



To be submitted to the Council at its meeting on 29th September 2022

PLANNING COMMITTEE

13th July 2022 at 9.30 a.m.

Present:

Councillor Pettigrew (in the Chair)

Councillors Batson, Beasant, Callison (substitute for Lindley) Croft, Dawkins, Goodwin, Hasthorpe, Hudson, Lindley, Mickleburgh and Parkinson.

Officers in attendance:

- Richard Limmer (Major Projects Planner)
- Simon Jones (Assistant Director Law, Governance and Assets (Monitoring Officer))
- Sophie Pickerden (Committee Support Officer)
- Lara Hattle (Senior Highways and Transport Planner)
- Bethany Loring (Senior Town Planner)

Others in attendance:

There were 11 members of the public and 1 member of the press present.

P.11 APOLOGIES FOR ABSENCE

Apologies for absence for this meeting were received from Councillor Lindley

P.12 DECLARATIONS OF INTEREST

Councillor Goodwin declared a prejudicial interest in p.13 Item 1 DM/0237/21/FUL.

P. 13 DEPOSITED PLANS AND APPLICATIONS

Councillor Goodwin left the meeting at this point.

Item 1 - DM/0237/21/FUL - Land Off Littlefield Lane Grimsby

Mr Limmer introduced the application and explained it sought the erection of 74 dwellings together with a sales suite, construction of garages, driveways, estate roads, associated infrastructure, raising of ground levels, laying out of natural green space and associated works. Mr Limmer explained to the committee that the application was the same application that had been presented to committee, at the last meeting and which had been deferred for a site visit. He stated that since then many members had attended the scheduled site visit or had visited the site on their own time. Mr Limmer stated that the proposed location for the development was on a site which had mainly been allocated as green space except for a small section of the land on the eastern side of the site which had no specific allocation. Mr Limmer informed committee members that whilst that was the case, the development did accord with Policies 4 and 5 of the North East Lincolnshire Local Plan (NELLP) as it would deliver 74 new homes in the Grimsby urban area and therefore, in principle, the development was considered acceptable. Mr Limmer stated that one of the key considerations for the development was the risk of flooding. He informed committee members that the site was located in flood zone three and therefore had to pass the Sequential Test and the Exceptions Test. Mr Limmer explained to committee members that the Council did have an understanding with the Environment Agency in regard to development in flood zones and applying the sequential test. He stated that this allowed for the Council to consider residential development in flood zones where it was a regeneration scheme. Mr Limmer commented that the site was close to the local Town Centre and that the development provided a rare opportunity to build quality family housing in an area which had seen little development. Mr Limmer stated that the development could lead to an increase in footfall in the Town Centre and also improve a site which was currently in a bad state and attracted anti-social behaviour. Mr Limmer informed committee members that due to the potential positive benefits that the development could have, the development was therefore considered a regeneration site and passed the sequential test. Mr Limmer informed Committee members that the requirements to pass the exceptions test had also been satisfied as the local community would benefit from contributions made to education, children's play equipment and a mix of housing and open spaces. Mr Limmer stated that the levels of the site would also be raised, making the site in flood terms safer and therefore satisfying all requirements of the exceptions test. Mr Limmer informed committee members that due to the close proximity the development would have to Grimsby Town Cricket Club, a ball strike assessment had been undertaken and a section of the land was to be gifted to Grimsby Town Cricket Club to ensure safety. Mr Limmer added that the developers had also pledged to give £10,000 to the Cricket Club in order for their facilities to be developed. Mr Limmer stated that the development would not cause any undue impacts on residential amenity, highway safety and amenity, the character and appearance of the area or biodiversity. He stated that the proposal therefore accorded with Policies 5, 6, 22, 33, 40, 41, 42 and 43 of the NELLP and the National Planning Policy Framework (NPPF) and was recommended for approval subject to the signing of a Section 106 Legal Agreement.

Mr Hewitt spoke in objection to the application. He stated that at the last meeting of the planning committee, the committee had voted not to approve the application. He said that the application was the exact same as the one proposed at the last meeting. Mr Hewitt stated that he had concerns regarding access and road safety. He said that there was one road in and one road out and that the junction was highly dangerous. He said that there are speed bumps in place, a 20 miles per hour speed limit and a double width footpath on Littlefield Lane, and that it is also a main bus and arterial route. Mr Hewitt stated that noise, pollution, and a dangerous situation at the bend was a toxic mix. He said that the road was already worn out and with an additional 150 cars using the road, the council would have to be quicker with repairing. Mr Hewitt queried the proposed raising of the ground level as he said that on the planning portal, it clearly stated there was to be no raising of existing ground levels. Mr Hewitt stated that during construction and after, long standing families of wildlife would be displaced. Mr Hewitt said that this had upset residents. Mr Hewitt queried why the Council had planted trees on the land, south of the cricket club, if the land was fit for housing. Mr Hewitt stated that the site was one of the last inner town sites which had been earmarked as a green site. Mr Hewitt commented that people's mental wellbeing would not improve with the loss of green space and the building of 74 houses crammed onto the site. Mr Hewitt informed committee members that Keigar Homes had owned the site for 20 years and had let the site run down to the present state. Mr Hewitt stated that all parties wanted to see the site improved but reiterated that there are alternatives to housing. Mr Hewitt asked committee members to refuse the application stating that developing on a designated green space should not be allowed. Mr Hewitt referred to the signs leading up to Cleethorpe Road that declare Grimsby as a "green town".

Mr Whall introduced himself as the Managing Director of Keigar Homes. He stated that at the last meeting the application was deferred for a site visit. Mr Whall stated that during the site visit, members go to hear the views of several residents who stated that they had no issue with houses being built, but that they were concerned regarding road safety. Mr Whall informed members that there would be greater visibility and stated that during the site visit which took place at 9:30am, members witnessed that the traffic was very light. Mr Whall informed members that the junction had been improved by highways officers. Mr Whall stated that there are concerns from some neighbours regarding loss of open space, but he informed members that the land was not public open space. Mr Whall stated that a portion of land would be gifted to the cricket club as well as a financial contribution. Mr Whall stated that if the development was granted approval, it would mean better surveillance and the footpath would be made safer. Mr Whall informed committee members that a donation would also be made to Kingston Gardens. Mr Whall asked committee members to approve the application and turn the site into an award winning site.

Councillor Mickleburgh stated that he was against the application at the last meeting and that since then nothing had changed. He stated that the proposal was the exact same. Councillor Mickleburgh commented that 9:30am was not peak time for traffic and that by then most people are already at work or have completed their morning journey. Councillor Mickleburgh stated that the specific area does not have good access to public transport. He commented that due to the dominance of motorcars, there could be an extra 150 cars using the road. Councillor Mickleburgh stated that the specific area was

designated as open space, he queried as to why the committee would go against the local plan. Councillor Mickleburgh moved for the application to be refused.

Councillor Hasthorpe stated that he didn't agree with Councillor Mickleburgh. He said that he voted for the application to be approved at the last meeting and that he saw no reason to change his mind.

Councillor Hudson stated that he thought that the proposed development was of high quality and that the location was the exact place where developments should be built. Councillor Hudson stated that there were no objections raised by ecology officers and that the road had been made safe and also had speed bumps. Councillor Hudson stated he disagreed with Councillor Mickleburgh. Councillor Hudson queried the potential risk of flooding.

Mr Limmer stated that the flood risk had been assessed.

Councillor Beasant stated that he had visited the site during the afternoon and that he had concerns regarding highways. He accepted that there had been improvements but was still undecided. Councillor Beasant stated that the development looked good but as he was a keen environmentalist, he viewed the gardens as being too small. Councillor Beasant commented that as an area we need to be more aspirational with planning. Councillor Beasant stated that he couldn't see how the committee could turn down the application as dozens of similar applications have been approved. Councillor Beasant stated that he would listen to the rest of the debate.

Ms Hattle stated that it had been determined that there would not be a severe impact on the highway network due to the proposed development. She said that since the introduction of a 20 mile per hour speed limit in early 2020, there had been one slight incident reported near the Cromwell Road junction and in the last five years there have been two slight incidents reported.

Councillor Dawkins stated that he had concerns over the impact the development would have on the highway network. He commented that, it did not matter what the speed limit was if it was not being enforced. Councillor Dawkins queried whether there was conditions for the proposed development to have chargers for electric vehicles.

The Chair stated that there was a condition for chargers.

Councillor Hasthorpe stated that there was no such thing as a dangerous road, only dangerous users. He said that experts on highways had looked at the road and had reached a conclusion. He moved for the application to be approved.

The Chair asked whether there was a second for the first motion to refuse the application. The motion was not seconded.

Councillor Callison stated that there was a need for quality houses in the area and that the development could benefit the town deal. Councillor Callison seconded the motion to approve the application.

Councillor Parkinson stated that the separation from the surrounding houses was good and that he couldn't see any reason to turn down the application. He stated that he understood it would mean a loss of green space, but that the green space was private land. Councillor Parkinson stated that he doesn't think it would mean many more vehicles on the road. Councillor Parkinson stated that he thinks that should the application go to appeal, it would be approved.

The Chair asked Ms Hattle to address concerns raised by residents on the issue of road safety.

Ms Hattle stated that highways had no objections to the proposed development. She said that a road safety audit could be conditioned which would look at the junction and would raise any potential areas of concern. Ms Hattle explained that the audit would be undertaken independently of the developer.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 9 for and 1 against for the application to be approved.)

Councillor Goodwin re-entered the meeting at this point.

Item 2 - DM/0210/21/FUL – Former St John Fisher RC Church, Waltham Road, Grimsby

Mr Limmer informed Committee members that the application was to demolish former St John Catholic Church Hall and erect a single storey building comprising of 1no. convenience store (Use Class E (a)) and 1no. funeral services building (Use Class E (c)(iii)) with service yards, hard and soft landscaping, alterations to existing access, creation of additional new access and associated works. Mr Limmer stated that the proposal was acceptable in principle in retail terms. Mr Limmer explained that a Retail Impact Assessment had been submitted as the proposal had more than 200 square metres of retail space outside of a designated local centre. The impact assessment had been assessed by the Councils own consultant who did not disagree with the findings and that the development was not considered to be detrimental to existing local centres. Mr Limmer informed committee members that the proposed development would not conflict with Policy 23 of the NELLP. In regard to the sequential test it was noted that a new property had come to the market in recent days, The Beeches, this was considered but due to its size, design, layout and location was not deemed to be suitable. Mr Limmer stated that a legal agreement would also be signed to ensure that the applicants other retail store remain open for a period of five years, this was in accordance with advice received in assessing the Retail Impact Assessment.

Mr Limmer stated that the development would not be out of character with the surrounding area and would not cause adverse impacts on neighboring amenity or highways amenity and safety. He also informed committee members that the site was located in flood zone 1 meaning it is of low risk of flooding. Mr Limmer stated that where the application to be approved the

bus stop close by would be moved to a more appropriate location. Mr Limmer informed committee members that the redevelopment of a vacant site would mean investment in the area and the creation of jobs. Mr Limmer stated that the application was in accordance with policies 5, 22, 23, 28, 29 and 39 of the NEELLP 2013-2032 (Adopted 2018) and was therefore recommended for approval subject to several safeguarding conditions and the signing of a Section 106 Legal Agreement.

Mr Wilkinson spoke as the applicant. He stated that Lincolnshire Co-operative had been around for 160 years serving the community. He said that with the proposed development, they had tried to consolidate the benefits of the two sites being close together whilst also making sure they are separate entities. Mr Wilkinson stated that it was vital that a new store and funeral home is opened to serve the local residents. He stated that highways had raised no objections and were content with the visibility and the amount of parking spaces available. Mr Wilkinson stated that Lincolnshire Co-operative were willing to enter into the Section 106 Legal Agreement however he commented that it was never their intention to close the store. Mr Wilkinson informed committee members that some trees would have to be removed, but to offset this loss more trees would be planted in the future. Mr Wilkinson stated that the scheme would result in a net biodiversity gain and would see the creation of 20 jobs to be fulfilled by residents of the local area.

Councillor Hasthorpe stated that he thought it was an excellent proposal. He said that competition was good and that residents need alternative retail stores. Councillor Hasthorpe reiterated that we have a competitive marketplace and that it is up to individuals to be competitive. Councillor Hasthorpe stated that he was concerned over the operation hours of the funeral home and the delivery times of bodies.

Mr Limmer stated that bodies being delivered could happen at any time of the day and that they were allowed to operate 24 hours a day.

Councillor Hasthorpe stated that he thought that would be the case. He said that he thought it was a good proposal and moved for the application to be approved.

Councillor Mickleburgh stated that he agreed with Councillor Hasthorpe and found it strange that a private enterprise was objecting to another private enterprise. Councillor Mickleburgh said that competition was a good thing. He commented that Scartho is a busy area that is growing and would therefore need new facilities. Councillor Mickleburgh stated that he was concerned about the relocation of the bus stop and hoped that residents views would be taken into consideration when the location was being decided. He seconded the motion for the application to be approved.

Councillor Parkinson stated that he disagreed with the views of Councillor Hasthorpe and Councillor Mickleburgh. He said that a similar application in the area of Humberston had been rejected recently. Councillor Parkinson stated that he believed that the development would have a substantial impact on the centre. Councillor Parkinson commented that the reason a section 106 was being required is because officers think the development would have an effect on the existing centre. Councillor Parkinson stated that

he wouldn't propose the motion to refuse the application but said that he would vote against the application.

Councillor Dawkins stated that he supported the application and said it could potentially alleviate traffic where the current shops are.

Councillor Hudson stated that he thought the current local centre was impossible to use as it was too busy. He said that he had been assured by Mr Wilkinson that Lincolnshire Co-operative had no plans to close the current store. Councillor Hudson stated that he welcomed the investment into the area and the site coming back into use.

Councillor Goodwin stated that she agreed with Councillor Parkinson and queried why committee were not following a precedent. She also queried why trees were having to be removed and reiterated the need for consistency.

The Chair asked highways and planning officers to address the issues raised by committee members.

Ms Hattle informed committee members that the bus stop would not be moved far and would not affect residents.

Mr Limmer stated that the previous application, members had been referring to was different and that retail assessments undertaken on different applications would reach different conclusions. He reiterated to members that they need to look at application being proposed and not look at previous applications regarding different areas.

Councillor Croft stated that the proposed development was located within her ward. She said that she thought having a new store would benefit residents as it would be in a closer location for some.

Councillor Hudson stated that he had voted for the previous application in the Humberston area. He said that it's important to seize opportunities for derelict buildings being brought back into use. He stated that he does vote in a consistent way.

Councillor Callison stated that he would support the application and that retail competition is healthy. He said that there are many areas with multiple shops and facilities and that they don't negatively affect each other.

Councillor Hasthorpe stated that the previous application in the area of Humberston was voted against due to concerns around the access road.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 9 for and 2 against for the application to be approved.)

Item 3 - DM/1240/21/FUL - Land at Louth Road, New Waltham

Mr Limmer introduced the application and explained it sought erection of 227 dwellings, garaging, creation of new vehicular access on Louth Road, landscaping and associated works. Mr Limmer explained to committee members that the application followed Phase 1 which is currently under construction and forms Phase 2 of the overall development area. Mr Limmer explained to committee members that the application was deferred at the last meeting due to an issue raised over the pipeline, Mr Limmer stated that this had now been resolved. Mr Limmer stated that the site was located in flood zone 1 meaning the site was of low risk of flooding. Mr Limmer explained that highways officers had assessed the impact at the outline stage of Phase 1 and while there would be an increase in the number of dwellings being proposed at the Phase 2 stage, the application was still considered acceptable by highways as mitigation was already in place. Mr Limmer stated that the proposal was therefore in accordance with policy 5 of the NELLP. Mr Limmer stated that the impact on neighboring properties would be minimal. He said that some neighbors had raised objections to the development citing concerns of traffic and pressure on services. Mr Limmer reiterated the representation by the highways team that the development would not cause a significant impact on the highway network and that there had been improvements made to the Toll Bar junction. Mr Limmer informed committee members that there had also been contributions agreed which would be ratified through a Section 106 Legal Agreement. Mr Limmer stated that the proposed development would result in future delivery of housing at the site, including affordable housing to the overall benefit of the Borough. Mr Limmer stated that the application was therefore recommended for approval subject to the signing of a Section 106 Legal Agreement.

Mr Tate spoke as the applicant, he stated that Mr Limmer had provided an accurate assessment of the application. Mr Tate said that members would be aware that the development secured funding for much needed infrastructure, particularly in relation to highways. Mr Tate stated that the development would deliver green space and that the area would be managed well. He said that only four objections had been received from residents. Mr Tate stated that the development was fully compliant and had been assessed by officers and was fully supported. Mr Tate asked committee members to support the application.

Councillor Hasthorpe stated that he believed the development was well thought out. He moved for the application to be approved.

Councillor Mickleburgh seconded the motion for the application to be approved.

Councillor Callison queried whether the site had an agricultural tie. He stated that he would support the application.

Mr Limmer stated that he was not aware of any agricultural tie.

Councillor Parkinson stated that he does not share the enthusiasm for the development. He said that the development had previously been turned down.

Councillor Beasant said that he thought it was a brilliant application, he applauded the developers and the use of allotments. He commented that he hoped other developers would take inspiration from the design and layout.

Councillor Hudson stated that he agreed with Councillor Parkinson. He said the application had been turned down previously when it was to be 400 homes. Councillor Hudson said that he agreed with Councillor Beasant on the use of allotments and the open space, but thought that the houses had been rammed in. He said he was not happy with the application.

Mr Limmer informed committee members that in principle terms, members cannot object to the number of houses. He said over densification could be considered as a reason to refuse the application, but the amount of open space would be a part of that consideration.

Councillor Dawkins stated that he was concerned with the impact the development would have on schooling and school places being available. He also stated that he was concerned with the additional traffic that the development would generate at Toll Bar roundabout.

Ms Hattle stated that highways are content with the proposed development.

Councillor Dawkins queried whether the amount of traffic being generated at the roundabout was reaching full capacity.

Ms Hattle stated that she would need to look at the modelling before giving an answer, but she reiterated that full capacity had not been reached.

Councillor Croft stated that she was concerned about children in the area walking to and from school and queried whether safety provision had been put in place.

Ms Hattle confirmed that safety provision had been put in place.

Mr Limmer reiterated that the signing of the Section 106 Legal Agreement ensured contributions towards educational concerns and would help with accommodating more children in the schools.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 9 for and 2 against for the application to be approved.)

Item 4 - DM/0144/22/FUL – Woodlands Farm, Church Lane, Bradley

Mr Limmer introduced the application and explained it sought Retrospective planning permission for the demolition of water pump building, erect new water pump building and retrospective construction of access track for agricultural land and residential property approved under DM/0590/18/FUL. Mr Limmer stated that the application had been brought to committee due to an objection from Bradley Parish Council and further objections from neighbours citing concerns of highway safety and access. Mr Limmer stated that the development was in two parts; the access track and the pump house. He said that the access track would not impact neighbouring amenities, and neither would the pump house due to the distance between it and the neighbouring properties. Mr Limmer stated that the proposed development would not cause an undue impact on highway safety or amenity or the visual character of the area. He stated that the proposal was in accordance with policies 5,22 and 42 of the NELLP and was therefore recommended for approval for approval.

Councillor Hudson stated that the pump house was essential as it protected the water supply. He said he was surprised that the Parish Council voted against the application as the track has perfect visibility and would help with traffic. He stated that he disagreed with the Parish Council's view and moved for the application to be approved.

Councillor Hasthorpe stated that he was not entirely comfortable with the application as the track has a dubious history.

Mr Limmer clarified that the track was put in without planning permission but stated that planning permission can be given retrospectively. Mr Limmer said that it was important for members to focus on the application being proposed.

Councillor Hasthorpe queried whether if the land was to be redeveloped, would planning permission need to be granted again and potentially brought back before the committee.

Mr Limmer stated that it would need planning permission to be redeveloped.

Councillor Hasthorpe stated that he was content with that information. He seconded the motion to approve the application.

RESOLVED – That the application be approved with conditions.

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

P.14 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Executive Director of Environment, Economy and Resources under delegated powers during the period 31st May 2022 – 30th June 2022

RESOLVED – That the report be noted.

P.15 PLANNING APPEALS

The committee received a report from the Executive Director of Environment, Economy and Resources regarding outstanding planning appeals

RESOLVED – That the report be noted.

P.16 EXCLUSION OF PRESS AND PUBLIC

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

P.17 ENFORCEMENT ISSUES

The committee considered any requests from any member of the committee to discuss any enforcement issues.

RESOLVED – That the report be noted.

There being no further business, the Chair closed the meeting at 11:43a.m