

Planning Committee Dated: 2nd March 2022

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/0753/21/FUL
Application Type:	Full Application
Application Site:	2 And 4 Caistor Road Laceby North East Lincolnshire DN37 7HX
Proposal:	Demolish part of buildings to rear, alterations and erect rear single storey extension so as to retain public house at no.2 Caistor Road and for a change of use to form a convenience store at no.4 Caistor Road with canopied entrance to side including associated plant areas, service yards, car park, fencing and other associated works (Amended Plans received 5th January 2022 and Amended Description)
Applicant:	Mr Matthew Wilkinson
Case Officer:	Owen Toop

Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/1196/21/FUL
Application Type:	Full Application
Application Site:	Land At Orchard Fields Healing North East Lincolnshire
Proposal:	Erect one dwelling with associated landscaping, boundary treatments and car parking bay (Amended Plans received 4th February 2022 to alter elevations)
Applicant:	Taylor Homes (Lincs 2) Limited
Case Officer:	Bethany Loring

Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0365/21/FUL
Application Type:	Full Application
Application Site:	Humberston Fitties Chalet Park Humberston Fitties Humberston North East Lincolnshire
Proposal:	Retrospective application for the siting of 50No fire stations already in-situ (amended locations of stations 5, 6, 15, 16 and 44)
Applicant:	Ms Sarah Newson
Case Officer:	Emily Davidson
Recommendation: Approved with Conditions	
Item:	4
Application No:	DM/0541/21/FULA
Application Type:	Accredit Agnt - Hseholder application
Application Site:	258 Humberston Fitties Humberston North East Lincolnshire DN36 4EY
Proposal:	Erect single storey extension to side including new roof, install canopy over part of decking to front and installation of shed to rear
Applicant:	Mr John Burton
Case Officer:	Jonathan Cadd

PLANNING COMMITTEE - 2nd March 2022

ITEM: 1 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0753/21/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 2 And 4 Caistor Road, Laceby, North East Lincolnshire, DN37 7HX

PROPOSAL: Demolish part of buildings to rear, alterations and erect rear single storey extension so as to retain public house at no.2 Caistor Road and for a change of use to form a convenience store at no.4 Caistor Road with canopied entrance to side including associated plant areas, service yards, car park, fencing and other associated works (Amended Plans received 5th January 2022 and Amended Description)

APPLICANT:

Mr Matthew Wilkinson
Lincolnshire Co-operative Limited
Stanley Bett House
15-23 Tentercroft Street
Lincoln
LN5 7DB

AGENT:

Mr Jon White
Framework Architects
3 Marine Studios
Burton Lane End
Burton Waters
Lincoln
LN1 2UA

DEPOSITED: 22nd July 2021

ACCEPTED: 13th August 2021

TARGET DATE: 8th October 2021

PUBLICITY EXPIRY: 7th February 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY:

CASE OFFICER: Owen Toop

PROPOSAL

This planning application relates to the demolition of buildings to the rear, alterations and erection of rear single storey extensions so as to retain public house use at no.2 Caistor Road and for a change of use to form a convenience store at no.4 Caistor Road with canopied entrance to side including associated plant areas, service yards, car park, fencing and other associated works. This follows amended plans and details received by

the Local Planning Authority on 5th January 2022.

This application is brought to the attention of planning committee due to the objections of Laceby Parish Council and number of objections received.

SITE

The site is the former Laceby Arms located in the centre of Laceby village. The site historically was two separate public houses and then a connected one. However the site has been vacant for a number of years now. To the rear are grounds to the public house including a beer garden and beyond that parking. Included within the site and within the applicants control is a large area of parking which acts as public parking for the centre of the village. To the front of the site is 'the square' which is used for parking, including a bus stop and is used as a school bus pick up and drop off area for children going to local schools. To the north are a small range of commercial units and to the south are residential units and a doctors surgery. To the west is the larger car park area which is bordered by residential property.

The buildings themselves are prominent heritage assets in the Laceby Conservation area and number 4 Caistor Road is locally listed. Both are of a traditional design with a red brick and pantile roof with vertical window openings with timber frames facing onto Caistor Road.

RELEVANT PLANNING HISTORY

08880838 - Alterations extensions to amalgamate 2 public houses. Includes condition car park use as for general public use.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF7 - Ensuring the vitality of town centres
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
PO23 - Retail hierarchy and town centre develop
PO28 - Local centres
PO29 - Social and cultural places
PO33 - Flood risk
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 Officer- No objections in principle to the change of use. Suggests conditions with regards to hours of delivery.

Environmental Health -No objections in principle to the change of use. Suggest conditions in relation to hours of delivery and construction management.

Heritage - No objections. Scheme acceptable. Archaeological condition advised.

Historic England - Defer to local heritage officer.

Drainage - Comments refer to the need for a sustainable surface water drainage scheme, and, for foul and surface water to be drained separately rather than through a combined sewer system at this site. Following negotiation confirmation that the drainage scheme is acceptable.

Ecology - Ecological report acceptable.

Police Crime Reduction Officer - No response.

Trees and Woodlands - Comments relate to potential for landscaping on site which could be accommodated by the applicant through condition.

Laceby Parish Council - (The Parish has been in dialogue with the LPA and developer as part of this application). There have been three separate comments from the Parish Council. Objections and comments as follows;

- there is a historic planning condition that states that the car park is to be used as a public amenity for the community to use;
- loss of the car park will be detrimental to the village and significantly impact the centre of the village
- refers to previous enforcement action in relation to the public house and car parking.
- requests that lighting be shaded away from residential properties, noting existing lighting operating as 24/7.
- requests conditions with regards to times of deliveries to avoid peak times of children travelling to pre-school, primary school, secondary school, as well as using the bus stops

and collection points.

- concerns relating to HGV and existing corner adjacent to the Church and Little Teapot.

Further comments reiterate concerns regarding the car park. The Parish Council last representation in regards to their objections:

- There is no request to waiver the existing condition on the car park; therefore, the condition still stands.
- As part of the planning application for the public house, a condition was placed on the car park in 1989. This stated that the car park was to be used as a public amenity for the community to use.
- £30,000 of Section 52 funding for Laceby Park was used pay for that land to be resurfaced and for a public use car park to be maintained; this was done under its condition for it to remain public parking.
- Enforcement action has been taken previously. In August 2004, a letter was sent to the public house regarding condition 6 which stated that the extended car park shall at all times be available for public use. Further enforcement was taken in 2019/20 when the public house installed car park ticket machines and attempted to lock the gates; again, the condition was enforced to ensure the car park remained available at all times for public use.
- The car park is a public amenity and an important part of the village. Loss of this car park will be detrimental to the village and significantly impact the important it roles within the centre of the village.

Laceby Parish Council confirm that the condition on the car park should remain in place to ensure that the car park remains the public amenity it has been for more than 30 years.

Natural England - No comments.

Neighbours and Public Consultation

In some cases multiple letters from the same address have been provided. Objections received from the following addresses:

Barton Street (SPAR)
27 High Street (Glens Newsagents)
1 Altoft Close
2 Altoft Close
26 Blyth Way
57 Blyth Way
46 Butt Lane
14 Caistor Road
54 Caistor Road
142 Caistor Road
2 Cemetery Crescent

17 Cemetery Road
17 Cooper Lane
Church Cottage, Church lane
2A The Cottage, Church Lane
10 Church Lane
35 Grimsby Road
16 Hawerby Road
37 Hawerby Road
58 Hawerby Road
1 Longmeadows Drive
10 Marshall Close
25 Mulberry Lane
12 Phillips Lane
25 St Francis Grove

On the grounds of:

- concerns on size of delivery vehicles and hours of delivery.
 - highways safety concerns due to existing junction and the proposed use.
 - impacts on existing businesses parking.
 - loss of public house and a community asset.
 - not the use the village needs.
 - out of character signage, eyesore, impact with conservation area and centre of village.
- Adverse impact on heritage.
- Adverse impact on historic Church.
 - late opening times, noise and disturbance from deliveries and gatherings.
 - there are already enough convenience stores in the village and wider area.
 - loss of trade to existing area.
 - historic planning conditions surrounding the public car park.
 - ecological concerns.
 - objections to traffic flows provided in additional transport statement.
 - objection to principle of development from a retail perspective. Reference made to existing provision for Laceby.
 - concerns in relation to existing buses, school children and comments suggesting a site visit to review.
 - objections to private use of car park. Reference to planning history which requires that the car park be always publicly available.

The following comment is received neither objecting or supporting the scheme:

6 Caistor Road (The Surgery) - potential for loss of parking to 6 Caistor Road. Could there be dedicated parking slots for patients of the practice, including disability parking.

Representation received from Councillor Hasthorpe making reference to the parking needs of local businesses and the role the existing car park plays in supporting the area.

APPRAISAL

Planning Considerations

- 1) Principle
- 2) Design and heritage
- 3) Impact on neighbouring and surrounding Area
- 4) Highway safety, amenity and parking
- 5) Other issues

1) Principle of Development

The application site is within the development area of Laceby (policy 5). Laceby is defined as a Local Service Centre in the settlement hierarchy under Policy 3 of the Local Plan. These are settlements which perform the role of key local service centres offering a good range of basic services and amenities. As regards the principle of retail use the retail hierarchy as set out in Policy 23 of the Local Plan applies. This defines that retail use within Local Centres, in which this site is located, will be supported so long as it respects the individual local scale and character of the centre. This is supported by Local Plan Policy 28 which states that within defined local centres small scale retail development will be acceptable provided they meet the same criteria. These policies accord to the National Planning Policy Framework (NPPF)

The site is located within a commercial local centre where several mixed-use premises are apparent. The size of the development is one which accords to the character of the area and is at a level which would seek to meet the day to day needs of local residents, many of whom would access it by walking to the site. The gross floor area of the convenience store is some 365 square metres with the retail floor area proposed at some 280 square metres. Supporting information details how this will respond to the size of a large village which Laceby is. A common retail arrangement for a local centre would be the result. Having regard to local and national planning policy the retail use is considered to be acceptable. Comments from neighbours and other retailers including 'Glens Newsagent' and 'the Spar' on Barton Street have objected on the grounds of lack of need for the unit and retail impact but it is considered that as a site within a defined local centre the location proposed is best placed for such a commercial unit. Indeed, when the Spar was approved on Barton Street it was implicit in the case made by the applicant and in the considerations thereof that this was based on the development being primarily a road side service station.

The mixed retail and retained public house use will also help secure the employment opportunities at the site and the community and social benefit of the development providing opportunities for social interaction. Whilst a greater floor space of public house

use will be lost than that retained, the scheme demonstrates that the two commercial uses can be provided together which is demonstrably more beneficial than the continued vacancy of the site or a loss to a use which does not provide community and social benefit. This is in accordance with Local Plan Policy 29 and advice in the NPPF. Section 8 of the NPPF 'Promoting healthy and safe communities' includes Paragraph 92. This refers to the benefit of development promoting social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments and strong neighbourhood centres. Paragraph 93 of the NPPF encourages the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Having regard to the above it is considered that the principle of the development is acceptable under Policies 23, 28 and 29 of the North East Lincolnshire Local Plan and accords to the National Planning Policy Framework.

2) Impact on Character of the Area and Heritage.

The application seeks to demolish the attached extensions and out buildings to both properties. These buildings are a mix of ages and styles and currently do not positively contribute to either the significance of the buildings or the conservation area. The removal of these buildings will be a betterment. The proposed replacement extensions are a more coherent use of the space, the materials palette is complimentary and sympathetic to the current buildings and those around them though conditions are required to ensure samples of the proposed bricks and tiles are provided. Final details of repairs and other works such as window works can also be covered by condition. In physical terms the development will enhance the Conservation Area with this is further secured through the positive reuse of the buildings which have been vacant for several years. Moreover, the setting of Listed Buildings namely the Grade I Church of Saint Margaret and Grade II number 6 Caistor Road will also be enhanced. As noted above the mixed use of the site will also support the vibrancy of the Conservation Area sustaining cultural distinctiveness. Reference is made in representations received that heritage will be adversely impacted on, including that the unique link of public houses will be lost. However, for the reasons stated it is not considered that this is the case. Physically the buildings will be enhanced, and the mixed use and interaction of the site will help to secure the heritage asset going forward and indeed allow for continued enjoyment. The Heritage Officer has been involved with detailed discussions on the scheme and raises no objection.

There is also the potential that the demolition and subsequent levelling of this site may reveal previously unrecorded archaeological remains and therefore it is recommended that prior to any groundworks the developer should be required to commission a Scheme of Archaeological Works in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This can be secured by an appropriate condition.

Having regard to the above it is considered that the development is acceptable in heritage terms and under overall design considerations in accordance with Policy 22 and 39 of the North East Lincolnshire Local Plan.

3) Impact on Neighbouring and Surrounding Area

The building sits within a mixed-use area with commercial units to the north and the existing car park to the rear. However, there are residential properties close by on Caistor Road and Cemetery Road and beyond the car park on Altoft Close. It is acknowledged that comments have been received from neighbouring properties. In terms of noise and disturbance, the conversion of the premises into a convenience store at number 4 from a public house may increase activity at the site and change the comings and goings in terms of greater frequency. It also includes a side entrance to allow direct pedestrian access from Caistor Road and an extended car park area to the rear. This is particularly relevant to neighbours on Caistor Road. However, it is not considered that this would intensify any impact from that which could occur at a busy public house which includes an outside seating area. It must also be acknowledged that this is the centre of the village and a location which includes other commercial units along with the existing car park.

The application has been supported by a noise assessment and hours of servicing are recommended to be controlled by planning condition (to only take place between the hours of 0700 and 2300 with a further break in the morning for highway reasons. See below). It must be noted that the reuse of number 2 Caistor Road as a public house continues the existing use, and it is not therefore considered that there are amenity concerns in relation to this use.

In relation to the physical changes existing extensions are demolished and replaced with new build. However, these are well related to the existing building and are subservient in scale and height. There will be no adverse massing or overlooking as a result of these works.

The Environmental Health Officer has confirmed no objections to the proposed development, subject to conditions regarding hours of conversion/construction works and hours of delivery as noted above. The proposal is therefore considered to be in accordance with policy 5 of the North East Lincolnshire Local Plan in relation to residential amenity.

4) Highways safety and amenity and parking

The Highways Officer has been consulted and involved in negotiations on the scheme. It is acknowledged that there are a number of objections from the community regarding the development and that many of these refer to issues of highways and parking.

The issue around the parking area to the rear of the proposed site has been discussed with the applicant and it is considered that there is sufficient space for the proposals to allow customers to park and still give other members of the public the opportunity to utilise the parking area when visiting other shops in Laceby. The applicant is willing to

accept a condition that the parking be always available for public parking thus reiterating a previous requirement. This is a particular concerns raised in public representations and by Laceby Parish Council.

In terms of traffic impact, the site has a previous use as a public house and as such generated trips associated with this. As the proposals put forward are for a convenience store it is expected that a minimum of 90% of the trips will be associated with vehicles already on the highway network. The Transport Statement concludes that the proposed use would result in a likely reduction of trips in the evening peak and 17 additional vehicles in the morning peak. The Highways Officer is content that this is not a severe impact on the highway network. It is acknowledged that large vehicles will be utilised for the delivery and servicing of the site. The Highways Officer has discussed this with the applicants due to concerns with the narrowness of the bend adjacent to the site. It is accepted that the previous use of the site had delivery and servicing vehicles associated with it and therefore this must be accounted for when considering the application. To alleviate concerns the applicants have agreed to limit delivery during the period of between 7.30 and 8.15 in the morning to help avoid school bus pick up times.

Having regard to the above it is considered that the development is acceptable in highway terms under Local Plan Policy 5 and 38.

5) Other issues

There have been on-going negotiations with the developer on drainage and an acceptable scheme has been agreed in accordance with Policy 33 of the Local Plan. On ecology the application is supported by a report, and this has been confirmed as acceptable by the Councils Ecology Officer in accordance with Policy 41 of the Local Plan.

CONCLUSION

The proposal is for the change of use of a public house on Caistor Road, Laceby into a convenience store. It retains a public house use. The proposal is acceptable in principle and would not be out of character with the surrounding, wider area or local centre, and would also not give rise to significant impacts in terms of neighbouring amenity and highways. It would bring back into use vacant buildings and provide a mixed use development for the area through the retail use and retention of a public house element. Also through the positive use of the buildings and well designed alterations the development would enhance the Conservation Area in which the site sits. Matters relating to the existing car park have been raised and this is addressed through the use of a planning condition. The application can therefore be approved in accordance with policies 5, 22, 23, 28, 29 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) subject to a number of safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan J2103 -00102A

Proposed Block Plan J2103 - 00103A

Proposed Site Plan J2103-00105B

Proposed Ground and First Floor Plans J2103-00103A

Proposed Second Floor Plan J2103-00122A

Proposed Colour Elevations J2103-00125

Proposed Elevations J2103-00123A and J2103-00124A

Reason

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

(3) Condition

The development hereby permitted shall be laid out and used in strict accordance with approved Proposed Ground and First Floor Plans J2103-00103A.

Reason

To define the permission to ensure a mixed use development of convenience store and retained public house for social and community benefit to accord to Policy 29 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

The car park shown on drawing J2103-00105 A (Proposed Site Plan) shall be available for use by the general public and free of charge unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interests of access for all in accordance with policy 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

The development shall be carried out in accordance with the following surface water and foul drainage details:

6270/201 P2 - Proposed Drainage Layout
Structural Calculations - dated 9th June 2021

The drainage details shall be implemented prior to the use of the convenience store or any of the extensions so constructed.

Reason

The condition is imposed in the interest of surface water and foul water management and to accord with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

Prior to the use of the convenience store a landscaping scheme shall be submitted to and agreed with the Local Planning Authority in writing. The landscaping shall be carried out in accordance with the approved details and the agreed implementation programme and thereafter be maintained. 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

The condition is imposed in the interest of promoting visual character through landscaping as to accord with Policies 5, 39 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

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

Reason

To protect the amenities of nearby residents to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018)

(8) Condition

Prior to the development commencing, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. It shall include:

- Contact details of the person with responsibility for the implementation of the CMP;
- The expected number, types and size of vehicles during the entire construction period;
- Working and delivery hours, including their management;
- Visitor, construction and contractor parking areas;
- Materials storage area;
- Wheel cleaning facilities, including their location;
- Noise, vibration and dust mitigation measures;
- Construction traffic management plan.

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

Reason

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

(9) Condition

The development shall be built out in accordance with the recommendations set out in the Ecology Appraisal dated July 2021 by Inspired Ecology Ltd unless otherwise agreed in writing with the Local Planning Authority. The measures shall include the final surveys to be undertaken prior to the commencement of works and measures for ecological enhancement. Survey results and final ecological enhancement details shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development and enhancement shall be thereafter implemented in accordance with the details agreed.

Reason

In the interest on biodiversity and ecology in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

Prior to the commencement of the development final details on the external materials to be used in the construction of the extensions including windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The roofing materials shall be clay pantiles and all works shall be carried out in accordance with the details approved.

Reason

To ensure the development has an acceptable external appearance and to protect the appearance and character of the Conservation Area to accord with Policy 22 and 39 of

the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

Prior to the commencement of the development hereby permitted final details on the repair and management works to all existing windows and doors and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken in accordance with the details approved.

Reason

To ensure the development has an acceptable external appearance and to protect the appearance and character of the Conservation Area to accord with Policy 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

No development shall take place on any phase until the applicant has:

- (i) Submitted a Written Scheme of Investigation or Specification for Works, for a programme of archaeological work, to the Local Planning Authority.
- (ii) Received written approval of the Written Scheme of Investigation for a programme of archaeological work from the Local Planning Authority.
- (iii) Implemented or secured implementation of the Written Scheme of Investigation for a programme of archaeological work.

Occupation of the development shall not take place until the applicant has:

- (iv) Published, or secured the publishing of the findings resulting from the programme of archaeological work within a suitable media.
- (v) Deposited, or secured the deposition of the resulting archive from the programme of archaeological work with an appropriate organisation.

Reason

The site contains, or may contain, a Historic Environment Asset which requires recording prior to alteration or destruction to accord to Policy 39 of the North East Lincolnshire Local Plan 2013-2032.

(13) Condition

Deliveries to the convenience store and public house shall only take place within the following times;

- 0700 hours to 2300 hours on any day and no Heavy Goods Vehicles shall deliver or exit

the site between the times of 0730 hours and 08.15 hours Monday to Friday.

Reason

This condition is imposed in the interests of residential amenity and highway amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018)

(14) Condition

Prior to the commencement of development final details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. All lighting installed shall be in accordance with the details approved.

Reason

This condition is imposed in the interests of residential 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 Conservation Area character or the setting of heritage assets and is acceptable in local amenity and highway terms and under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policy 3, 5, 22, 23, 28 33, 34, 38 and 39.

2 Added Value Statement

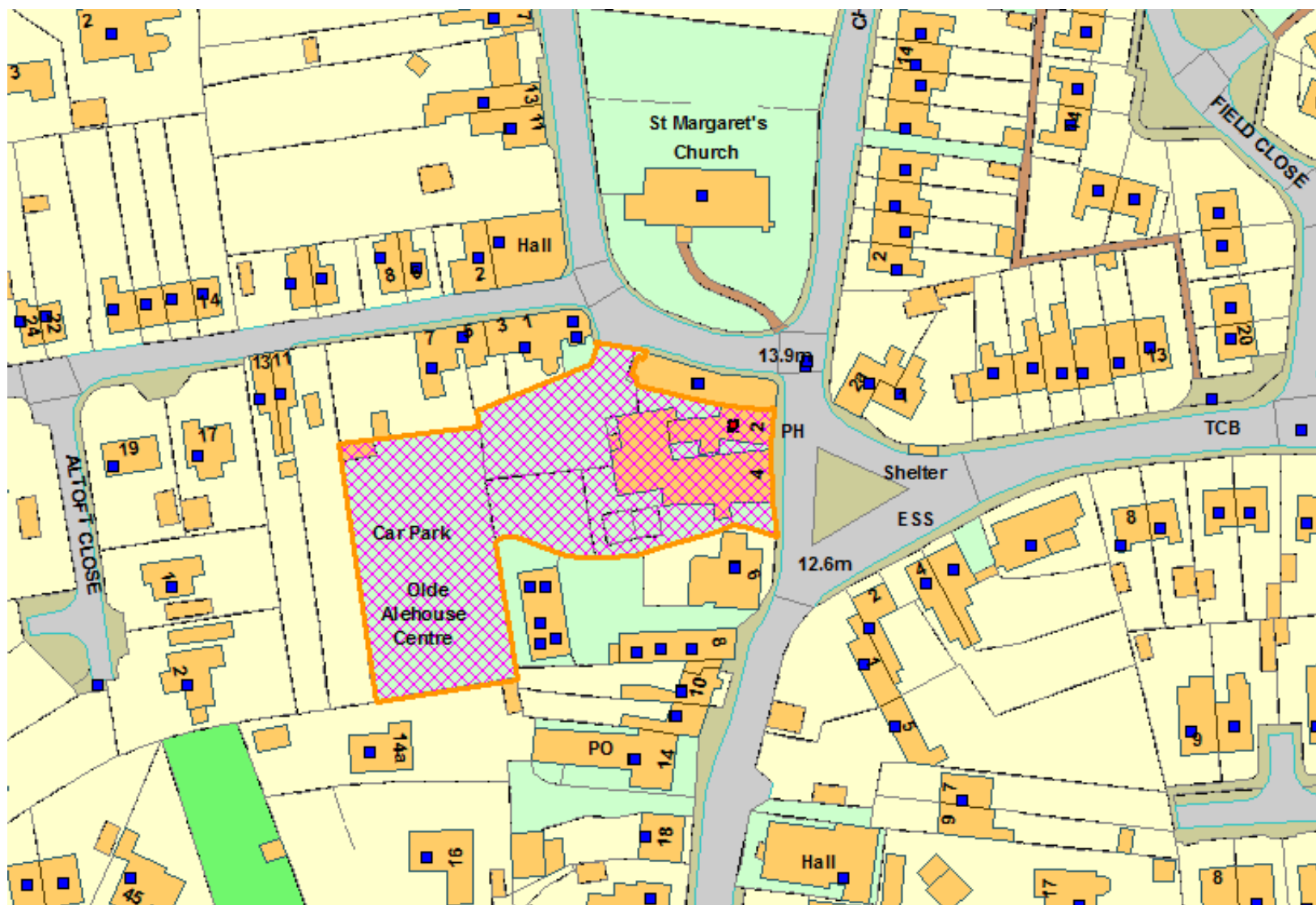
Article 31(1)(cc) Statement - Positive and Proactive Approach

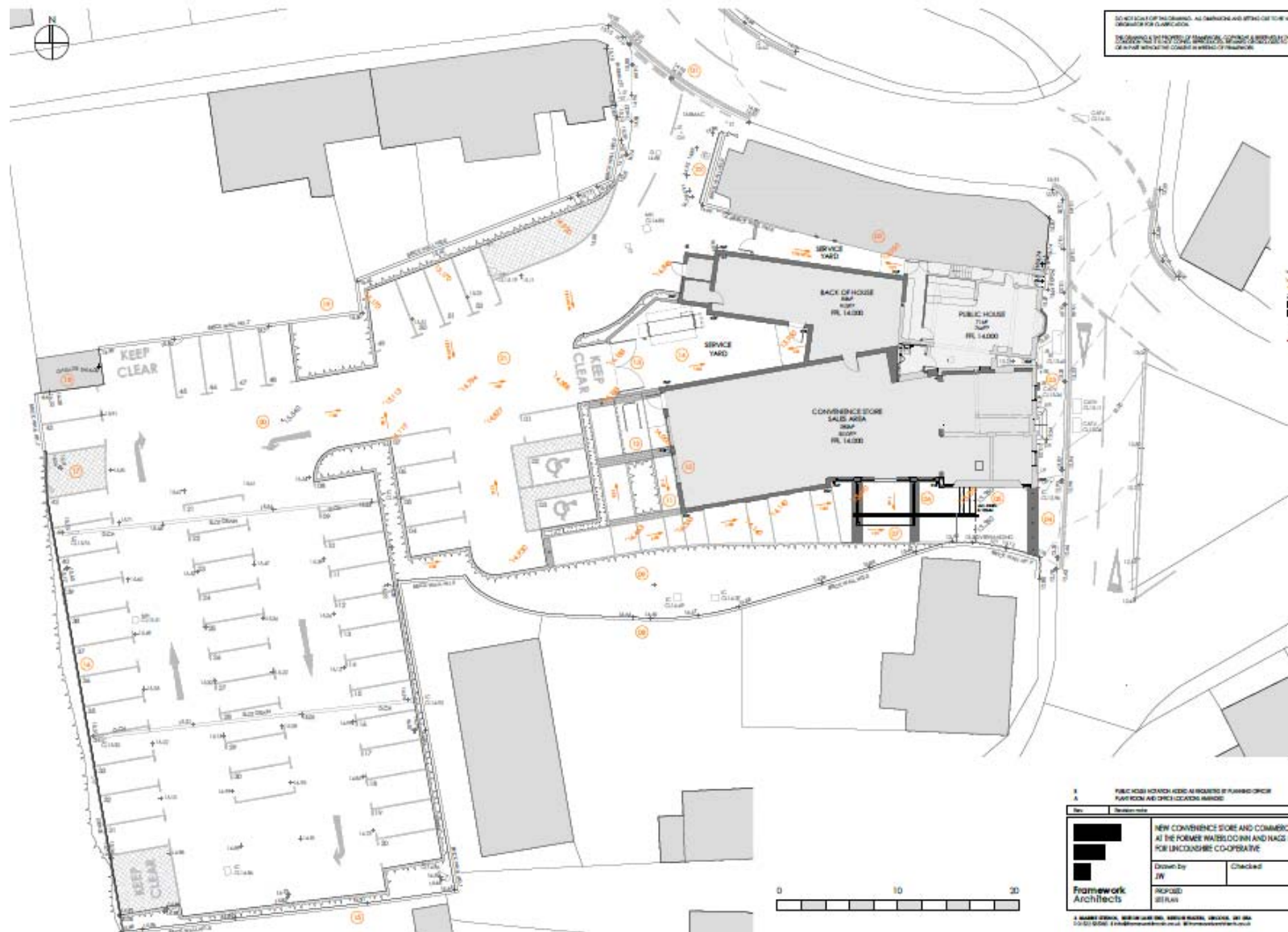
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating on highway, design, amenity and drainage issues.

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/0753/21/FUL – 2 AND 4 CAISTOR ROAD, LACEBY





PLANNING COMMITTEE - 2nd March 2022

ITEM: 2 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/1196/21/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land At, Orchard Fields, Healing, North East Lincolnshire,

PROPOSAL: Erect one dwelling with associated landscaping, boundary treatments and car parking bay (Amended Plans received 4th February 2022 to alter elevations)

APPLICANT:

Taylor Homes (Lincs 2) Limited
No 6 Orchard Fields
Healing
DN41 7AF

AGENT:

Mr Keir Taylor
Keir Architecture Ltd
No.6 Orchard Fields
Healing
DN41 7AF

DEPOSITED: 7th December 2021

ACCEPTED: 15th December 2021

TARGET DATE: 9th February 2022

PUBLICITY EXPIRY: 25th February 2022

**AGREED EXTENSION OF TIME DATE: 4th
March 2022**

CONSULTATION EXPIRY: 15th January 2022

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to erect one dwelling with associated landscaping, boundary treatments and car parking bay.

The application is brought to Planning Committee following an objection from Healing Parish Council.

SITE

The site currently hosts 6 dwellings which have been constructed over two phases and is located to the southeast of Cornflower Close with access taken through the centre of the site. The proposal would be positioned to the northeast corner of the cul-de-sac which is

currently open space within the development. The area is predominately residential with properties surrounding the site.

RELEVANT PLANNING HISTORY

DC/62/12/WOL - Erect three dwellings, three detached garages with associated car parking, landscaping, boundary treatments & private access road (Phase 2) - Approved with Conditions

DC/59/13/WOL - Variation of Condition 2 granted on planning application
DC/106/12/WOL for minor material amendments to plots 1, 2, 3 & garages, modified private driveway, turning head, bin drop off & collection points & installation of boundary fence & solar bollards - Approved with Conditions

DC/119/13/WOL - Variation of Condition 2 (Approved Plans) granted on planning application DC/62/12/WOL - Approved with Conditions

DC/106A/12/WOL - Discharge of conditions application for phase 1, some details to match phase 2 - Conditions Part Complied With

DM/1311/14/FUL - Variation of Condition 1 granted on planning application
DC/59/13/WOL (Variation of Condition 2 granted on planning application DC/106/12/WOL for minor material amendments to Plots 1, 2, 3 & garages, modified private driveway, turning head, bin drop off & collection points & installation of boundary fence & solar bollards) for minor material amendments to Phase 1's private road surface material and general landscaping to front and rear gardens of Plots 1, 2 & 3 - Approved with Conditions

DM/0558/17/FUL - Demolish existing outbuildings and erect 3 dwellings and detached garages with associated car parking, landscaping, boundary treatments and private access road - Approved with Conditions

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF5 - Delivering a sufficient supply of homes
NPPF12 - Achieving well designed places
NPPF15 - Conserv. & enhance the natural environ.

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

PO5 - Development boundaries
PO22 - Good design in new developments
PO34 - Water management
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Highways Team - CTMP condition however now submitted and acceptable.

Environment Team - Hours of construction/demolition and construction method statement condition. CMP acceptable.

Drainage Team - Sustainable drainage condition. Details acceptable with final arrangements to be agreed.

Heritage Officer - No input required.

Safer Communities - No comment.

NELDB - No comment.

Healing Parish Council - Objects based on concerns relating to inappropriate location and over intensification of the site.

Trees and Woodlands - No comment.

Neighbour Representations

28 Stallingborough Road - Objects based on concerns relating to not in-keeping, small plot, close proximity to the boundaries, emergency service access and flood area.

APPRAISAL

Principle of Development

The application site is located within the development area of Healing, and as such policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) applies.

According to this policy, the proposal would be permitted on the condition that the development would not unduly affect the neighbours, adversely affect the general character and appearance of the neighbourhood or highways safety and amenity.

The principle of the development is acceptable in policy terms subject to an assessment of the site-specific impacts.

Impact on the Visual Character of the Area and Layout

Policy 5 of the North East Lincolnshire Local Plan requires an assessment on the impact to the character of the area and visual amenity with Policy 22 setting out the requirements for 'good design'. The National Planning Policy Framework 2019 (NPPF) states that a high standard of design should always be secured with a good level of amenity for existing and future occupiers of land and buildings.

The proposal is for one detached dwelling located along Orchard Fields in Healing to include associated landscaping, boundary treatments and car parking bay. The property would be accessed from Orchard Fields directly utilising the existing access point that adjoins Cornflower Close, serving the existing properties. In view of the predominant character, the proposal would represent a similar density to other plots in the locality. The principle of one detached dwelling on this plot would not be seen as out of character in this context as Orchard Fields is a new development and the proposal reflects its character.

The dwelling would be single storey in height, adopting a rectangular shape, to include chimneys to each side. This would include a canopied porch way to the front. Other openings will be installed to the front and rear elevations with a roof light to the front roof slope. The dwelling would sit at around 4.2 metres in height, around 5 metres with the chimney, and would adopt a pitched roof with an eaves height of around 2.7 metres. It would be constructed of red brickwork, with red clay pantiles to the roof. The windows and doors would utilise white uPVC with the front door adopting a composite arrangement and the roof light in grey framing. This would also include brick corbel eaves detail.

There would also be new boundary treatments installed to the front, side and rear to include a post and rail fence to the frontage at around 1.2 metres in height and close boarded timber fencing to the side and rear at around 1.8 metres in height. The plot would also include an open parking bay to the side which would be established by landscaping features. Other landscaping features are proposed including new tree planting.

The scheme does include some outside amenity space, as part of their domestic curtilage, positioned to the rear. This would provide some external amenity space for the occupiers and would include a patio area.

The materials and design are considered to present a modern but traditionally influenced design which reflects the new properties to which it relates and the overall character of the area. Whilst the layout highlights that the dwelling would be close to the site boundaries and would leave small amenity space, it is considered that the plot sits

comfortably on the site and would not appear over cramped. It is a small scale development and neither the loss of openness on where it will site or the overall layout and design would adversely impact on the character of the area. It is therefore considered to be in accordance with policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Highways

Access to the site would be as existing from Orchard Fields, connecting from Cornflower Close. The plans indicate that a parking space would be included to the front to facilitate off-street parking. The Highways Officer have accepted the details however have suggested the need for a construction traffic management. This has been provided and deemed acceptable. It is therefore considered that the proposal is acceptable in highway terms under policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage

Policy 33 and 34 of the Local Plan relates to flood risk and water management within a site. The proposal includes an increase to the built form on the site and results in further appreciable alteration to the drainage or surface water drainage of the site. As such, the Council's Drainage Officer has requested details of surface water drainage methods.

The drainage details have been provided and been deemed acceptable by the Drainage Officer. A condition has been included to secure these details.

Therefore, it is considered that this would be in accordance with policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the guidance in section 14 of the NPPF 2021.

Impact on Neighbouring Properties

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires an assessment on the impact on neighbouring land properties and users.

The design includes openings to the front and rear elevations, at ground floor, which are adjacent to residential properties along Orchard Fields and Stallingborough Road. It is considered that the impact of these openings would not negatively affect the privacy of these neighbours or present an unacceptable arrangement in relation to overlooking given the separation, arrangements of the layouts of the properties and boundary treatments.

The scheme has been amended to include more openings to the front to reflect the existing character of the area and positioning the main entrance to the property to the front including the porch. To the rear, there would be two door openings and a window however the window would be a bathroom. The openings would be adjacent to the new

1.8-metre-high close boarded fence reducing concerns relating to overlooking or loss of privacy. It is considered that the window arrangements are sympathetic and ensures there are no overdue impacts in relation to overlooking or loss of privacy. Due to the single storey nature and very modest size of the property there will be no adverse massing or light impacts.

Given that the area is host to a number of residential properties, the Environment Team has suggested a condition relating to hours of construction/demolition which has been included.

Having regard to the above it is considered that the proposal would accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The proposal is considered to be appropriate in terms of principle and character, residential amenity, design and would not have a significant impact on adjoining neighbours by reason of dominance, overlooking and privacy.

Having regard to the above, it is recommended that planning permission is granted in accordance with policies 5, 22, and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018), and sections 5, 12 and 15 of the National Planning Policy Framework.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - 202114-01 Rev A

Proposed Site Plan, Block Plan, Landscape Plan and Drainage Plan - 202114-04 Rev D

Proposed Floor Plan, Roof Plan and Elevations - 202114-05 Rev C

Proposed Site Levels Plan - 202114-06 Rev A

Proposed Boundary Treatments Plan - 202114-07
Proposed Drainage Plan - 202114-04 Rev A

Reason

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

(3) Condition

The proposed development shall be constructed using materials as stated on drawing no. 202114-05 Rev C 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 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

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

Reason

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

(5) Condition

The drainage details will be carried out in strict accordance with the Proposed Drainage Plan (drawing no. 202114-04a) unless first agreed with the Local Planning Authority.

Reason

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

(6) Condition

The development shall be constructed in accordance with the Construction Method Statement received on the 4th February 2022 unless otherwise first approved in writing by the Local Planning Authority.

Reason

In the interest of highway safety and residential amenity in order to accord with policies 5

and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

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.

Reason

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

Informatives

1 Reason for Approval

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

2 Informative

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.

3 Informative

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

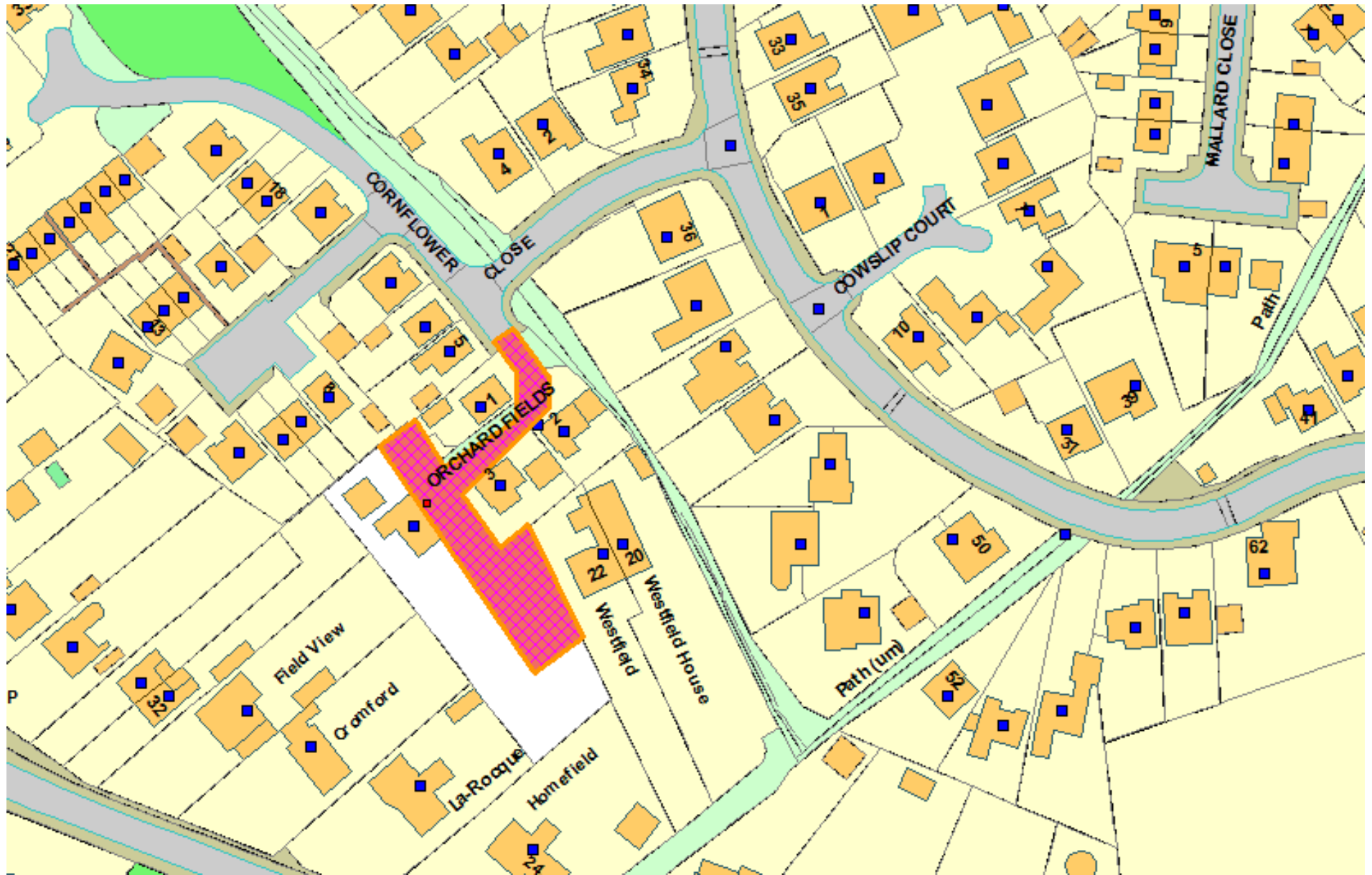
4 Informative

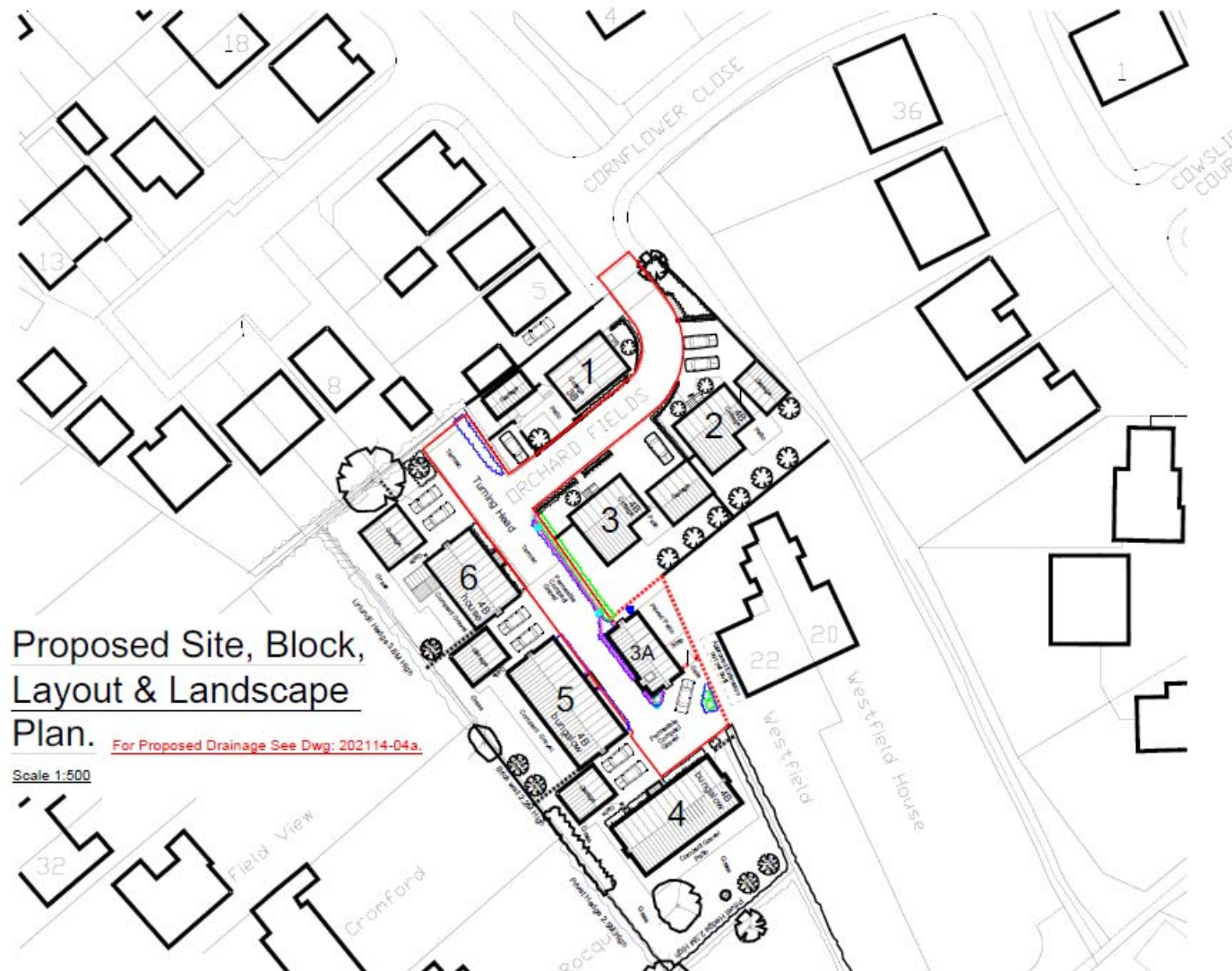
The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

5 Informative

This application will require the creation of new postal addresses. You are advised to contact the Street Naming & Numbering Team on 01472 323579 or via email at snn@nelincs.gov.uk to discuss the creation of new addresses.

DM/1196/21/FUL – LAND AT ORCHARD FIELDS, HEALING





PLANNING COMMITTEE - 2nd March 2022

ITEM: 3 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0365/21/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: Humberston Fitties Chalet Park, Humberston Fitties,
Humberston, North East Lincolnshire,**

**PROPOSAL: Retrospective application for the siting of 50 No fire stations already
in-situ (amended locations of stations 5, 6, 15, 16 and 44)**

APPLICANT:

Ms Sarah Newson
Tingdene
C/o Agent

AGENT:

Mr Ricky Newton
Lincs Design Consultancy Ltd
12 Vickers Lane
Louth
Lincs
LN11 9PJ

DEPOSITED: 7th April 2021

ACCEPTED: 17th June 2021

TARGET DATE: 12th August 2021

PUBLICITY EXPIRY: 12th December 2021

**AGREED EXTENSION OF TIME DATE: 31st
December 2021**

CONSULTATION EXPIRY: 18th July 2021

CASE OFFICER: Emily Davidson

PROPOSAL

The proposal seeks to retain 50 fire stations placed throughout the Humberston Fitties Chalet Park, with amended locations for stations 5, 6, 15, 16 and 44.

The application is presented to Planning Committee due to the number of neighbour objections received.

SITE

Humberston Fitties Chalet Park is in the conservation area and located within the resort area. It is known for its eclectic mix of chalets.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF16 - Conserv. & enhance the historic environ.

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

PO5 - Development boundaries
PO12 - Tourism and visitor economy
PO22 - Good design in new developments
PO33 - Flood risk
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

Consultee Representations

Rights of Way Officer - The proposal does not appear to impact on any Public Rights of Way.

Highways Officer - Approval, no conditions.

Humberside Fire and Rescue - Advice provided re fire risk assessment.

Trees and Woodlands Officer - No comment.

Drainage Officer - No drainage comments.

Environment Agency - No objections. Informative recommended.

Environmental Protection Officer - No comment.

Humberston Village Council - No objections given Heritage Officer is now in agreement to the application.

Heritage Officer - Initial comments - The 50 fire stations placed across the Fitties site do have an overall harmful affect on the conservation areas, however it is accepted that they are necessary and that the colour is appropriate to their function.

The majority of the stations are placed between boundaries of the chalets in what should be considered the least harmful position for them while maintaining full accessibility in the case of a fire. A small number have a more prominent position in a central location in front of a chalet, this is further impacted if the chalets have minimal planting to the front of their chalets. With this in mind fires stations 5, 6, 15, 16 and 44 should be relocated to boundary lines which will mitigate the negative impacts on the chalets.

Further comments to amendments - The initial application had five stations that occupied a very prominent position which has now been resolved in this amendment which moves them to boundary line, this minimises the impact on the chalets. No further heritage input required.

Police Liaison Officer - Provides informative advice but advises of the need for the Fire Officers comments.

Neighbour Representations

Objections received from 32 Humberston Fitties, 148 Humberston Fitties, 109 Humberston Fitties, 113 Humberston Fitties, 3 Humberston Fitties, 85 Humberston Fitties and 101 Humberston Fitties.

These objections broadly relate to:

1. Unsightly boxes which are prominent
2. Unnecessary
3. Attract anti-social behaviour/mis-use
4. The application refers to the site as a caravan site which is incorrect
5. No information as to why the hydrants are required
6. No training to use extinguishers or instructions
7. Placement and spacing is inconsistent
8. Discrepancies between placement and on-the-ground locations
9. No consultation carried out
10. Impact on safety of pedestrians
11. Not fit for purpose

A further comment from 85 Humberston Fitties included an element of support by indicating that the bells could be useful in all emergencies, a recent example was given.

APPRAISAL

Material Considerations

Principle of Development

The site is outside of the development boundary, within a conservation area and within the allocated resort area. Therefore, Policies 5, 12 and 39 of the North East Lincolnshire Local Plan (NELLP) 2018 apply. None of these policies specifically prevent development of this type subject to the site specific discussions below.

Heritage and Design

The site is within the Humberston Fitties Conservation area. This conservation area is unique as the chalets are used for holiday purposes. Whilst design in a conservation area is usually encouraged to remain in keeping with its surroundings, it is recognised in this instance that these fire points serve a purpose and are required to stand out for safety reasons. It is also acknowledged that different infrastructure is required in areas such as this as opposed to a traditional residential area. 5 fire stations were originally placed in the middle of boundaries. These stations were thought to detract from the chalets in which they were located in front of. Therefore these locations have been amended to address concerns of the Heritage Officer. The Heritage Officer is now content with the application. The Village Council are also now supportive of the application.

It is therefore considered that the application is in accordance with Policies 5, 12 and 39 of the NELLP 2018 in relation to heritage and design.

Neighbouring Amenity

The fire stations are spread across the whole site. In terms of amenity, the stations are reasonably small in size so do not cause impacts to any chalets in terms of massing or overshadowing. They could provide additional safety measures should an emergency situation arise to the benefit of neighbouring occupants.

Several areas of concern have been raised by occupants of the chalets and these are broadly relate to:

1. Unsightly boxes which are prominent
2. Unnecessary
3. Attract anti-social behaviour
4. The application refers to the site as a caravan site
5. No information as to why the hydrants are required
6. No training to use extinguishers
7. Placement and spacing is inconsistent
8. Discrepancies between placement and on-the-ground locations
9. No consultation carried out

- 10. Impact on safety of pedestrians
- 11 Not fit for purpose

Point 1 has been addressed under design. In relation to Point 2, a Fire Risk Assessment has been provided which justifies the need. In relation to the anti-social behaviour under point 3, whilst the vandalism in relation to these stations has been taken into consideration, it is felt that the potential safety benefits of their provision outweighs the relatively low levels of anti-social behaviour that has been experienced or which might be experienced. It is noted also in this case that the site is a managed one which again, helps with reducing risk. Point 4 raises that the application form refers to the site as a caravan park. This has since been amended. In relation to point 5, the Fire Risk Assessment provides the basis of need. In relation to point 6, this is a matter between Tingdene and the occupiers of the chalets. In relation to point 7, there are no specific planning regulations that would dictate the spacing between these stations. It is noted that these appear to follow the recommendations of the Fire Officer. In relation to point 8, a site visit was undertaken, and the stations appeared to reflect the position of those which have been submitted on the plans. Point 9, this again is a matter between Tingdene and the owners of the Chalets. In regard to point 10, no objections on the grounds of safety have been received from the highways officer. In regard 11, this is a matter which is determined by the Fire Officer. No adverse comments in respect of this have been received by them.

In conclusion, it is felt that there would be a betterment to the amenity of the chalets, particularly in relation to safety. The application is considered in accordance with Policy 5 of the NELLP 2018 in relation to amenity.

Fire Considerations

The application is now supported by a Fire Risk Assessment and this highlights how the proposal has come about and why there is a need. The Fire Officer has stated that this report is suitable. No concerns regarding the proposal have been raised by them.

CONCLUSION

Given the setting in which the fire stations are located and on balance, it is considered that there is no detrimental harm to the character of the area. There is no negative impact on the amenity of the neighbours. Therefore, the application is considered to be in accordance with Policies 5, 12, 22 and 39 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Site Location, Block Plan, Plans and Elevations - LDC3483-PL-01 C

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with policies 5, 12, 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 does not harm the conservation area or 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, 12, 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 securing amended detail to satisfy concerns.

3 Informative

Under the Environmental Permitting (England and Wales) Regulations 2016, permission must be obtained from the Environment Agency for any activities which will take place:

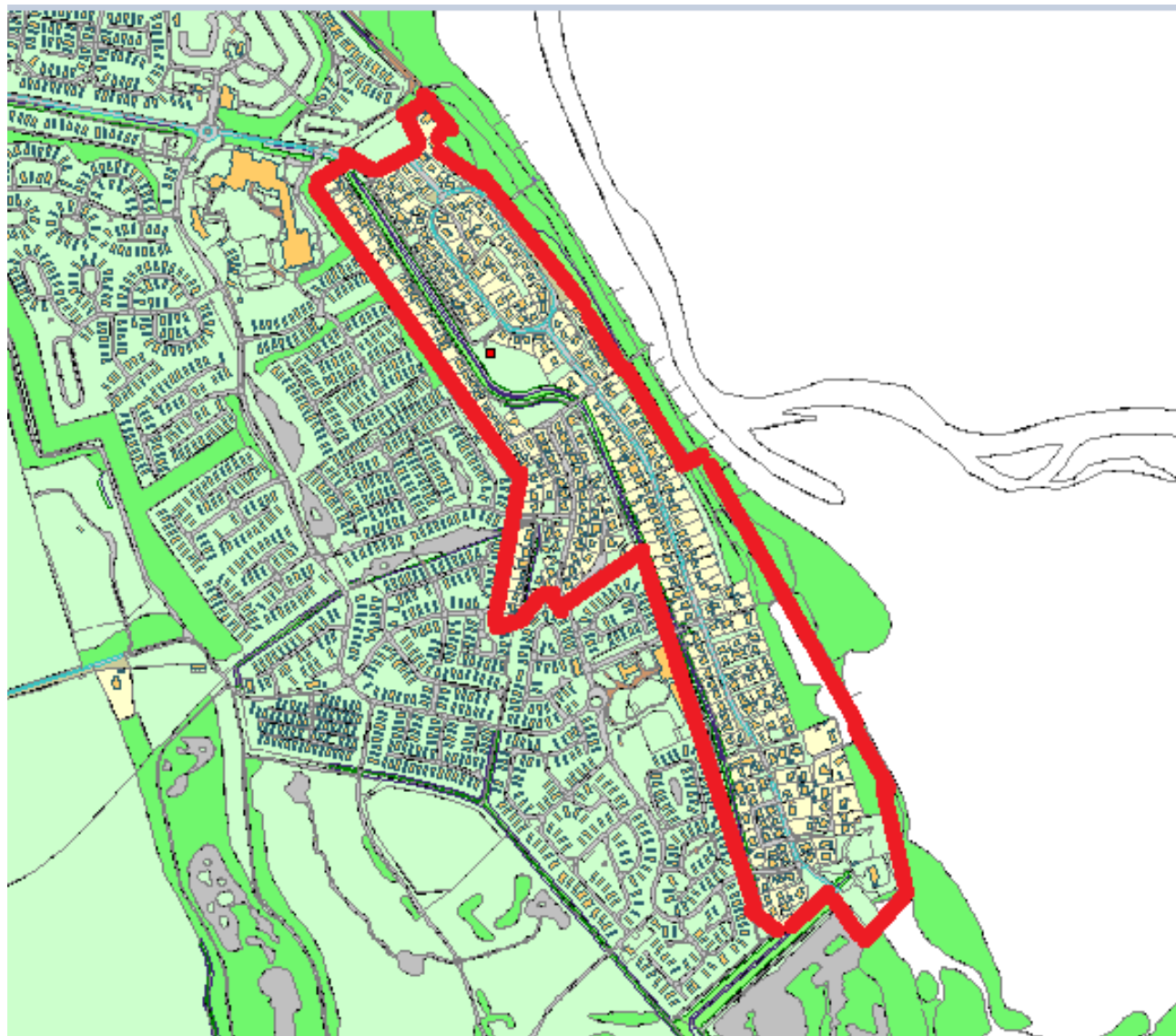
- in, over, under or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
- in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) if planning permission has not already been granted for the works

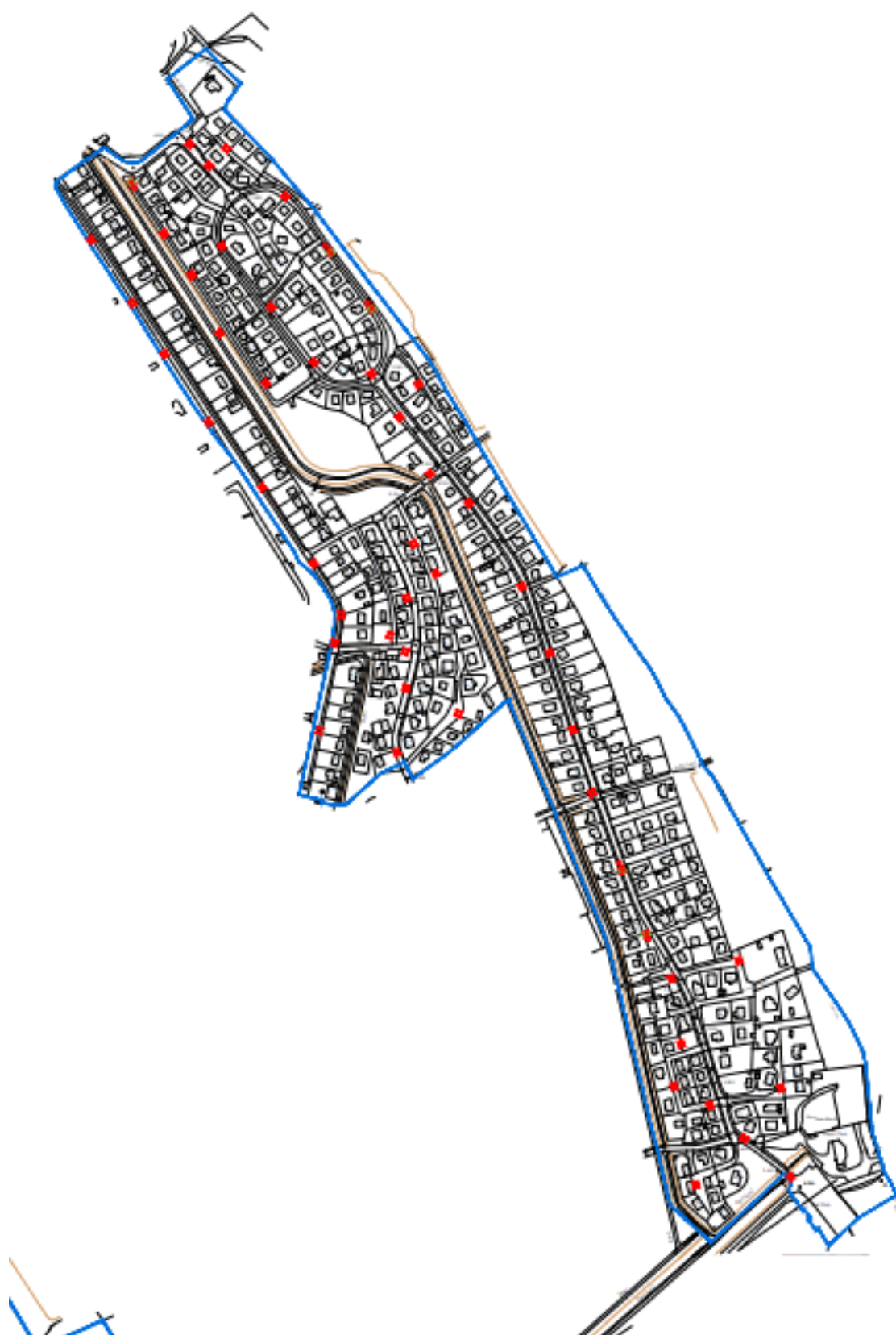
For further guidance and advice please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the local Partnership and Strategic Overview team In Lincoln by email at PSO_coastal@environment-agency.gov.uk. The team will be able to advise if an environmental permit or exemption registration is required and the fee applicable. The applicant should not assume that such a permit will automatically be forthcoming once planning permission has been granted.

4 Informative

The applicant is advised that they should maintain, review and update their Fire Risk Assessment as necessary in accordance with the comments of the Fire Officer.

DM/0365/21/FUL – HUMBERSTON FITTIES CHALET PARK, HUMBERSTON FITTIES,
HUMBERSTON





DM/0365/21/FUL – HUMBERSTON FITTIES CHALET PARK, HUMBERSTON
FITTIES, HUMBERSTON



PLANNING COMMITTEE - 2nd March 2022

ITEM: 4 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0541/21/FULA

APPLICATION TYPE: Accredited Agent - Homeholder application

**APPLICATION SITE: 258 Humberston Fitties, Humberston, North East
Lincolnshire, DN36 4EY**

**PROPOSAL: Erect single storey extension to side including new roof, install
canopy over part of decking to front and installation of shed to rear.**

APPLICANT:

Mr John Burton
17 St Marks Road
Humberston
Grimsby
DN36 4DX

AGENT:

Geoffrey Wagstaff
52 Marlborough Way
Cleethorpes
North East Lincolnshire
DN35 0TR

DEPOSITED: 25th May 2021

ACCEPTED: 16th June 2021

TARGET DATE: 11th August 2021

PUBLICITY EXPIRY: 21st February 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 31st July 2021

CASE OFFICER: Jonathan Cadd

PROPOSAL

Alterations and extensions to chalet including expansion of chalet to the side through rebuilding and expansion of attached storage shed to southern side with full height roof and rear extension. A canopy to part of the front veranda is proposed along with detached shed to the north eastern corner of site to rear.

Previously proposed further front extensions to the chalet have been removed from the scheme following negotiations.

The application is presented to Planning Committee due to the objections of Humberston Village Council.

SITE

Existing heavily extended wooden chalet. Positioned set back on site the chalet has a stepped frontage showing the evolution of the chalet and has a large raised wooden veranda. The property is bounded to the rear by high hedging on all sides. Surrounding the site to the east is Anthony's Bank whilst to the north and south are further chalets. To the west is Thorpe Park caravan site.

RELEVANT PLANNING HISTORY

DC/118/13/HUM Re-roofing of existing chalet and erection single storey store extension with alterations. Refused 20013 - Allowed on appeal

DC/692/04/HUM Retention of a hard standing and alteration to the main gate and siting of wooden shed. Refused 2004

DC/899/02/HUM Erect access ramp to porch with decking and stores to side of property. Approved 24/10/2002

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.
NPPF16 - Conserv. & enhance the historic environ.

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

PO3 - Settlement hierarchy
PO5 - Development boundaries
PO12 - Tourism and visitor economy
PO22 - Good design in new developments
PO33 - Flood risk
PO39 - Conserve and enhance historic environ
PO41 - Biodiversity and Geodiversity

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

Humberston Village Council: Object - support the concerns of the Heritage Officer but agree verandah is acceptable. No response at the time of writing from the Village Council re the altered scheme.

Heritage Officer: (in summary) Chalet 258 has already undergone extensive extension and has possibly already reached the maximum of no more than 50% of the original floor area to be extended. However regardless of this extensions to the front elevations of chalets are explicitly discouraged as the original plot line of the chalet is lost, as is the historic fabric of the chalet as front walls are removed to accommodate extensions. There are no objections to the veranda/decked area. In this current form I recommend that this application is refused.

Revised plans - still consider no further extensions should be permitted to maintain requirements of area and design guide.

Environment Agency - (in summary) confirm development is minor. Reference to the fact that the site is at high risk 'danger for all ' classification for flooding and the occupants may be at risk from harmful effects of flooding. Also request advice notes be added to any permission re an Environmental Permit for development being required within proximity of a main river, flood defence, sea defence and flood plain.

Drainage: water butts are acceptable

Trees & Woodlands: No comment

Highways: (in summary) Approval no conditions

Site/ Public Notice/ neighbours: 259 Fitties and 46 Fairfax Road - No objections

APPRAISAL

The material planning issues are:

- 1) Impact on the character and appearance of the conservation area
- 2) Impact on neighbours
- 3) Flood risk implications
- 4) Nature conservation

1) Impact on the character and appearance of the conservation area

The site is located within the Humberston Fitties Conservation Area. The site is known for the light weight ethereal appearance of the chalets and the open undeveloped nature of the plots themselves.

The proposed extension is relatively substantial in size compared to the original structure and elongates the chalet. The chalet design guide provides that the extension should be of a scale that reflects the original building. A measure of this is that an extension should not dominate the original structure and the extended area should be no more than 50% of the size of the original structure. Since 2002, the chalet has grown by 80% following various extensions approved and critically that was allowed at appeal in 2013. As submitted the scheme would further expand the chalet to 88% increase in scale over that which existed in 2002. Such works would exceed the advice of the Chalet design guide and underlines some of the Heritage Officers concerns.

Following negotiations, however, the main front extensions originally proposed have been dropped from the scheme and the partial veranda canopy to the chalet frontage is not considered to be contrary to the chalet design guide. The other aspect of the scheme is to provide a full height domestic side extension to replace the existing attached shed to the side of the chalet. Such an expansion, due to the combined scale of previous development, would not usually be acceptable but consideration of the 2013 appeal approval with a similar full height extension must be taken into account. As part of that wider appeal, development is considered to have been implemented, and the permission remains extant. It would be open for the applicant to complete this development which would have a very similar visual impact on the character of the plot and conservation area. Given the similarities of the two schemes to this side of the chalet, and the overall objective of the chalet design guidance' which is to maintain the character of the Fitties Conservation Area, it is not considered the 2021 proposal is substantially different in character terms to that approved in 2013 and therefore it would be difficult to sustain a planning objections. For this reason, whilst noting the Heritage Officer's reservations over the scale of the development and the guidance over levels of expansion of floor levels, it is deemed appropriate to recommend approval. Materials proposed also mirror those of the main chalet.

The other aspect to consider is the detached shed to the rear of the chalet which would also be traditional in appearance and constructed of wood. Its position, design and scale would accord with the design guide and would not detract from amenity.

2) Impact on neighbours

The proposed changes whilst altering the appearance of the chalet would not have a significant impact on neighbouring properties amenities. This is due to the large hedge to the northern boundary and the lack of facing window to the chalet to the south, no. 159. Similarly, given the north westerly position of the extended chalet roof which is currently the shed to no. 159 the impact on levels of sunlight at that property would be minimal.

3) Flood risk implications

A holiday chalet has been located on this site continuously for a considerable period of time. Floor levels within the chalet and extensions would match existing and therefore the risk from tidal flooding remains as before in planning terms. No objections have been received from the Council's Drainage Officer or the Environment Agency and the FRA submitted meets the terms of the standing advice for minor development.

4) Nature Conservation

The site whilst adjoining an internationally important area for wildlife has limited ecological value in itself as it is an existing holiday development with general activity, noise and nuisance associated with it along with closely tended landscaped areas which are less attractive to wildlife within the estuary area. There are no ecology concerns.

CONCLUSION

The proposed extension and alterations to the chalet along with the detached shed sought would provide additional space and facilities for the occupier without detracting from the character and appearance of the chalet within the Humberston Fitties Conservation Area. It would maintain neighbouring amenities, ecology and would not increase flood risk to occupiers or neighbours. As such the proposal would accord with policies: 5, 22, 33, 39 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and the provisions of the National Planning Policy Framework (2021).

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

The development hereby permitted shall be carried out in accordance with the approved plans: GW/JB/ARB/3 (Jan 22), GW/JB/ARB/4 (Jan 22), GW/JB/ARB/5 (Jan 22) and GW/JB/ARB/6 (Jan 22).

Reason

To ensure the proper planning of the area, to maintain the historic character of the Humberston Fitties and residential amenity and in accordance with policies 5, 22, 33 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018)

(3) Condition

The materials used in the construction of the external surfaces of the development shall be specified in the application forms, the email from G Wagstaff on 31st January 2022 and on approved plans.

Reason

To maintain the character of the chalet and Humberston Fitties Conservation Area and in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(4) Condition

Before the extension and shed are first brought into use, the water butt drainage scheme, as detailed on approved plans, shall have completed and be ready for use. The scheme shall be maintained as such thereafter.

Reason

To ensure adequate drainage for the area and in accordance with policies 5 and 33 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(5) Condition

The development shall proceed in accordance with the flood risk assessment approved as part of this permission including the signing up to the Environment Agency's flood warning and evacuation scheme.

Reason

To reduce the risks and impact on flooding on property and life and in accordance with policies: 5 and 33 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 local amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies: 5, 22, 33, 39 and 41 and the provisions of the National Planning Policy Framework (2021).

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 a reduction in the scale of development sought.

3 Informative

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

4 Informative

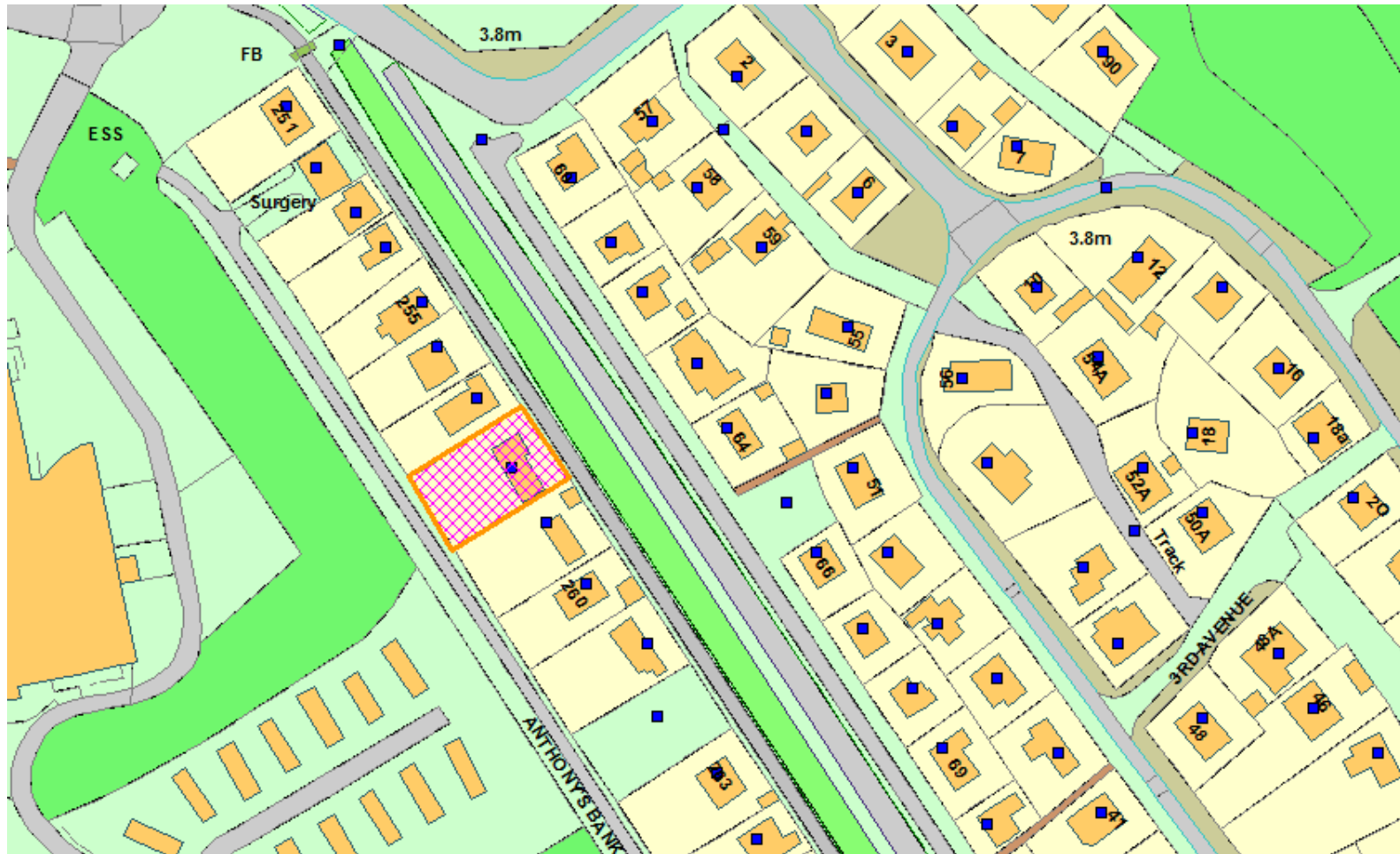
Advice to the applicant - requirement for an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016, permission must be obtained from the Environment Agency for any proposed activities which will take place:

- in, over, under or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
- in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) if planning permission has not already been granted for the works.

For further guidance and advice the applicant visit the Environment Agency website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the local Partnership and Strategic Overview team In Lincoln by email at PSO_Coastal@environment-agency.gov.uk. The team will be able to advise if an environmental permit or exemption registration is required and the fee applicable.

The developer should not assume that such a permit will automatically be forthcoming once planning permission has been granted, and we would advise them to consult with us at the earliest opportunity.

DM/0541/21/FULA – 258 HUMBERSTON FITTIES, HUMBERSTON



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