twice as high as the existing detached garage, and would have an overbearing effect on no 47 and in particular the bedroom window in the ground floor side elevation which is immediately adjacent to the proposal.

Number 45 is to the south of our property and the height and mass of the proposed garage will significantly reduce the amount of daylight and sunlight reaching number 47, this is exacerbated by the fact that the ground level to number 45 is higher than the ground level of number 47 by approximately 400mm where the garage is proposed.

The council has identified The Avenue as being an undesignated heritage asset and this has been recognised in the past by appeal inspectors when reaching their decisions. Number 45 is one of a row of eight Victorian semi detached houses built by Henry Marrows around 1910, Marrows was a renowned builder in the Victorian period responsible for building many houses in Healing.

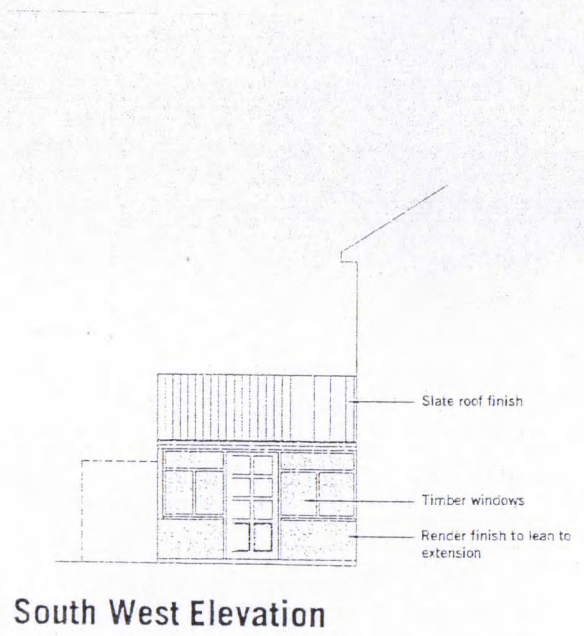
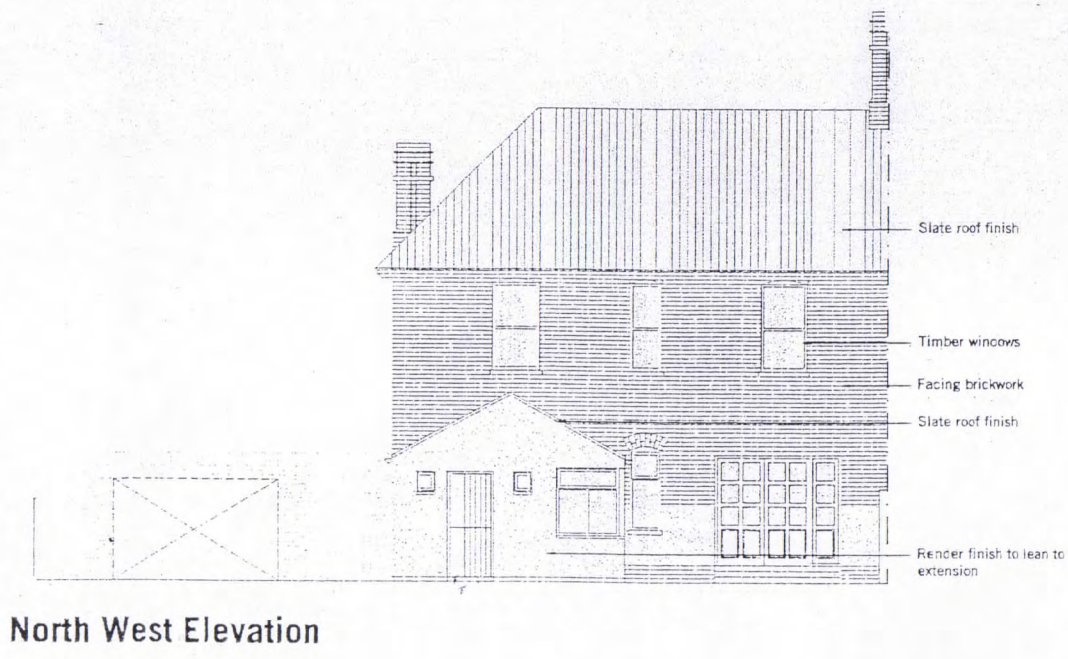
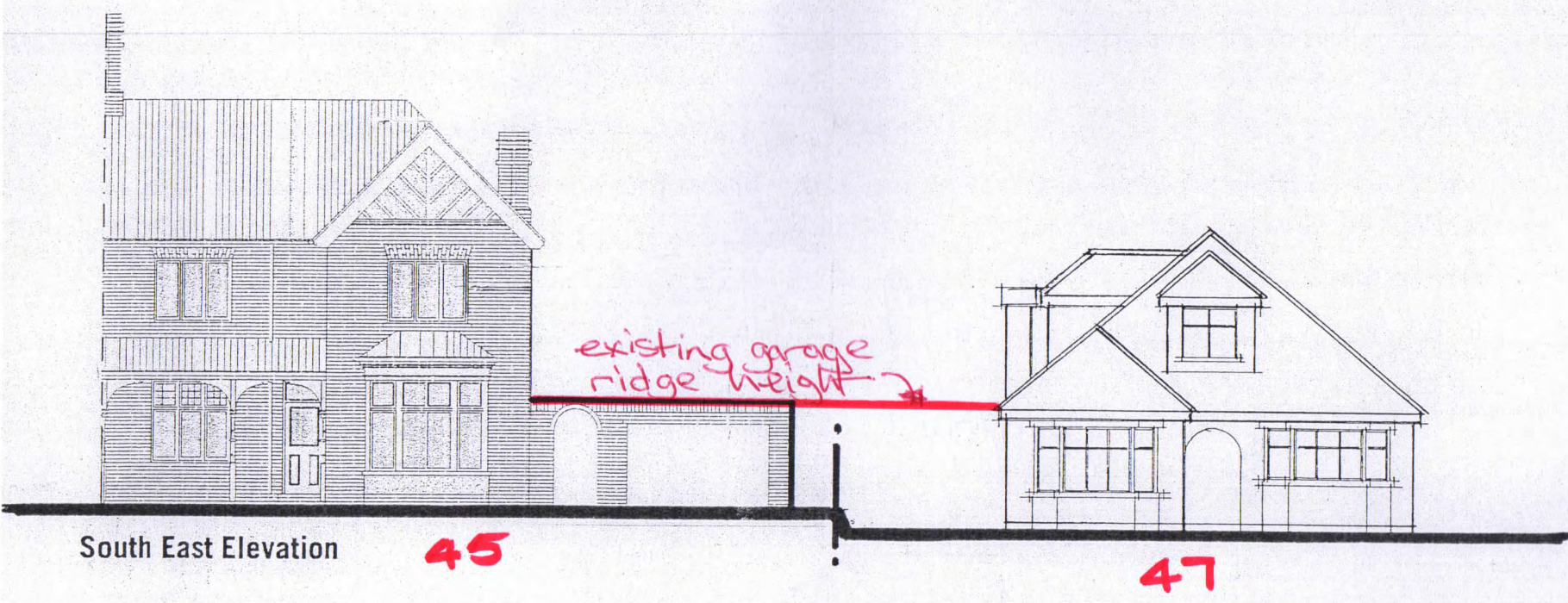
Number 45 retains many of its original features, however the proposed extension is a dominant addition and incongruous with the street scene. Six of the other seven semi detached properties have erected detached garages, subservient in size and generally reflecting the character of the area. Repositioning of the access to their back garden along the boundary with number 47, close to our living room and bedroom windows, will impact on our living amenities giving us less than reasonable privacy.

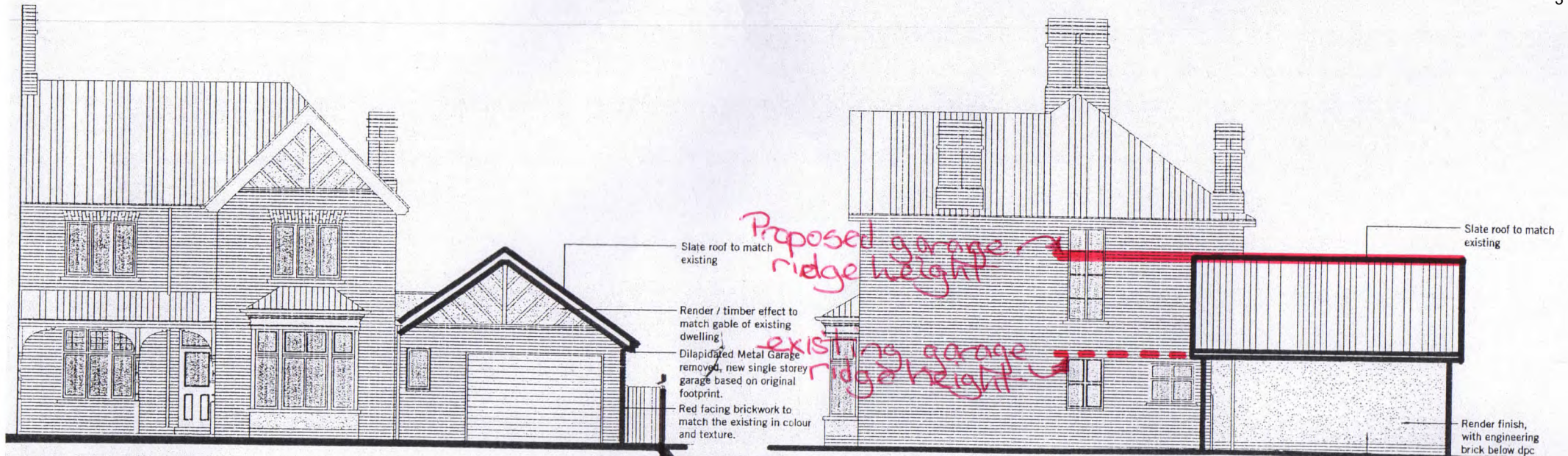
We are not against development and do not want to stop our neighbours from developing but we hope our concerns can be considered at the design stage.

Attached below are plans with the proposed ridge height shown in relation to the host property and our property which we feel highlight our concerns.

Yours sincerely

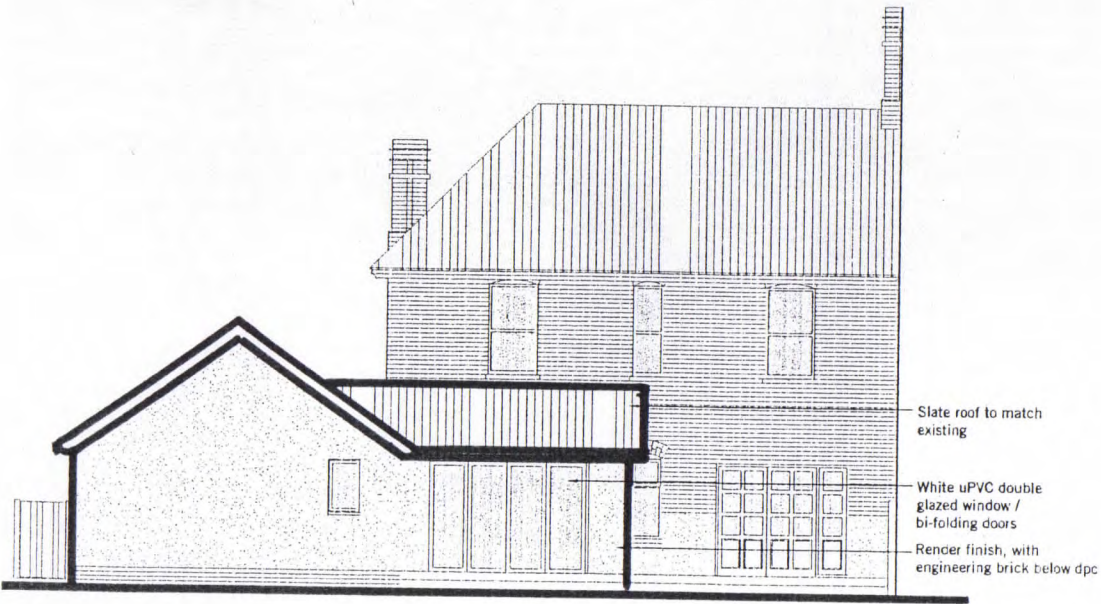
Mr & Mrs B Smith



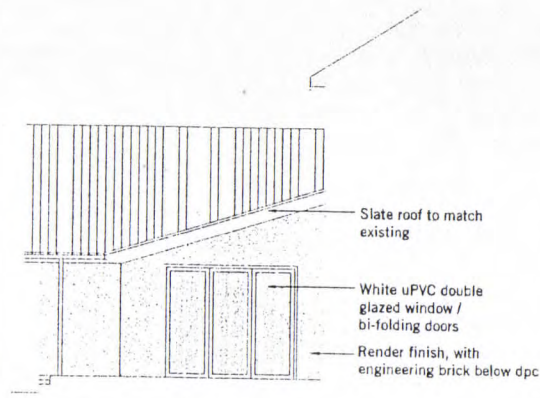


South East Elevation

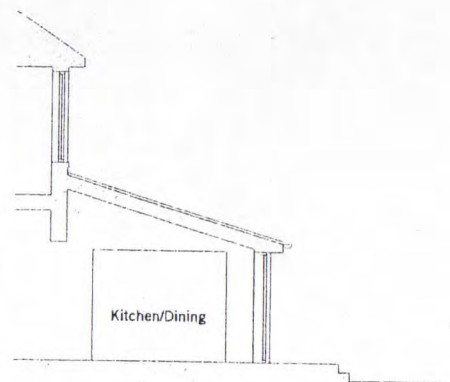
North East Elevation



North West Elevation



South West Elevation

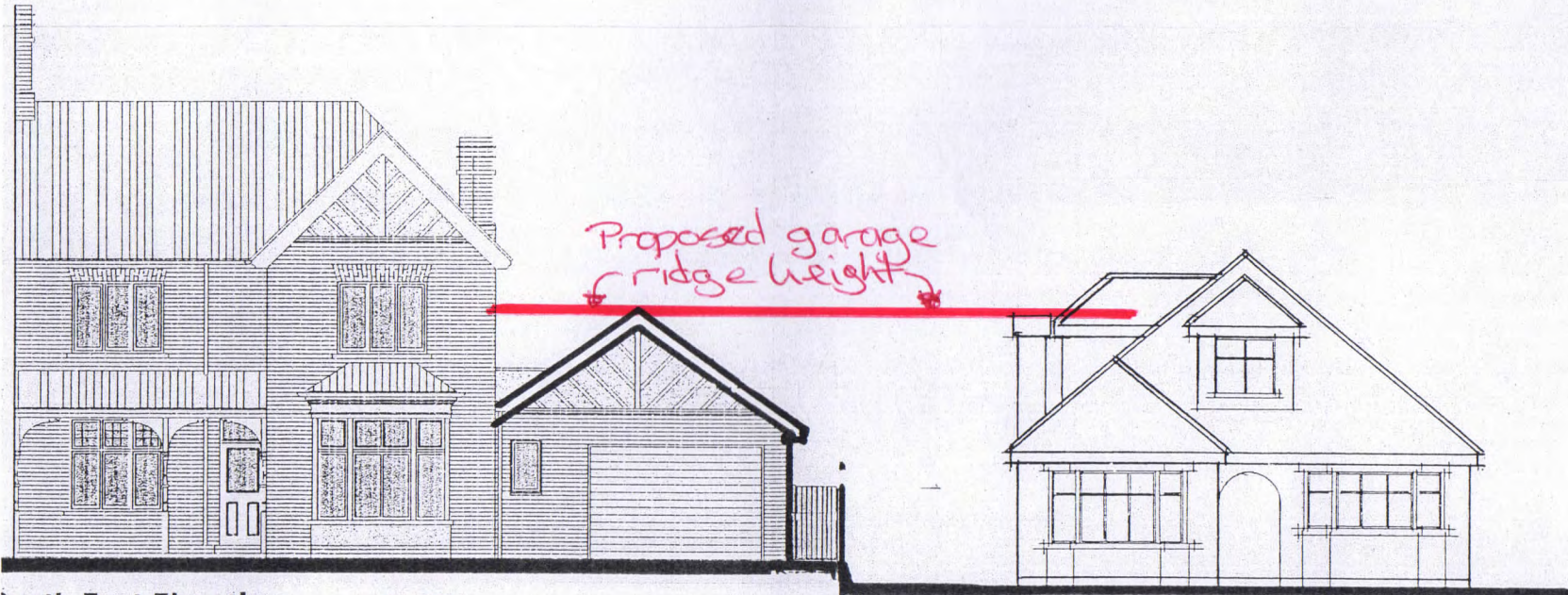


Section AA

PROPOSED ELEVATIONS

Scale 1:100

Drawing 012 - Drafting

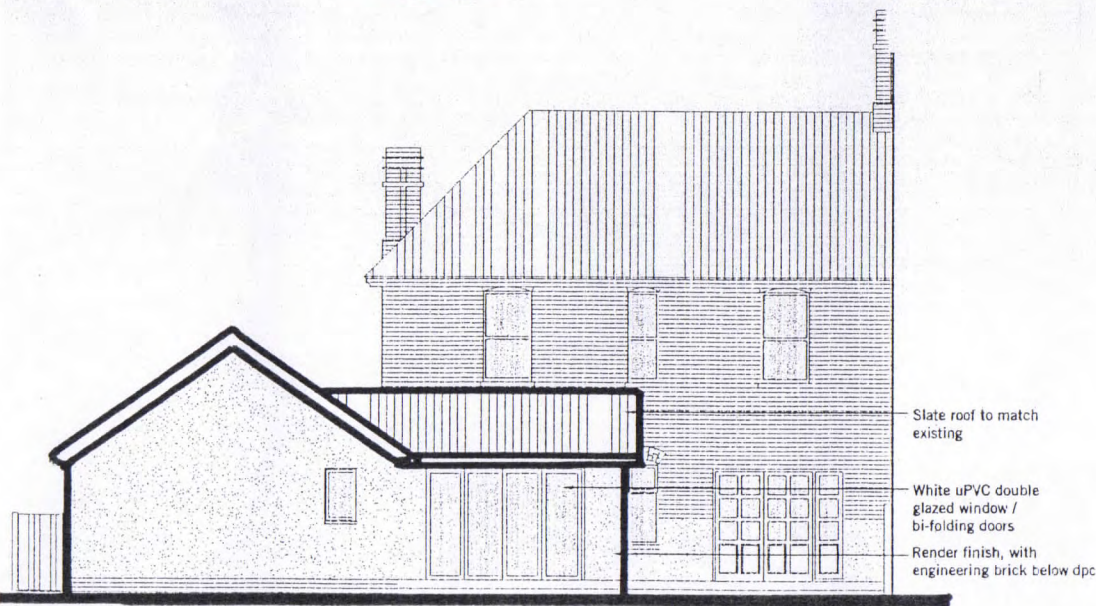


Proposed garage
ridge height

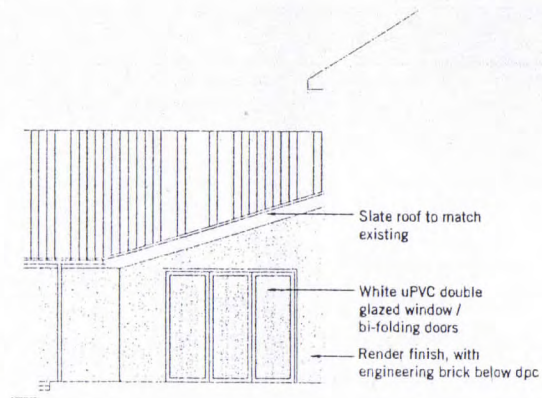
South East Elevation

45

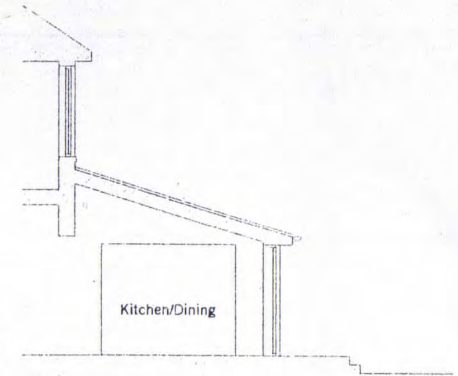
47



North West Elevation



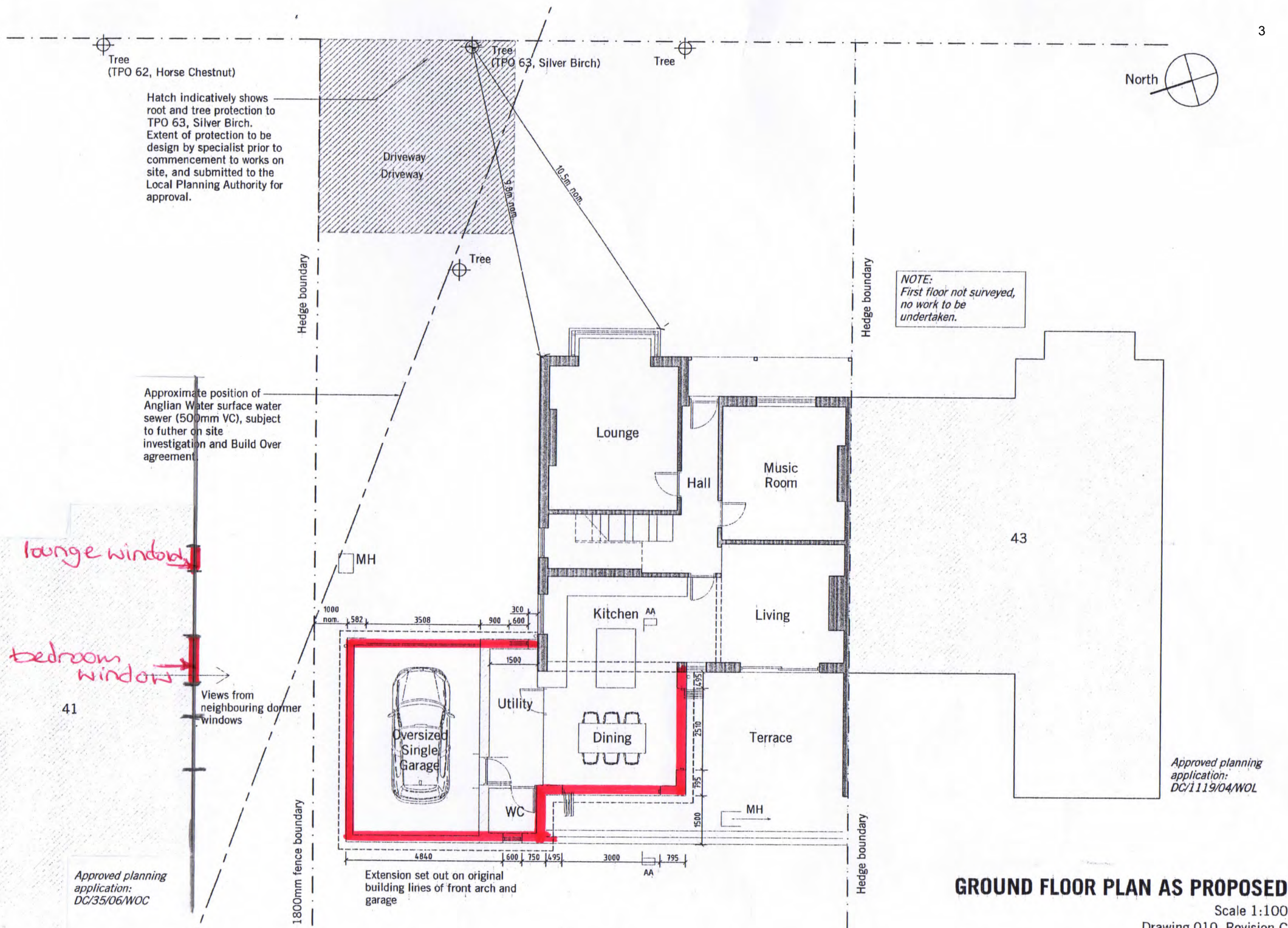
South West Elevation



Section AA

PROPOSED ELEVATIONS

Scale 1:100
Drawing 013. Revision A



Comments for Planning Application DM/1032/19/FUL

Application Summary

Application Number: DM/1032/19/FUL

Address: 45 The Avenue Healing Grimsby North East Lincolnshire DN41 7NA

Proposal: Demolish existing outhouse and erect single storey side and rear extension to include garage (AMENDED PLANS SHOWING REDUCTION IN HEIGHT OF SIDE AND REAR EXTENSION AND STEPPING BACK OF FRONT ELEVATION OF GARAGE)

Case Officer: Owen Toop

Customer Details

Name: Mr David Hawkes

Address: 43The Avenue Healing

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:We have no objection to the amended plans

Comments for Planning Application DM/1032/19/FUL

Application Summary

Application Number: DM/1032/19/FUL

Address: 45 The Avenue Healing Grimsby North East Lincolnshire DN41 7NA

Proposal: Demolish existing outhouse and erect single storey side and rear extension to include garage (AMENDED PLANS SHOWING REDUCTION IN HEIGHT OF SIDE AND REAR EXTENSION AND STEPPING BACK OF FRONT ELEVATION OF GARAGE)

Case Officer: Owen Toop

Customer Details

Name: Mr Louis Sheard

Address: 34 The Avenue Healing Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: After looking at the plans, i think that the extension would be a good addition to the existing property, no objections.

Comments for Planning Application DM/1032/19/FUL

Application Summary

Application Number: DM/1032/19/FUL

Address: 45 The Avenue Healing Grimsby North East Lincolnshire DN41 7NA

Proposal: Demolish existing outhouse and erect single storey side and rear extension to include garage (AMENDED PLANS SHOWING REDUCTION IN HEIGHT OF SIDE AND REAR EXTENSION AND STEPPING BACK OF FRONT ELEVATION OF GARAGE)

Case Officer: Owen Toop

Customer Details

Name: Mrs Lesley Beach

Address: 37 The Avenue Healing Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Have reviewed the plans and have no objections. Is very much in keeping with the majority of properties on the street.

PLANNING COMMITTEE - 7th October 2020

ITEM: 4 **RECOMMENDATION: Approval with Conditions**

APPLICATION No: DM/0596/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Waterside Cottage, 28 Phillips Lane, Laceby, Grimsby, North East Lincolnshire, DN37 7BL

PROPOSAL: Alterations to replace exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras

APPLICANT:

Mr And Mrs David Townend
Waterside Cottage
28 Phillips Lane
Laceby
Grimsby
North East Lincolnshire
DN37 7BL

AGENT:

DEPOSITED: 27th July 2020

ACCEPTED: 27th July 2020

TARGET DATE: 21st September 2020

PUBLICITY EXPIRY: 6th September 2020

AGREED EXTENSION OF TIME DATE: 9th
October 2020

CONSULTATION EXPIRY: 29th August 2020

CASE OFFICER: Lauren Birkwood

PROPOSAL

The proposal is for various alterations and works to a Listed Building known as Waterside Cottage, 28 Phillips Lane in Laceby including the following:

- Replacement of exterior doors and window frames;
- Alterations to first floor window frames; and
- The installation of CCTV cameras on various elevations.

These proposed works are also covered within a separate Listed Building application reference: DM/0396/20/LBC. The application is presented to planning committee as the

property is owned by Councillor Lia Nici.

SITE

The application site, Waterside Cottage, is situated on Phillips Lane in Laceby. The building is a Grade II Listed Building. Large amounts of landscaping surrounds the proposal site and within. There are also varied types of boundary treatments including fencing and walls. The property is externally faced in white painted brickwork with a tiled roof.

RELEVANT PLANNING HISTORY

DM/0396/20/LBC - Listed Building consent for the replacement of exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras. Pending consideration.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places

NPPF16 - Conserv. & enhance the historic environ.

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO39 - Conserve and enhance historic environ

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

Laceby Parish Council - No objections.

Heritage Officer - No objections. Secure details via conditions.

Crime Reduction Officer - Information acceptable.

Drainage Officer - No objections.

Environmental Health Officer - No objections.

Highways Officer - No objections.

Tree Officer - No objections.

Neighbouring Representations

30A and 32 Phillips Lane, Laceby - Objects to the proposal due to privacy issues.

APPRAISAL

Principle of Development

The application site is within the development area of Laceby (policy 5). The principle of development is acceptable providing that the proposal does not give rise to significant issues in terms of residential amenity and that the design of the proposal is in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), and sections 12 and 16 of the NPPF 2019. Policy 39 is wholly consistent with section 16 of the NPPF 2019 which also requires the preservation of the historic environment.

Impact on Heritage Assets and Character of the Area

The proposal is for various alterations and works to a Grade II Listed Building (Waterside Cottage) at Phillips Lane in Laceby. This includes the following:

- Replacement of exterior doors and window frames;
- Alterations to first floor window frames; and
- The installation of CCTV cameras on various elevations.

The majority of the proposed alterations and works, including the replacement of external doors and windows frames, would be not readily viewable from Phillips Lane as there is a significant amount of landscaping surrounding the site. Therefore, it is considered that the proposed scheme would not affect the character and appearance of the area and would not adversely affect the character of the Grade II Listed Building. The proposed window frames and doors would be replaced on a like for like basis and would be wooden painted white/heritage colours. Sections and details have been provided to demonstrate this. It has been confirmed by the applicant that the first floor windows on the North and South elevations have been installed incorrectly. On this basis, they would be installed to the correct dimensions at a smaller height thus achieving a positive enhancement to the property.

The CCTV cameras would be fixed to the premises for security reasons. It is considered that fixtures to the Listed Building would not be detrimental to the character of the Listed Building as the works would be minimal. They are justified on the basis of security need.

The Council's Heritage Officer has reviewed the submitted information, and has stated that, subject to securing the details provided, the works and alterations are acceptable. The proposal is therefore considered acceptable in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), sections 12 and 16 of the NPPF 2019.

Residential Amenity

In terms of the door and window frames, the proposed works would be within the site and partly viewable to neighbouring residents. However the works relate to the existing structure replacing or altering existing windows and doors. There will be no adverse impact on any neighbours through this work.

It is noted that comments have been received from 30A and 32 Phillips Lane with concerns regarding privacy issues from the CCTV cameras. Details of the CCTV cameras, and their locations, have been presented to the Crime Reduction Officer. The Crime Reduction Officer recommends that they be installed by companies that are National Security Inspectorate qualified installers. This has been confirmed by the applicants. Having regard to the privacy issues it is not unusual now for residential properties to have cameras on them. The number is relatively high but this is to provide coverage for the applicants own property and access areas to it. The cameras are located to achieve this. The concerns of the neighbouring residents are acknowledged but it is considered that it would be unreasonable to raise a planning objection on the grounds of loss of privacy.

Having regard to the above the proposal is considered to be acceptable on residential amenity grounds under Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The proposal would not be out of character with the wider area and would not have a negative impact on the character or setting of the Listed Building. The proposal would also not give rise to detrimental impacts in terms of residential amenity. The application can therefore be approved in accordance with sections 12 and 16 of the NPPF 2019 and policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

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:

Site Location Plan - Received 3rd August 2020

Block Plan - Received 3rd August 2020

Proposed Ground Floor Plan - Received 3rd August 2020

Proposed First Floor Plan - Received 3rd August 2020

Proposed East Elevation - Received 3rd August 2020

Proposed West Elevation - Received 3rd August 2020

Proposed North Elevation - Received 3rd August 2020

Proposed South Elevation - Received 3rd August 2020

Proposed Door and Window Details - 33305

Proposed Door Details - 33306

Reason

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

(3) Condition

The CCTV cameras shall be installed in the locations as shown on the proposed block plan (received 3rd August 2020) and shall be installed as per the supporting details (FORM-V02__2014-12-16 REV 1) unless otherwise agreed by the Local Planning Authority.

Reason

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

(4) Condition

The proposal shall be constructed using materials specified within/on application form

received 27th July 2020 and as detailed on the approved plans as follows:

Proposed Door and Window Details - 33305

Proposed Door Details - 33306

unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with policy 5, 22 and 39 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 and 39.

2 Added Value Statement

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

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

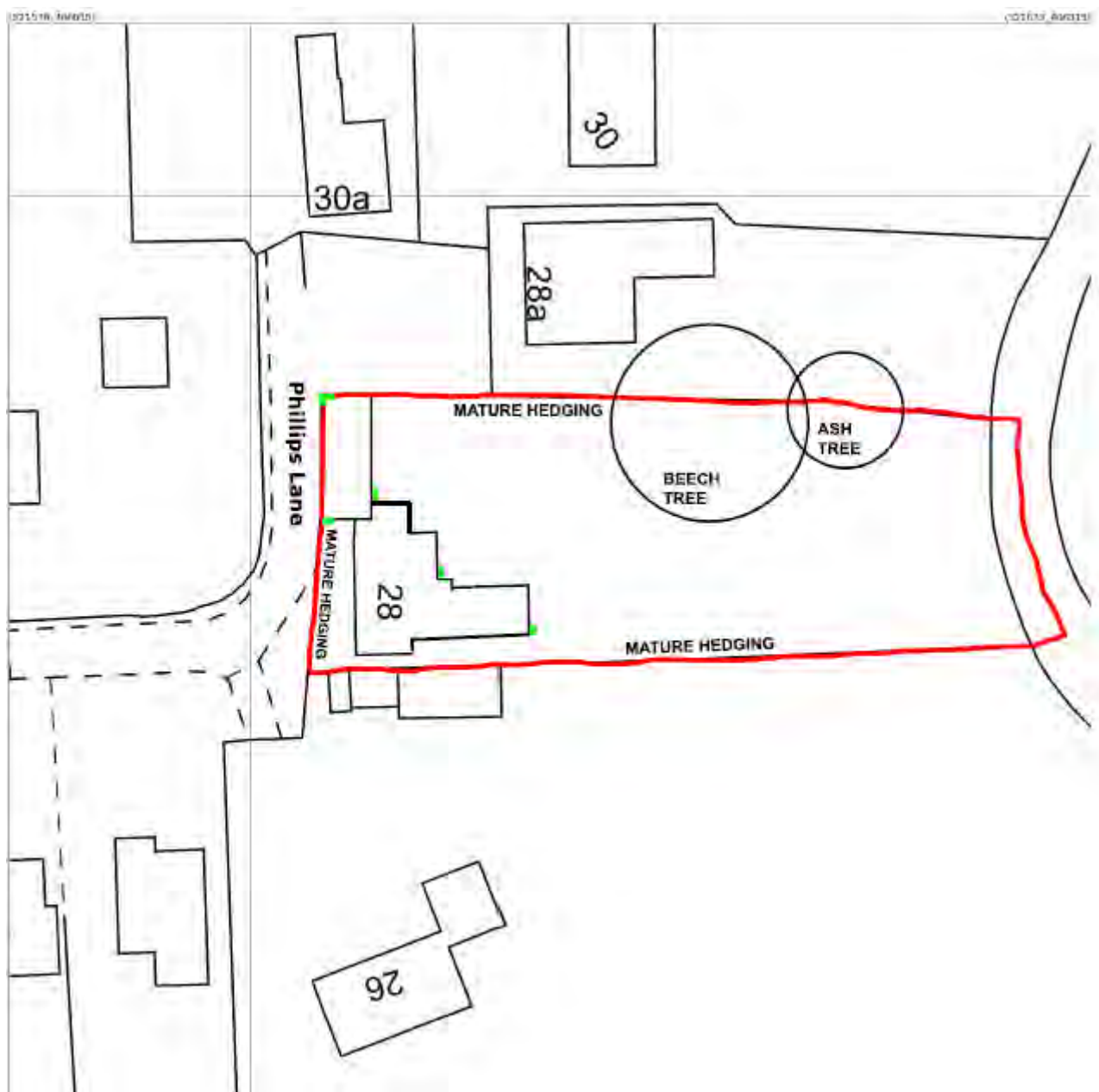
3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 325959).

DM/0596/20/FUL – WATERSIDE COTTAGE, 28 PHILLIPS LANE, LACEBY



DM/0596/20/FUL – WATERSIDE COTTAGE, 28 PHILLIPS LANE, LACEBY



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

5th August 2020

Dear Sir/Madam

DM/0596/20/FUL – alterations to replace exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras; Waterside Cottage, 28 Phillips Lane, Laceby.

The above planning application and listed building consent was discussed at the Parish Council Meeting on the 4th August 2020. The plans and details of the application were scrutinised by Councillors attending the meeting and no objections were recorded.

Yours faithfully,

Mrs N Ashton
Clerk to Laceby Parish Council

Comments for Planning Application DM/0596/20/FUL

Application Summary

Application Number: DM/0596/20/FUL

Address: Waterside Cottage 28 Phillips Lane Laceby Grimsby North East Lincolnshire DN37 7BL

Proposal: Alterations to replace exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras

Case Officer: Lauren Birkwood

Customer Details

Name: Ms Sarah Kelly

Address: 30a Phillips Lane GRIMSBY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I Object to the north facing CCTV camera which points directly onto my property and directly into my garden. This is an extreme invasion of mine and my family's privacy.

I also object to the audio recordings on the CCTV on the north, west and south elevations which will capture conversations in and around my property and the only pedestrian access route to my property.

I object to the 3 CCTV cameras on the north, west and south elevations which will visually capture mine and my family's only access route to my property.

Comments for Planning Application DM/0596/20/FUL

Application Summary

Application Number: DM/0596/20/FUL

Address: Waterside Cottage 28 Phillips Lane Laceby Grimsby North East Lincolnshire DN37 7BL

Proposal: Alterations to replace exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras

Case Officer: Lauren Birkwood

Customer Details

Name: Mr Steve Palfreman

Address: 32 Phillips Lane, Laceby, Grimsby, North East Lincolnshire DN37 7BL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to the proposed installation of CCTV recording devices to the North, West and South elevations.

The proposed Vivotek IT9388-HT camera has a technical specification of a built in microphone with an effective range of 5m. The cameras on the north, west and south elevations are all within 5m of our property and so will record audio of personal conversations within our property, in both our garden and parking area. We do not give permission for our conversations to be recorded. If the cameras are swapped for cameras with no built in microphone we would not object.

PLANNING COMMITTEE - 7th October 2020

ITEM: 5 **RECOMMENDATION: Approval with Conditions**

APPLICATION No: DM/0396/20/LBC

APPLICATION TYPE: Listed Building Consent

APPLICATION SITE: Waterside Cottage, 28 Phillips Lane, Laceby, Grimsby, North East Lincolnshire, DN37 7BL

PROPOSAL: Listed Building consent for the replacement of exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras

APPLICANT:

Mr And Mrs David Townend
Waterside Cottage
28 Phillips Lane
Laceby
Grimsby
North East Lincolnshire
DN37 7BL

AGENT:

DEPOSITED: 1st June 2020

ACCEPTED: 6th July 2020

TARGET DATE: 31st August 2020

PUBLICITY EXPIRY: 9th August 2020

AGREED EXTENSION OF TIME DATE: 9th
October 2020

CONSULTATION EXPIRY: 31st July 2020

CASE OFFICER: Lauren Birkwood

PROPOSAL

The proposal is for various alterations and works to a Listed Building known as Waterside Cottage, 28 Phillips Lane in Laceby including the following:

- Replacement of exterior doors and window frames;
- Alterations to first floor window frames; and
- The installation of CCTV cameras on various elevations.

These proposed works are also covered within a separate planning application reference: DM/0596/20/FUL. The application is presented to planning committee as the property is

owned by Councillor Lia Nici.

SITE

The application site, Waterside Cottage, is situated on Phillips Lane in Laceby. The building is a Grade II Listed Building. Large amounts of landscaping surrounds the proposal site and within. There are also varied types of boundary treatments including fencing and walls. The property is externally faced in white painted brickwork with a tiled roof.

RELEVANT PLANNING HISTORY

DM/0596/20/FUL - Alterations to replace exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras. Pending consideration.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF16 - Conserv. & enhance the historic environ.

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO39 - Conserve and enhance historic environ

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

Laceby Parish Council - No objections.

Heritage Officer - No objections. Secure details via conditions.

Crime Reduction Officer - Information acceptable.

Drainage Officer - No objections.

Neighbouring Representations

30A and 32 Phillips Lane, Laceby - Objects to the proposal due to privacy issues.

APPRAISAL

Principle of Development

The proposal is for various alterations and works to a Grade II Listed Building. Policy 39 of the North East Lincolnshire Local 2013-2032 (Adopted 2018) applies which requires that when considering alterations, special regard must be paid to the desirability of preserving the listed building, its setting and any features of special architectural or historical interest which it possesses. Policy 39 is wholly consistent with section 16 of the NPPF 2019 which also requires the preservation of the historic environment.

Policy 39 also mimics the requirements of Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The material planning considerations are therefore the impact on the listed building (Heritage Assets) and its setting.

Impact on the Listed Building

The proposal is for various alterations and works to a Grade II Listed Building (Waterside Cottage) at Phillips Lane in Laceby. This includes the following:

- Replacement of exterior doors and window frames;
- Alterations to first floor window frames; and
- The installation of CCTV cameras on various elevations.

The majority of the proposed alterations and works, including the replacement of external doors and windows frames, would be not readily viewable from Phillips Lane as there is a significant amount of landscaping surrounding the site. Therefore, it is considered that the proposed scheme would not affect the character and appearance of the area and would not adversely affect the character of the Grade II Listed Building. The proposed window frames and doors would be replaced on a like for like basis and would be wooden painted white/heritage colours. Sections and details have been provided to demonstrate this. It has been confirmed by the applicant that the first floor windows on the North and South elevations have been installed incorrectly. On this basis, they would be installed to the correct dimensions at a smaller height thus achieving a positive enhancement to the property.

The CCTV cameras would be fixed to the premises for security reasons. It is considered that these fixtures would not be detrimental to the character of the Listed Building as the works would be minimal. They are justified on the basis of security need.

The Council's Heritage Officer has reviewed the submitted information, and has stated that, subject to securing the details provided, the works and alterations are acceptable. The proposal is therefore considered acceptable in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), sections 12 and 16 of the NPPF 2019.

CONCLUSION

The proposal is for listed building consent for the alterations and works to Waterside Cottage, 28 Phillips Lane in Laceby. These changes are not considered to have an adverse impact on the setting or architectural integrity of the listed building and as such can be approved in accordance with policy 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and section 16 of the NPPF 2019 subject to a number of conditions.

RECOMMENDATION

Approval with Conditions

(1) Condition

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

Reason

To comply with S.18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) Condition

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

Site Location Plan - Received 23rd June 2020

Block Plan - Received 6th July 2020

Proposed Ground Floor Plan - Received 23rd June 2020

Proposed First Floor Plan - Received 23rd June 2020

Proposed East Elevation - Received 23rd June 2020

Proposed West Elevation - Received 23rd June 2020

Proposed North Elevation - Received 23rd June 2020

Proposed South Elevation - Received 23rd June 2020

Proposed Door and Window Details - 33305

Proposed Door Details - 33306

Reason

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

(3) Condition

The CCTV cameras shall be installed in the locations as shown on the proposed block plan (received 6th July 2020) and shall be installed as per the supporting details (FORM-V02__2014-12-16 REV 1) unless otherwise agreed by the Local Planning Authority.

Reason

Reason

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

(4) Condition

The proposal shall be constructed using materials specified within/on application form received 4th August 2020 and as detailed on the approved plans as follows:

Proposed Door and Window Details - 33305

Proposed Door Details - 33306

unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the Listed Building in order to comply with policy 5, 22 and 39 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 of the Listed Building. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22 and 39.

2 Added Value Statement

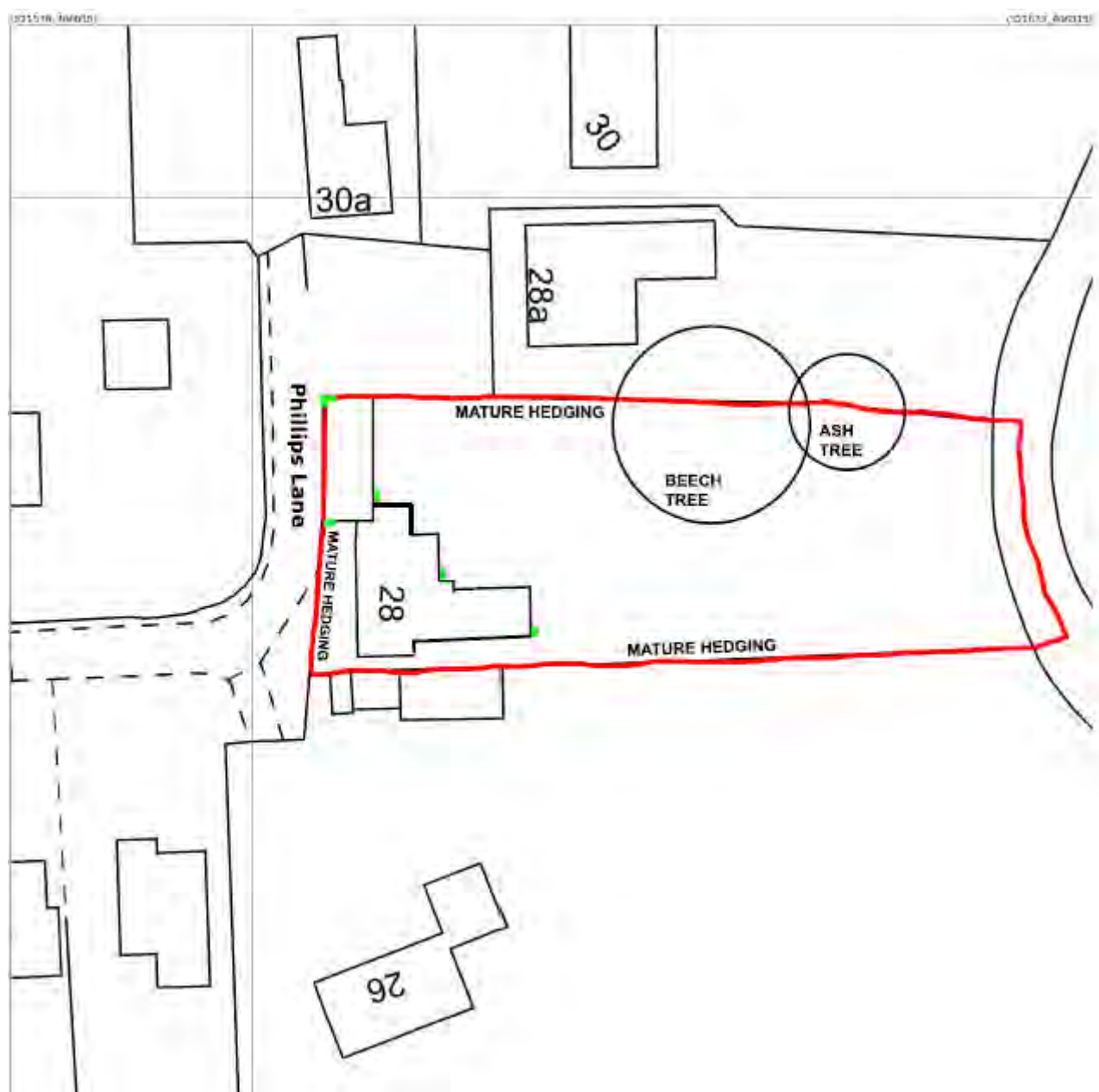
Article 31(1)(cc) Statement - Positive and Proactive Approach

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

DM/0396/20/LBC – WATERSIDE COTTAGE, 28 PHILLIPS LANE, LACEBY



DM/0396/20/LBC – WATERSIDE COTTAGE, 28 PHILLIPS LANE, LACEBY



Laceby Parish Council

Mrs N Ashton, Clerk to Laceby Parish Council
2 Church Lane, Laceby, Grimsby, DN37 7BW
Email: lcebypccclerk@gmx.co.uk



Planning Department,
Origin One, Origin Way,
Europarc,
Grimsby,
DN37 9TZ

5th August 2020

Dear Sir/Madam

DM/0396/20/LBC – listed building consent for the replacement of exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras; Waterside Cottage, 28 Phillips Lane, Laceby.

The above planning application and listed building consent was discussed at the Parish Council Meeting on the 4th August 2020. The plans and details of the application were scrutinised by Councillors attending the meeting and no objections were recorded.

Yours faithfully,

Mrs N Ashton
Clerk to Laceby Parish Council

Comments for Planning Application DM/0396/20/LBC

Application Summary

Application Number: DM/0396/20/LBC

Address: Waterside Cottage 28 Phillips Lane Laceby Grimsby North East Lincolnshire DN37 7BL

Proposal: Listed Building consent for the replacement of exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras

Case Officer: Lauren Birkwood

Customer Details

Name: Ms Sarah Kelly

Address: Plum Tree Cottage, 30A Phillips Lane, Laceby Grimsby, North East Lincolnshire DN37 7BL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I Object to the north facing CCTV camera which points directly onto my property and directly into my garden. This is an extreme invasion of mine and my family's privacy.

I also object to the audio recordings on the CCTV on the north, west and south elevations which will capture conversations in and around my property and the only pedestrian access route to my property.

I object to the 3 CCTV cameras on the north, west and south elevations which will visually capture mine and my family's only access route to my property.

Comments for Planning Application DM/0396/20/LBC

Application Summary

Application Number: DM/0396/20/LBC

Address: Waterside Cottage 28 Phillips Lane Laceby Grimsby North East Lincolnshire DN37 7BL

Proposal: Listed Building consent for the replacement of exterior doors and windows. Alterations to 2 first floor windows on the North elevation and 2 first floor windows on the South elevation and installation of CCTV security cameras

Case Officer: Lauren Birkwood

Customer Details

Name: Mrs karen palfreman

Address: 32 Phillips Lane, Laceby, Grimsby, North East Lincolnshire DN37 7BL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to the 3 CCTV cameras on the North, West and South elevations as they are fitted with audio which will be capable of listening to our conversations within our garden and specifically our car parking area.