

## Planning Committee Dated: 1st December 2021

### Summary List of Detailed Plans and Applications

		<b>Recommendation: Approved Conditions and signing of S106</b>
<b>Item:</b>	<b>1</b>	
<b>Application No:</b>	DM/0522/21/REM	
<b>Application Type:</b>	Reserved Matters	
<b>Application Site:</b>	Land Field Head Road Laceby North East Lincolnshire	
<b>Proposal:</b>	Reserved matters application for access, appearance, landscaping and layout to include details of drainage, air quality, highway construction, construction management plan and open space/landscape management plan pursuant to DM/1133/17/OUT for the erection of 152 dwellings together with a sales suite, construction of garages, driveways and estate roads, including an emergency vehicular access onto Charles Avenue and associated works (amended access plans and play equipment details) and in accordance with amended layout, designs and details received by the Local Planning Authority on 25th October and 1st November 2021	
<b>Applicant:</b>	Paul Bannister	
<b>Case Officer:</b>	Richard Limmer	
		<b>Recommendation: Approved with Conditions</b>
<b>Item:</b>	<b>2</b>	
<b>Application No:</b>	DM/0553/21/REM	
<b>Application Type:</b>	Reserved Matters	
<b>Application Site:</b>	Land At Grimsby Road Waltham North East Lincolnshire	
<b>Proposal:</b>	Variation of Condition 1 (Approved Plans) pursuant to DM/0186/20/REM to retain fencing to the side of plot 1 and rear of plots 3, 4 and 5	
<b>Applicant:</b>	Mr Peter Strawson	
<b>Case Officer:</b>	Richard Limmer	

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>3</b>
<b>Application No:</b>	DM/0385/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	The Linden Club Clee Road Grimsby North East Lincolnshire
<b>Proposal:</b>	Removal of existing temporary changing rooms, toilets and ancillary structures and erect new changing room building, including toilets, kitchen and training room
<b>Applicant:</b>	Mr J Ledden
<b>Case Officer:</b>	Richard Limmer

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>4</b>
<b>Application No:</b>	DM/0512/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Wayside Brigsley Road Waltham North East Lincolnshire
<b>Proposal:</b>	Erection of one detached dwelling and associated works
<b>Applicant:</b>	Mr & Mrs Miall
<b>Case Officer:</b>	Richard Limmer

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>5</b>
<b>Application No:</b>	DM/0539/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Humberston Academy Humberston Avenue Humberston North East Lincolnshire
<b>Proposal:</b>	Extend existing car park to create additional 64 spaces with associated works (additional supporting information)
<b>Applicant:</b>	Mr Dan Mcfaul
<b>Case Officer:</b>	Jonathan Cadd

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<b>Recommendation: Approved Limited Period</b>	
<b>Item:</b>	<b>6</b>
<b>Application No:</b>	DM/0893/21/ADV
<b>Application Type:</b>	Advertisement Consent
<b>Application Site:</b>	Land At Hewitts Avenue New Waltham North East Lincolnshire
<b>Proposal:</b>	Display of 143 metres of non illuminated hoarding signs
<b>Applicant:</b>	Mr Ming Yeung
<b>Case Officer:</b>	Jonathan Cadd
<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>7</b>
<b>Application No:</b>	DM/0653/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Plot 2 Kings Chase Barnoldby Le Beck North East Lincolnshire
<b>Proposal:</b>	Variation of Conditions 2 (Approved Plans) and 3 (External Materials) as granted on DM/0311/20/FUL for revised plans to include balcony, revised siting, drive, turning and access, landscaping and external materials for the walls, roof windows and doors - amended plans received November 2021
<b>Applicant:</b>	Mr And Mrs Wayne Taylor
<b>Case Officer:</b>	Bethany Loring

**PLANNING COMMITTEE - 1st December 2021**

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

**APPLICATION No:** DM/0522/21/REM

**APPLICATION TYPE:** Reserved Matters

**APPLICATION SITE:** Land, Field Head Road, Laceby, North East Lincolnshire, DN37 7SS

**PROPOSAL:** Reserved matters application for access, appearance, landscaping and layout to include details of drainage, air quality, highway construction, construction management plan and open space/landscape management plan pursuant to DM/1133/17/OUT for the erection of 152 dwellings together with a sales suite, construction of garages, driveways and estate roads, including an emergency vehicular access onto Charles Avenue and associated works (amended access plans and play equipment details) and in accordance with amended layout, designs and details received by the Local Planning Authority on 25th October and 1st November 2021

**APPLICANT:**

Paul Bannister  
Land Developers (Lincs) Ltd & Keigar Homes Ltd  
DBC House  
Grimsby Road  
Laceby  
Grimsby  
North East Lincolnshire  
DN37 7DP

**DEPOSITED:** 19th May 2021

**AGENT:**

Mr DANIEL SNOWDEN  
Ross Davy Associates  
Pelham House  
1 Grosvenor Street  
Grimsby  
North East Lincolnshire  
DN32 0QH

**ACCEPTED:** 30th June 2021

**TARGET DATE:** 29th September 2021

**PUBLICITY EXPIRY:** 13th December 2021

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY:** 25th July 2021

**CASE OFFICER:** Richard Limmer

**PROPOSAL**

The proposal is a Reserved Matters application following on from the outline planning

permission DM/1133/17/OUT for the erection of 152 dwellings off Field Head Road in Laceby. The application includes public open space, landscaping, an emergency vehicular access on to Charles Avenue and drainage infrastructure. It is noted that the outline permission was also for 152 dwellings.

The development is presented by Keigar Homes and Land Developers Lincs who are proposing to build the development out. Plots 1-81 would be built out by Keigar homes and include 8 over 55s bungalows and a mixture of detached, semi-detached and link houses. Plots 82-152 would be built out by Land Developers Lincs including 4 over 55s bungalows and a mixture of detached, semi-detached and link houses.

The application is presented to Planning Committee due to the objections of the Parish Council and number of objections received.

## **SITE**

The site is agricultural land but has been left to scrub. It is divided into two fields. The fields are divided by a shallow ditch. The site is relatively flat with ground levels for the northern field sloping gently from 25m AOD to 20m AOD from north west to south east and from 25m AOD to 20m AOD from south west to north east across the southern field. There are no significant features in the northern field apart from the hawthorn hedge and isolated mature trees. The south eastern boundary of the northern field comprises of post and rail panels to the rear gardens of properties located on Charles Avenue.

The southern field boundary comprises of hawthorn to the west with the southern and eastern boundaries comprising of conifer and hawthorn hedges and post and rail panel fencing to the properties on Field Head Road, Yews Lane and Willow Close

A public footpath runs alongside the drainage ditch that separates the northern and southern fields with access to Charles Avenue to the east. A small footbridge in the west of the site offers pedestrians access over the channel to another public footpath which runs parallel to the western boundary of the northern field. Access to the site is from Field Head Road with a second pedestrian access from the public footpath to Charles Avenue.

East of the site is residential properties located on Charles Avenue and St Peter's Grove. To the south the residential properties of Field Head Road, Yews Lane and Willow Close. West is agricultural land and to the north a farm, Hazledene, which includes the keeping of pigs.

## **RELEVANT PLANNING HISTORY**

DM/1133/17/OUT - outline application for up to 152 dwellings with the means of access to be considered - Approved with s.106.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

## National Planning Policy Framework (February 2019)

NPPF5 - Delivering a sufficient supply of homes  
NPPF12 - Achieving well designed places  
NPPF14 - Climate, flooding & coastal change  
NPPF15 - Conserv. & enhance the natural environ.

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

PO5 - Development boundaries  
PO13 - Housing allocations  
PO18 - Affordable housing  
PO17 - Housing density  
PO16 - Provision-elderly person's housing needs  
PO15 - Housing mix  
PO22 - Good design in new developments  
PO33 - Flood risk  
PO41 - Biodiversity and Geodiversity  
PO43 - Green space and recreation

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

## **REPRESENTATIONS RECEIVED**

Police - Comments on designing out crime

North East Drainage Board - No comments

Heritage Officer - No comments

Trees and Woodlands - No objections, landscaping and management plan acceptable

Highways England - No objections

Highways - No objections, proposed construction details are acceptable

Public Rights of Way Officer - No objections, footpaths to be surfaced as per the site plan

Environment Agency - No objections

Northern Power - No objections

Sport England - No objections

Drainage Officer - Site wide surface water drainage strategy required and need to overcome concerns about downstream concerns

Environmental Health - No objections

Civic Society - Concerns on site access and highways and overall sustainability of the development.

Humberside Fire Brigade - No objections

Laceby Parish Council - objects with concerns over highways, services and sustainability. Acknowledge ongoing discussions with the developer over the adoption of the open space on the site.

Neighbours

Hazledene (adjacent pig farm) - objects with specific concerns over the impact of the development on their livestock unit and the potential for future impact on the proposed properties in terms of odours and noise.

24 & 26 Willow Close

1, 5, 7, 16, 18 Yews Lane

25, 34, 36, 38, 51, 59, 61 Charles Avenue

10 Elm Lane

2A, 3, 14 Field Head Road

8 St Peters Grove

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

- Drainage and flood risk;
- Access and highway safety;
- Loss of ecology;
- Emergency access to Charles Avenue;
- Impact on residential amenities;

43 Charles Avenue - comments on the position of the play equipment.

## **APPRAISAL**

Main Issues

1. Principle of Development
2. Impact on Neighbours

3. Impact on the character of the area
4. Highway Safety and Amenity
5. Drainage
6. Other Matters

### 1. Principle of Development

In regard to the principle of residential development on the site, the site benefits an allocation on the NELLP 2018 for residential development (HOU075A) and benefits from outline planning permission under DM/1133/17/OUT. The principle of residential development on the site is therefore firmly established and this application is to consider the detailed particulars. It is also noted that the outline planning permission also dealt with the means of access into the site from Field Head Road and an emergency access on the Charles Avenue, these matters along with traffic generation are therefore not under consideration on this reserved matters application.

### 2. Impact on Neighbours

Policy 5 of the NELLP seeks to ensure specific regard is had to protecting the amenities of neighbouring land uses from new development proposals. In regard to the impact of the proposed development on the neighbouring properties the site layout and proposed dwellings have been design to minimise the impact upon the neighbours. Starting on the southern boundary of the site; plot 100 is positioned side on to the neighbour at 26 Willow Close (who have objected) but benefit from a 15m (approximately) rear garden and the proposed dwelling would be positioned a further 2m off the boundary. Given this separation distance, the design of the dwelling with no habitable side windows and the position of the dwelling to the north means that there would not be an undue impact upon the neighbours amenities. Plots 82-98 along the southern boundary of the site benefit from at least 21m separation distance where it is rear elevation to rear elevation with the neighbours, at times the separation distance reduces from this but in these instances the neighbour is side on and a reasonable separation distance retained. Plots 1, 11, 12-15, 18 and 149-152 back on to neighbours on Charles Avenue which are all bungalows. These proposed plots have all also been designed as bungalows in order to minimise any potential overlooking and impacts on the amenities of the neighbours. Plot 19 is positioned along the boundary with St Peters Grove and is angled to avoid any direct views towards these neighbours and is well seperated.

The development as a whole would be visible to a large number of neighbouring properties, however this is not reason to raise a planning objection and the development as a whole has been set out to reduce any direct impacts upon amenities. It is therefore considered to be in accordance with Policy 5 of the NELLP.

### 3. Impact on the Character of the Area

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 2021 (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. This is supported in the principles established in MHCLG's 'National Design Guide' document.

The proposed layout follows the principles of the indicative layout provided for the outline permission. It focuses on a central spine of public open space where the public footpath runs alongside a ditch. Properties have then been positioned to face on to this area creating natural surveillance and active frontages. Properties along the western boundary have been orientated to face west towards the open countryside and the existing field boundary hedge retained. This creates a softer edge to the development and a more sympathetic approach than the existing settlement edges in the area.

Trees and hedging would be planted along boundaries of the site, and within the site along streets and open space, providing character and attractiveness to the area and development. Subject to conditions, the Council's Tree Officer accepts the details provided.

Therefore, in landscaping and recreation terms the development is considered acceptable under policies 42 and 43 of the Local Plan.

The site layout plan locates the affordable housing in groups within the site. 30 units are proposed to meet the requirements of the S106 Legal Agreement.

Having regard to the above the proposal is considered to represent good design in context to its surroundings and will provide for a quality residential environment. The overall layout and designs of the plots are considered to be acceptable in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan and section 12 of the National Planning Policy Framework 2021. The broad mix of house types and styles would also represent reasonable choice homes in accordance with policy 15 of the North East Lincolnshire Local Plan.

#### 4. Highway Safety and Amenity

Policy 5 of the NELLP requires regard to be had for the impact of new development on highway safety and amenity. In this case the means of access to the site and the impact of traffic generation has been considered and mitigation secured through the s.106 and planning condition 4 on the outline permission. This includes improvements to the Caistor Road junction, a new bus stop on Caistor Road and a Residential Travel Plan.

Concerns have been raised by neighbours over the emergency access onto Charles Avenue. This is solely a vehicular access for emergency situations if the main site access is blocked. The general arrangement of this access has been amended following negotiations. It is now positioned more centrally within the open space area and includes a removable bollard to keep the access secure when not required and a low boundary to Charles Avenue to ensure other vehicles cannot access the open space.

Detailed plans have been supplied for the site roads construction and layout; these have been considered by the Highways Team who have agreed them. This information meets the requirements of condition 7 of the outline permission. An instructional condition is recommended for this application to require the development to be built out in accordance with these agreed details.

## 5. Drainage

Policies 5 and 33 of the NELLP require consideration to be had to surface water and flood risk. The application has been submitted with drainage information, the drainage engineer has reviewed this information and whilst the principles are acceptable further work is required on the overall site wide drainage scheme to ensure that the final discharge rate is acceptable and will not increase the risk of flooding downstream. There is capacity within the site to achieve a sustainable drainage scheme and to get the overall run off from the site down to an acceptable level with the use of swales, storage lagoons and soakaways. With the inclusion of a condition for the final surface water drainage details the proposal complies with Policies 5 and 33 of the NELLP.

## 6. Other Matters

The comments from Hazeldene, the farm to the north, relate to the presence of pigs on the farm and the impact that they could have upon the development in terms of odour and the potential for the development to potentially restrict how the farm could operate in the future. This matter was dealt with in the outline permission with Odour Assessments being produced and assessed. Subsequently a condition was included that required a 30m buffer along the northern edge of the development. This has been provided to the rear and side of plots 19-30 and a small maintenance gate from St Peters Grove. No evidence has been provided from any party to suggest any material change in the circumstances relating to the Hazeldene piggery.

## Section 106 Agreement.

The outline planning permission has an attached s.106, the provisions of which apply to this application. The s.106 requires the following:

- 20% Affordable Housing;
- Residential Travel Plan;
- £20,000 towards a new bus stop on Caistor Road;
- Primary and Secondary Education contributions;

The scheme also proposes 12 bungalows for the over 55s and requests that this is reflected in the s.106 education contributions. This is a normal situation and supported by the Education Officer. However, the s.106 will have to be amended acknowledge this amendment.

## **CONCLUSION**

In conclusion, it is considered that the proposed development would not cause any undue harm to the neighbouring properties residential amenities, the wider character and appearance of the area, the adjacent farm or flood risk. The proposal therefore accords with Policies 5, 13, 18, 22, 33, 41 and 43 of the NELLP 2018 and the core principles of the NPPF. The application is therefore recommended for approval subject to a number of safeguarding conditions and an amended s.106 legal agreement.

It should also be noted that this application has been submitted by two local developers with a proven track record of housing delivery. The approval of this reserved matters application will allow the site to be built out in a timely manner and aid the delivery of housing.

Conditions 4 (highway improvements) and 6 (contamination) remain in place from the outline permission and will be implemented as such.

It is also noted that the developer has been in negotiations with Laceby Parish Council regarding the maintenance of the Public Open Space and the children's play equipment. It is understood that these discussions have been positive but a final agreement is yet to be reached and therefore condition 9 will remain to be discharged.

## **RECOMMENDATION**

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

(1) Condition

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

### **Site Plans**

RD4598-01 site location plan

RD4598-02 existing site plan

RD4598-03I proposed site plan

RD4598-03F proposed openspace plan

RD4598-22C external works plan

RD4598-25B proposed emergency access plan

RD4598-26 proposed open space plan

### **Levels Plans**

1115-2104-CIV-01-P1 proposed site levels 1/8

1115-2104-CIV-02-P1 proposed site levels 2/8

1115-2104-CIV-03-P1 proposed site levels 3/8

1115-2104-CIV-04-P1 proposed site levels 4/8  
1115-2104-CIV-05-P1 proposed site levels 5/8  
1115-2104-CIV-06-P1 proposed site levels 6/8  
1115-2104-CIV-07-P1 proposed site levels 7/8  
1115-2104-CIV-08-P1 proposed site levels 8/8

#### Land Developers

RD4598-07A house type C  
RD4598-23 house type M  
RD4598-24 house type m handed  
RD4598-21A garage details  
RD4598-20 garage details  
RD4598-04 house type A  
RD4598-05 house type A handed  
RD4598-06 house type B  
RD4598-08 house type D  
RD4598-09 house type D handed  
RD4598-10 house type E  
RD4598-11 house type E handed  
RD4598-12 house type F  
RD4598-13 house type F handed  
RD4598-14 house type G  
RD4598-15 house type G handed  
RD4598-16 house type H  
RD4598-17 house type J  
RD4598-18 house type K  
RD4598-19 house type L

#### Keigars

BU/AS/106 - Buckingham  
TE.BA/AS/103 - Teal 3  
TE.SR/OP/103 - Teal 3 opp  
GA/FH/36 - garages  
GA/FH/P6 - garages  
KI/OP/19/106 - Kingston opp  
AA/AS/18/103 - Ancholme 3  
BU/OP/18/103 - Buckingham 3  
BU/OP/18/106 - Buckingham 6  
CA/AS/19/102 - Canterbury 2  
CA/AS/19/106 - Canterbury 3  
DU/AS/18/103 - Duchess 3  
DU/OP/18/103 - Duchess 3 opp  
DU/OP/18/106 - Duchess 6 opp  
EA/AS/19/107 - Earl 6  
EA/OP/19/107 - Earl 3 opp  
GA/FH/19-20 - garages

GA/FH/21 - garages  
GA/FH/24-28 - garages  
GA/FH/25-29 - garages  
GA/FH/2x51-2 - garages  
GA/FH/2x51-3 - garages  
GA/FH/30 - garages  
GA/FH/62-63 - garages  
HY/AS/18/103 - Haywood  
HY/AS/19/102 - Haywood 2  
HY/OP/19/102 - Haywood 2 opp  
KI/AS/18/102 - Kingston 2  
KI/AS/18/103 - Kingston 3  
KI/AS/19/101 - Kingston 1  
KI/AS/19/106 - Kingston 6  
KI/AS/18/102 - Kingston 2 opp  
KI/AS/18/103 - Kingston 3 opp  
KI/AS/19/101 - Kingston 1 opp  
MC/AS/19/101 - Malvern and Cleveland 1  
MC/AS/19/102 - Malvern and Cleveland 2  
MC/OP/19/101 - Malvern and Cleveland 1 opp  
MCA/AS/18/101 - Malvern and Canterbury 1  
MCA/AS/18/102 - Malvern and Canterbury 2  
MCA/OP/18/101 - Malvern and Canterbury 1 opp  
MCA/OP/18/102 - Malvern and Canterbury 2 opp  
MCM/AS/12/101 - Malvern and Canterbury 1  
TE.SR/AS/18/103 - Teal  
TE.SR/OP/18/103 - Teal  
TE.SR/OP/19/102 - Teal  
W/AS/18/101 - Wordsworth 1  
W/AS/18/102 - Wordsworth 2  
W/OP/18/101 - Wordsworth 1 opp  
W/OP/18/102 - Wordsworth 2 opp  
W/OP/19/103 - Wordsworth 3 opp  
TE.SR/AS/19/102 - Teal 2  
HY/OP/18/101 Haywood 1 opp plots 23 and 25  
HY/AS/18/101 Haywood BS1 plot 24  
GA/FH/36and29 garages  
GA/FH/19and30 garages  
EA/AS/19/107 Earl style 6 plot 29  
CA/OP/19/103 Canterbury 3 opp plots 22 and 20  
CA/OP/19/102 Canterbury 2 opp Plot 27  
CA/AS/19/102 Canterbury 2 plots 26 and 28  
CA/AS/16/104 Canterbury 3 plot 21  
BU/OP/18/106 Buckingham 6 plots 19 and 30

Reason

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

(2) Condition

Plots 1-81 shall be built out in accordance with the construction materials detailed on plan ref: FH/173/10B unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policy 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

Development shall not begin on the construction of the dwellings on plots 82-152 until details of all external materials to be used in construction of these dwellings have been submitted to and approved in writing by the Local Planning Authority. These dwellings shall then be built out in accordance with the approved details.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policy 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

No development shall commence until a site wide sustainable scheme for the provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. This shall include the assessment of the capacity of the receiving water course and the assessment of ground conditions to determine if soakaways are practical. The development shall then be built out in accordance with the approved details.

Reason

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

(5) Condition

The scheme of landscaping, tree planting and footpath surfacing shown on plans ref. LMP-060521-00 Landscape master plan LP-060521-01 landscape plan 1/3, LP-060521-02 landscape plan 2/3, LP-060521-03 landscape plan 3/3 and RD4598-03G shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning

Authority. All planting shall be maintained in accordance with the Landscape Management Plan.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policy 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

The development roads, footpaths and junctions shall be built out in accordance with the following plans unless otherwise agreed in writing by the Local Planning Authority:

1115-2104-CIV-30-P2 adopted highway ½  
1115-2104-CIV-31-P2 adopted highway 2/2  
1115-2104-CIV-32-P1 external works  
1115-2104-CIV-61-P2 kerb and surface finish 1/8  
1115-2104-CIV-62-P2 kerb and surface finish 2/8  
1115-2104-CIV-63-P2 kerb and surface finish 3/8  
1115-2104-CIV-64-P2 kerb and surface finish 4/8  
1115-2104-CIV-65-P2 Kerb and surface finish 5/8  
1115-2104-CIV-66-P2 kerb and surface finish 6/8  
1115-2104-CIV-67-P2 kerb and surface finish 7/8  
1115-2104-CIV-68-P2 kerb and surface finish 8/8  
1115-2104-CIV-20-P1 road long sections 1/3  
1115-2104-CIV-21-P1 road long sections 2/3  
1115-2104-CIV-22-P1 road long sections 3/3  
1115-2104-CIV-25-P1 Foul water drainage  
1115-2104-CIV-S104-P1 s.104 layout  
1115-2104-CIV-s38-P1 s.38 layout

RD4598-LTG-5001 street lighting  
RD4598-LTG-5002 street lighting  
RD4598-LTG-5000 street lighting

Levels Plans

1115-2104-CIV-01-P1 proposed site levels 1/8  
1115-2104-CIV-02-P1 proposed site levels 2/8  
1115-2104-CIV-03-P1 proposed site levels 3/8  
1115-2104-CIV-04-P1 proposed site levels 4/8  
1115-2104-CIV-05-P1 proposed site levels 5/8  
1115-2104-CIV-06-P1 proposed site levels 6/8  
1115-2104-CIV-07-P1 proposed site levels 7/8  
1115-2104-CIV-08-P1 proposed site levels 8/8

Reason

In the interests of highway safety and amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

The Ecological Enhancement Plan by CGC Ecology dated May 2021 shall be fully implemented within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be maintained in accordance with the Landscape Management Plan.

Reason

In the interests of biodiversity improvement in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

The emergency vehicular access onto Charles Avenue shall be fully completed prior to the occupation of the 72nd dwelling on the site and thereafter maintained and retained.

Reason

In the interests of highway safety and amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

The development shall be carried out in full accordance with the Air Quality Assessment and Mitigation Report by Redmore Environmental ref:4943R1.

Reason

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

(10) Condition

Prior to the occupation of the 50th dwelling on the site confirmation of the timing of the completion of the improvement works to the public right of way running through the site in accordance with the plan RD4598-03I and the replacement footbridge shall be agreed with the Local Planning Authority and thereafter completed in accordance with the approved timing.

Reason

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



(11) Condition

Prior to the occupation of any dwelling on the site details of all of the boundary treatments for the development 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 detail.

Reason

In the interests of amenity and designing out crime in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(12) Condition

The development shall be built out in strict accordance with the Construction Management Plan submitted on 4th November 2021. Unless otherwise agree in writing with the Local Planning Authority.

Reason

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

## **Informatives**

1 Informative

The applicant should note the requirements set out in the conditions and s.106 of the outline planning permission.

2 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](mailto:snn@nelincs.gov.uk) to discuss the creation of new addresses.

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 Informatives:

If the footway or carriageway is damaged as a consequence of any excavation or any other operations relating to the development, the Highway Authority may make good the damage and recover expenses reasonably incurred. You are required to contact the Highway Management Team at least 4 weeks prior to commencement of works to

arrange for a highway pre-condition inspection (Tel: 01472 324431).

As works are required within the existing highway, in accordance with Section 278, Highways Act 1980, in order to enable the development to take place, please contact the Highway Management Team at least 6 months in advance of the commencement of works (Tel: 01472 324505).

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

#### 5 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).

#### 6 Added Value Statement

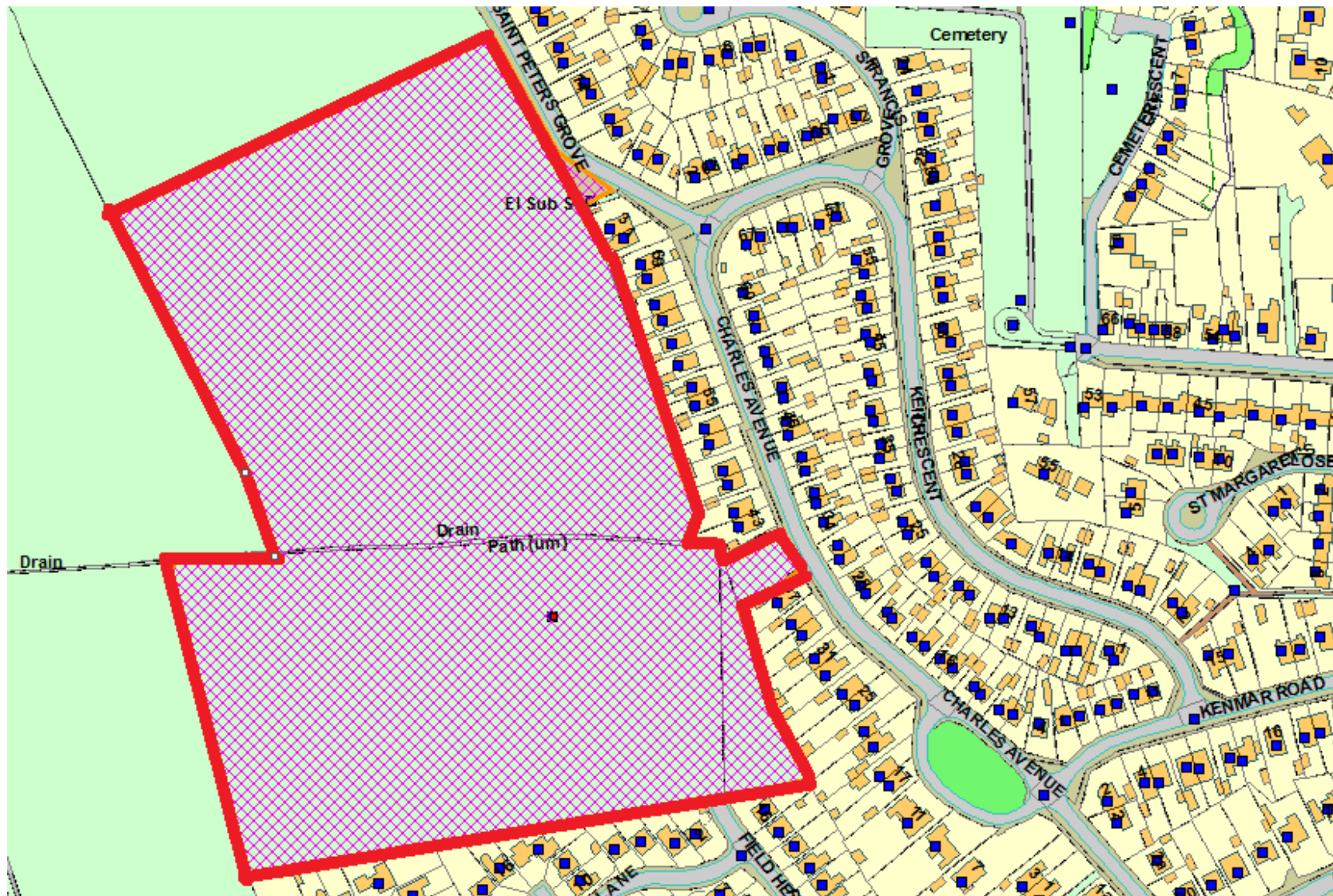
Article 31(1)(cc) Statement - Positive and Proactive Approach

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

#### 7 Informative

During construction the Public Footpath must not be obstructed, however when the construction of the road is taking the Public Footpath requires closing this would require prior authorisation from the Public Rights of Way Mapping Officer with at least 5 weeks before commencement. A charge of £500 will be levied to the applicant to cover the Council's costs in arranging the legal closure order. A formal application must be submitted to the Public Rights of Way Mapping Officer via email to [prow@nelincs.gov.uk](mailto:prow@nelincs.gov.uk) or by telephoning 01472324789.

## DM/0522/21/REM – LAND AT FIELD HEAD ROAD, LACEBY



## DM/0522/21/REM – LAND AT FIELD HEAD ROAD, LACEBY



**PLANNING COMMITTEE - 1st December 2021**

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

**APPLICATION No: DM/0553/21/REM**

**APPLICATION TYPE: Reserved Matters**

**APPLICATION SITE: Land At, Grimsby Road, Waltham, North East Lincolnshire,**

**PROPOSAL: Variation of Condition 1 (Approved Plans) pursuant to DM/0186/20/REM to retain fencing to the side of plot 1 and rear of plots 3, 4 and 5**

**APPLICANT:**

Mr Peter Strawson  
Idyllic Estates Ltd  
East Ravendale Farm  
East Ravendale  
DN37 0RX

**AGENT:**

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

**DEPOSITED: 26th May 2021**

**ACCEPTED: 17th June 2021**

**TARGET DATE: 16th September 2021**

**PUBLICITY EXPIRY: 25th July 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 20th June 2021**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The proposal is to vary the approved plans in relation to the boundary treatments to the side of plot 1 and the rear boundaries of plots 3, 4 and 5. The previously approved plans detailed 1.8m high brick walls to be erected on these boundaries but 1.8m high close board fences have been erected in their place. This application therefore seeks to retain this change to the approved plans.

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

## **SITE**

The site is the Woodlands Way development off Grimsby Road in Waltham. The original planning permission granted 14 dwellings on the estate of which 12 have either been constructed or are under construction. The proposal relates specifically to plots 1-5 which front onto Grimsby Road.

## **RELEVANT PLANNING HISTORY**

DM/0186/20/REM - vary plots 7 and 10 - approved

DM/0285/18/REM - reserved matters application for 14 dwellings and associated infrastructure - approved

DM/0579/16/OUT - outline permission for 14 dwellings - Refused and later allowed at appeal.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

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

## **REPRESENTATIONS RECEIVED**

Waltham Parish Council - No objections

Environmental Health - no objections

Humberside Fire Brigade - no objections

Trees and Woodlands Officer - no objections

Anglian Water - no objections

Highways Officer - no objections

Heritage Officer - no objections

Drainage Officer - no objections

Neighbours

1 Woodlands Way

2 Woodlands Way

3 Woodlands Way

5 Woodlands Way

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

- The proposal is not as per the original approval;
- Loss of security;
- Noise;
- Safety.

## **APPRAISAL**

Main Issues

1. Principle of Development
2. Impact on Amenities
3. Visual Impact

### **1. Principle of Development**

It is noted that a key concern of the neighbours is that the development has not been built out in accordance with the approved plans. In particular the brick walls detailed on the boundaries that they have purchased have not been constructed and that they purchased the properties on the basis of those walls being built. However, this is not a material planning consideration and is a private legal issue between the developer and the residents.

The principle of boundary treatments at 1.8m high was established through the original reserved matters application and the considerations now are based around whether the proposed material is acceptable, the proposed material being timber rather than brick. It is therefore considered that the proposal is acceptable in principle subject to the considerations of amenity and visual impact in accordance with Policies 5 and 22 of the NELLP.

## 2. Impact on Amenities

The objections received are noted. Indeed the objections are from those properties who's boundaries have been installed as fences rather than walls as per the previously approved plans. The residents express concerns over the fact that the approved plans detail brick walls not fences and this change results in an impact security, noise and safety.

In regard to the impact on amenities it is perfectly normal for such residential developments to have 1.8m high close board timber fences on boundaries. This is a common approach. Such fences provide a good level of security and privacy for the residents and do not compromise the general amenities of the occupants of neighbours. It is appreciated that this change is not to their liking but that is not grounds to raise a planning objection. As stated above any private matter would be between the parties involved.

It is therefore considered, in regard to amenities, the proposal to retain the timber fences accords with Policy 5 of the NELLP.

## 3. Visual Impact

In regard to the visual impact of the fencing to be retained, the fence to the rear of plots 3, 4 and 5 is not readily visible from the public domain. There would be limited views of this fence from within the cul-de-sac of the development and whilst the fence is not necessarily be as aesthetically pleasing as a brick wall it does not cause harm. The fence to the side boundary of plot 1 is more prominent as it is adjacent to the entrance into the site. However, such boundary treatments are common in developments like this in such a position and again whilst the fence may not be aesthetically pleasing as a brick wall it is not considered that it causes harm. The proposal therefore accords with Policies 5 and 22 of the NELLP.

## CONCLUSION

In conclusion, it is considered that the proposed fencing would not unduly harm the general amenities of the area, residential amenity or the visual amenity of the area in accordance with Policies 5 and 22 of the NELLP. The proposal is therefore recommended for approval.

## RECOMMENDATION

**Approved with Conditions**



(1) Condition

The development shall not be carried out except in complete accordance with the approved plans and specifications as shown on Drawing Nos:-

RD3751 - 33-REV-F Proposed Landscaping and Boundary Treatment Plan.

and the following plans from the previous approval DM/0186/20/REM

RD 3751-01-Rev A - Site Location Plan;

RD 3751-07-Rev N - Proposed Block Plan;

RD 3751-31-Rev C - Site Context Plan Phase 2;

RD 3751-65-REV C - Proposed Plans and Elevations Plot 7;

RD 3751-66-Rev O - Proposed Plans and Elevations Plot 10,

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

(2) Condition

The development shall be built out in strict accordance with the Construction Management Plan (dated 23rd October 2018) at all times approved under DM/0186/20/REM.

Reason

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

(3) Condition

The scheme of landscaping and tree planting shown on Drawing No. RD 3751-33F shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years as detailed on the plan, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

(4) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory amendment thereto), no development shall take place within any of the identified service strips within the site.

Reason

To protect residential amenity and the visual character of the area in accordance with Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

No dwelling shall be occupied until the private driveway and vehicular access to it (and parking and garaging facilities serving it) have been completed in accordance with the approved plans in Condition No 1 of this permission. Those parking/garaging facilities shall be retained thereafter.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

The existing hedge along the boundary with Grimsby Road shall be maintained and retained at a minimum height of 3.0m high and 1.5m in width.

Reason

In the interests of visual amenity in accordance with Policy 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

Prior to the occupation of any dwelling on the site electric vehicle charging infrastructure shall be installed in accordance with details approved under discharge of conditions application DM/0871/19/CND. The electric vehicle charging infrastructure shall then be so retained unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of improving air quality and sustainable travel in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

(8) Condition

Drainage and highway infrastructure shall be as approved under Reserved Matters approval DM/0285/18/REM.

## Reason

To ensure the satisfactory disposal of the surface water and in the interests of highway amenity to accord to Policy 5 and of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

## Informatives

### 1 Reason for Approval

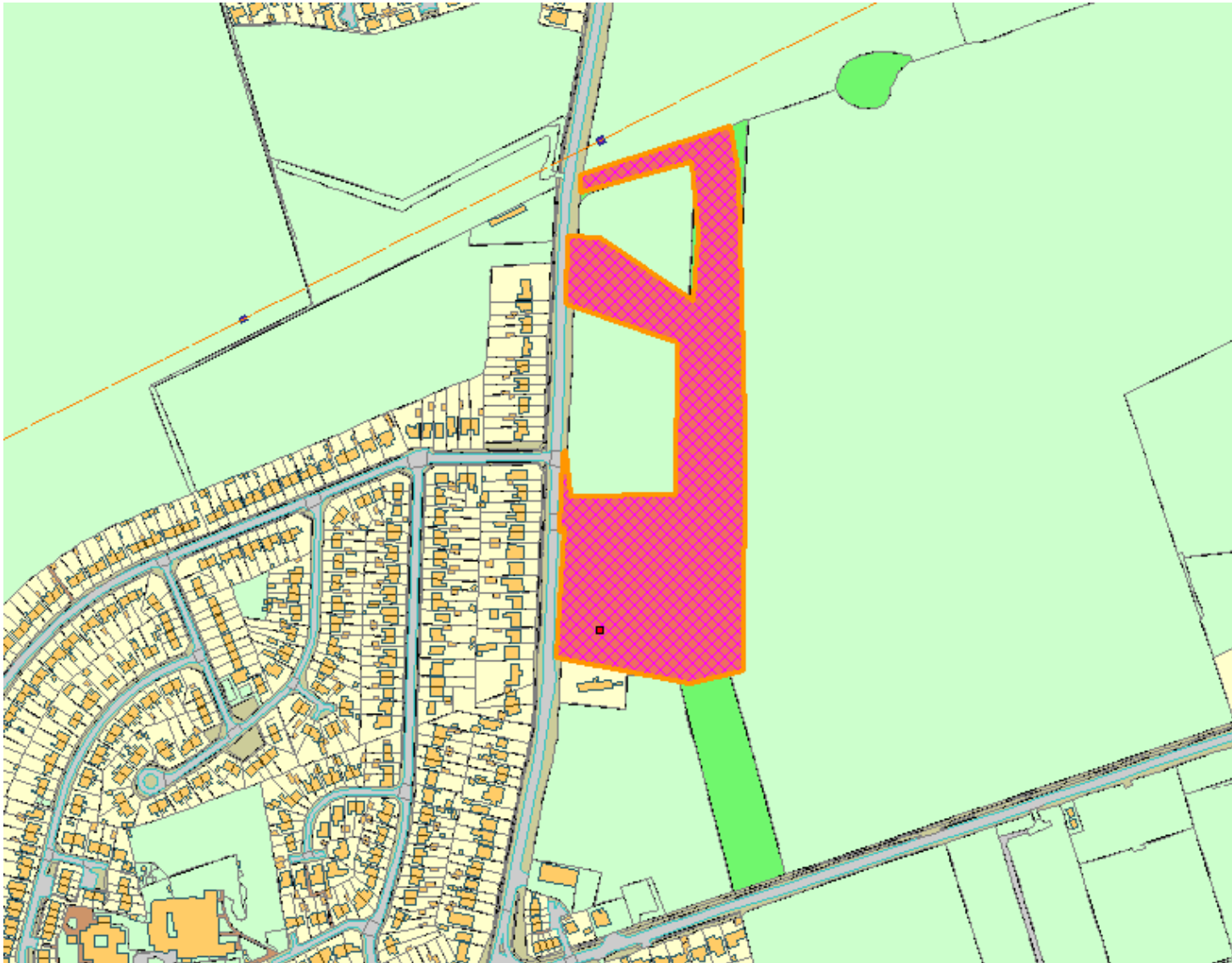
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance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

### 2 Added Value Statement

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

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

## DM/0553/21/REM – LAND AT GRIMSBY ROAD, WALTHAM



## DM/0553/21/REM – LAND AT GRIMSBY ROAD, WALTHAM



**PLANNING COMMITTEE - 1st December 2021**

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

**APPLICATION No: DM/0385/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: The Linden Club, Clee Road, Grimsby, North East  
Lincolnshire, DN32 8QL**

**PROPOSAL: Removal of existing temporary changing rooms, toilets and ancillary structures and erect new changing room building, including toilets, kitchen and training room**

**APPLICANT:**

Mr J Ledden  
CTFC Ltd  
The Linden Club  
Clee Road  
Grimsby  
North East Lincolnshire  
DN32 8QL

**DEPOSITED: 12th April 2021**

**AGENT:**

Steve Hanks  
Flare Visual LTD  
The Terrace  
Grantham Street  
Lincoln  
LN2 1BD

**ACCEPTED: 8th June 2021**

**TARGET DATE: 3rd August 2021**

**PUBLICITY EXPIRY: 31st July 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 2nd July 2021**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The proposal is to erect a new single storey changing room block in the northern corner of the Linden Sports Club. The proposed block would be built in red brick and timber cladding with pantiles to the roof. The block would provide 4 teams changing rooms, 2 officials changing rooms, visitor toilets, kitchen, training room, plant room and a physio room. The building would measure 25.2m by 13.9m, 2.45m to the eaves, 5.3m to the lower rear ridge and 6.7m to the front ridge.

This application has been brought to planning committee due to the number of neighbour objections received.

## **SITE**

The site is within the wider Linden Club sports ground and within the Old Clee Conservation Area. The sports ground covers some 3.95ha and provides pitches for football, cricket and bowling. The main sport played is football and the site is the home of Cleethorpes Town Football Club. There is a main club house on site which includes changing rooms, bar area and function facilities. There is also a car park on site.

The proposed changing room block is located to the north of the existing club house and is proposed to take the place of an existing block of temporary porta-cabins used for changing rooms. It is noted that these existing porta-cabins do not benefit from planning permission.

## **RELEVANT PLANNING HISTORY**

DM/0202/15/FUL - redevelopment of site to provide new football pitch, flood lights, stands, club house extensions etc.. - approved

DM/1210/15/FUL - variation of DM/0202/15/FUL to amend the pitch type, flood lights and stands - approved

DM/0938/18/FUL - variation of DM/1210/15/FUL to change the type of flood lights - under consideration.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

### National Planning Policy Framework (February 2019)

NPPF8 - Promoting healthy and safe communities

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

PO33 - Flood risk

PO39 - Conserve and enhance historic environ

PO41 - Biodiversity and Geodiversity

PO43 - Green space and recreation

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

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

## **REPRESENTATIONS RECEIVED**

Historic England - No objections

Sport England - No objections

Environment Agency - No objections

Heritage Officer - No objections

Drainage Officer - No objections, condition for foul and surface water drainage

Highways - No objections, condition for construction management

Environmental Health - No objections, condition for construction hours

Neighbours

Weelsby Cottage - supports the proposal

39 and 52 Clee Crescent, 15 and Lockien Church Lane - these neighbours object to the proposed development with concerns over:

- Impact on the conservation area, listed buildings and heritage;
- Ecology;
- Noise and smells.

## **APPRAISAL**

The material considerations in determining the application are considered to be:-

1. Principle of development
2. Impact upon the Conservation Area and Wider Character
3. Residential amenity
4. Highway safety
5. Drainage

1. Principle of development.

The site is located within the main urban area for Cleethorpes and is allocated for sport and recreation on the NELLP Inset Maps and the site has been established for this use for many years. In more recent years the site has become the home of Cleethorpes Town Football Club and has undergone incremental improvements based around the 2015 planning permission DM/0202/15/FUL. Policies 5 and 43 encourage the appropriate development and improvement of sport and recreation facilities in the borough. It is



therefore considered the proposed development would deliver significant improvements to the facilities on the site and is considered to be acceptable in principle. This is subject to the site specific impacts of the development and in particular the impact on the Conservation Area and adjacent heritage assets.

## 2. Impact upon the Conservation Area and Wider Character

The site is located within the Old Clee Conservation Area and there are listed buildings close to the site. The proposed development is located in the northern corner of the Linden Homes Club and well away from the Scheduled Monument (Two Round Barrows, West of Clee Hall Farm) in the western corner. To the East of the site is Clee Hall Farm (various buildings) Grade 2 Listed and Clee Hall Farm House is Grade 2\* Listed. To the north east of the site is a dwelling 'Seaspray' which is Grade 2 Listed. Further afield to the north is the Grade 1 Listed Church of The Holy Trinity and St. Mary and no.2 Greethams Lane which is Grade 2 Listed.

Policies 5 and 39 of the NELLP and section 16 of the NPPF require full and proper regard to be had to development proposals that may impact upon Heritage Assets. In this instance within close proximity of the site there is a significant number of heritage assets and the site itself forms part of one. The proposed development has acknowledged this and the design of the changing room block has evolved accordingly. It has been designed with the adjacent farm buildings in mind and follows their theme in form and appearance. The proposed materials of red brick, timber cladding and pantiles are a significant contribution to its final appearance. The exact details of the materials have not been provided and so a condition requiring these is recommended.

The comments from neighbours regarding impact on heritage have been noted and considered. The proposed development would be visible from the public domain and longer views of it would be gained from Clee Road and the Love Lane Corner roundabout. These views would put the proposed building in the same setting as the existing clubhouse and changing rooms and it is considered that the proposal would offer a better design and material palette and as such minimise any potential harm to the character of the area.

The application has been considered by Historic England and the Heritage Officer and no objections have been raised by either. The Heritage Officer has raised the requirement of Archaeological investigation. Given the location of the site and the context of wider historical character this condition is necessary.

With the inclusion of the aforementioned conditions, it is considered that the proposed development, whilst visible within the Conservation Area, would not harm the character and appearance of the area or the setting of the adjacent listed buildings. It therefore accords with Policies 5, 22 and 39 of the NELLP.

### 3. Residential amenity.

The proposed building is located adjacent to the boundary with 'Seaspray' however the main dwelling is positioned approximately 60m to the north east of this boundary and there is a 2m high fence on the boundary. Although it would be visible, given the separation distance between the proposed building and the dwelling it would not cause any undue overlooking or loss of privacy to this neighbour. The elevation facing this boundary would have 2 windows and a door on it. The windows would be to changing rooms and the door provide access for the smaller junior changing rooms. The main entrance being on the southern elevation.

Clee Hall Farm House to the south east is well separated from the proposed building and the farm buildings and boundary hedge would screen the building from view. The other neighbours to the north along Church Lane and Church Close are well separated from the proposed building and so would not suffer any undue impacts.

The proposed building includes changing facilities, toilets etc that would be mostly used on match days, but training facilities are also provided. It would replace the existing temporary porta-cabins on the site which perform the same function. As such it is not considered that the development would significantly increase the intensity of the use and the relationship between the sporting use and the neighbours would remain much the same.

The proposal has not provided any details of lighting around the building, this has the potential to impact on the neighbours' amenities and as such a condition should be imposed for a lighting scheme to be submitted to and approved prior to the building coming into use.

It is considered that the proposed development would not unduly harm the residential amenities of the neighbouring properties in accordance with Policy 5 of the NELLP.

### 4. Highway safety.

The proposal represents a significant improvement to the overall site and there will in turn be some increase in the usage of the wider site. The proposal does not include any changes to the site access or any increase in parking provision on the site. The Highways Officer has considered this matter and have not raised any concerns over highway safety or amenity. The proposal therefore accords with Policy 5 of the NELLP.

### 5. Drainage and flood risk

The proposed development would increase the amount of impermeable surfacing on the site, Policy 33 of the NELLP requires new development to ensure that it does not increase the risk of flooding to the adjacent land. The Drainage Officer has not raised any objections to the proposed development but has requested a condition for the final surface water drainage scheme to be submitted and approved prior to the development

commencing. This is a usual approach and a condition to this effect can be reasonably included in a decision to approve the application. Whilst the site is located in a flood risk area as the development relates to the existing land use and is not vulnerable in terms of occupation there are no flood risk concerns. The Environment Agency raise no issues.

## **CONCLUSION**

In conclusion, it is considered that the proposed development would not cause any significant harm to the character of the Conservation Area, Listed Buildings or neighbouring land uses, neighbouring properties residential amenities in accordance with the NELLP 2018 and the NPPF. The application is therefore recommended for approval.

## **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:

F2947-A1-01A Proposed Plans

#### **Reason**

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

#### **(3) Condition**

Development shall not begin until details of the materials for the exterior walls, roof and openings, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

#### **Reason**

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

No development shall take place 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.

Use 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

In the interests of protecting heritage assets in accordance with Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

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

Reason

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

(6) Condition

Prior to the development commencing, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details. The plan shall contain:

- Visitor and contractor parking areas;
- Materials storage area;
- Wheel cleaning facilities;
- Noise, vibration and dust mitigation measures (both during demolition and construction);
- Construction traffic management plan.
- details on working hours with no demolition or construction work 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**

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).

**(7) Condition**

Prior to the hereby approved building first coming into use a scheme for any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Only lighting detailed on the approved scheme shall then be installed.

**Reason**

To protect the amenities of the neighbouring properties and the surrounding area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

**(8) Condition**

The development shall be carried out in accordance with the Flood Risk Assessment (by RM Associates April 2021).

**Reason**

In the interests of reducing flood risk in accordance with Policy 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 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). Policies 5, 22, 33, 39, 41 and 43.

**2 Added Value Statement**

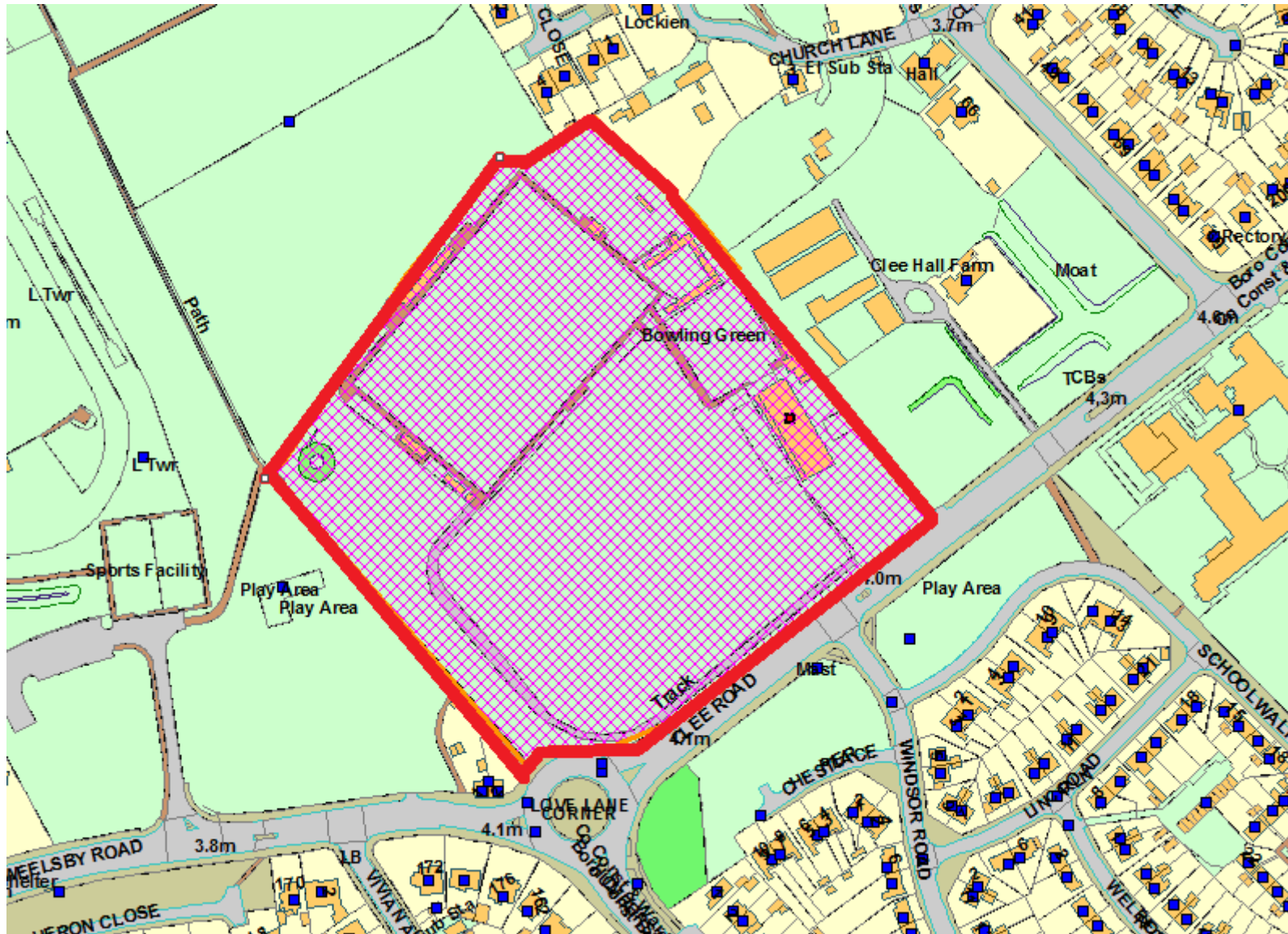
**Article 31(1)(cc) Statement - Positive and Proactive Approach**

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 the details of the application.

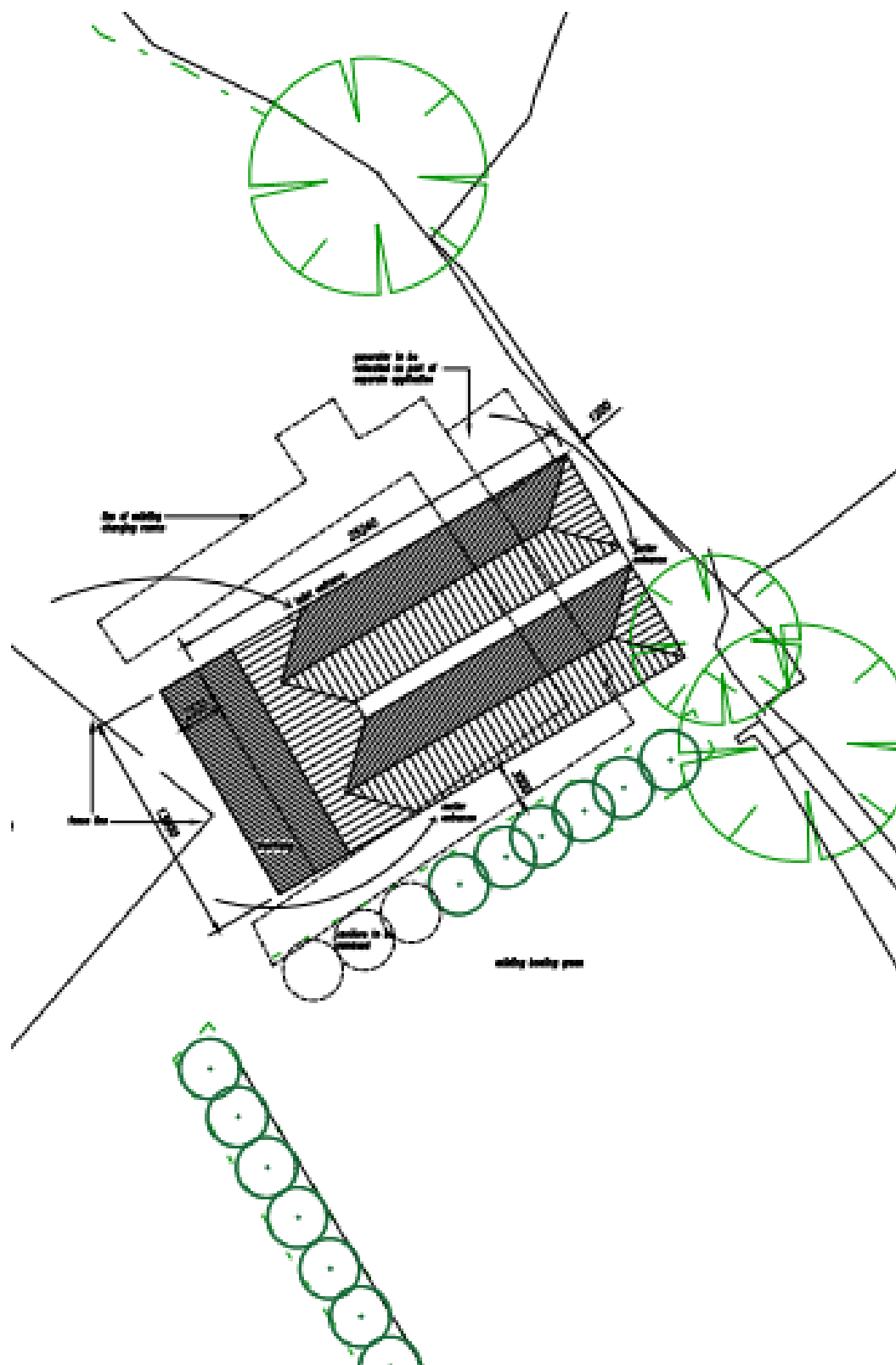
### 3 Informative

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/0385/21/FUL – THE LINDEN CLUB, CLEE ROAD, GRIMSBY



DM/0385/21/FUL – THE LINDEN CLUB, CLEE ROAD, GRIMSBY





**PLANNING COMMITTEE - 1st December 2021**

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

**APPLICATION No: DM/0512/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Wayside, Brigsley Road, Waltham, North East Lincolnshire, DN37 0LA**

**PROPOSAL: Erection of one detached dwelling and associated works**

**APPLICANT:**

Mr & Mrs Miall  
Wayside  
Brigsley Road  
Waltham  
North East Lincolnshire  
DN37 0LA

**AGENT:**

Mr Dieter Nelson  
Dieter Nelson Planning Consultancy  
Unit 2, Cleethorpes Business Centre  
Jackson Place, Wilton Road  
Humberston  
Grimsby  
North East Lincolnshire  
DN36 4AS

**DEPOSITED: 17th May 2021**

**ACCEPTED: 24th May 2021**

**TARGET DATE: 19th July 2021**

**PUBLICITY EXPIRY: 3rd December 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 17th June 2021**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The planning application seeks permission to build a two storey five bedded house adjacent to a property, 'Wayside' on Brigsley Road, Waltham. The existing trees and hedges to boundaries are to be retained. The vehicular access is proposed from the existing access to Wayside on to Brigsley Road. This is a resubmission of the previous application DM/0836/20/FUL.

The application has been brought to Committee as it represents a technical departure from the Local Plan.

## **SITE**

The site is located on the southern edge of the settlement of Waltham. There is a variety of two storey dwellings and bungalows within the vicinity of the site. Dwellings on both sides of the road are well screened by mature trees and hedges including 'Wayside' and the application site. Immediately to the north of the site there is a short stretch of road with no development. This forms an effective gap between the larger settlement of Waltham and the village of Brigsley, to the south.

Beyond the site to the north is agricultural land then a proposed housing site. The housing site is a large allocated site with planning permission for 199 dwellings. It abuts the edge of Waltham on two sides and set to the rear of existing dwellings on Brigsley Road. It was granted planning permission on appeal by the Planning Inspectorate in May 2019. (Planning reference is DM/1167/16/FUL and allocated site reference HOU111 on the adopted Local Plan refers) and is now currently being built out.

## **RELEVANT PLANNING HISTORY**

DM/0836/20/FUL - Erection of a dwelling - approved

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

National Planning Policy Framework (February 2019)

NPPF5 - Delivering a sufficient supply of homes  
NPPF12 - Achieving well designed places  
NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries  
PO22 - Good design in new developments  
PO33 - Flood risk  
PO34 - Water management  
PO41 - Biodiversity and Geodiversity  
PO42 - Landscape

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

## **REPRESENTATIONS RECEIVED**

Highways Officer - no objections

Drainage Officer - no objections, condition for surface and foul water drainage

Trees and Woodland Officer- no objections

Heritage Officer - no objections

Public Rights of Way - no objections

Waltham PC - no objections

Brigsley PC - no objection but comments regards traffic generation, highway safety and drainage

No neighbours responded

## **APPRAISAL**

The material considerations in determining the application are considered to be:-

1. Principle of development,
2. Design and impact on the character and appearance of the area,
3. Residential amenity,
4. Highway safety.

1. Principle of development.

The proposed development is for a detached dwelling in the grounds of Wayside, Brigsley. The site is located outside of the defined settlement boundary for both Brigsley and Waltham on the NELLP Inset Maps. Policy 5 of the NELLP does not readily permit new dwellings in such locations. However, the site benefits from an extant planning permission for a dwelling under DM/0836/20/FUL. This extant planning permission therefore sets the principle of one dwelling on the site. The proposed dwelling is of the same design as the approved and is proposed to sit on the same footprint but with the southern wing reduced in size. This ensures that only one of either the approved dwelling or this proposed dwelling can be built out. On this basis the proposal would not increase the number of dwellings that can be built on the site. It is therefore considered that the principle of the development is acceptable and accords with the principles of the NELLP.

2. Design and impact on the appearance and character of the area.

The design and appearance of the proposed dwelling changes very little from the approved dwelling. The proposed dwelling is reduced in size. The reduction in size of the

proposed dwelling is in order to maintain an access into the rear paddock of Wayside. The proposal will therefore offer no additional harm to the visual character and amenity of the area in accordance with Policy 5 of the NELLP.

### 3. Residential amenity.

The National Planning Policy Framework and the Local Plan seek to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or be overbearing. The proposed development is located on the northern side of 'Wayside', the nearest property to the application site. Land levels are similar and given the separation distance between the existing dwelling and the proposal it is considered that there will be no significant loss of light and privacy, overlooking or overbearing impacts from the proposed development.

### 4. Highway safety.

As per the approved scheme the proposed development seeks to use the existing vehicular access to 'Wayside' as the means of entering and exiting the site and not form a new vehicular access to the highway. The Highways Officer does not object to the proposed development on highway safety grounds. The proposal therefore accords with Policy 5 of the NELLP.

## **CONCLUSION**

In conclusion, it is considered that the proposed development would not cause any additional harm to the character of the area or neighbouring land uses in accordance with the NELLP 2018 and the NPPF 2019. The application is therefore recommended for approval. As this permission is in essence a variation of the previous approval the date for the implementation for the permission should remain as this approval.

## **RECOMMENDATION**

### **Approved with Conditions**

#### (1) Condition

The development hereby permitted shall begin by the 2nd December 2023.

#### 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:

- 1242/0003A Proposed site plan
- 1242/0002A Existing and proposed block plan
- 1242/0001 Site location plan
- 1242/0004A Proposed plans and elevations

Reason

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

(3) Condition

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.

Reason

To ensure satisfactory drainage in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032.

(4) Condition

Prior to the commencement of development details on the integration of the public footpath with the site's 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.

Reason

In the interests of local amenity and the amenity of users of the public footpath to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(5) Condition

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.

**Reason**

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

**(6) Condition**

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.

**Reason**

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

**(7) Condition**

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.

**Reason**

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

(8) 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).

2 Added Value Statement

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

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

3 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](mailto:snn@nelincs.gov.uk) to discuss the creation of new addresses.

4 Informative

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

5 Informative

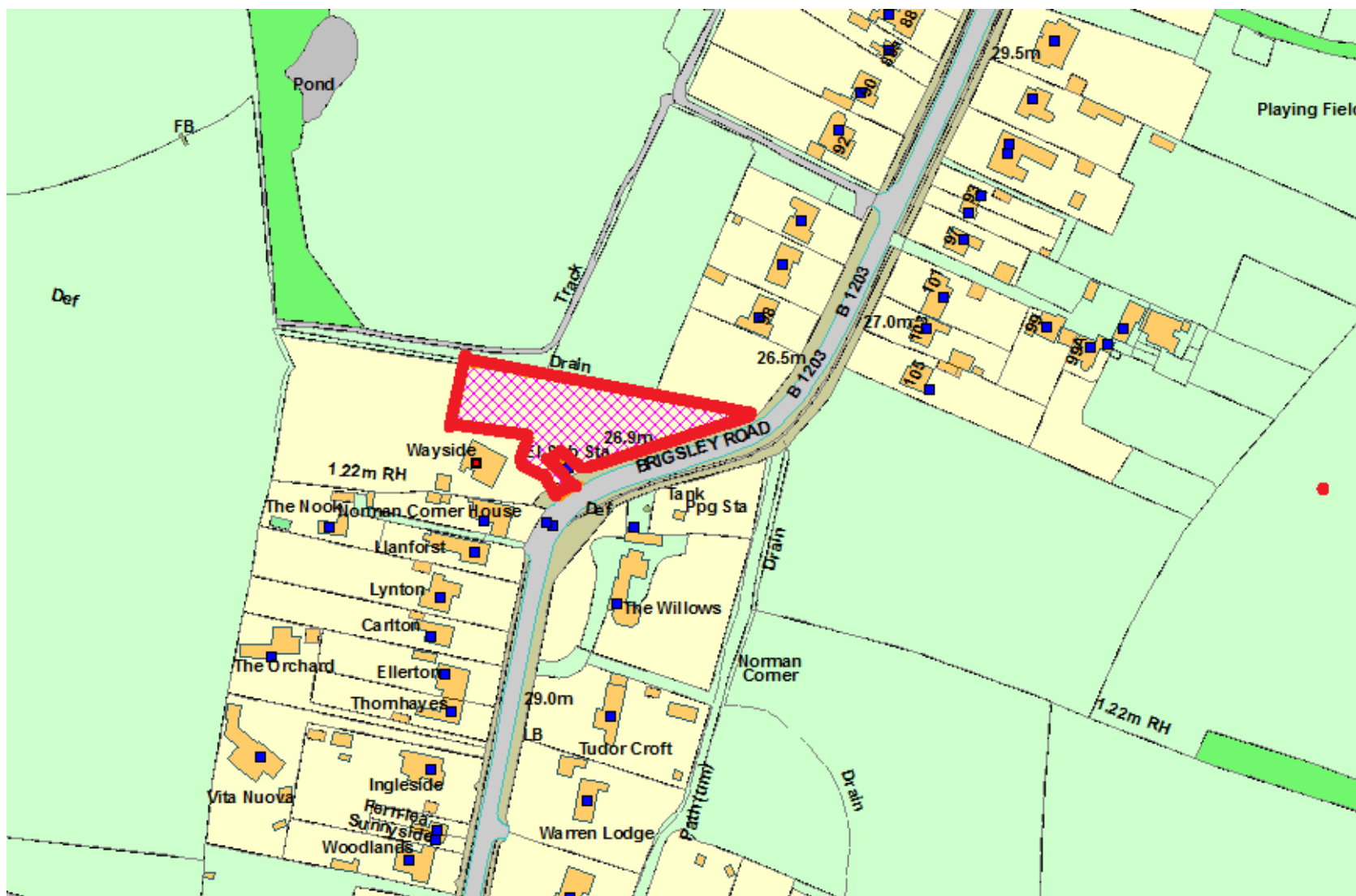
The applicants' attention is drawn to the sewer line across the site. You are advised to ensure early discussions with Anglian Water to determine what consents and agreements may be required from them and what works need to take place.

## 6 Informatives

The applicants are reminded of the public right of way. This should not be stopped up, blocked or diverted without the necessary consents.



## DM/0512/21/FUL – WAYSIDE, BRIGSLEY ROAD, WALTHAM





**PLANNING COMMITTEE - 1st December 2021**

**ITEM: 5**                      **RECOMMENDATION: Approved with Conditions**

**APPLICATION No: DM/0539/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Humberston Academy, Humberston Avenue, Humberston, North East Lincolnshire, DN36 4TF**

**PROPOSAL: Extend existing car park to create additional 64 spaces with associated works (additional supporting information)**

**APPLICANT:**

Mr Dan Mcfaul  
YMD Boon  
6B Anson House  
Compass Point Business Park  
Market Harborough  
LE16 9HW

**DEPOSITED: 25th May 2021**

**AGENT:**

YMD Boon Ltd  
6B Anson House  
Compass Point  
Market Harborough  
LE16 9HW

**ACCEPTED: 25th May 2021**

**TARGET DATE: 20th July 2021**

**PUBLICITY EXPIRY: 18th September 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 18th June 2021**

**CASE OFFICER: Jonathan Cadd**

**PROPOSAL**

This application seeks permission for an extension to an existing car park at the school to provide 64 new spaces to create a 120 space parking area in total. In addition a widened vehicle link would be provided to the existing access to the current parking and a new footpath to the school buildings. Landscaping is also proposed. Additional ducting for CCTV and lighting is proposed but no details given.

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

## **SITE**

The application site is part of Humberston Academy and is presently part of a school field which adjoins Humberston Park School to the east and Humberston Cloverfield Primary School to the south. Further sections of school field existing to the north of the proposed parking area which are also owned by the school.

The site adjoins, and will be connected to an existing tarmac parking area which is accessed from the main school driveway which ultimately links with Humberston Avenue. To the north beyond the school field are bungalows fronting St Christopher's Road. To the west is the main school buildings and further playing pitches.

The area is allocated within the NELLP (2018) as an Education Area.

## **RELEVANT PLANNING HISTORY**

There are a large number of application relating to the school but those most relevant are:

DC/610/12/HUM Erection of new sports hall classroom extensions and additional car parking with removal of trees and temporary class rooms. Approved 28 Nov 2012

DC/1239/08/HUM Outline application for major refurbishment of the existing school including one and two storey building of Humberston School proposed sports hall; single storey extensions to Humberston Park School external teaching and play areas, new and revised parking and access arrangement and additional parking and access. Approved 2008

DC/517/00/HUM Erect extension to existing car parking area Approved 18 Aug 2000

08/93/0606 Construct car park and access road Approved.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

National Planning Policy Framework (February 2019)

NPPF8 - Promoting healthy and safe communities

NPPF9 - Promoting sustainable transport

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries

PO6 - Infrastructure

PO22 - Good design in new developments

PO33 - Flood risk

PO36 - Promoting sustainable transport  
PO38 - Parking

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: (in summary) Object Those proposals should include a drop off facility for buses accessing the Humberston Park School on St Thomas Close - the Academy grounds back onto the Park School grounds and it would be a community-minded and simple adjustment to incorporate access for buses to enter the Academy site and drop off to the rear for pupils accessing the Park School. This would provide much needed pupil safety for the Park School as traffic is struggling to access the school on St Thomas Close and the provision of a separate access for buses would contribute significantly to pupil and community safety. Also the Village Council would ask that any new car parking facilities should include charging points for electric vehicles and this should now be made a planning condition of any such application.

Sport England: (in summary) The proposal is for a car park on the school's playing field. The proposed car park will result in the loss of playing field. From the information available, Sport England is unable to find any reference to a robust and up to date Playing Pitch Strategy that provides clear evidence that the playing field is surplus to both current and future sporting needs. In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

Following the submission of further information from the Academy re the current community use of the site and agreement on site sport England have agreed to remove their requirement for the community use agreement condition as they consider the current arrangements are suitable to allow access to the school.

Highways: (summary) The Highway Authority welcome this application as it is aware of the issues surrounding parking in the area and it is hoped that this extension will enable all teachers and visitors to park within the school grounds.

The Highway Authority requests a Construction Traffic Management Plan due to the location of the site and proximity to other developments in the area.

Heritage Officer: No input required

Drainage: The large increase in impermeable area is unacceptable at this location, upstream of a high flood risk area. This must be done sustainably, in permeable paving, so ensuring no increase in surface water run off rates. Following further information provided no objection subject to condition.

Environmental Protection: Hours of construction and electric car charging points

Civic Society: Note comments of Humberston Village Council and lack of justification for additional spaces.

Site Notice and Neighbours: None received.

## **APPRAISAL**

### **Main Issues**

- 1) Policy Issues (including playing pitch strategy)
- 2) Amenity & Design
- 3) Highway Safety
- 4) Drainage

### **Appraisal**

- 1) Policy Issues (including playing pitch strategy)

The application site at Humberston Academy is located within the development area and has a designation as an education area within the NELLP. Policy 5 is positively framed, promoting development within the development area, including educational facilities (policy 5.C.) subject to various criteria being met. Similarly, policy 6 also supports the expansion of service facilities including: schools, health facilities and key facilities and infrastructure to meet the needs of existing and new communities. Finally, policy 43, indicates that public and private green spaces, sport and recreation and equipped play spaces will be safeguarded including playing fields within educational areas.

In this instance, the proposal seeks to expand a car park into an area of green space within Humberston Academy. It is a matter of agreement that this area, whilst historically used as a playing pitch, has not been used for sport within the last nine years at least. This is supported by local knowledge and anecdotal evidence indicating the site as a maintained grassed area rather than a formal playing pitch, possibly due to water logging in this area and proximity to adjoining schools. Indeed, in previous applications (in 2008 for example) this part of the site was actually shown to be part of the adjoining Humberston Park School, and then, in 2012, whilst the site was now incorporated into Humberston Academy, it was stated that this area, whilst classified as a playing pitch, was not in active use at that time. The applicant has indicated that the car park is

required to serve not just the school but also the community use of the playing pitches on its wider site as the current number is insufficient to meet demand. When the existing car park is full, the application area is already utilised for car parking, but in wet weather such activity just tears up the grass and causes significant damage to the area.

The proposal would lead to a loss of greenspace/playing pitch, however, the school site has a wide range of other pitches and this includes: two 11 a side, one 7 aside and two 9 aside football pitches, a senior rugby pitch, cricket wicket and six hard surface tennis courts. In addition to this, there remains a large area of open space closest to Humberston Avenue which can also be used for recreation both formal and informal. It is noted that such provision is greater than that advocated within the NELC Playing Pitch Strategy (2020) and would still allow for the provision of a 3G football pitch without the loss of other existing pitches. The Playing Pitch Strategy also indicates that (pg. 60) that there is a need to improve the standard of non-playing pitch facilities at Humberston Academy including access and car parking. This would go some way to meet this need. Although the applicant has applied for a full 64 spaces it is likely that provision would be in two phases, 32 initially and then the remaining spaces in 2- 3 years' time when funds become available.

Sport England has removed its objection to the scheme, based on the outcomes of the Playing Pitch Strategy and community use. This is because the school has indicated that the site is already in use by the community including Grimsby Borough Football club and youth organisations. There is an agreement in place and Sport England consider this sufficient to ensure community access. As such it is considered that the proposal would, in principle, accord with policies 5, 6 and 43 of the NELLP.

## 2) Amenity & Design

The site is located centrally within the education area designation and would be an extension to the existing car park at the site. It would not therefore be close to residential properties. Consideration to hours and days usage though and potential lighting is a requirement to limit impact and ensure there is no light glare to properties. It should be noted that the existing car park is lit and no complaints have been received reducing concerns further. Nevertheless, conditions are recommended to limit hours of use of lighting. In addition, the applicant has proposed to plant trees along the northern boundary of the site to limit visibility from adjoining properties. The car park has been reduced slightly to retain the existing hedging on the boundary to Humberston Park School.

The application site adjoins both Cloverfields Primary School but also Humberston Park School but no objection to the car park expansion has been received from either school.

The improved access to the car park would require the loss of several trees on site, which is disappointing, but there remains a good number of trees to screen this area to maintain its character. In addition to this, whilst there are several TPO trees on the wider site, adjoining Humberston Avenue, the trees closest to the car park entrance are not

protected and could be removed at any stage. This together with the additional planting proposed would maintain the character of the area in accordance with policies 5 and 22.

The appearance of the car park with its tarmac running lanes would be off set with permeable paving for the actual parking spaces, breaking up the mass of the hard surfacing. This together with the existing and proposed landscaping would maintain the character of the area in accordance with policy 22 of the NELLP.

### 3) Access and parking

The site would be accessed from the existing school entrance on Humberston Avenue and no objection has been received from the highways team, indeed support has been provided due to the wider parking issues in the surrounding area. Access to the highway as noted will not change and as a result the proposal will not detract from highway safety and capacity and may even enhance it in accordance with policy 5. Due to the nature of the site and its immediate surroundings, careful consideration of a construction management plan is required. Although some details have been provided, a condition is still required to ensure, for example, goods vehicles do not arrive/leave the site at any of the local schools start or finish times.

The comments of Humberston Village Council and their ambition to ease congestion for residents in St Thomas Close, through the use of the proposed car park for a bus and car drop off area with a pedestrian access to Humberston Park School, is noted as positive. The Academy has considered this but concluded that it would not be possible from a pupil safety and school security and management viewpoints. Whilst recognising the issues faced by residents due to traffic to adjoining schools, these issues are not of the Academy's making and it is unable to assist through the current application. Whilst a disappointment, this is not a reason to resist the current application as it is for the Academy to determine how to operate its school site in the best interests of its pupils and; the development proposed would not detrimentally impact on the operation of these other schools nor the local highway conditions.

The Civic Society's comments are noted and the applicant has provided additional information to support its submission. In addition, policy 38 requires the levels of car parking to be justified with reference to accessibility, nature of use and public transport. In this instance, the school has over 900 pupils, which was designed for 450, and this has led to over 100 staff being required. In addition, the school's partnership with Grimsby Borough Football Club, which can generate between 20 - 40 cars on match and training days, which when combined with school activities, can cause parking pressures and the use of the grassed areas as overflow parking. In addition to this, the Academy seeks to phase the provision of the car park so that an initial 32 spaces would be provided and then if community use expands, as expected, the remaining spaces would be provided at that time. As such it is not considered that the additional 64 spaces would be unreasonable in this instance.

In accordance with policy 38, 5% of spaces would be to disabled drivers parking space



standards and spaces are available for motorcycles too. To aid accessibility the client has agreed that these spaces should be provided on the original car park through a relining exercise. This would accommodate the existing single accessibility space that the school has. A condition is recommended to achieve this before the new car park is brought into use. The school already has cycle parking provision elsewhere on site to support modal shift. The request for electrical charging point for vehicles is noted and although the level of new parking proposed is less than the policy threshold for provision of such points and the car park is not a commercial enterprise, the applicant has considered this but responded that there is not sufficient finance in this scheme and few teachers currently have such vehicles. Future provision will be considered but cannot be enforced.

#### 4) Drainage

The applicant has provided details of a tanked car park construction. This would take the form of impermeable running lanes that would drain to porous paved parking bays. A porous Type 3 subbase would be placed under the whole car park. Due to the limited permeable nature of the ground, in this part of Humberston, the car park and subbase would be tanked, with an impervious wrap to create, in effect, a large storage crate capable of storing water following a 1:100 year rainfall event plus climate change. Water discharge would occur via a perforated pipe which would connect to the mains drains with a flow capacity limited to 1.2litres per second Qbar - greenfield run off rate. In this way, additional capacity would be generated to store water at the site with a controlled proportion of the water flowing into the main drain. This would also cover the existing car park and so could be considered a planning gain. The drainage team has considered this and deem such an option acceptable and in accordance with policy 33 of the North East Lincolnshire Local Plan, subject to condition to ensure its construction as such.

### **CONCLUSION**

The proposed car park extension would provide an additional facility required by the Academy to meet the needs of the school but also its community use aspirations. Whilst the development would impinge on an area of previously used playing field, it has not been recently used as such, and the Academy already has sufficient facilities on the wider school site to meet its needs. A community use agreement is also in place to secure access to their sporting facilities. This would provide certainty that these facilities could be used by the community going forward. It has also been shown that the wider school site could accommodate the level of playing pitch provision anticipated by the NE Lincolnshire Council Playing Pitch Strategy 2020. The car parking proposed would also meet a specified shortfall in offer identified, within that document, for community use at Humberston Academy.

Given the centralised location of the car park within the designated education area the impact on residential neighbours, subject to conditions relating to lighting and hours of use, would be limited. Similarly, neither of the schools either side have objected to the scheme. A landscaping scheme would assist to screen the site, including the retention of boundary hedges and new trees. Drainage details have been agreed. Subject to

conditions requiring a construction traffic method statement, the impact on the highway network is not deemed unreasonable. The concerns of Humberston Village Council are noted but it is not possible to require the applicant to resolve another school's highway issues. As such it is considered that the proposal would accord with policies: 5, 22, 33, 38 and 42 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

## **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**

Before work commences details of an updated surface water drainage system based on drawing no. 3001 Rev P1 and email 6th October 2021 from Colin Driver and Andy Smith 18 October 2021 (agreeing tanking of the porous area and a combined flow from the existing and proposed car park of no more than 1.2/s in a 1:100 year event plus climate change) and taking account any alterations in layout, shall be submitted to and agreed in writing by the local planning authority. Such scheme shall be implemented before the car park is brought into use and shall be maintained as such thereafter.

#### **Reason**

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

#### **(3) Condition**

Before any lighting to the extended car park is erected, a scheme of lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed lighting and columns (location, type, height, luminance and any mitigation measures) and their hours of use. The scheme shall thereafter be erected in strict accordance with the approved details and retained and used as such thereafter.

#### **Reason**

To protect residential amenity and in accordance with policies 5 and 22 of the North East

## Lincolnshire Local Plan 2013 - 2032 (adopted 2018)

### (4) Condition

Prior to the car park extension hereby approved being brought into use, details of the existing car park re-lining scheme (to include four disabled driver car parking spaces to the appropriate standard and motor cycle spaces) shall be submitted to and agreed in writing by the Local Planning Authority. The car park shall then be laid out in strict accordance with the approved scheme before the extension is first brought into use.

### Reason

To assist in the provision of spaces to aid drivers with disabilities and in accordance with policies 5 and 38 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018)

### (5) Condition

Prior to work commencing a Construction Management Plan (including Construction Traffic Management Plan) shall be submitted to and approved in writing by the Local Planning Authority. It shall include the following:

- Dust and Noise control measures;
- Contractor and visitor parking;
- Contractors compound and area for deliveries;
- Wheel Cleaning;
- The routing of construction traffic.
- Contact details of the person with responsibility for the implementation of the CMP and CTMP;
- The expected number, types and size of vehicles during the entire construction period;
- The proposed daily hours of operation during the construction period (including specific times to avoid - school start and end times in consultation with Cloverfield Primary School);
- Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and

Once approved, the CMP (including CTMP) shall be adhered to at all times during construction.

### Reason

To reduce impact on neighbours, amenity, safety and highway reasons in accordance with policy 5 and 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

### (6) Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be

taken in or dispatched from the site in connection with the construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time unless agreed in writing with the Local Planning Authority.

**Reason**

To protect the amenities of nearby residents and pupils and users of the adjoining schools and in accordance with policy 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

**(7) Condition**

No development shall commence until:

- (a) a scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees and shrubs to be planted;
- (b) a plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;
- (c) measures for the protection of trees and hedges during construction work have been submitted to and approved in writing by the Local Planning Authority.

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

**Reason**

To ensure a satisfactory appearance and setting for the development, protection of existing features and continued maintenance of the approved landscaping in the interests of local amenity and in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

**(8) Condition**

The development shall not be carried out except in complete accordance with the approved plans and specifications. The approved plans are as follows: J4701-01, J4701-20 and J4701 - 30 rev B and 3001 rev P1

**Reason**

To ensure the development is in accordance with the approved details and results in a satisfactory form of development and in accordance with policies: 5, 22, 33, 38 and 41 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(9) Condition

The community use agreement allowing use of sporting facilities by locals and community groups and listing on schoolshire.co.uk (or similar online booking system) shall be retained for the lifetime of the car park unless otherwise approved by the Local Planning Authority.

Reason

To retain community access to sporting and ancillary facilities in accordance with policies: 5 and 6 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: provide additional parking facilities to assist both the school and community use of the site, maintain sufficient out door sporting facilities on site, not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 36, 38 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 seeking further justification, amendments to designs, additional landscaping and identifying community use.

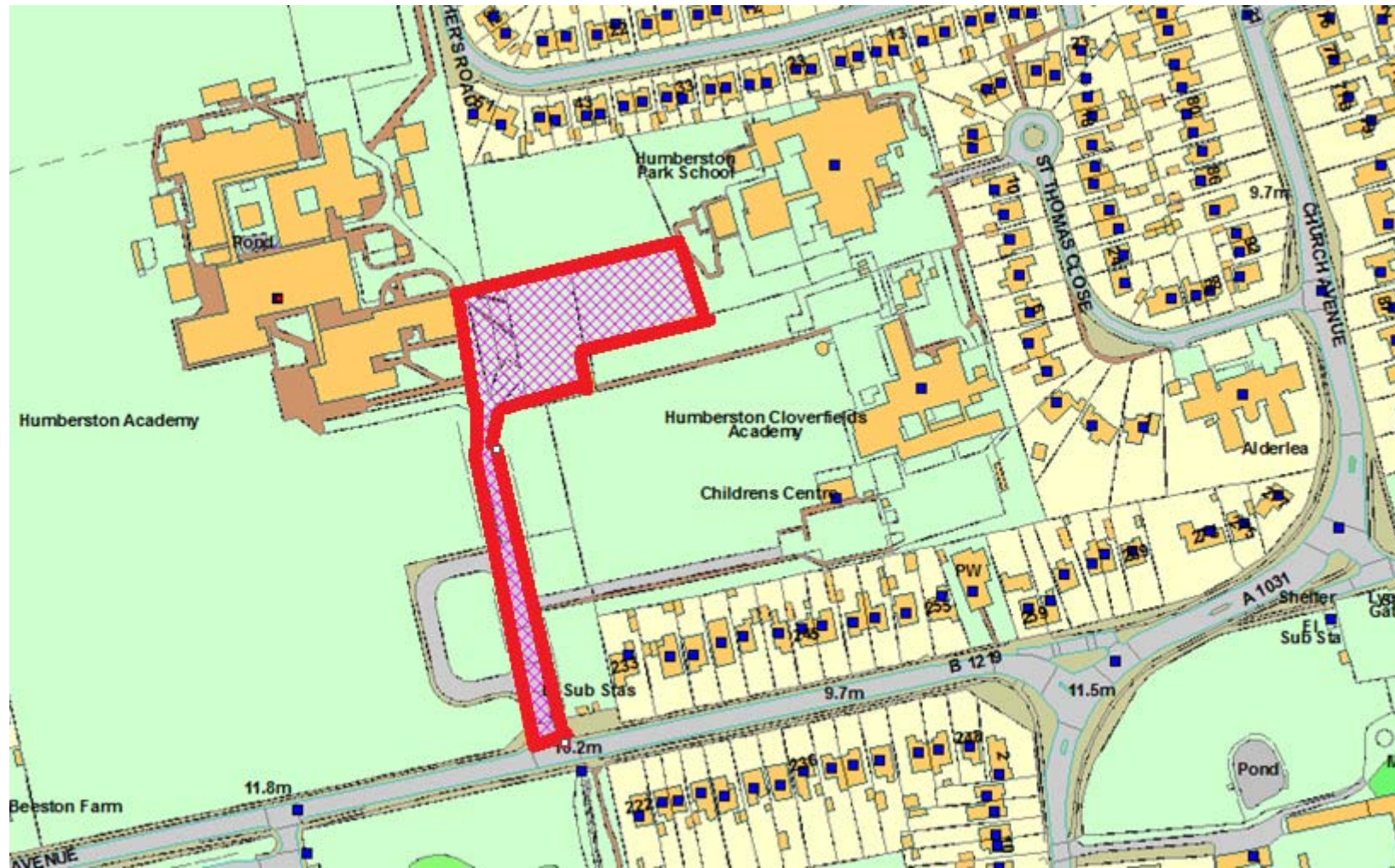
3 Informative

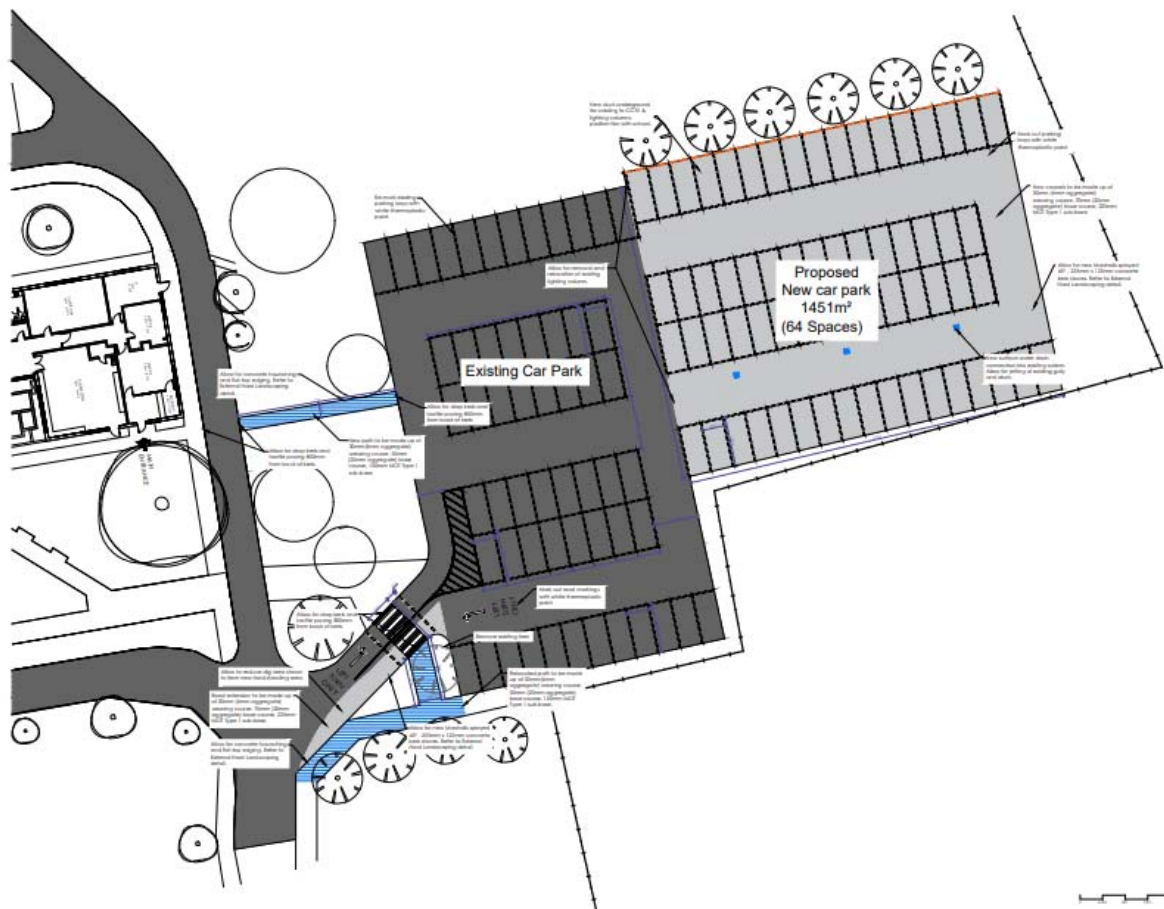
The development may wish to consider electric vehicle charging infrastructure in the design of the new development. All new developments which include parking facilities are encouraged to: be designed to provide opportunities for charging electric and plug-in hybrid vehicles by including cabling to provide charging infrastructure.

4 Informative

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

DM/0539/21/FUL – HUMBERSTON ACADEMY, HUMBERSTON AVENUE, HUMBERSTON







**PLANNING COMMITTEE - 1st December 2021**

**ITEM: 6**                      **RECOMMENDATION: Approved Limited Period**

**APPLICATION No: DM/0893/21/ADV**

**APPLICATION TYPE: Advertisement Consent**

**APPLICATION SITE: Land At, Hewitts Avenue, New Waltham, North East  
Lincolnshire,**

**PROPOSAL: Display of 143 metres of non illuminated hoarding signs**

**APPLICANT:**

Mr Ming Yeung  
YPG Strawberry Fields Ltd  
14 Columbus Quay  
Riverside Drive  
Liverpool  
L3 4DB

**AGENT:**

**DEPOSITED: 31st August 2021**

**ACCEPTED: 14th September 2021**

**TARGET DATE: 9th November 2021**

**PUBLICITY EXPIRY: 29th October 2021**

**AGREED EXTENSION OF TIME DATE: 5th  
December 2021**

**CONSULTATION EXPIRY: 14th October 2021**    **CASE OFFICER: Jonathan Cadd**

**PROPOSAL**

This application seeks consent to erect 143m length non illuminated hoarding to the Hewitt's Avenue frontage of the approved housing development site opposite Tesco and close to Hewitt's Circus. The hoardings would be 2.4m in height and be connected in 4.5m wide sheets across the frontage parallel to the road behind the current hedge. The hoardings would also follow the approved access route into the site. Each hoarding would be attached to three bar railing fence attached to cast concrete blocks (0.8 x 0.8 x 0.8m) every 1.7m gap. The remaining boundaries (not considered under this scheme would likely be herras fencing).

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



## **SITE**

The site is an allocated housing site fronting both Hewitt's Avenue and Humberston Road Cleethorpes. Allowed at appeal for housing, ref. no. DM/0260/20/FUL, the advertisement will be located to the part of this site frontage. The site is close to the Hewitt's Avenue signalised junction with TESCO and the other retail outlets on its western side whilst to the eastern side of the frontage is Hewitt's Circus, a large roundabout with multiple acceleration and deceleration lanes. Opposite the site across Hewitt's Avenue is Tesco whilst to the east across Humberston Road are residential properties. The remaining areas to the north and east are open fields. A mature hedge and trees are located to the Hewitt's Avenue frontage.

## **RELEVANT PLANNING HISTORY**

DM/0782/21/CND Details in discharge of Condition 5 (Ecological Enhancement) and 9 (Soft and Hard Landscaping) pursuant to DM/0260/20/FUL. Pending

DM/0616/21/CND Details in Discharge of Condition 11 (Travel Plan) pursuant to appeal reference APP/B2002/W/20/3263475 for DM/0260/20/FUL. Pending

DM/0606/21/CND Details in discharge of condition 4 (Archaeology) pursuant to appeal reference APP/B2002/W/20/3263475 for DM/0260/20/FUL. Approved

DM/0049/21/CND Details in discharge of conditions 7 (Materials), 10 (Soundproofing), 11 (Water) and 12 (Charging Points) pursuant to appeal reference APP/B2002/W/18/3213320 for DM/0971/17/FUL. Pending

DM/0260/20/FUL Resubmission of DM/0971/17/FUL for the erection of 68 houses and 18 apartments with new access and associated landscaping and works. Refused but allowed on appeal 2021.

DM/0932/19/CND Details in discharge of conditions 3 (Archaeology), 4 (Construction Method Statement), 5 (Highway Details) and 9 (Travel Plan) pursuant to DM/0971/17/FUL (Full planning permission for the development of 68 houses and 18 apartments with new access and associated landscaping and works in accordance with amended plans received 17th August 2018 showing drainage details (including pump station location and layout) and landscape details). Pending determination

DM/0971/17/FUL Full planning permission for the development of 68 houses and 18 apartments with new access and associated landscaping and works in accordance with amended plans received 17th August 2018 showing drainage details (including pump station location and layout) and landscape details. Allowed at appeal 10 April 2019 with s106 planning legal agreement for 20% affordable housing (17 units).

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

National Planning Policy Framework (February 2019)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO36 - Promoting sustainable transport

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: Objections - the Village Council feels this is way too much signage - 143 metres is not required. If the site is to be fenced off with hoarding which will extend to 143 metres, then it should not all be covered in advertising. This is a difficult and busy junction at the best of times, and causing 143 metres of added distraction is not acceptable. Smaller scale advertising is fine, but there should also be plain, un distracting hoardings without advertising. 143 metres at this location is unacceptable. This application should be refused and a reduction in length for advertising resubmitted

Trees & Woodlands: No comment

Highways: (in summary) The Highway Authority have reviewed the application and are content with the proposals. Approval no conditions.

Cadent Gas Ltd: No objection but advice note recommended

Northern Power Grid: Provide advice notes

Heritage Officer: No input required

Drainage: No comment

Neighbours/ Site Notice: 36 Minshull Road: Only has an objection to the application if any trees or hedgerow are removed.

The existing vegetation should remain to help screen the future buildings and to help

preserve some of the rural appearance that currently exists.

## **APPRAISAL**

### Main issues

- 1) Visual amenity
- 2) Public Safety
- 3) Other issues

### Appraisal

#### 1) Visual amenity

The application site is a pleasant (if fallow) agricultural field fronting Hewitt's Avenue close to the Tesco junction. The site is fronted by a mature hedge and several trees. The field, however, will some become a building site for the approved residential development DM/260/20/FUL. This will impact on the character of the area until the majority of the frontage is built. This proposal would provide a screen to some of this activity. Whilst 143 metres in length, the hoarding would actually follow the line of the site ownership and approved access road so that its actual direct frontage to Hewitt's Avenue would be around 65m with the remaining length, although visible, would be angle back into the site by varying degrees.

The hoardings would be non-illuminated and would follow the planned frontage of the new junction. The indicative images provided show house designs and text which would repeat across several boards in a similar fashion and would not be unattractive addition to a building site. The comments of Humberston Village Council, regarding the character of the area are noted but these are not permanent adverts sought and as adverts perhaps may be better maintained than standard blank hoardings found at most development sites. It would also be better than viewing a building site especially during initial earthwork phases. Such adverts would not be appropriate in the longer term and as such a time limited consent is recommended.

#### 2) Public Safety

The site fronts a busy part of the highway network, in particular the signalised light junction to Tesco and further east Hewitt's Circus. The condition discharge applications for the highway works to Hewitt's Avenue and the new junction have been followed in the siting of these hoardings. Humberston Village Council's comments are pertinent regarding the impact on safety. The applicant, however, has specifically sought to avoid extending the adverts to Hewitt's Circus (some 30m away) reducing highway safety concerns and whilst close to the Tesco junction, the images/adverts are solid, are unlikely

to change, would not be illuminated and would perhaps be less distracting than activity at a building site. As the hoarding would be behind the verge for the most part they would not affect pedestrian safety along the pavement. The Highways Officer has not objected to the scheme. It is considered therefore that scheme would not detract from safety in the area and would accord with policies 5, 22 and 36 of the NELLP (2018)

### 3) Other issues

It is noted that various infrastructure providers have outlined comments in relation to their assets which run along the frontage of Hewitts Avenue. No objections have been received but advice notes are recommended. These will be added to the decision notice if consent is granted. Also, it should be noted that no posts would be driven into the ground at this point due to uprights being secured within concrete blocks placed on the ground.

Finally, comments from a private individual have been received. The applicant has confirmed that no loss of trees/hedges would occur as a result of this advert application but there would be losses of trees and hedges as a result of approved residential development, particularly, to the approved site access. A proposed landscaping scheme, including elements of retained hedges and trees is, however, under consideration with the authority, ref. no. DM/0782/21/CND with a decision pending.

## CONCLUSION

This application seeks consent for advertising hoardings to a recently approved housing site which will shortly commence construction and become a building site. The adverts proposed would, therefore, not just advertise the development but also screen part of the building site from passing traffic. The non illuminated nature of the adverts and their proposed scale and position are such that the hoarding adverts are not deemed to be contrary to the character of the area subject to only temporary consent being granted to cover construction at the wider site. Similarly, the position and nature of the scheme is such that despite safety concerns raised by Humberston Village Council, the scheme would not distract drivers at this busy junction/roundabout and would also be positioned so not obstruct or harm the safety of pedestrians. It is considered therefore that, subject to temporary approval condition, the scheme would accord with policies: 5 and 22 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and the provisions of the National Planning Policy Framework (2021).

## RECOMMENDATION

### Approved Limited Period

#### (1) Condition

This express consent shall expire 4 years from the date of the consent and the adverts removed unless otherwise approved by the Local Planning Authority.

Reason

The character of the area would be harmed by the approved hoarding being retained once the approved housing development on the wider site has been constructed in accordance with policies: 5 and 22 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

(2) Condition

- (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (ii) No advertisement shall be sited or displayed so as to-
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- (iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- (v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason

To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

(3) Condition

The development shall not be carried out except in complete accordance with the approved plans and specifications. The approved development has drawing nos. 01A, H01C and H01B

Reason

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

## **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 safety and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22 and 36 and the provisions of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and the National Planning policy Framework.

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

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

### **3 Informative**

You should be aware that there is Northern Powergrid electrical apparatus in the immediate area of the development hereby consented. You are advised to read Northern Powergrid's letter in relation to your scheme which can be found on the North East Lincolnshire Council's planning application home page under your application ref. no. DM/0893/21/ADV. You should also refer to the Health and Safety Executive's publication HS(G)47 "Avoiding Danger from Underground Services".

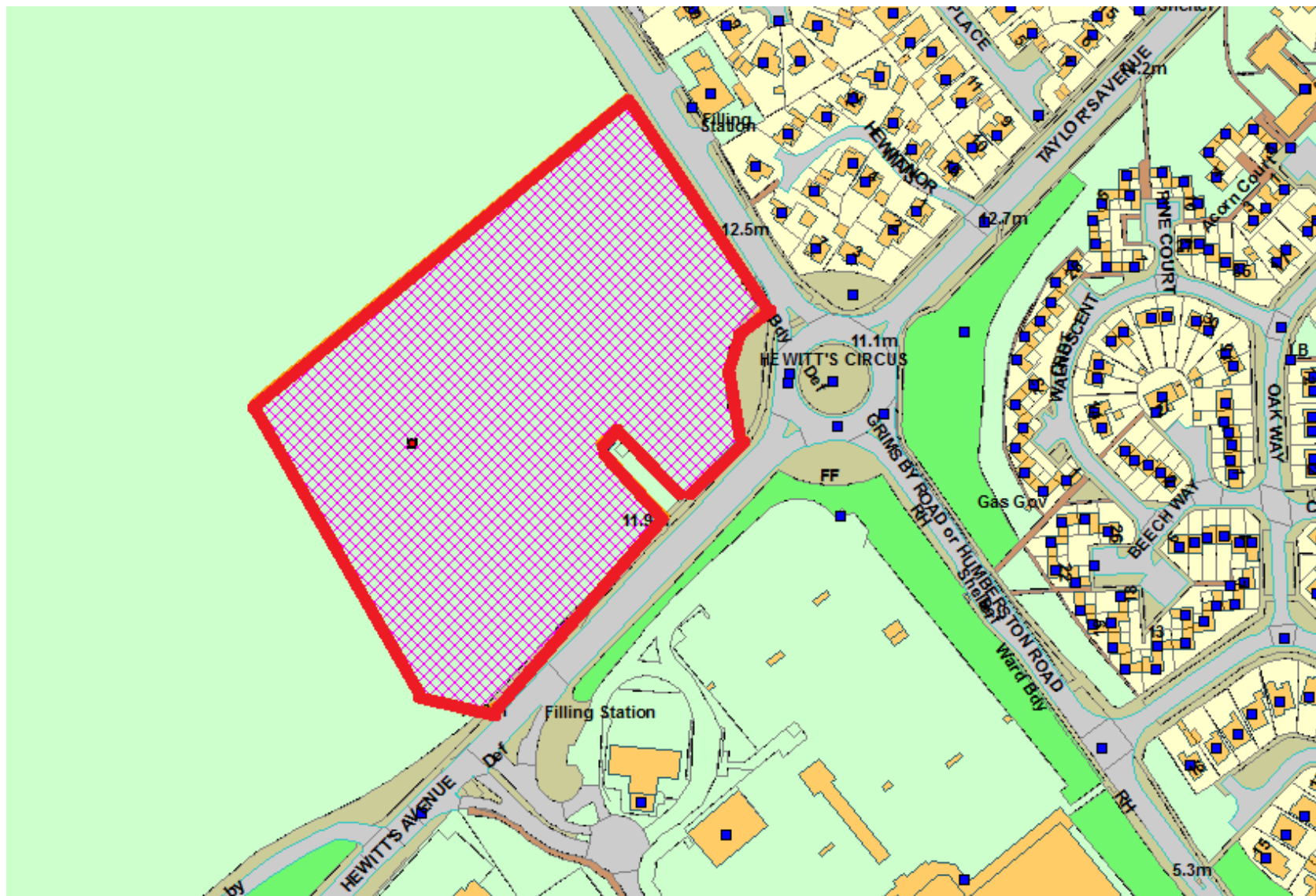
### **4 Informative**

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

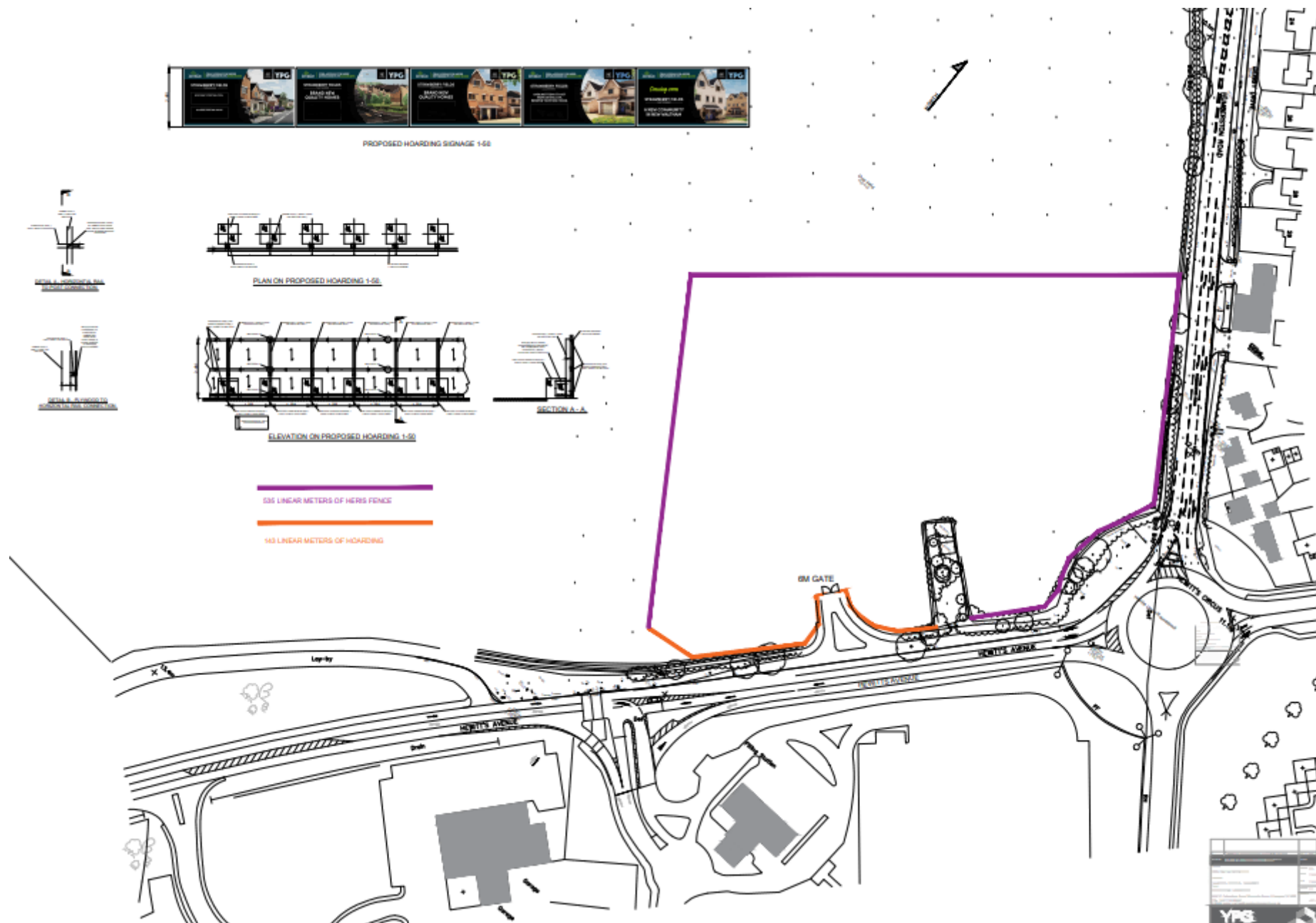
If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](https://cadentgas.com/diversions). Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](https://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

You are also advised to read the whole response from Cadent on the Council's Planning Website under the main application ref. no. DM/0893/21/ADV.

## DM/0893/21/ADV – LAND AT HEWITTS AVENUE, NEW WALTHAM



## DM/0893/21/ADV – LAND AT HEWITTS AVENUE, NEW WALTHAM





**PLANNING COMMITTEE - 1st December 2021**

**ITEM: 7**                      **RECOMMENDATION: Approved with Conditions**

**APPLICATION No: DM/0653/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Plot 2, Kings Chase, Barnoldby Le Beck, North East Lincolnshire,**

**PROPOSAL: Variation of Conditions 2 (Approved Plans) and 3 (External Materials) as granted on DM/0311/20/FUL for revised plans to include balcony, revised siting, drive, turning and access, landscaping and external materials for the walls, roof windows and doors - amended plans received November 2021**

**APPLICANT:**

Mr And Mrs Wayne Taylor  
9 Amelia Court  
Humberston  
North East Lincolnshire  
DN36 4UR

**AGENT:**

DMC Architecture - Darrell Crawford  
5 Coral Drive  
Waltham  
Grimsby  
N E Lincolnshire  
DN37 0YD

**DEPOSITED: 29th June 2021**

**ACCEPTED: 14th July 2021**

**TARGET DATE: 8th September 2021**

**PUBLICITY EXPIRY: 26th November 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 26th November 2021**

**CASE OFFICER: Bethany Loring**

**PROPOSAL**

The application seeks to vary conditions 2 (approved plans) and 3 (external materials) pursuant to DM/0311/20/FUL, which was for the erection of three dwellings with garages to include new access, parking and landscaping. The amendment relates to changes to include a balcony, revised siting, drive, turning and access, landscaping and external materials for the walls, roof, windows and doors of Plot 2, Kings Chase, Barnoldby le Beck.

The application is brought to Planning Committee following an objection from Barnoldby le

Beck Parish Council.

## **SITE**

The site lies on the northern side of Barnoldby le Beck with Beck Farm Mews to the east, the previously approved dwellings to the north and the open countryside to the west. Along the western edge of the site runs an access track and public footpath. To the east are neighbouring dwellings on Beck Farm Mews. Adjacent to the access to the south of the site are the neighbouring properties Bramble Lea and Hillcrest House.

The site itself is relatively flat and has been cleared to make way for development. The access into the site has been started as part of the development of phases 2 and 3 to the north of the site.

## **RELEVANT PLANNING HISTORY**

On this site:

DM/0279/14/OUT - outline for 3 dwellings - approved

DM/0230/17/REM - reserved matters for 3 dwellings - approved

DM/0311/20/FUL - Erect three dwellings with garages to include new access, parking and landscaping - approved

DM/1020/20/FUL - Variation of Condition 2 (Approved Plans) as granted on application

DM/0311/20/FUL - amendments to layout and design, including balcony to rear and proposed entrance gates - Plot 3 - Approved with Conditions

DM/0431/21/FUL - Variation of Condition 2 (Plans) as granted on DM/0311/20/FUL to amend layout and design - Approved with Conditions

To the north:

DM/0951/14/OUT - Outline for the erection of 3 dwellings - Approved

DM/1103/17/REM - Reserved matters application for 3 dwellings following outline approval under DM/0951/14/OUT - approved

DM/0878/21/REM - Variation of Condition 1 (Approved Plans) pursuant to

DM/1103/17/REM to amend the design of Plot 5 - Approved with conditions 5th November 2021

Phase 3

DM/0398/15/OUT - outline application with access, layout, scale, landscaping considered for the erection of two dwellings - refused - allowed at appeal.

DM/1039/18/REM - Reserved Matters application for the erection of two detached dwellings and detached double garages with access, appearance, landscaping, layout

and scale to be considered and Details in Discharge of Conditions 4 (Archaeology), 5 (Construction Management Plan), 6 (Surface Water Drainage), 7 (Ecology), 8 (Knotweed), 9 (Bin Store) and 10 (Access) pursuant to DM/0398/15/OUT - Approved

DM/0294/20/CND - Details in discharge of condition 3 (Surface Water Drainage), 6 (Foundation Details), 8 (Water Reuse) and 9 (Remediation) pursuant to DM/1039/18/REM - Conditions Complied With

DM/0353/21/FUL - Variation of Conditions 1 (Approved Plans) and 2 (Materials) as granted on DM/1039/18/REM for amended layout/design of dwelling and garage (Amended Plans received 24th May 2021) - 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

NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

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

## **REPRESENTATIONS RECEIVED**

Rights of Way - Variation does not affect the public rights of way network. Suggest access is taken from access road and not public right of way.

Barnoldby le Beck Parish Council - Opposes application on the ground of significant changes to the plans and detrimental impact to neighbouring properties.

Drainage Team - Any increase to the impermeable area must be accommodated for in the approved surface water drainage design.

Heritage Officer - No heritage input required.

Highways Team - Approval no conditions.

Trees and Woodlands - Raises concerns with landscaping scheme.

Environment Team - No comment.

Neighbour Representations

No neighbour representations received.

## **APPRAISAL**

### Principle of Development

The application seeks to vary conditions 2 (approved plans) and 3 (external materials) of the earlier approval to allow for amendments to the layout and design of Plot 2, Kings Chase, Barnoldby le Beck. The principle of the development has already been established under the original permission and the considerations of this application are merely those relating to the impacts arising from the proposed amendments.

### Revisions

The amendments to Plot 2 would include raising the ridge height to allow for second floor accommodation, increasing the footprint of the dwelling at both floors to allow for more living space, installing a rear balcony, revised siting of the dwelling, drive, turning and access, landscaping and external materials for the walls, roof, windows and doors. These would include an internal reconfiguration to suit the applicant's needs and external alterations to reflect this including to window and door openings. This would include a single storey link extension to adjoin the dwelling to the garage. The ground and first floors would be increased from 122sqm, as approved, to 222sqm at ground floor, including the new link and garage, and 179sqm to the first floor.

The roof would be raised from 9.2 metres to 9.8 metres. This would allow for a second floor to be installed which would provide a bedroom, en-suite and home office. This would also include the installation of roof lights to the front and rear. The second floor would be included within the roof space creating 92sqm.

The external recessed balcony would be installed to the rear, with access from the master bedroom. The balcony would cover a width of 5.9 metres. This would sit 2.8 metres from ground level and include a glazed balustrade with a stainless-steel handrail.

The dwelling would be re-sited forward within the plot, which would result in more rear amenity space, to accommodate for the increased footprint of the dwelling. As a result,

the driveway, turning area and access would be slightly repositioned and reconfigured to suit the new layouts. Furthermore, this has altered the landscaping elements to the front.

There have been ongoing negotiations regarding the landscaping scheme. The tree species suggested are in accordance the original approved plan however details of hedging are needed to be confirmed. Final details are to be agreed and this has been covered by means of a condition.

Various alterations would be included reflective of the increased footprint and internal layout. All first-floor side windows would be obscurely glazed given the rooms these would serve.

The materials are indicated to be buff brickwork, dark grey concrete roof tiles and white uPVC for the window and door openings.

Visually, the proposal would substantially alter the design concept; given the scale of the changes. However, as the dwelling is set within the site and on a larger plot, it is not considered to be overbearing. The main component of the amendments is the increase in footprint and ridge height. Although the design will be changed significantly, the alterations are not considered to present an issue in relation to the principle of the original approval. It is considered that the plot can accommodate for works of this scale. The works are not unusual to a residential development. The majority of the approved details will remain on the whole. The proposed buff brick will be different from the red brick that prevails on this site but such brick can be found in the wider locality. The fact that the finish will be different to its neighbours is not reason to raise a planning objection.

### Impact to Neighbours

The main impact of the amendment would be to Plot 3, Kings Chase and the most significant alteration is the raising of the roof and the increase in footprint. Barnoldby le Beck Parish Council have objected to the application on the grounds that they feel these changes significantly change the approved design to the detriment of the neighbouring properties.

The property would sit 2.5 metres to the boundary, at the closest point, and around 4.2 metres from the property itself following the works. This neighbour sits to the northwest of the plot. It is important to note that the neighbouring plot has also recently obtained approval to increase the size and scale of the plot.

In relation to Bramble Lea, the dwelling is considered to be sufficiently separated. The garage will remain as approved. The first-floor side windows will be obscurely glazed therefore limiting any overlooking issues. The boundary is established by fencing of around 2 metres in height therefore providing a partial screening to the proposal. There will be no adverse impact in terms of massing or overlooking.

To the rear lies open space, with residential neighbours a significant distance away. The

dwelling has been resited to be forward within the plot. As a result, the works will be further away from the rear boundary therefore minimising impacts of the revisions. The existing hedgerow to the rear boundary is also to be retained.

Given the orientation, and recent approval for the neighbouring plot, the amended design is not considered to present additional impact in relation to residential amenity of these neighbours. The scheme was originally approved and deemed acceptable. The amendment is considered to be typical of a residential development. The overall works are not considered to present any additional impact to the area or neighbours.

Having regard to the above, the amendment is acceptable under policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

## **CONCLUSION**

This application seeks to modify an earlier approval, which sought to erect three detached dwellings with garages to include new access, parking and landscaping. The modifications proposed in this application are considered to be of an acceptable scale and nature and do not fundamentally alter the original design concept or create any significant additional impacts to the character of the area or to neighbours. It is therefore recommended that planning permission be approved.

## **RECOMMENDATION**

### **Approved with Conditions**

#### **(1) Condition**

The development hereby permitted shall begin by 13th August 2023.

#### **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, Block Plan, Proposed Elevations, Section and Roof Plan -  
DMC21625/002 Rev D  
Proposed Floor Plans - DMC21625/001

As approved under DM/0311/20/FUL:

Site Location Plan - RD3856-01A

Existing Block Plan - RD3856-02

Proposed Plans and Elevations for Plot 2 - RD3856-05A

Proposed Plans and Elevations for Garage for Plots 2 and 3 - RD3856-07

As approved under DM/1020/20/FUL:

F2966-02D - Site Location Plan and Block Plan (plot 3)

F2966-A1-01E - Proposed Plans and Elevations (plot 3)

As approved under DM/0431/21/FUL:

Proposed Plans and Elevations for Plot 1 - RD4889-01A

Proposed Plans and Elevations for Garage for Plot 1 - RD4889-02

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. DMC21625/002 Rev D, for Plot 2, unless otherwise first approved in writing by the Local Planning Authority. The development shall be built out in accordance with the materials detailed in document ref: RD3856-LA09-02-17 (approved under DM/0311/20/FUL), for Plots 1 and 3, unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect the appearance of the area in accordance with Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

(4) Condition

The development shall be built out in accordance with the surface water drainage plan ref: 1115-1107-CIV-10-B (approved under DM/0311/20/FUL) and implemented prior to occupation of any dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason

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

(5) Condition

The development shall be built out in strict accordance with the Construction Management Plan ref: RD3856-LA22-04-20 (dated July 2020; approved under DM/0311/20/FUL) unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

(6) Condition

The landscaping scheme detailed on plan ref: RD3856-09A (approved under DM/0311/20/FUL), for Plots 1 and 3, shall be fully completed within 12 months of all of the properties being first occupied and be maintained thereafter for 10 years in accordance with the details on the plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

(7) Condition

The access road and driveways shall be constructed in accordance with the details shown on plan ref: 1115-1107-CIV-30A (approved under DM/0311/20/FUL) and managed thereafter in accordance with the management plan ref: RD3856-08. Unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests on highway amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(8) Condition

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

Reason

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

(9) Condition

Prior to occupation of plot 2 final details of the landscaping features, to include trees and hedges, shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall proceed in accordance with the agreed details within 12 months of the property being first occupied and shall thereafter be maintained for 10 years.



Reason

In the interest of visual amenity to accord to policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class B shall be permitted on the dwelling on plot 1.

Reason

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

(11) Condition

The first floor windows to be created in the side elevations of the dwelling hereby approved shall be glazed in obscure glass only to an obscurity level of 3 or above as measured on the 'Pilkington Scale'. The windows shall be retained at the same level of obscurity thereafter.

Reason

In the interests of residential amenity in order to comply with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

## **Informatives**

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33 and 34.

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

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](mailto:snn@nelincs.gov.uk) to discuss the creation of new addresses.

## DM/0653/21/FUL – PLOT 2, KINGS CHASE, BARNOLDBY LE BECK

