



To be submitted to the Council at its meeting on 17th December 2020

PLANNING COMMITTEE

**2nd December 2020
9.30 a.m.**

Present:

Councillor Harness (in the Chair)

Councillors Beasant, Goodwin, Hasthorpe, Hudson, James, Mickleburgh, Nichols, Parkinson, Pettigrew, and Silvester.

Officers in attendance:

- Lauren Birkwood (Senior Town Planner)
- Jonathan Cadd (Senior Town Planner)
- Rob Close (Scrutiny and Committee Support Officer)
- Hannah Dixon (Solicitor)
- Martin Dixon (Planning Manager)
- Lara Hattle (Highway and Transport Planner)

P49 APOLOGIES FOR ABSENCE

There were no apologies for absence received for this meeting.

P.50 DECLARATIONS OF INTEREST

No declarations of interest were received in respect of any item on the agenda for this meeting.

P.51 SOUTH HUMBER BANK ENERGY CENTRE – ERECT OF WASTE TO ENERGY CENTRE

The committee received a briefing note on the South Humber Bank Energy Centre.

Mr Cadd explained that an application was approved in February 2019 for a 49-megawatt waste to energy centre. Since then, the applicant had revaluated the requirements for energy centre's capacity and efficiency

though a number of small changes. The energy output of the plant was therefore increased to 97-megawatts. He stated that once an energy output met or exceeded 50-megawatts, it no longer fell within the jurisdiction of the local planning authority, and was considered a development of national importance. So, although North East Lincolnshire Council were the host of the site, it would be determined by the Planning Inspectorate. He showed the committee plans and pictures of the site and explained the details were very similar to the scheme previously approved. The changes weren't considered to have a significant affect the character of the area, neighbouring land uses, ecology, the highway network, or the environment subject to the conditions of the Development Consent Order (DCO). He noted that the application had offered significant funds to the local area through a Section 106 agreement. A local impact report was in the process of being compiled with the formal examination taking place 21st January 2020.

The Chair asked if there would be any opportunity for the incorporation of a carbon capture scheme. Mr Dixon stated that although a carbon capture scheme wasn't addressed within the proposals, it may come through the Planning Inspectorate's questions.

Councillor Hasthorpe noted that the road along Kiln Lane was used to transport cars from Grimsby Docks so was often congested. He sought assurances that this had been considered. In addition, he asked if Heavy Goods Vehicles (HGVs) had been prevented from turning right at the roundabout onto South Marsh Lane. Ms Hattle comments that although the scheme would result in a significant number of HGVs, the routes proposed were considered to be acceptable. A precondition survey was requested as part of South Marsh Lane. Mr Dixon confirmed there wasn't any turning off of Kiln Lane proposed in the routing agreement.

RESOLVED – That the report be noted

P.52 DEPOSITED PLANS AND APPLICATIONS

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

RESOLVED – That the deposited plans and applications submitted under the Town and Country Planning Act (Serial No's 1 – 4) be dealt with as set out below and detailed in the attached appendix.

Item One - DM/0616/20/FUL - 3 Earl Street, Grimsby

Mr Dixon introduced the application and explained it related to the partial change of use from domestic garden to form an extension to an existing lock up garage to include associated works at 3 Earl Street, Grimsby. He showed plans and pictures of the site and explained that it came before the committee following the number of objections received from local residents.

The site sat within the development boundary of Grimsby so was considered acceptable in principle. The extension was small in scale, with a flat roof and benefitted from good screening. No adverse impact was considered in terms of the street scene. Objections had been received from tenants of the host property and neighbouring property. As the amenity land of the host property was to be retained, the rear staircase could be accessible, and the generally small scale of the extension, the property wasn't considered to have an undue impact on neighbouring recommended for approval. This application was therefore recommended for approval.

Mr Deakins was invited to address the committee in his capacity as the agent for this application. He clarified that the staircase referred to by Mr Dixon, was only a rear door for secondary access. The lockup was currently let to a resident who lived locally; however it had previously been let to tenants of the adjacent flats. Tenant of the flats were also given priority access for the lock up if requested. The use of the lock up was limited to storage and garaging. He suggested the committee may want to condition the lock up to restrict it's use. The site currently would benefit from an improvement which this scheme would offer. The plans showed a door giving access to the host property, access to the lock up from the host property would only be granted if they had shared tenants.

Councillor Hasthorpe moved that this application be approved subject to a condition restricting it's use as Mr Deakins indicated. Councillor Mickleburgh seconded his proposal of approval.

Councillor Parkinson sought further clarification as to the location of the extension towards the bottom of the site. He added that he felt the additional condition proposed by Councillor Hasthorpe was unnecessary. Mr Dixon explained that the extension was 2.5 metres off the wall of the existing garage.

RESOLVED – That the application be approved with the attached and additional condition:

- The development hereby permitted shall be used for storage purposes only or as part of the use of the attached garage for the parking of private vehicles.

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

Item Two - DM/0836/20/FUL - Land Adjacent to Wayside, Brigsley Road, Waltham

Councillor Pettigrew noted that although he requested this application be considered by committee, he had not expressed a pre-determined position to the application.

Mr Dixon introduced the application and explained it sought permission to build a two storey five bedded house adjacent to a property, 'Wayside' on Brigsley Road, Waltham. He showed plans and pictures of the site and explained that it came before the committee following a request from a North East Lincolnshire Ward Councillor.

He explained that the site sat outside of the development boundary as defined in the North East Lincolnshire Local Plan 2018 (NELLP 2018) and formed part of the open countryside. It was considered that such development of this site would erode the openness and intrude into the countryside. Although the actual design of the site itself wasn't necessarily wrong, the location was believed to encroach on residential development. There wasn't considered to be an impact to neighbours. He confirmed that the application was recommended for refusal on principle.

Mr Nelson was invited to address the committee in his capacity as the applicant for the proposal. He considered the reason cited for the recommendation for refusal to be very narrow due to the location of the site. No technical objections had been received to the application and no objections were received from neighbours. Waltham Parish Council actually recommended approval to the scheme. The site sat immediately adjacent to the settlement boundaries of both Waltham and Brigsley. He considered the proposal a natural linear infill development within a cluster of existing built form which didn't encroach into the open countryside. The established trees to Brigsley Road along the northern boundary would be retained along with a paddock area to the front of the site to successfully assimilate the site into the wider street scene. The vehicular access was to be shared with the host property to ensure no more physical breaks were to be added to the street scene along Brigsley Road. The property was set back within the plot to reduce the development's visual presence within the street scene. The property had been sensitively designed following the client's brief, following a traditional gable form with modern openings to uplift the design qualities of the area. The property was also cited and oriented on the plot so no overlooking would occur, protecting neighbours' residential amenity. The existing public footpath to the front of the site would also be retained against the existing lane and would not be impacted by the proposal. The site location was sustainable and many of the village amenities and services within Waltham could be accessed by the existing footpath. He felt significant material weight should be given to local people's views in the fact that no objections were received for the scheme. In addition, material weight should be given to the recent application to the north of the site for nearly 200 dwellings that was approved upon appeal. A sensitively designed single dwelling with retained soft landscaping would be an enhancement to the village character.

Councillor Hudson was pleased that the property was actually set back, this resulted in the open land to the front of the property continuing to link up with the land to the rear. He added that large hedges surrounded the

property. He moved that this application be approved. Councillor Hasthorpe seconded Councillor Hudson's motion of approval.

Councillor Parkinson felt that a gap between villages was important and felt that a strategic gap was generally required. Mr Dixon noted that site was actually defined as local countryside within the NELLP 2018.

Councillor Goodwin raised concerns about the development of land for use not allocated in the NELLP 2018.

RESOLVED – That the application be approved, with the following conditions:

1. The Development hereby permitted shall begin within three years of the date of this permission.
2. The development shall be carried out in accordance with the following plans:
 - 1242/0003 Proposed site plan
 - 1242/0002 Existing and proposed block plan
 - 1242/0001 Site location plan
 - 1242/0004 Proposed plans and elevations
3. Prior to the commencement of the development hereby permitted details of surface and foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. All surface and foul water drainage shall be in accordance with the details agreed.
4. Prior to the commencement of development details on the integration of the public footpath with the sites development, to include boundary treatments and landscaping details, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to the occupation of the dwelling and shall be so retained thereafter unless otherwise agreed in writing with the Local Planning Authority.
5. Prior to the commencement of development, final details of the scheme of landscaping and tree planting shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include the timings and details of trees and hedges to be retained and measures for their protection during the construction period. hedgerows shall thereafter be retained in accordance with the details approved. All planting shall be implemented in accordance with the details and timings approved and shall be adequately maintained for 5 years, beginning with the date of completion of the development. All tree and hedge protection measures shall be implemented as approved during the construction period.
6. Prior to the commencement of the development details of all external materials to be used in construction of the buildings shall be

submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

7. No development shall commence until a Construction Method Statement/Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement/Management Plan shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. The routing of heavy construction vehicles,
 - b. Parking of vehicles of site operatives and visitors within the site,
 - c. Loading and unloading of plant and materials,
 - d. Storage of plant and materials used in constructing the development,
 - e. Wheel washing facilities,
 - f. A management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures,
 - h. A scheme for recycling/disposing of waste resulting from construction works. There shall be no burning of materials on site.
 - i. A scheme to control noise during the construction phase,
 - j. Hours of working on site which shall not be undertaken on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.
8. Prior to occupation of the dwelling, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be adhered to at all times following first occupation.

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

Item Three - DM/0734/20/FUL - 1 Westlands Avenue, Grimsby

Ms Birkwood introduced the application and explained it sought retrospective permission to retain a new garden building, fencing, and raised decking at an existing residential property, 1 Westlands Avenue, Grimsby. She showed plans and pictures of the site and explained that it came before the committee as the applicant was a senior officer of North East Lincolnshire Council.

She explained that the site was located with the development boundary for Grimsby so was therefore acceptable in principle. She noted that although the site sat in close proximity to the Wellow Conservation Area, it didn't actually sit within it. All works would be situated to the rear of the site with the exception of the fencing located to the side boundary. The outbuilding was relatively small in scale and consisted of materials that were sympathetic to the host property and wider area. The majority of

the works were also no visible from Westlands Avenue. The application therefore, didn't present any detrimental impact in terms of design. No neighbouring representations were received. The decking and outbuilding sat closer to the boundary shared with 3 Westlands Avenue, these works were considered minor in scale and sat behind an existing high wall. The impact to residential amenity was therefore considered acceptable. The fencing to 1a Westlands Avenue was not of uncommon height and with similar to neighbouring boundary treatments. The extra 0.08 metres of fencing beyond the limit of permitted developments were considered minor. The application was therefore recommended for approval.

Councillor Mickleburgh moved that this application be approved.
Councillor Hasthorpe seconded his motion of approval.

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

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

Item Four - DM/0606/20/FUL - 15 High Street, Cleethorpes

Mr Cadd introduced the application and explained it sought permission to use the corner shop premise as a hot food take away. He showed plans and pictures of the site and explained that it came before the committee as it represented a departure from the NELLP 2018.

The site was defined within the NELLP 2018 as such an area where hot food takeaways are deemed acceptable subject to there not being an over concentration of uses. The policy outlined this as a number of hot food take away next to each other without gaps. This policy would therefore be adhered to. The site also sat within a primary shopping area, the NELLP 2018 sought to vary the uses of properties of the primary shopping frontage. This application wasn't considered to exceed those requirements. This site was previously a clothing store and could now offer a complimentary service to the surrounding night-time economy. However, the NELLP 2018 limited a third of uses being non-retail, this application would exceed that. Consideration should be given to the surround area and it's vitality. No objections were received from highways or environment officers subject to conditions. This application was therefore recommended for approval.

Councillor Hasthorpe felt that the application would fit in to the local area and appreciated how it brought a vacant site back into use. He moved that this application be approved with a condition preventing the use of the first floor being used for residential purposes. Councillor Mickleburgh seconded Councillor Hasthorpe's motion of approval

Mr Dixon suggested the application be conditioned as such to remove permitted development rights, so any development was subject to the planning process.

Councillor Parkinson felt that the use as a hot food take away wouldn't be within the character of the high street. He was particularly concerned over the use of shutters throughout the day and their impact on the street scene.

Councillor Goodwin sought clarification why the first floor would be prevented from a residential use. Mr Dixon stated that the first floor wouldn't necessarily be restricted from residential use all together, but would have to be taken through the planning process.

Councillor Hudson appreciated Councillor Parkinson's concerns, however he noted that a hot food take away was preferable to a vacant premise.

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

(Note - the committee voted 10 to one in favour of this application being approved)

P.53 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy and Growth under delegated powers during the period 23rd October 2020 to 19th November 2020

Councillor Mickleburgh commented that the footbridge approved under application reference DM/0758/20/FUL appeared especially wide.

RESOLVED – That the report be noted.

P.54 PLANNING APPEALS

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

Mr Dixon noted applications reference DM/0759/19/FUL, DM/1166/19/OUT, DM/0662/19/FUL were now being considered through the appeals process.

RESOLVED – That the report be noted.

P.55 EXCLUSION OF PRESS AND PUBLIC

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

P.56 ENFORCEMENT ISSUES

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

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

There being no further business, the Chair closed the meeting at 11:15 a.m.