

## Planning Committee Dated: 5th October 2022

### Summary List of Detailed Plans and Applications

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>1</b>
<b>Application No:</b>	DM/1211/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Land At Buddleia Close Healing North East Lincolnshire
<b>Proposal:</b>	Erect 8 dwellings to include garages, landscaping and access (amended landscaping and ecology details received 5th August 2022)
<b>Applicant:</b>	Karen Sidhu
<b>Case Officer:</b>	Owen Toop

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<b>Recommendation: Refused</b>	
<b>Item:</b>	<b>2</b>
<b>Application No:</b>	DM/0482/22/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Land South Of Stallingborough Road Healing North East Lincolnshire
<b>Proposal:</b>	Erection of a detached dwelling, with balconies to rear, swimming pools, creation of new vehicular access, creation of pond and associated works
<b>Applicant:</b>	Mr David Ettridge
<b>Case Officer:</b>	Richard Limmer

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<b>Recommendation: Approved</b>	
<b>Item:</b>	<b>3</b>
<b>Application No:</b>	DM/0450/22/DEM
<b>Application Type:</b>	Demolition Notification
<b>Application Site:</b>	Thorpe Park Holiday Camp Anthonys Bank Road Humberston North East Lincolnshire
<b>Proposal:</b>	Prior notification for the demolition of 5 amenity blocks
<b>Applicant:</b>	C/O Agent
<b>Case Officer:</b>	Jonathan Cadd

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>4</b>
<b>Application No:</b>	DM/1195/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Land At Church Lane Humberston North East Lincolnshire
<b>Proposal:</b>	Variation of condition 2 (Approved plans) attached to planning permission DM/0036/19/FUL retrospective for Plot 1 - alterations to elevations, increased size of garage, swimming pool and retrospective site entrance gates and boundary fencing
<b>Applicant:</b>	Tony White
<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/0964/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Land At Church Lane Humberston North East Lincolnshire
<b>Proposal:</b>	Variation of Condition 2 (Approved Plans) pursuant to DM/0036/19/FUL to remove second floor rear dormers, amend roof lights and add roof lantern to plot 4, amend roof lights and add roof lantern to plot 5 and alterations to proposed garages for plots 4 and 5
<b>Applicant:</b>	Tony White
<b>Case Officer:</b>	Richard Limmer

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>6</b>
<b>Application No:</b>	DM/1042/21/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Land At Church Lane Humberston North East Lincolnshire
<b>Proposal:</b>	Variation of Condition 2 (Approved plans) as granted on planning application DM/0036/19/FUL - Alterations to Plot 3, amended roof plan, remove second floor windows to the gable ends. Dormer windows increased in size to south east roof and bi-fold doors added to kitchen/diner on south east elevation.
<b>Applicant:</b>	Tony White
<b>Case Officer:</b>	Richard Limmer

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**PLANNING COMMITTEE - 5th October 2022**

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

**APPLICATION No: DM/1211/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Land At Buddleia Close, Healing, North East Lincolnshire,**

**PROPOSAL: Erect 8 dwellings to include garages, landscaping and access  
(amended landscaping and ecology details received 5th August 2022)**

**APPLICANT:**

Karen Sidhu  
MK Co Property Ltd  
12 Parliament Street  
Hull  
HU1 2AP

**AGENT:**

Simon Coyne  
CDC Architecture Limited  
35 Louth Road  
Scartho  
Grimsby  
DN33 2HP

**DEPOSITED: 10th December 2021**

**ACCEPTED: 22nd December 2021**

**TARGET DATE: 16th February 2022**

**PUBLICITY EXPIRY: 3rd September 2022**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 15th January 2022**    **CASE OFFICER: Owen Toop**

**PROPOSAL**

This proposal relates to erection of 8 dwellings with associated access works and landscaping on land to the west of Buddleia Close in Healing. The proposal includes a new vehicular access off Buddleia Close to serve the development which would be constructed over the existing public rights of way.

The application is brought to the attention of planning committee due to the number of neighbour objections and due to the objection from the Healing Parish Council.

## **SITE**

The site is approximately 0.5ha and is immediately surrounded by residential dwellings with mature private gardens. This includes properties at Stallingborough Road to the west, Buddleia Close to the east, Wisteria Drive to the south and Acorn Close to the north.

The topography within the site includes scrub, semi-improved grassland and bare ground interspersed with several scattered trees. On the eastern boundary and adjoining the site is a public footpath which extends northward to the outskirts of Healing, and south towards the centre of the village.

At Acorn Close, the boundary treatments include fencing, Buddleia Close is separated from development site by the footpath, boundary treatments at Stallingborough Road include walling and mature trees and shrubs; and separating Wisteria Drive from the site is a ditch featuring mature trees.

## **RELEVANT PLANNING HISTORY**

DM/0922/16/OUT - Land at Buddleia Close - Outline application to erect 10 dwellings, associated garages, gardens, driveways and access roads with access and layout to be considered - approved 21st September 2018.

DM/0439/15/FUL - Land R/O 74-76 Stallingborough Road - Erection of ten dwellings & garages with associated boundary treatments, landscaping & vehicle access from Hornbeam Drive, Healing - approved 22nd March 2016.

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

### National Planning Policy Framework (2021)

NPPF2 - Achieving sustainable development  
NPPF4 - Decision-making  
NPPF5 - Delivering a sufficient supply of homes  
NPPF11 - Making effective use of land  
NPPF12 - Achieving well designed places  
NPPF14 - Climate, flooding & coastal change  
NPPF15 - Conserv. & enhance the natural environ.

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

PO2 - The housing requirement  
PO3 - Settlement hierarchy  
PO4 - Distribution of housing growth  
PO5 - Development boundaries  
PO15 - Housing mix

PO22 - Good design in new developments  
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 to the proposal. Recommends conditions for construction traffic management and management details of all non-adopted highway areas. The proposal is not to be adopted and so a private bin storage area has been provided.

Public Rights of Way Officer - The applicant is required to liaise with the Public Rights of Way Officer with at least 5 weeks before commencement to arrange the legal closure of the public footpath during the construction period of the development.

Ecology Officer - Following review of the submitted ecological survey, the officer seeks that the recommendations, including biodiversity gains, within the survey are implemented.

NELC Drainage Officer - The officer has recommended conditions for a surface water drainage scheme and a management and maintenance plan for the ditches to the south and east of the boundaries.

North East Lindsey Drainage Board - No comments.

Anglian Water - Recommends informative for the applicant to check for any Anglian Water assets which cross or are within close proximity to the site.

Trees and Woodlands Officer - No objections to the proposal having considered the landscaping scheme provided.

Environment Officer - The environmental health team have reviewed the submitted Construction Method Statement and anticipates that the development will adhere to the measures stated. As such, a planning condition is recommended to ensure these measures are adhered to.

Heritage Officer - No input required.

ESP utilities - Confirms it has no assets within the site boundary that would be impacted by the development.

Healing Parish Council - The parish council objects to the development supporting comments of neighbours.

#### Neighbours and Public Consultation

In some cases, multiple letters from the same address have been provided from commenters. Letters of representation have been received in objection to the proposal and from the addresses:

4 Acorn Close  
6 Acorn Close  
7 Acorn Close  
11 Acorn Close  
5 Buddleia Close  
5 Wisteria Drive  
15 Wisteria Drive  
11 Wisteria Drive  
17 Wisteria Drive

broadly on the grounds of:

- ecological concerns through loss of habitat
- overlooking and loss of privacy
- plot design
- problems associated with ditch maintenance
- loss of light, overshadowing
- concerns with choice of trees
- impact on existing trees
- concerns of existing trees impacting the development site and neighbouring occupiers, in particular conifers adjoining the site area
- concerns with regards to boundary treatments on the northern boundary with comments referring to land ownership and ransom strips.
- traffic and congestion

#### **APPRAISAL**

The material considerations are:

##### 1) Principle of Development

- 2) Layout and Design
- 3) Impacts on Neighbours
- 4) Highways and Traffic
- 5) Ecology, Biodiversity and Landscaping
- 6) Drainage and Flood Risk
- 7) Other Matters
- 1) Principle of Development

The site is located within the village of Healing and so inside the development boundary as defined within policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) [NELLP]. With regards to the location of the site it is within a sustainable location and the site has good access to amenities within the village. Policy 4 (housing distribution) of the NELLP seeks to deliver the majority of new housing within the Grimsby and Cleethorpes area, however the settlement hierarchy within the NELLP (policy 3) allows for distribution of housing to the outer villages. Moreover policy 5 of the NELLP seeks to ensure proposals for new development are acceptable in regard to the location and does not preclude development for new housing on unallocated sites within the defined settlement boundaries. It is therefore considered that in principle the site is within a sustainable location and accords with the principles of policies 3, 4 and 5 of the NELLP.

It then falls to judge the application on the site specifics. In this case, no detrimental impacts in terms of design (policies 5 and 22), in relation to neighbouring land uses (policy 5) and on the highway network (policy 5). Moreover, due to the nature of the land, due regard must be paid to the landscaping, ecology, drainage in order to accord with policies 5, 34, 41 and 42 of the NELLP.

It is also acknowledged that the Council cannot demonstrate a 5-year-supply of housing at this time. The development would, if granted permission, contribute to the delivery of housing within the borough.

## 2) Layout and Design

Policies 5 and 22 of the NELLP and the National Design Guide seeks to protect the visual character of the area and reinforce good design in new development. The site as it stands in terms of character is important given that it is adjacent to a public footpath. A key part of this application has revolved around finding an acceptable design that integrates the development into its environment. The tarmac pavement at Buddleia Close is proposed to be extended to link the site to the existing built-form. At the same time, tactile paving is proposed to ensure the footpath is defined and remains an integral feature of the site allowing permeability. Care has been given to the balance of enabling



private amenity space of the plots and the open character by including a mixture of post-and-rail fencing and close board fencing on the eastern perimeter of the site.

The immediate area contains a wide variety of housing types. Stallingborough Road to the west predominantly contains 3 storey housing that is detached in nature. Bungalows here also contain dormers to their sides and frontages. At Acorn Close to the north, there are a range of housing types, sizes and designs which include detached housing, as is the case with Buddleia Close to the east and Wisteria Drive to the south.

The proposed development responds to this with a similar housing format of 3 storey detached dwellings and detached garages. The scheme also includes landscaping within the main streetscene and within the rear gardens of the northern plots. The features include bay windows, dormers and rooflights. Plot 1, which is situated at the south-western corner of the overall site, is the larger of the dwellinghouses proposed. Whilst larger, its size responds to the wider character of the area and allows for housing mix.

Throughout the planning process, amendments have taken place to ensure that the overall layout and positioning of housing and garages responds to the character of the area. Details of final external materials will need to be secured to ensure that the development is in keeping with the surrounding area. Whilst the proposed development will cause a change to the visual appearance of the area, it is considered to be of a good design that will deliver family housing akin to the surrounding area. It is therefore considered that the proposed development accords with policies 5 and 22 of the NELLP.

### 3) Impacts on Neighbours

Policy 5 of the NELLP seeks to protect neighbouring land uses from detrimental impact caused by new development. In this instance, the proposed development would see a significant change to the site with the introduction of new housing. As part of the planning application, letters of objection have been received from neighbours and Healing Parish Council.

Some of the key impacts of new housing onto existing neighbouring properties pertain to adverse massing and overlooking from the new properties. Neighbours have raised concerns over this potential impact. As the site is in essence in-filling land that surrounds neighbouring properties, there are neighbouring properties on all 4 sides of the development. Plots 1-4 back onto neighbours at Wisteria Drive and plots 5-8 back are closest to properties at Acorn Close. Plots 1 and 5 also share a boundary with properties at Stallingborough Road and plots 4 and 8 are closest to the properties at Buddleia Close. It is acknowledged that these neighbours would have a change to their outlook, but where there are first and second floor windows facing in their direction there are also separation distances in excess of 21 metres. As such there would not be a detrimental impact upon their residential amenities.

Other concerns raised relate to the existing and proposed trees. With regards to trees to the south of the site closest to Wisteria Drive, it should be noted that the detached

garages have been moved forward to limit their impact. To the west of the site, outside of the site boundary but in close proximity, are existing mature conifers. Concerns have been raised due to their current size and whilst these are acknowledged, it is not within the scope of this application for them to be managed given that they are not within the applicant's ownership. That being said, it is also acknowledged that due to their proximity that they may have an impact on the occupiers of plot 4 and an informative is suggested to explore options to reduce their height. The Council's Tree Officer notes that the conifers do not warrant a tree protection order and may be removed without planning permission.

Having considered the above, the proposal accords with policy 5 of the NELLP.

#### 4) Highways and Traffic

Policy 5 of the NELLP seeks to ensure that new development proposals do not cause undue impact to highway safety and amenity due to design or traffic generation. It is noted that concern has been raised from the community with regards to the traffic associated with the development.

The proposed development would generate additional traffic. However, the highways officer has reviewed the scheme and the overall traffic generation would not cause a severe impact on the highway network. It is a small-scale development. Private bin storage has been provided for at the east corner of the site to ensure that waste services can safely collect refuse. With regards to construction traffic, the applicant has provided a construction traffic management plan within their overarching construction method statement and the highways officer is content with the measures provided. Final details of management and maintenance of all non-adopted areas will need to be secured by planning condition.

Having considered the above, the proposal accords with policy 5 of the NELLP.

#### 5) Ecology, Biodiversity and Landscaping

Policy 41 of the NELLP seeks to protect and enhance biodiversity within the borough and for new developments it aims to achieve an improvement to the biodiversity value of the site. The site is a green space within the urban environment and as such the application has been submitted with a detailed Ecology Appraisal and a Biodiversity Improvement Plan. The site has been assessed and is not considered to be of significant ecological value. Its main function is supporting foraging hedgehogs, nesting birds and feeding bats but its overall value is not significant.

The submitted Ecology Appraisal sets out the principles of how the site could be developed to provide better quality areas for biodiversity and how mitigation measures can be built into the development. This includes the planting of various species of trees within the landscaping scheme. Recommendations also include physical features with respect to bird and bat boxes, hedgehog boxes and fence holes. The final details of where these features will be included can be secured by condition. It is also

recommended that any trees, shrubs, scrub and tall vegetation that is required to be removed for the development shall be cleared outside of the bird nesting season, and clearance should only be undertaken between mid-September and early February inclusive. The Councils Ecology Officer raises no objections and supports these recommendations.

With regards to the provided landscaping scheme, the Tree Officer has raised no objections.

Concerns regarding tree planting and existing trees have been discussed in section 3 of this report.

Having considered the above, the proposal accords with policies 5, 41 and 42 of the NELLP.

#### 6) Drainage and Flood Risk

The site is in Flood Zone 1 which presents the lowest risk of flooding. In flood risks terms, residential housing should be directed to these areas within the borough.

Policies 33 and 34 of the NELLP and section 14 of the NPPF seek to ensure that new development does not increase the risk of flooding but also manages surface water from the development in a sustainable manor. A drainage strategy has been provided as part of this development and negotiations have taken place with the drainage officer with respect to surface water management of the development. The drainage officer is accepting of the methods, but further negotiations are required to manage the overall discharge rate. It is considered that this can be secured by planning condition.

It is acknowledged that concerns have been raised by residents in terms of the existing ditch that surrounds the south and east boundaries of the site. The applicant has agreed to provide a maintenance plan for the ditches that surround the site, given that the development will be seeking to discharge into them as the nearest watercourses. As such, the site layout has been designed to ensure that access can be granted for this maintenance. To respond to neighbours' comments, an informative is also suggested that advises that this access can be gated, which also responds to designing out crime advice.

Having considered the above, with these measures in place, the proposal is in accordance with policies 5, 33 and 34 of the NELLP.

#### 7) Other Matters

The applicant has confirmed land ownership to the council following the concerns raised by neighbours. Comments refer to a ransom strip to the north of the site. This is outside the site boundary and the applicant has confirmed that no new boundary treatments are proposed.

## **CONCLUSION**

The proposed development has been assessed against the requirements of the NELLP and the NPPF. The development would not cause undue impacts on residential amenity, highway safety and amenity, the character and the appearance of the area or biodiversity. Is it therefore considered that the proposal accords with policies 3, 4, 5, 22, 33, 34, 41 and 42 of the NELLP and all relevant sections of the NPPF. The application is therefore recommended for approval with conditions.

## **RECOMMENDATION**

### **Approved with Conditions**

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

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

#### **Reason**

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

#### **(2) Condition**

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

Site Location Plan - 21-543 100 Rev A  
Proposed Site Plan - 21-543 101 Rev J  
Detached Garages - 21-543 300 Rev A

Plot 1 Elevations- 21-543 201 Rev D  
Plot 1 Layouts - 21-543 200 Rev D

Proposed Plans and Elevations Plot 2 - 21-543 202 Rev B  
Proposed Plans and Elevations Plot 3 - 21-543 203 Rev B  
Proposed Plans and Elevations Plot 4 - 21-543 204 Rev B  
Proposed Plans and Elevations Plot 5 - 21-543 205 Rev B  
Proposed Plans and Elevations Plot 6 - 21-543 206 Rev B  
Proposed Plans and Elevations Plot 7 - 21-543 207 Rev B  
Proposed Plans and Elevations Plot 8 - 21-543 208 Rev B

#### **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

No development shall commence until a scheme for the provision of sustainable surface water drainage has been submitted and approved in writing by the Local Planning Authority. The surface water discharge rate shall be a maximum of 2 litres per second. The development shall then proceed in accordance with the approved details with the scheme retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

No development of the dwellings hereby permitted shall take place until samples of the external roof and wall facing materials have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved samples to which it relates.

Reason

This condition is imposed in the interests of design considerations in order to comply with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

The development shall be carried out in accordance with all of the details within the Construction Management Plan: 21-543 CMP. The details shall be adhered to throughout the entirety of the construction period defined.

Reason

In the interests of local amenity and to ensure adequate access facilities are provided during construction, for highway safety reasons, and to prevent noise and nuisance from construction methods in order to accord with Policy 5 of the North East Lincolnshire Local Plan, 2013-2032.

(6) Condition

No development of the dwellings hereby permitted shall take place until a scheme of how water will be reused and recycled on site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the details approved prior to the occupation of the dwelling hereby permitted to which it relates and shall be so retained thereafter.

Reason

In the interest of sustainable water management in accordance with policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

All planting, seeding or turfing comprised in the approved details of landscaping in the drawing AH01 shall be carried out in the first planting and seeding seasons following the occupation and use of the development and any trees or plants which within a period of 5 years from the occupation and use of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interests of the visual amenity of the area in accordance with Policy 22 and 42 of the North East Lincolnshire Local Plan, 2013-2032.

(8) Condition

The development shall then proceed in accordance with the approved road crossing details within the following plan:

Proposed Site Plan - 21-543 101 Rev J

The details shall be implemented as approved and retained throughout the lifetime of the development.

Reason

To protect the amenity of the public footpath in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

Prior to any of the dwellings being occupied, a document outlining the management and maintenance of the watercourses adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The watercourses shall thereafter be managed and maintained in accordance with the details approved.

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development, in accordance with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

Prior to the occupation of the first dwellinghouse, details of the ecological enhancement and an implementation programme to follow the principles established in the Preliminary Ecological Appraisal by Wold Ecology LTD shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancement shall be carried out in accordance with the approved details and the agreed implementation programme and thereafter be maintained.

Reason

In the interest of biodiversity enhancement within the urban environment and to accord with Policies 41 and 42 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018).

(11) Condition

Before any development is commenced, management and maintenance arrangements for all carriageways, footways and landscaped areas not to be adopted by the Local authority shall be submitted to and approved in writing by the Local Planning authority. The approved management and maintenance arrangements shall be adhered to at all times during the lifetime of the development.

Reason

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

(12) Condition

Prior to the occupation of any dwelling the bin storage area shall be provided and thereafter retained in accordance with Proposed Site Plan - 21-543 101 Rev J.

Reason

In the interest of highway amenity and to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

The clearance of the site shall only take place between the months of September and February (inclusive) unless a nesting bird survey has been submitted to and approved in writing by the local planning authority. The clearance of the site shall then be carried out in accordance with these approved details.

Reason

In the interest of protecting ecology in accordance with policies 5 and 41 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 2, 3, 4, 5, 15, 22, 33, 34, 41 and 42.

### **2 Added Value Statement**

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

In accordance with the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing additional details in respect of highways, the public footpath, landscaping and surface water drainage. Revisions have also taken place as part of this application with regards to the plot layout and design, and conditions have been applied to protect residential and visual amenity.

### **3 Informative**

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

### **4 Informative**

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

### **5 Informative**

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

### **6 Anglian Water Assets**

The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in the site layout. They can do this by accessing their infrastructure maps on Digdat. Please see Anglian water website for further information:



<http://www.anglianwater.co.uk/developers/development-services/locating-our-assets/>

Please also note that if diverting or crossing their assets, permission will be required:

<http://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-assets/>

## 7 Highways and Public Rights of Way

Please note that at least 3 months in advance of work commencing on site you are required to contact the Highway Management Team with respect to the formation of a vehicular access within the existing highway. (Tel: 01472 325734).

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).

During construction, the Public Footpath must not be obstructed. When the access road is constructed, the Public Footpath will require closing this would require prior authorisation from the Public Rights of Way Mapping Officer with at least 5 weeks before commencement. A charge 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.

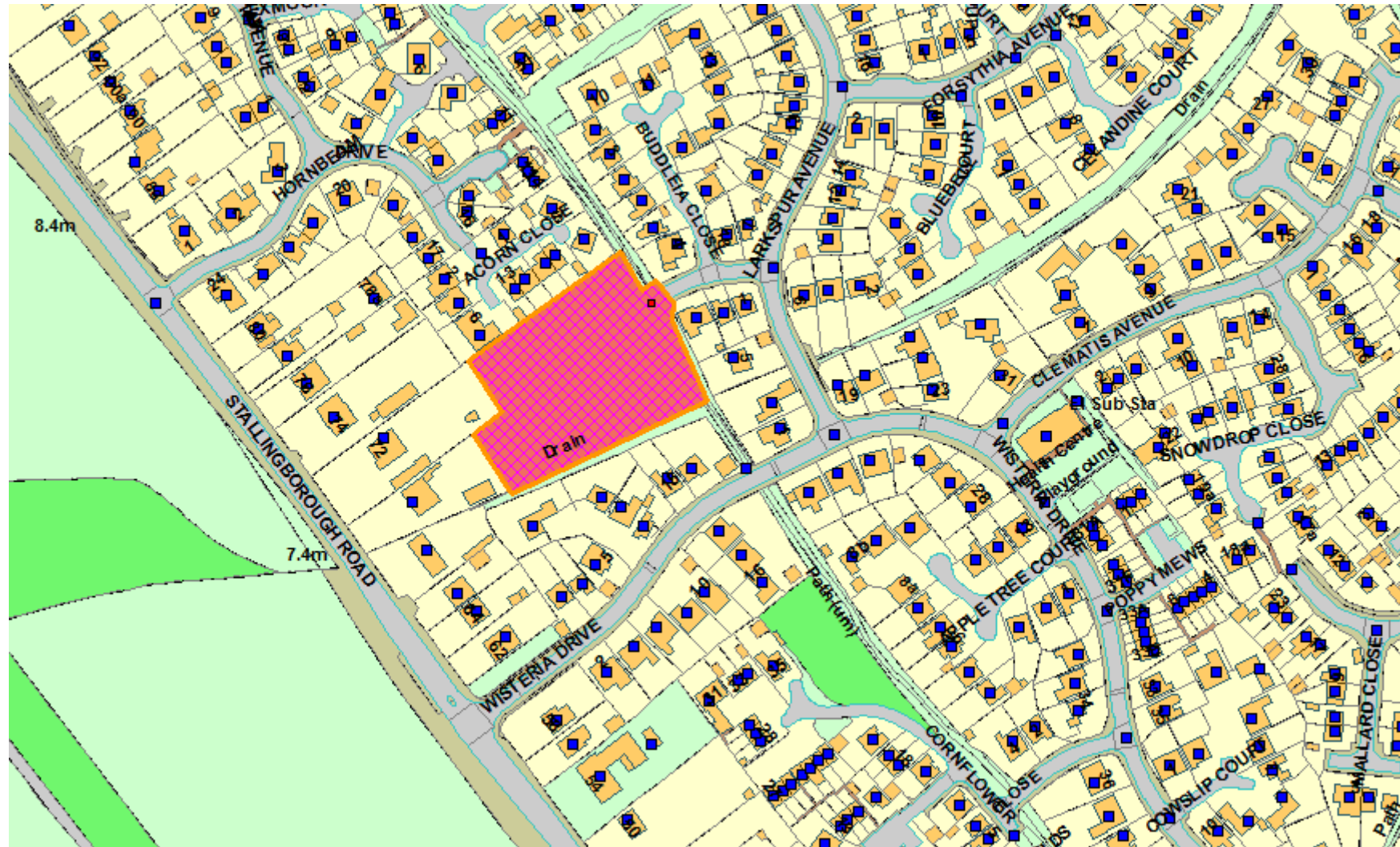
## 8 Gated Access

It is advised that gated access is provided to secure the path area associated with the ditch maintenance.

## 9 Existing Trees

Where possible, the applicant should consider what measures can be taken to reduce the size of the conifers adjacent to the site boundary to the west of the development.

DM/1211/21/FUL – LAND AT BUDDLEIA CLOSE, HEALING



# DM/1211/21/FUL – LAND AT BUDDLEIA CLOSE, HEALING



**PLANNING COMMITTEE - 5th October 2022**

**ITEM: 2**                      **RECOMMENDATION: Refused**

**APPLICATION No: DM/0482/22/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Land South Of, Stallingborough Road, Healing, North East Lincolnshire,**

**PROPOSAL: Erection of a detached dwelling, with balconies to rear, swimming pools, creation of new vehicular access, creation of pond and associated works**

**APPLICANT:**

Mr David Ettridge  
Ettridge Architecture  
52-54 Prestongate  
Hessle  
HU13 0RE

**AGENT:**

Mr David Ettridge  
Ettridge Architecture  
52-54 Prestongate  
Hessle  
HU13 0RE

**DEPOSITED: 31st May 2022**

**ACCEPTED: 13th July 2022**

**TARGET DATE: 7th September 2022**

**PUBLICITY EXPIRY: 29th August 2022**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 20th August 2022**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The proposal is for the erection of a detached dwelling, with balconies to rear, swimming pools, creation of new vehicular access onto Stallingborough Road, creation of pond and associated works.

The application has been brought to Planning Committee for consideration due to a call in request by Councillor Parkinson.

**SITE**

The site is located off Stallingborough Road to the south of the village of Healing. The site forms part of the wider park land associated with Healing Manor, part of which is a

Scheduled Monument. Between the site and Healing Manor is the Church of St Peter and St Paul which is Grade 2 Listed there is also the base of a cross within the church grounds which is grade 2 listed.

The site itself takes the form of a grass paddock with trees along the boundaries. There are substantial, high quality mature trees within the site. There is a ditch along the south west boundary which connects to a ditch running across the northern corner of the site. The eastern boundary of the site runs adjacent to the access to Healing Manor and the church.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

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

### National Planning Policy Framework (2021)

NPPF5 - Delivering a sufficient supply of homes  
NPPF12 - Achieving well designed places  
NPPF15 - Conserv. & enhance the natural environ.  
NPPF16 - Conserv. & enhance the historic environ.

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

PO42 - Landscape  
PO5 - Development boundaries  
PO22 - Good design in new developments  
PO39 - Conserve and enhance historic environ  
PO41 - Biodiversity and Geodiversity

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

## **REPRESENTATIONS RECEIVED**

Drainage - a fully sustainable drainage scheme is required.

Environmental Health - no objections, suggested conditions.

Highways - no objections, suggested conditions.

Trees - object on the grounds of impact on trees through the construction and future impact and pressure due to issues around occupiers amenities.

Heritage - object on the grounds of insufficient information provided on archaeological investigation and impact upon the setting and character of listed buildings and scheduled monument.

Healing Parish Council - object to the proposed development due to its location, impact on character, traffic generation, future use and compatibility with the adjacent church yard. Support residents views.

Cadent Gas - informative note recommended.

Cllr Parkinson - called the application in on the basis that the proposal is a significant piece of architecture which would benefit from a wider discussion.

Neighbours

3 and 24 Stallingborough Road

79, 81 and 118 Station Road

11 Ash Tree Close

61 Nicholson Road

10 Apple Tree Court

15 Lucas Court

Church of St Peter and St Paul

The above neighbours have objected to the proposed development broadly on the following grounds:

- Design
- Location
- Scale
- Impact on the character of the area
- Impact on trees
- Impact on heritage
- Impact on the adjacent Churchyard and its users
- Impact on ecology
- Traffic and access issues
- Potential future use

## **APPRAISAL**

Material Considerations

1. Principle of Development
2. Impact on Neighbours and Land Users
3. Impact on Character of the Area, Heritage and Trees
4. Drainage, Highways and Ecology

#### 1. Principle of Development

The site is located outside of the defined development boundary for Healing on the NELLP inset maps. This means that the site is considered to be in the open countryside and the proposed development represents a departure from the Plan. Whilst Policy 5 does not readily allow for new residential development in the open countryside consideration must be given to the Council's 5 year housing supply figure which is currently 4.2 years.

As the Council is unable to demonstrate a 5-year supply of deliverable housing land, the tilted balance flowing from paragraph 11d)ii of the NPPF is engaged in the assessment of the scheme. Whilst the most important policies for determining the application would be deemed out of date in this context, it does not mean the policies carry no weight, and the NELLP would remain the starting point in the decision making process. With the tilted balance engaged, the NPPF indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. The sections of the report below will assess whether there are any impacts that outweigh the delivery of housing.

#### 2. Impact on Neighbours and Land Users

The site is located on the edge of Healing village, there are residential neighbours to the north, east and west of the site. To the north the neighbours are located on the far side of Stallingborough Road there is no.12 Stallingborough Road and The Grange off Low Road. To the east is Healing Gate House and to the west is no.3 Stallingborough Road. Given the separation between the proposed development and the neighbours it is considered that it would not harm their residential amenities. The objections from neighbours and the Parish Council are noted.

To the south of the site is the Church of St Peter and St Paul. The proposed dwelling would be located between 12m and 16m from the boundary of the graveyard area associated with the church. There is landscaping on the boundary in the form of trees but they are mostly self-set and do not appear to be regularly maintained, this has allowed for leggy specimens that leave clear gaps and views through to the site. It is reasonable to assume that the proposed garden space will be used which will lead to potential noise and disturbance. This being the case those noises etc. will disturb people using the adjacent churchyard to bury loved ones, mourn and reflect. This is considered to cause significant harm to the current peace and tranquillity currently enjoyed by the users of the churchyard. Whilst it may not be an unusual situation to have dwellings close to churchyards in the urban area and in historic situations, it is emphasised that this is a rural churchyard with no immediate residential neighbours and this proposal would

fundamentally change this. There is also the fact that the proposed dwelling has balconies on the rear elevation facing the churchyard which exacerbates the impact and provides the occupants with an elevated view over the churchyard. The proposal is therefore contrary to Policy 5 of the NELLP in this regard.

### 3. Impact on the Character of the Area, Heritage and Trees

The site is located outside of the development boundary for Healing on the NELLP and so is considered to be in the open countryside. Furthermore, the site is part of the original parkland associated with Healing Manor and its Scheduled Monument and assists in creating the setting of the grade 2 listed church of St Peter and St Paul. The site is also within the known area of the medieval settlement of Healing.

In regard to archaeology the Heritage Officer has detailed that given the location of the site and the potential for archaeology further pre-determination investigation works should be undertaken to ensure that there is no unknown archaeology of high value that could be lost if the development were to be undertaken. This approach is supported by both Policy 39 of the NELLP and section 16 of the NPPF. As this investigation work has not been undertaken the proposal is contrary to these Policies.

The site forms an integral part of the setting of both the Healing Manor Scheduled Monument and the listed buildings of St Peter and St Pauls Church and the cross base. It also forms part of the verdant character of Stallingborough Road. Whilst there is development on the south side of Stallingborough Road it is minimal and set away from the described heritage assets, where as this proposal would sit between the road and the church in direct sight.

The proposed dwelling is very large and takes a modern design theme. There seems to be little contextual analysis and the proposal results in the design of the dwelling failing to complement the immediate and wider area. The use of large earth banking to the north elevation to would stand out as an alien feature in the wider landscape and whilst it may screen part of the development it would still stand out in the street scene. Its flat roof and material choice gives it an appearance of an institutional type of building as opposed to residential property which further emphasises its adverse impacts.

The site has a number of trees on it and around the boundaries many of which are protected by Tree Preservation Orders. The application has been submitted with a Tree Report but this does not provide a detailed constraints plan. The proposed development poses two main issues in regards to trees on and adjacent to the site; firstly the impact on the trees themselves and then secondly the pressure placed on the trees due to impact on the future occupiers amenities from shading, leaf litter and bird droppings.

There is particular concern over the impact of the proposed development on T14 (category B) and T21 (category A) both of which would be affected by the proposed earth banking and T21 the proposed pond. There would also be impacts on the trees through construction which could not be adequately mitigated by protection measures due to the proximity of the works to the trees.



The main private amenity space for the proposed dwelling is to the rear adjacent to the group of trees labelled G4. These are the trees along the site boundary. These trees would undoubtedly dominate the private amenity space causing shading, leaf litter and bird droppings. This will in turn put severe pressure on the trees in the future to be removed in the interests of amenity. However, these trees are a vital part of the historical setting of the church and their loss would be significant. The Tree Officer has objected.

It is considered that the proposed development would cause significant harm to the setting of the church of St Peter and St Paul (grade 2 listed), the cross base (grade 2 listed) and the scheduled monument. The proposal has also not fully considered the impact in below ground archaeology. The proposal is therefore in direct conflict with Policies 5, 22 and 39 of the NELLP and sections 12 and 16 of the NPPF.

The proposal would also cause significant harm to the trees on and around the site which is in direct conflict with Policy 42 of the NELLP and Section 15 of the NPPF.

#### 4. Drainage, Highways and Ecology

The proposed development has been assessed by the Drainage Team and whilst they have offered no objections to it they have commented that a fully sustainable surface water drainage scheme will be required. Such a scheme can be conditioned as it is accepted that in principle a sustainable drainage scheme could be achieved.

The proposal has also been assessed by the Highways Team and no objections have been raised. The proposal would see a new vehicle access onto Stallingborough Road. Suitable visibility in both directions can be achieved and as the proposal is for 1 dwelling it would not create significant traffic generation. Adequate on site parking is provided.

A preliminary Ecology Report has been provided. It sets out further requirements for ecology reports, should development go ahead. These could be conditioned in the event of the scheme being acceptable.

In regard to drainage, highways and ecology the proposed development is considered to accord with Policies 5 and 41 of the NELLP.

### **CONCLUSION**

In conclusion it is considered that the proposed development would cause significant harm to the character and appearance of the area, the setting of the church of St Peter and St Paul (and the cross base) and the setting of the Scheduled Monument. The site has not been fully assessed in regard to underground archaeology and the development would cause significant harm to trees on and adjacent to the site.

As the proposal is for a single dwelling and is considered to be detrimental on a number of grounds, it is considered that these matters are fundamental to the principle of the development's acceptability and outweigh the minor benefit to housing supply.

The proposal is therefore contrary to Policies 5, 22, 39 and 42 of the NELLP and sections 12, 15 and 16 of the NPPF. It is therefore recommended for refusal.

## **RECOMMENDATION**

### **Refused**

(1) The proposal would intrude into the open countryside and as a result of it and its design and scale, have a detrimental impact on the visual character and appearance of the area which is considered to be unjustified. The proposal is therefore considered to be contrary to the requirements of Policies 5 and 22 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the core principles as set out in the National Planning Policy Framework 2021.

(2) The proposal, by reason its design, size, scale and location, would cause significant harm to the historic character and setting of the area and that of the adjacent listed buildings and scheduled monument. This is in direct conflict with Policies 5 and 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and section 16 of the National Planning Policy Framework 2021.

(3) The site has not been appropriately assessed in terms of archaeology. Due to the sensitivity of the site there is a need for pre determination site evaluation. This has not been undertaken and as a result there is insufficient evidence to allow for a full consideration of the potential impacts on archaeology contrary to Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and advice contained in the National Planning Policy Framework 2021.

(4) The proposed development, by reason of its nature, position, scale and layout, would have an unduly detrimental impact on the general amenity of the adjacent churchyard, its tranquillity and how people can use it. This is contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) The proposed development, by reason of its position and design, would have a significantly detrimental impact on trees on and adjacent to the site in direct conflict with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

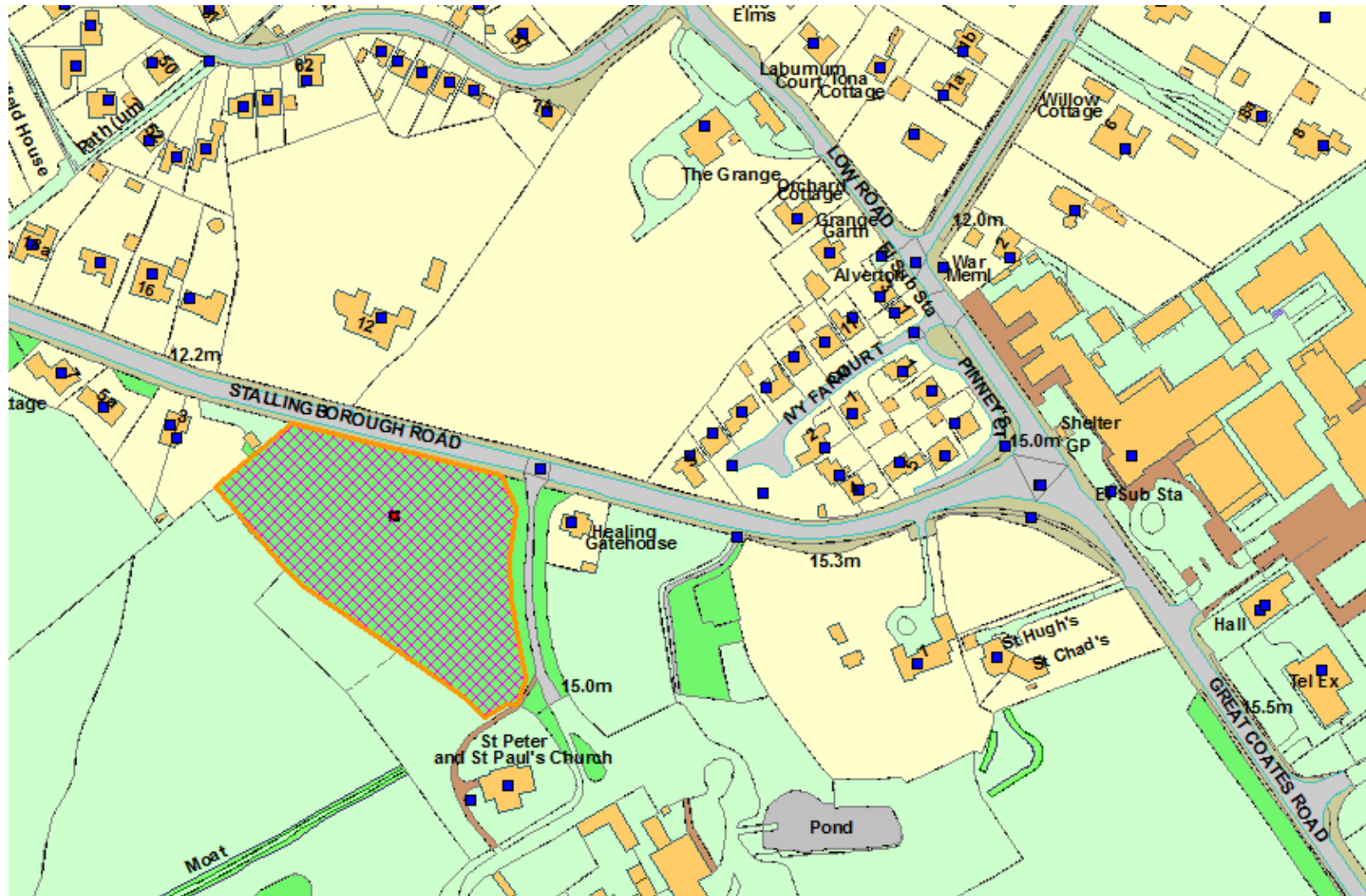
## **Informatives**

### **1 Informative**

This decision relates to the following plans and documents:

- Site Location Plan - 21 127 075A
- Proposed Site Plan - 21 127 303B
- Fencing and Gate Detail - 12th July 2022
- Proposed Elevations - 21 127 350B
- Proposed Sections - 21 127 351 A
- Proposed Elevations - 21 127 352 A
- Proposed Ground Floor Plan - 21 127 300B
- Proposed First Floor Plan - 21 127 301B
- Proposed Roof Plan - 21 127 302B
  
- Arboricultural Report
- Preliminary Ecology Report

DM/0482/22/FUL – LAND SOUTH OF STALLINGBOROUGH ROAD, HEALING



[illegible]

**PLANNING COMMITTEE - 5th October 2022**

**ITEM: 3**                      **RECOMMENDATION: Approved**

**APPLICATION No: DM/0450/22/DEM**

**APPLICATION TYPE: Demolition Notification**

**APPLICATION SITE: Thorpe Park Holiday Camp, Anthonys Bank Road,  
Humberston, North East Lincolnshire, DN36 4GG**

**PROPOSAL: Prior notification for the demolition of 5 amenity blocks**

**APPLICANT:**

C/O Agent  
Haven Leisure Limited  
1 Park Lane  
Hemel Hempstead  
HP2 4YL

**AGENT:**

Mr Henry Gomm  
Lichfields  
The Minster Building  
21 Mincing Lane  
London  
EC3R 7AG

**DEPOSITED: 23rd May 2022**

**ACCEPTED: 25th May 2022**

**TARGET DATE: 22nd June 2022**

**PUBLICITY EXPIRY: 21st September 2022**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 19th June 2022**

**CASE OFFICER: Jonathan Cadd**

**PROPOSAL**

This application seeks prior approval for the demolition of 5 single storey amenity shower/toilet blocks on Thorpe Park within the present touring and Heron/ Fulmer areas of the site. Each site would be cleared and then grassed over.

It should be noted that this is not a planning application but a Prior Approval, the principle of demolition being granted by Schedule 2, Part 11 Class B of the Town & Country Planning (General Permitted Development)(England) Order 2015 with the only matters under consideration being the method of demolition and how the site would be restored. On 1st June it was confirmed that prior approval is required.

The application is brought to committee due to the substantial number of objections to the

proposal.

## **SITE**

Thorpe Park is a large caravan and holiday park which adjoins the former Pleasure Island (overflow car park area), the sea defence and shoreline and Humberston Fitties.

The 5 amenity shower/toilet blocks to be demolished are located within the northern section of the site within an area known as the Euro Touring area and Heron/Fulmer areas. Each building is roughly of a similar single storey design with brick/breeze blocks walls rendered with a dual pitched roof. All are in good condition.

Although each site is slightly different all blocks are in some way adjoined by caravans, a number have medium sized trees surrounding them whilst three have open amenity space adjoining the site.

## **RELEVANT PLANNING HISTORY**

The wider site has been subject to a large number of applications but the most relevant to this part of the site are as follows:

### **Euro Touring and Touring Area**

DM/0293/22/CEA Certificate of lawfulness for the partial change of use from the siting of touring caravans to the siting of static caravans. Approved June 2022

### **Heron and Fulmer Site Area**

DM/0292/22/CEA Certificate of lawfulness for the partial change of use from the siting of un serviced static caravans to the siting of serviced caravans. Approved June 2022

### **Site Wide**

08/91/0561 - Change of use of land for caravans and leisure/holiday facilities. Approved 21/11/1991.

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

### National Planning Policy Framework (2021)

- NPPF6 - Building a strong, competitive economy
- NPPF8 - Promoting healthy and safe communities
- NPPF11 - Making effective use of land
- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change

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

- PO5 - Development boundaries
- PO12 - Tourism and visitor economy

PO22 - Good design in new developments

PO33 - Flood risk

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)- after reading all of the objections submitted from caravan owners the Village Council supports these objections. The proposals would appear to leave existing users without any facilities and is unacceptable. It also appears that no direct consultation has taken place, just the placing of notices around the site. The Council is disappointed that no proper consultation appears to have been done.

Environmental Protection: acknowledges the submitted Demolition Method Statement and anticipates that the development will adhere to the measures stated.

Environment Agency: Does not wish to comment

Heritage Officer: No heritage input required

Highways Approval no conditions - On the basis of the information provided, the Highway Authority is content with the proposal. In coming to this conclusion the Authority has considered issues of highway access, capacity and safety; parking, servicing and sustainability.

Drainage: No drainage comments

Trees & Woodlands:

Ecology Manager: No response

Site Notices and neighbours: Objections (in summary):

28 First Avenue East Dene Rotherham (Jay 48) x4,

50 Beauchamp Road Kimberworth Rotherham,

54 Parkgate Goldthorpe Rotherham (Jay 63),

66 Broadway East Rotherham,

33 Hall Close Avenue Whiston Rotherham,

9 Landsbury Place, Rotherham (x2),



5 Lockwood Close East Herringthorpe Rotherham,  
13 Thornton Terrace Rotherham,  
54 Hall Gate Mexborough (Jay 66),  
98 Southey Hall Road, Sheffield,  
20 Beechwood Road, Stocksbridge Sheffield,  
242 Pontefract Road Barnsley,  
59 Reresby Walk Denaby Main Doncaster,  
17 Oakwell Drive, Doncaster,  
4 Hall Flat Lane, Blaby Doncaster,  
55 Laneham Close Bessacarr Doncaster,  
5 Fields Way Huddersfield,  
37 Church lane Outwood Wakefield,  
23 Lindsey Road Cleethorpes,  
92 Freshfields Cleethorpes,  
50 Station Avenue, New Waltham,  
18 Whitworth Way Market Rasen,  
37 Haigh Park Kingswood Hull,  
14 Fountains Place, Eye Peterborough,  
7 Blacksmiths Lane Tetford.

In addition to this a petition has been submitted objecting to the demolitions (with 88 names and addresses - those without names or addresses have not been counted)

This takes away the one of the only sizable site where touring caravan and tents can pitch to enjoy a short break - with only the small site at Meridian Point this hardly assisting Cleethorpes as a tourist destination. It will make afford short term breaks in Cleethorpes a thing of the past. Unserviced caravans use the local economy and the area will lose this trade whether in Cleethorpes or in surrounding areas such as Freeman Street.

The loss of these facilities will leave 100 unserviced caravans and accommodation on the Fulmar and jay blocks without hot and cold water and showers and areas to empty chemical toilets and also provide laundry facilities - making caravans unusable. These services are paid for by owners. With the removal of unserviced caravans from the Heron and Fulmar these will be placed on the Jay area which has no service block.

Blocks have systematically been run down and many cubicles are in poor repair and are unsafe/ unhealthy.

The actions proposed are effectively forcing unserviced users off the site which has existed since the 1950s and many people use these areas as almost second homes in the summer and for many decades.

Unserviced caravans add character to the area and are not homogenised

Unserviced caravans are more sustainable - people use solar power for electricity

Will lose basic right to stay clean and healthy and will discriminate against disabled users.

Haven just wants to increase its profits in difficult times for individuals.

No consultation from Haven with caravan owners which is poor

## **APPRAISAL**

Main issues

- 1) Permitted development
- 2) Occupiers Concerns
- 3) Methodology for demolition
- 3) Site restoration

Appraisal

- 1) Permitted development

Demolition is permitted by the Town & Country General Permitted Development (England) Order 2015, Schedule 2 Part 11 Class B. To do so it must meet various criteria. The development meets the required criteria as follows:

- 1) The buildings have not been made unsafe or otherwise uninhabitable by action or inaction of any person having an interest in the land.
- 2) The buildings to be demolished are not listed nor are they within the curtilage of a listed building(s), nor are they located within a conservation area.
- 3) They are not drinking establishments.
- 4) The buildings are not and were not last used as concert halls, venues for live music performance or as a theatres
- 5) The demolition does not relate to a statue, memorial or monument
- 6) The demolition is not on land that is currently the subject of a planning application for development and therefore excluded development.

As such the development is deemed permitted development subject to conditions imposed as a result of Prior Approval being required. The applicant was informed that Prior Approval was required on 1st June 2022.

- 2) Occupiers Concerns

A large number of objections have been received from occupiers of the un serviced / camping areas of Thorpe Park who would be directly affected by the loss of the five service blocks. These concerns have been reiterated by Humberston Village Council. Whilst all these concerns are understandable the nature of the prior approval system

allows only very specific issues to be considered, namely the method of demolition and site restoration, the principle of demolition having been established by the Town & Country General Permitted Development (England) Order 2015, Schedule 2 Part 11 Class B.

It is also worth noting that applicant has already established, through previous Certificates of Proposed Lawful Use (ref. nos. DM/0292/22/CEA and DM/0293/22/CEA approved June 2022), that no planning approval is required to change the unserviced caravan areas - Heron and Fulmer to serviced caravans and the Euro Touring and Touring areas - to static caravan areas. As such impacts of the loss of the toilet/shower and amenity blocks would be reduced as a result.

### 3) Methodology for demolition

The proposed methodology to demolish the buildings are set out to ensure it is achieved safely, but also in a manner to reduce impacts on amenity as far as possible. Finally, additional measures have been set out to limit the impact on the trees which surround several of the structures.

The general approach to each building is to surround the area with hoardings to create a secure compound to form a barrier to the main public areas. A soft strip of the buildings internal features would then be undertaken before mechanical demolition of the main building commences. This would be achieved through the removal of the roof first and then walls top first then down to bottom. Water misting of works during dry periods or where arising's occur would take place and skips would be placed at each site to accommodate waste. All machinery would be installed with silencers. Wall materials would be crushed on site within the site compound and then be used to create caravan bases. Removal of other waste from the site would be via skip with all demolition traffic being directed along two main internal site roads to the Anthony's Bank Road main entrance and then beyond to Kings Road.

Works would be commenced in winter 2022 (three touring blocks) with a further block demolished in winter 2023 with the final one being demolished at a point which has yet to be programmed in. Works would be limited to the following hours: 08:00 - 18:30 Mondays to Fridays 08:00 - 16:00 on Saturdays with no working on Sundays and Bank Holidays. Each demolition is anticipated to take 4 weeks.

To protect trees of value on site a series of trees protection measures including fencing and anti crush root boards are proposed to be erected before work commences and then will be retained as such thereafter. These works are deemed acceptable by the Trees and Woodlands Officer.

The proposed methodology has not been objected to by the Environmental Protection Team, Highways Team nor the trees and woodland officers and is deemed to protect amenity, the highway and trees of value.

#### 4) Site restoration

Each site would have the foundations grubbed out and the land levelled following which it would be grassed over in a manner that would match the surrounding area. This is deemed acceptable given the character of the area.

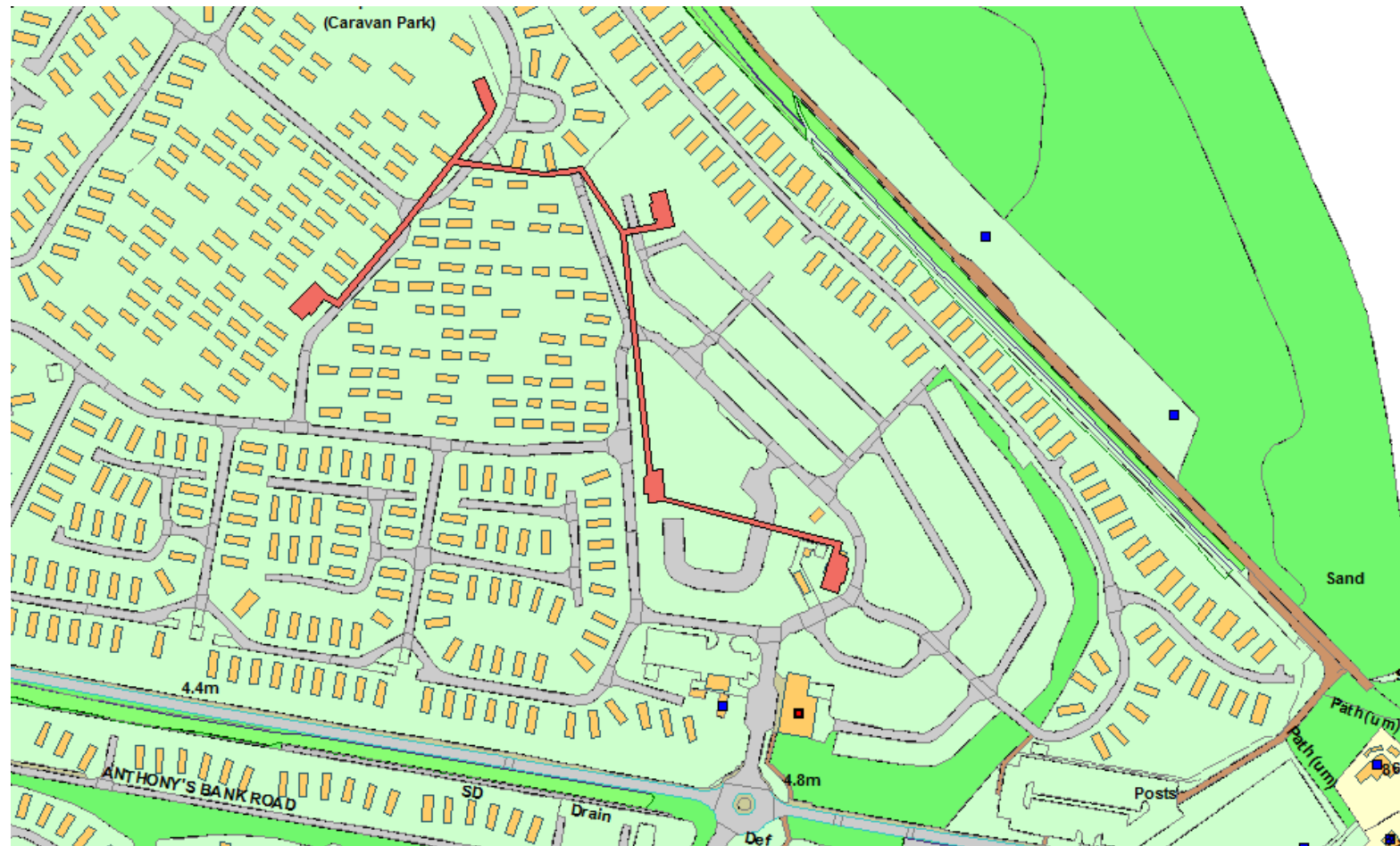
### **CONCLUSION**

The proposed demolition would be achieved in safe, timely and sensitive manner to the reduce the impact on the surrounding area and amenities. Equally the site restoration proposed would accord with the appearance and character of the existing area. The proposal therefore would accord with the conditions imposed through Schedule 2, Part 11, Class B of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) B.2 (b) (i) and B.2 (b) (viii) (aa)

### **RECOMMENDATION**

**Approved**

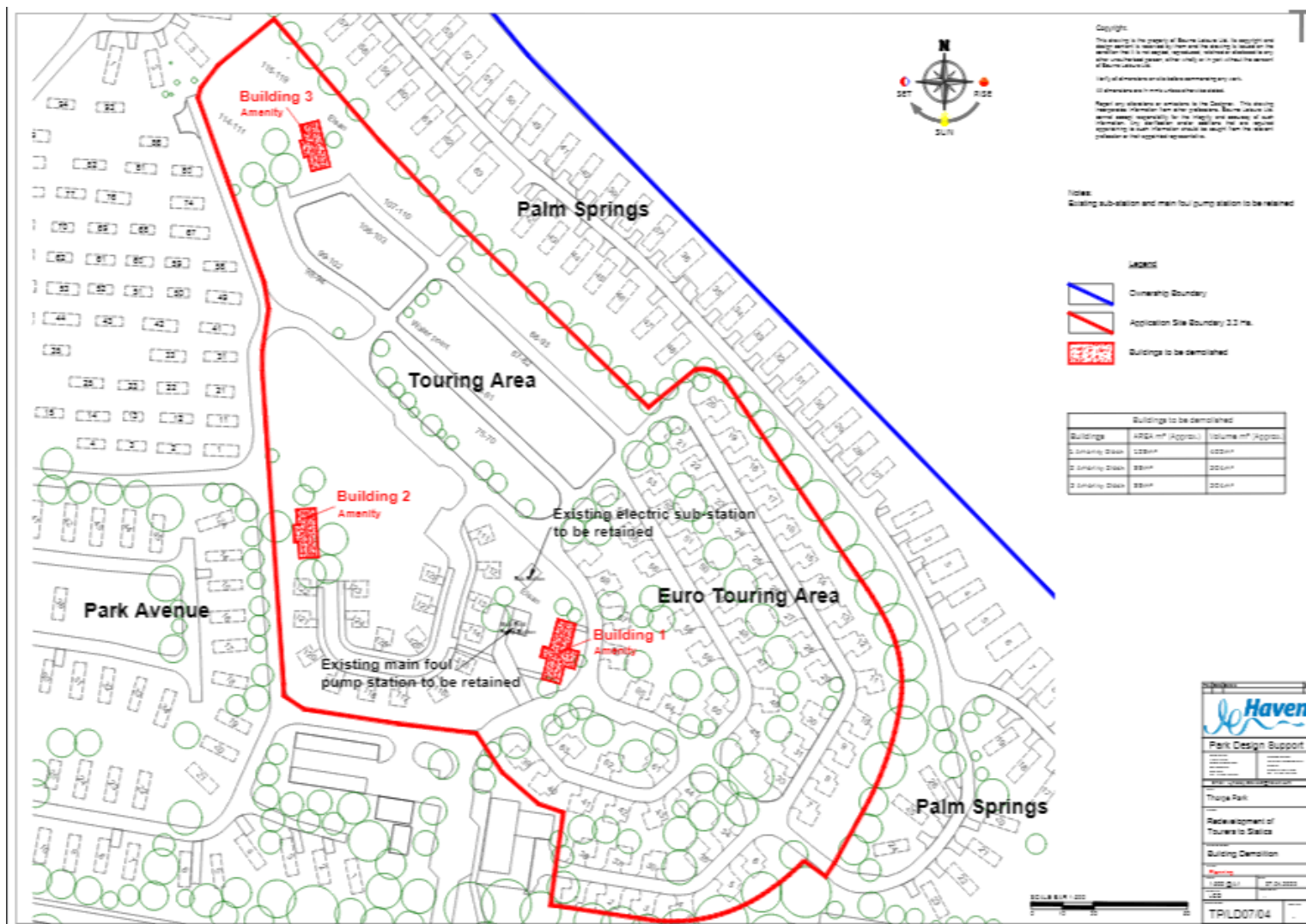
DM/0450/22/DEM – THORPE PARK HOLIDAY CAMP, ANTHONY'S BANK ROAD, HUMBERSTON



DM/0450/22/DEM – THORPE PARK HOLIDAY CAMP, ANTHONY'S BANK ROAD, HUMBERSTON



# DM/0450/22/DEM – THORPE PARK HOLIDAY CAMP, ANTHONY'S BANK ROAD, HUMBERSTON



**PLANNING COMMITTEE - 5th October 2022**

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

**APPLICATION No: DM/1195/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Land At, Church Lane, Humberston, North East Lincolnshire,**

**PROPOSAL: Variation of condition 2 (Approved plans) attached to planning permission DM/0036/19/FUL retrospective for Plot 1 - alterations to elevations, increased size of garage, swimming pool and retrospective site entrance gates and boundary fencing**

**APPLICANT:**

Tony White  
Land At Church Lane  
Humberston  
North East Lincolnshire

**AGENT:**

Simon Coyne  
CDC Architecture Limited  
35 Louth Road  
Scartho  
Grimsby  
North East Lincolnshire  
DN33 2HP

**DEPOSITED: 4th December 2021**

**ACCEPTED: 3rd March 2022**

**TARGET DATE: 28th April 2022**

**PUBLICITY EXPIRY: 2nd April 2022**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 1st April 2022**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The proposal is to vary the approved plans from DM/0036/19/FUL for the erection of 5 dwellings. The proposed changes relate to plot 1 and the site drainage system. The proposed changes consist of the following:

- Alterations to the elevations to increase the size of the dwelling;
- Increase the size of the garage building;
- Include outdoor swimming pool;
- Site entrance gates;



- Boundary fencing.

The development has been built out and occupied so this proposal is to regularise the works undertaken on the site.

The application has been brought to Committee due to the objections received from neighbours.

## **SITE**

The site lies at the eastern end of Church Lane in Humberston. The site was granted planning permission for 5 dwellings in 2019 which have been constructed. The site is accessed off Church Lane via a 190m long private drive which is gravelled.

## **RELEVANT PLANNING HISTORY**

There is further planning history on the site but the key applications to this proposal are listed below:

DM/0036/19/FUL - erection of 5 dwellings - approved

DM/0964/21/FUL - variation of the approved plans for plots 4 and 5 - under consideration

DM/1042/21/FUL - variation of the approved plans for plot 3 - under consideration

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

### National Planning Policy Framework (2021)

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**

Environmental Health - no comments

Trees and Woodlands Officer - no comments

Crime Reduction Officer - no comments

Highways Officer - no objections

Heritage Officer - no comments

Drainage Officer - no objections subject to condition for drainage works

Neighbours

Adjacent land owner - objects due to works having taken place off the site, changes to drainage system.

Cyden Homes - object due to works having taken place off the site, changes to drainage system.

14 and 15 Cherry Close - object due to impact on their amenities from flooding, lighting, access and the size of the dwellings.

## **APPRAISAL**

Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Impact on the Character of the Area
4. Drainage and Flood Risk

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

The principle of residential development has been established through the granting of planning permission under DM/00036/19/FUL. The dwellings have been built out under this permission and the changes sought are minor. The proposed changes do not compromise the principle of the development already approved in accordance with Policy 5 of the NELLP.

### **2. Impact on Neighbours**

The proposed changes to plot 1 are set well away from the neighbours in Cherry Close. Whilst the property is visible from the rear windows of these neighbours the changes to the dwelling are to the rear and the size of the garage is not of a scale that unduly affects

their amenities. The access drive gates are well away from the neighbours.

It is considered that whilst the dwellings are visible to the neighbours they are positioned sufficiently far enough away to not present an undue impact on their amenities, the proposed changes do not fundamentally change this situation and so the proposal remains in accordance with Policy 5 of the NELLP.

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

The proposed alterations to plot 1 on the whole are not readily noticeable as there is no public access close to the property. The overall design and scale of the dwelling does not change significantly. Whilst the garage is much larger than previously approved one it is not out of character with the development as a whole. The entrance gates are located where the private drive joins Church Lane, these are clearly in the public domain and a feature in the street scene. The new boundary treatments relate to the 2m high close board fence that has been erected on the side and rear boundaries of the properties. Whilst this is not an ideal solution to privacy and security for the properties it is something that would be Permitted Development and is akin to the rear boundaries of properties on Cherry Close.

It is considered that they are reasonable in scale and appearance and do not cause undue harm to the visual appearance of the area in accordance with Policy 5 of the NELLP.

### 4. Drainage and Flood Risk

Concerns have been raised by the neighbouring residential properties, the adjacent land owners and the applicant of the adjacent planning application (DM/0696/19/FUL) in regard to drainage. The concerns surround works undertaken by the applicant as part of this development which include clearing out a drainage ditch, replacing a culvert and the actual surface water drainage system installed on the site. Extensive investigation has been undertaken by the Drainage Team into these matters. The findings are that the works undertaken to the drainage ditch and the replacement culvert have not increased the risk of flooding either on or off the site and have not changed the drainage characteristics of the area.

The surface water drainage scheme that was approved should have included permeable paving throughout the site with underground storage that then had a restricted flow into the ditch adjacent to the site. However, it became apparent that the storage and flow restrictor had not been installed as per the approved plans. A smaller storage system has been installed and an updated set of drainage calculations supplied. The Drainage Team have reviewed the information and have no objections, subject to a flow restriction system being installed to ensure that the overflow into the ditch is restricted to greenfield run off rates.

With the inclusion of the condition proposed from the Drainage Team it is considered that

the proposed variation is acceptable and in accordance with Policies 5 and 33 of the NELLP.

## **CONCLUSION**

In conclusion, it is considered that the proposed amendments to the previously approved scheme do not cause any harm with particular regard to neighbouring properties amenities, the visual character of the area, drainage and flood risk. The scheme accords with Policies 5, 22 and 33 of the NELLP and is recommended for approval.

## **RECOMMENDATION**

### **Approved with Conditions**

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

The development is approved in accordance with the following plans:

18-511-100A Site location plan  
18-511-101D Proposed Block Plan  
18-511-201E Plot 1 plans and elevations  
18-511-500 Proposed gates

plans approved under DM/0036/19/FUL  
18-511-202 Plot 2 plans and elevations  
18-511-203 plot 3 plans and elevations  
18-511-204 plot 4 plans and elevations  
18-511-205 plot 5 plans and elevations

#### **Reason**

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

#### **(2) Condition**

Within 3 calendar months of the date of this planning permission the restrictive flow system and orifice plate, as detailed on Oriflow-OFCP600-DATA-SHEET-280921, shall be installed into the existing surface water drainage system under the supervision of the North East Lincolnshire Council Drainage Officer and shall thereafter be retained and maintained unless otherwise approved in writing with the Local Planning Authority.

#### **Reason**

In the interests of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The scheme of landscaping and tree planting shown on drawing no. 18-511-101A and the Planting and Bio-diversity Statement Rev A (submitted under planning application DM/0036/19/FUL) shall be completed within a period of 12 months of the date of this planning permission. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

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

(4) Condition

Within 28 days of the date of this planning permission verification of the approved remediation scheme under discharge of condition application DM/0345/19/CND shall be submitted to and agreed in writing by Local Planning Authority.

Reason

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

(5) Condition

If during redevelopment 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. All remediation shall be carried out in accordance with the details approved and a verification report shall be submitted and approved in accordance with timings agreed under the approved method statement.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately to accord 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).

### **2 Added Value Statement**

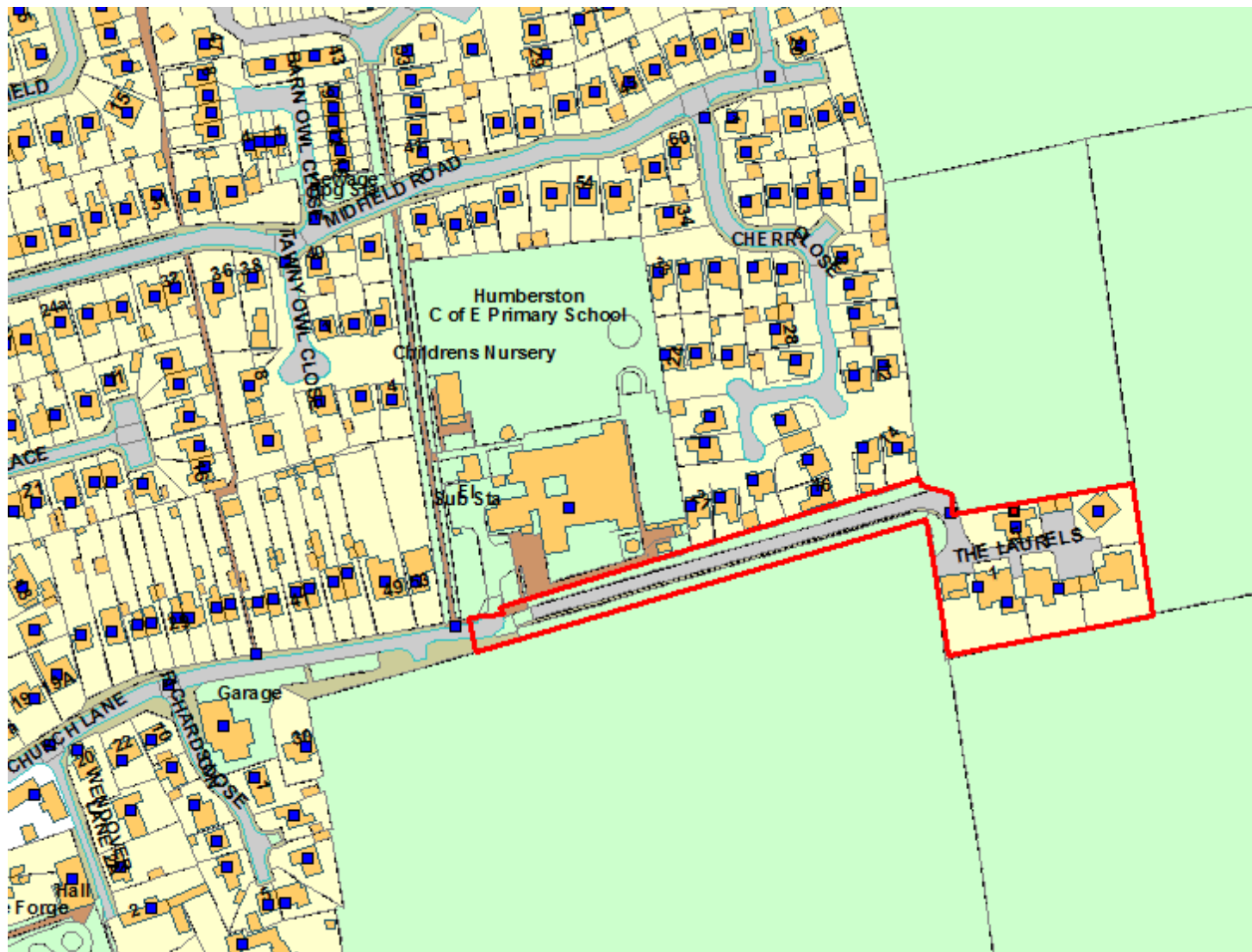
Article 31(1)(cc) Statement - Positive and Proactive Approach

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 to resolve issues raised through the application process.

### **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/1195/21/FUL – LAND AT CHURCH LANE, HUMBERSTON







**PLANNING COMMITTEE - 5th October 2022**

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

**APPLICATION No: DM/0964/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Land At, Church Lane, Humberston, North East Lincolnshire,**

**PROPOSAL: Variation of Condition 2 (Approved Plans) pursuant to DM/0036/19/FUL to remove second floor rear dormers, amend roof lights and add roof lantern to plot 4, amend roof lights and add roof lantern to plot 5 and alterations to proposed garages for plots 4 and 5**

**APPLICANT:**

Tony White  
Land At Church Lane  
Humberston  
Grimsby

**AGENT:**

Simon Coyne  
CDC Architecture Limited  
35 Louth Road  
Scarho  
Grimsby  
DN33 2HP

**DEPOSITED: 22nd September 2021**

**ACCEPTED: 22nd October 2021**

**TARGET DATE: 17th December 2021**

**PUBLICITY EXPIRY: 18th November 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 24th October 2021**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The proposal is to vary the approved plans from DM/0036/19/FUL for the erection of 5 dwellings. The proposed changes relate to plots 4 and 5. The proposed changes consist of the following:

Remove second floor rear dormers, amend roof lights and add roof lantern to plot 4, amend roof lights and add roof lantern to plot 5 and alterations to proposed garages for plots 4 and 5.

The development has been built out and occupied so this proposal is to regularise the

works undertaken on the site.

The application has been brought to Committee due to the objections received from neighbours and the Village Council.

## **SITE**

The site lies at the eastern end of Church Lane in Humberston. The site was granted planning permission for 5 dwellings in 2019 which have been constructed. The site is accessed off Church Lane via a 190m long private drive which is gravelled and has lighting columns along it.

## **RELEVANT PLANNING HISTORY**

There is further planning history on the site but the key applications to this proposal are listed below:

DM/0036/19/FUL - erection of 5 dwellings - approved

DM/1195/21/FUL - variation of the approved plans for plot 1- under consideration

DM/1042/21/FUL - variation of the approved plans for plot 3 - under consideration

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

### National Planning Policy Framework (2021)

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**

Environmental Health - no comments

Trees and Woodlands Officer - no comments

Crime Reduction Officer - no comments

Highways Officer - no objections

Heritage Officer - no comments

Drainage Officer - no objections subject to condition for drainage works

Humberston Village Council - objects to the proposed changes as they significantly change the scheme and the applications are retrospective. Action should have been taken to rectify this. There are objections from neighbouring properties with concerns over lighting and drainage. Site boundaries are being exceeded and an inspection is required by Planning Enforcement.

### **Neighbours**

Cyden Homes - object due to works having taken place off the site, changes to drainage system.

14 and 15 Cherry Close - object due to impact on their amenities from flooding, lighting, access and the size of the dwellings.

## **APPRAISAL**

### **Planning Considerations**

1. Principle of Development
2. Impact on Neighbours
3. Impact on the Character of the Area
4. Drainage and Flood Risk

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

The principle of residential development has been established through the granting of planning permission under DM/00036/19/FUL. The dwellings have been built out under this permission and the changes sought are minor. The proposed changes do not compromise the principle of the development already approved in accordance with Policy 5 of the NELLP.

#### **2. Impact on Neighbours**

The proposed changes to plots 4 and 5 are set well away from the neighbours in Cherry

Close. Whilst the property is visible from the rear windows of these neighbours the changes to the dwelling are to the rear and the size of the garage is not of a scale that unduly affects their amenities.

It is considered that whilst the dwellings are visible to the neighbours they are positioned sufficiently far enough away to not present an undue impact on their amenities, the proposed changes do not fundamentally change this situation and so the proposal remains in accordance with Policy 5 of the NELLP.

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

The proposed alterations to plots 4 and 5 on the whole are not readily noticeable as there is no public access close to the property. The overall design and scale of the dwellings does not change significantly. Whilst the garages link together the structure is not out of character with the development as a whole.

It is considered that they are reasonable in scale and appearance and do not cause undue harm to the visual appearance of the area in accordance with Policy 5 of the NELLP.

### 4. Drainage and Flood Risk

Concerns have been raised by the neighbouring residential properties, the adjacent land owners and the applicant of the adjacent planning application (DM/0696/19/FUL) in regard to drainage. The concerns surround works undertaken by the applicant as part of this development which include clearing out a drainage ditch, replacing a culvert and the actual surface water drainage system installed on the site. Extensive investigation has been undertaken by the Drainage Team into these matters. The findings are that the works undertaken to the drainage ditch and the replacement culvert have not increased the risk of flooding either on or off the site and have not changed the drainage characteristics of the area.

The surface water drainage scheme that was approved should have included permeable paving throughout the site with underground storage that then had a restricted flow into the ditch adjacent to the site. However, it became apparent that the storage and flow restrictor had not been installed as per the approved plans. A smaller storage system has been installed and an updated set of drainage calculations supplied. The Drainage Team have reviewed the information and have no objections, subject to a flow restriction system being installed to ensure that the overflow into the ditch is restricted to greenfield run off rates.

With the inclusion of the condition proposed from the Drainage Team it is considered that the proposed variation is acceptable and in accordance with Policies 5 and 33 of the NELLP

## **CONCLUSION**

In conclusion, it is considered that the proposed amendments to the previously approved scheme do not cause any significant levels of harm with particular regard to neighbouring properties amenities, the visual character of the area, drainage and flood risk. The scheme accords with Policies 5, 22 and 33 of the NELLP and is recommended for approval.

## **RECOMMENDATION**

### **Approved with Conditions**

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

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

18-511-101B Block Plan  
18-511-204 plot 4 plans and elevations  
18-511-205 plot 5 plans and elevations

Plans approved under DM/1195/21/FUL  
18-511-201E Plot 1 plans and elevations  
18-511-500 Proposed gates

plans approved under DM/0036/19/FUL  
18-511-100A Site location plan  
18-511-202 Plot 2 plans and elevations  
18-511-203 plot 3 plans and elevations

#### **Reason**

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

#### **(2) Condition**

Within 3 calendar months of the date of this planning permission the restrictive flow system and orifice plate, as detailed on Oriflow-OFCP600-DATA-SHEET-280921, shall be installed into the existing surface water drainage system under the supervision of the North East Lincolnshire Council Drainage Officer and shall thereafter be retained and maintained unless otherwise approved in writing with the Local Planning Authority.

#### **Reason**

In the interests of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The scheme of landscaping and tree planting shown on drawing no. 18-511-101B and the Planting and Bio-diversity Statement Rev A (submitted under planning application DM/0036/19/FUL) shall be completed within a period of 12 months of the date of this planning permission. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

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

(4) Condition

Within 28 days of the date of this planning permission verification of the approved remediation scheme under discharge of condition application DM/0345/19/CND shall be submitted to and agreed in writing by Local Planning Authority.

Reason

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

(5) Condition

If during redevelopment 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. All remediation shall be carried out in accordance with the details approved and a verification report shall be submitted and approved in accordance with timings agreed under the approved method statement.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately to accord 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).

## 2 Added Value Statement

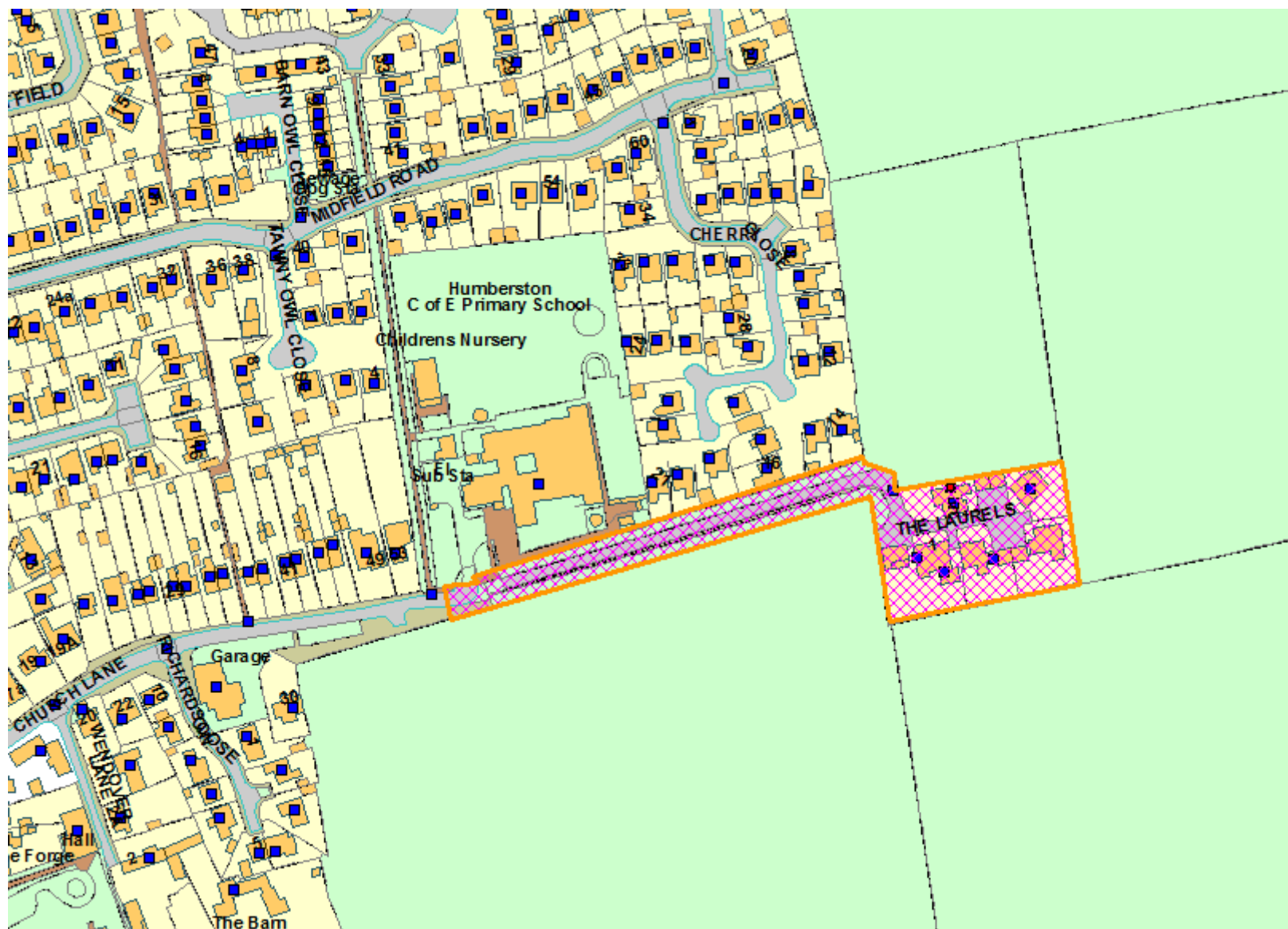
### Article 31(1)(cc) Statement - Positive and Proactive Approach

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 to resolve issues as they arose through the planning process.

## 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/0964/21/FUL – LAND AT CHURCH LANE, HUMBERSTON





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**PLANNING COMMITTEE - 5th October 2022**

**ITEM: 6**                      **RECOMMENDATION: Approved with Conditions**

**APPLICATION No: DM/1042/21/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Land At, Church Lane, Humberston, North East Lincolnshire,**

**PROPOSAL: Variation of Condition 2 (Approved plans) as granted on planning application DM/0036/19/FUL - Alterations to Plot 3, amended roof plan, remove second floor windows to the gable ends. Dormer windows increased in size to south east roof and bi-fold doors added to kitchen/diner on south east elevation.**

**APPLICANT:**

Tony White  
Land At Church Lane  
Humberston  
North East Lincolnshire

**AGENT:**

Simon Coyne  
CDC Architecture Limited  
35 Louth Road  
Scarho  
Grimsby  
North East Lincolnshire  
DN33 2HP

**DEPOSITED: 14th October 2021**

**ACCEPTED: 14th October 2021**

**TARGET DATE: 9th December 2021**

**PUBLICITY EXPIRY: 20th November 2021**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 20th November 2021**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

The proposal is to vary the approved plans from DM/0036/19/FUL for the erection of 5 dwellings. The proposed changes relate to plot 3. The proposed changes consist of the following:

Alterations to Plot 3, amended roof plan, remove second floor windows to the gable ends. Dormer windows increased in size to south east roof and bi-fold doors added to kitchen/diner on south east elevation.

The development has been built out and occupied so this proposal is to regularise the works undertaken on the site.

The application has been brought to Committee due to the objections received from neighbours and due to the comments of the Parish Council.

## **SITE**

The site lies at the eastern end of Church Lane in Humberston. The site was granted planning permission for 5 dwellings in 2019 which have been constructed. The site is accessed off Church Lane via a 190m long private drive which is gravelled.

## **RELEVANT PLANNING HISTORY**

There is further planning history on the site but the key applications to this proposal are listed below:

DM/0036/19/FUL - erection of 5 dwellings - approved

DM/0964/21/FUL - variation of the approved plans for plots 4 and 5 - under consideration

DM/1195/21/FUL - variation of the approved plans for plot 1 - under consideration

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

### National Planning Policy Framework (2021)

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**

Environmental Health - no comments

Trees and Woodlands Officer - no comments

Crime Reduction Officer - no comments

Highways Officer - no objections

Heritage Officer - no comments

Drainage Officer - no objections subject to condition for drainage works

Humberston Village Council - objects to the proposed changes as they significantly change the scheme and the applications are retrospective. Action should have been taken to rectify this. There are objections from neighbouring properties with concerns over lighting and drainage. Site boundaries are being exceeded and an inspection is required by Planning Enforcement.

Neighbours

Cyden Homes - object due to works having taken place off the site, changes to drainage system.

## **APPRAISAL**

Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Impact on the Character of the Area
4. Drainage and Flood Risk

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

The principle of residential development has been established through the granting of planning permission under DM/00036/19/FUL. The dwellings have been built out under this permission and the changes sought are minor. The proposed changes do not compromise the principle of the development already approved in accordance with Policy 5 of the NELLP.

### **2. Impact on Neighbours**

The proposed changes to plot 3 are set well away from the neighbours in Cherry Close. Whilst the property is visible from the rear windows of these neighbours the changes to the dwelling are to the rear and the size of the garage is not of a scale that unduly affects

their amenities.

It is considered that whilst the dwellings are visible to the neighbours they are positioned sufficiently far enough away to not present an undue impact on their amenities, the proposed changes do not fundamentally change this situation and so the proposal remains in accordance with Policy 5 of the NELLP.

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

The proposed alterations to plot 3 on the whole are not readily noticeable as there is no public access close to the property. The overall design and scale of the dwelling does not change significantly.

It is considered that they are reasonable in scale and appearance and do not cause undue harm to the visual appearance of the area in accordance with Policy 5 of the NELLP.

### 4. Drainage and Flood Risk

Concerns have been raised by the neighbouring residential properties, the adjacent land owners and the applicant of the adjacent planning application (DM/0696/19/FUL) in regard to drainage. The concerns surround works undertaken by the applicant as part of this development which include clearing out a drainage ditch, replacing a culvert and the actual surface water drainage system installed on the site. Extensive investigation has been undertaken by the Drainage Team into these matters. The findings are that the works undertaken to the drainage ditch and the replacement culvert have not increased the risk of flooding either on or off the site and have not changed the drainage characteristics of the area.

The surface water drainage scheme that was approved should have included permeable paving throughout the site with underground storage that then had a restricted flow into the ditch adjacent to the site. However, it became apparent that the storage and flow restrictor had not been installed as per the approved plans. A smaller storage system has been installed and an updated set of drainage calculations supplied. The Drainage Team have reviewed the information and have no objections, subject to a flow restriction system being installed to ensure that the overflow into the ditch is restricted to greenfield run off rates.

With the inclusion of the condition proposed from the Drainage Team it is considered that the proposed variation is acceptable and in accordance with Policies 5 and 33 of the NELLP.

## CONCLUSION

In conclusion, it is considered that the proposed amendments to the previously approved

scheme do not cause any significant levels of harm with particular regard to neighbouring properties amenities, the visual character of the area, drainage and flood risk. The scheme accords with Policies 5, 22 and 33 of the NELLP and is recommended for approval.

## **RECOMMENDATION**

### **Approved with Conditions**

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

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

18-511-101C Block Plan  
18-511-203D Plot 3 plans and elevations

Plans approved under DM/0964/21/FUL  
18-511-101B Block Plan  
18-511-204 plot 4 plans and elevations  
18-511-205 plot 5 plans and elevations

Plans approved under DM/1195/21/FUL  
18-511-201E Plot 1 plans and elevations  
18-511-500 Proposed gates

plans approved under DM/0036/19/FUL  
18-511-100A Site location plan  
18-511-202 Plot 2 plans and elevations

#### **Reason**

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

#### **(2) Condition**

Within 3 calendar months of the date of this planning permission the restrictive flow system and orifice plate, as detailed on Oriflow-OFCP600-DATA-SHEET-280921, shall be installed into the existing surface water drainage system under the supervision of the North East Lincolnshire Council Drainage Officer and shall thereafter be retained and maintained unless otherwise approved in writing with the Local Planning Authority.

#### **Reason**

In the interests of reducing flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The scheme of landscaping and tree planting shown on drawing no. 18-511-101c and the Planting and Bio-diversity Statement Rev A (submitted under planning application DM/0036/19/FUL) shall be completed within a period of 12 months of the date of this planning permission. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

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

(4) Condition

Within 28 days of the date of this planning permission verification of the approved remediation scheme under discharge of condition application DM/0345/19/CND shall be submitted to and agreed in writing by Local Planning Authority.

Reason

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

(5) Condition

If during redevelopment 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. All remediation shall be carried out in accordance with the details approved and a verification report shall be submitted and approved in accordance with timings agreed under the approved method statement.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately to accord 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).

## 2 Added Value Statement

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

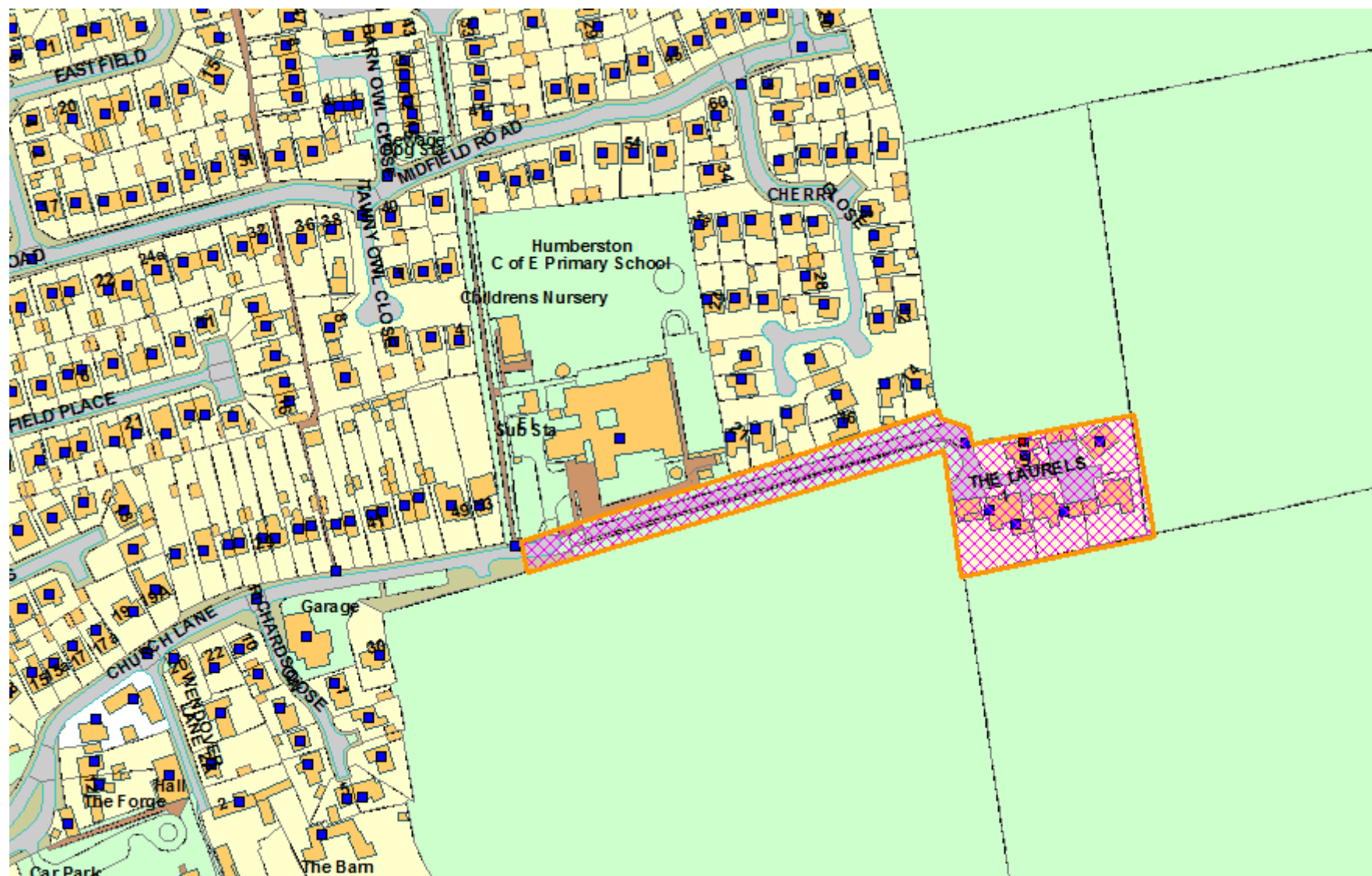
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by seeking to resolve issues as they arose through the planning process.

## 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/1042/21/FUL- LAND AT CHURCH LANE, HUMBERSTON



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