Planning Committee Dated: 2nd November 2022

Summary List of Detailed Plans and Applications

Recommendation: Approved Conditions and signing of

S106

Item: 1

Application No: DM/0285/22/FUL

Application Type: Full Application

Application Site: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

(Amended/Additional Information - Plans and Ecology Spreadsheet (May), Planning Statement (June), Landscaping and Landscaping Management (June), Developers Statement (July), Tracking and Internal Road Layout (July), Landscape Character Assessment (August), Design and Access Statement; including play area information and land classification (September) and

New Certificate (September)).

Applicant: Mr Kevin Snape

Case Officer: Cheryl Jarvis

Recommendation: Approved with Conditions

Item: 2

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 -

amended drainage information

Applicant: Tony White

Case Officer: Richard Limmer

Recommendation: Approved with Conditions

Item:

3

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 - amended drainage information

Applicant: **Tony White**

Case Officer: Richard Limmer

Recommendation: Approved with Conditions

Item:

4

Application No: DM/1042/21/FUL

Application Type: Full Application

Land At Church Lane Humberston North East Lincolnshire **Application Site:**

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 - amended

drainage information

Applicant: Tony White

Case Officer: Richard Limmer **Recommendation: Approved with Conditions**

Item: 5

Application No: DM/0707/22/FULA

Application Type: Accredit Agnt - Hseholder application

Application Site: 18 Stallingborough Road Healing North East Lincolnshire DN41

7QN

Proposal: Demolish existing detached garage, erect detached garage with

storage at first floor with roof lights and associated works

Applicant: Dr S Gupta

Case Officer: Becca Soulsby

Recommendation: Approved with Conditions

Item: 6

Application No: DM/0627/22/FUL

Application Type: Full Application

Application Site: 18 Humberston Avenue Humberston North East Lincolnshire

DN36 4SJ

Proposal: Demolish existing dwelling and erect 2 detached dwellings with

garages and associated works (Amended Description and Plan received 23rd September 2022 omitting Plot 7 from scheme and

retaining approved landscaping)

Applicant: Ms M Lewis

Case Officer: Bethany Loring

Recommendation: Refused

Application No: DM/0833/22/TPO

Application Type: Works to a tree with a TPO

Application Site: 22 Cooks Lane Great Coates North East Lincolnshire DN37 9NW

Proposal: Sycamore tree T1: Pollard to a 12inch stump

Reason: tree is approximately 2.5m from Building, shade to No.22, causing damage to driveway, roots go under property, making driveway and side lane unusable for parking vehicles due to bird droppings and sap, branches causing damage to house due to leaf fall blocking gutters, bird guano being trodden into

house.

Applicant: Mrs Yvonne Prest

Case Officer: Paul Chaplin

PLANNING COMMITTEE - 2nd November 2022

ITEM: 1 RECOMMENDATION: Approved Conditions and signing of

S106

APPLICATION No: DM/0285/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land Off Torbay Drive, Waltham, North East Lincolnshire,

PROPOSAL: Erect 64 dwellings with associated access and landscaping (Amended/Additional Information - Plans and Ecology Spreadsheet (May), Planning Statement (June), Landscaping and Landscaping Management (June), Developers Statement (July), Tracking and Internal Road Layout (July), Landscape Character Assessment (August), Design and Access Statement; including play area information and land classification (September) and New Certificate (September)).

APPLICANT: AGENT:

Mr Kevin Snape
Snape Properties Ltd
Palmleaf Architects
1 Daisy Way
Louth
LN11 0FS
Mr Richard Likupe
Palmleaf Architects
10 Tinley Close
Queen Drive
Cottingham
HU16 4EN

DEPOSITED: 31st March 2022 **ACCEPTED:** 9th September 2022

TARGET DATE: 9th December 2022 PUBLICITY EXPIRY: 14th October 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 28th May 2022 **CASE OFFICER:** Cheryl Jarvis

PROPOSAL

This application seeks full planning permission for the erection of 64 dwellings with associated garages. Access is proposed from a singular access point from Torbay Drive to the east. Comprising of a main spine road, four cul-de-sacs would stem from it, three of which are proposed to remain private. In terms of housing mix 27 are proposed as two bed, 28 as three bed and 9 as four bed. The dwellings would be a mixture of bungalows (33) and two storey houses (31).

The existing footpath that extends north-south along the eastern boundary is proposed to be retained.

A series of swales are proposed alongside parts of the highway edge with a SuDs pond proposed to the south east. Public open space is located to the south of the site across the entire bottom portion of the site. This is proposed to be bordered by a landscape strip of trees to the south and north-west.

This application is brought to planning committee at the request of Councillor Shepherd and as a result of the number of objections.

SITE

This 4.55 hectare site is to the south west of Scartho, outside of the development edge. It is currently in agricultural use. The northern boundary to the site comprises of boundary treatments serving those existing properties at Emfield Road. To the east beyond the Public Right of Way are the residential streets of Torbay Drive and Boundary Road. Those dwellings which typically bound the north and east are bungalows or dormer bungalows. South and West are open fields in agricultural use. There is an existing landscape strip toward the south of the site.

RELEVANT PLANNING HISTORY

DM/0551/17/OUT - Outline application to erect 59 dwellings and garaging with access, scale, appearance and layout to be considered (Amended layout, relocation of open space and Plot 7 and amended road widths - Amended Plans of October 2017). Withdrawn.

DM/0033/18/OUT - Outline application for the erection of 51 dwellings and garaging with access, scale, appearance and layout to be considered. Refused.

Reasons for refusal:

The sites residential development would extend into the open countryside and have a significantly detrimental impact on the visual character and appearance of the area. The proposed development therefore represents an unsustainable form of development in the countryside. No sufficient special reason has been given to justify the siting of this residential development in this location. North East Lincolnshire does not have a shortfall in housing supply. The proposal is therefore considered to be contrary to the requirements of policies 5, 22 and 40 of North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the core principles as set out in the National Planning Policy Framework 2018.

The development has not been assessed in terms of ecology. There is therefore insufficient evidence to allow for a full consideration of the potential impacts on biodiversity and without such an assessment the proposal is contrary to Policy 41 of the

North East Lincolnshire Local Plan 2013-2032 and advice contained in the National Planning Policy Framework 2018.

DM/0777/21/FUL - Change of use to create new agricultural access with associated works. Withdrawn.

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

NPPF8 - Promoting healthy and safe communities

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)

PO3 - Settlement hierarchy

PO4 - Distribution of housing growth

PO5 - Development boundaries

PO6 - Infrastructure

PO15 - Housing mix

PO17 - Housing density

PO18 - Affordable housing

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

PO36 - Promoting sustainable transport

PO38 - Parking

PO40 - Developing green infrastructure network

PO41 - Biodiversity and Geodiversity

PO42 - Landscape

PO43 - Green space and recreation

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

REPRESENTATIONS RECEIVED

Highways - Note the comments and concerns raised by residents. Transport information reviewed. No objections raised on the basis of no severe impacts. Conditions recommended for construction details and construction traffic management with informatives for works within the highway.

Grimsby and Cleethorpes Civic Society - Concerns raised over the traffic situation and existing infrastructure in relation to drainage and sewerage. Concerns also raised in regard to the impact on the public right of way, access to walking and cycling routes and opposes the application.

Trees and Woodlands Officer - No objections raised. Suggestions made on species chosen and on recommended conditions.

Drainage - Consider increased sustainability will be required and a condition is recommended. Advises that the boundary ditches should be cleared out and there must be no raising of existing ground levels.

Waltham Parish Council - Recommends refusal on the basis of being unallocated in NELLP, loss of strategic gap, lack of need, over development, increase in traffic, impact on PROW and increase in flooding.

Heritage Officer - Confirms no heritage input is required.

Environmental Health - No objections. Recommends conditions for working hours, construction management, air quality, ev charging and land quality.

Environment Agency - No comments to make.

Anglian Water - Advise that the foul drainage systems have capacity for the flows arising from development. Any surface water scheme should be agreed with the local drainage officer and the drainage board.

Harbour Energy - No comments to make given the distance from the development to the pipeline.

Humberside Fire and Rescue - Provide advice on water supplies and access for firefighting.

Phillips 66 - The development is the required distance from the pipeline and no objections are raised.

Rights of Way Officer - Advises the PROW not be obstructed during construction works. Confirms the procedure for closing the footpath during construction. Requests whether

the access road can include tactile paving and whether a PROW sign can be included. Requests the surface be amended and advice on its type is provided.

Waste Services - Amended plans have resulted in there being no objections.

Crime Reduction Officer - No objections. Recommends the detail set out in the Design and Access regarding security be implemented along with seeking to achieve an SBD Award.

HSE - No lines found.

Councillor Shepherd - Objections on the basis that development is outside of the NELLP, is an over intensification and would erode the strategic corridor between Waltham and Scartho. Concerns are also raised on the content of the submission and how information has been presented.

Objections from:

3, 4, 6, 8, 9, 12, 14, 15, 18, 22, 25, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 39 Torbay Drive 195 Scartho Road

7 Orchards Croft

29, 33, 37, 46, 58, 59, 61, 63, 65, 69, 71, 91, 93, 97 Emfield Road

56 Woodhall Drive

17 Muirfield

The Moorings, Peppin Lane

37 Antrim Way

161, 194, 198 Waltham Road

30, 31 Bulwick Avenue (and one unknown address)

6, 10, 15, 17, 19, 20, 24, 26, 27, 28, 30, 33, 42, 47, 49, 55, 57, 59, 63, 64, 65, 66, 67, 68 Boundary Road (and one unknown address)

61, 101, 103 Fairway

1, 11 Meadowcroft

14 Allestree Drive

5 Rivan Grove

8 and One unknown address at Rivan Avenue

3 Main Road, Hatcliffe

6 Dawlish Road

42 Grantham Avenue

3. 5. 6 Brixham Court

One unknown address

8 Paignton Court

2 Summerfield Close

One unknown address at Laburnham Avenue

Broadly on the grounds of:

- Loss of agricultural land
- Impact on ecology and lack of proper assessment and impact on the landscape
- Flood risk increase, drainage issues
- False supporting information
- Highway safety, access, parking, traffic and pollution concerns
- Outside of development boundary in NELLP
- Loss of strategic gap, character and loss of village identity
- Over intensification
- Impact on the PROW
- Unsustainable
- Impacts of waste refuse collections
- Impact on existing infrastructure including schools, dentists and doctors
- Risk of antisocial behaviour
- Noise and impact arising from construction
- Lack of proper consultation
- Impact on residential amenity including loss of privacy
- Lack of housing need
- Phosphate impacts

APPRAISAL

The material planning considerations are:

- 1. Principle of Development;
- 2. Design, Visual Amenity and Character;
- 3. Impact to Neighbours:
- 4. Access and Highways;
- 5. Ecology and Landscape;
- 6. Drainage and Flood Risk;
- 7. S106 and Policy Requirements;
- 8. Other Matters.

1. Principle of Development;

The site sits outside but adjacent to the development boundary of Grimsby in the NELLP. It is therefore deemed to be within the open countryside. Policy 5 of the NELLP does not readily permit dwellings in the open countryside and only provides general support if a proposal:

A. supports a prosperous rural economy, particularly where it promotes the development and diversification of agricultural and other land base rural businesses; or,

- B. promotes the retention and development of local services and community facilities; or,
- C. supports rural leisure and tourism developments; or,
- D. it consists of affordable housing to meet specific local needs; or,
- E. it is development that has been specifically defined and identified through the

neighbourhood planning process.

Clearly the proposal for 64 dwellings does not therefore meet any of the exceptions listed in Policy 5.

However, a material factor in the determination of this application arises because the Council cannot demonstrate a 5 year supply of deliverable housing land. The figure currently sits at 4.2 years. As such under paragraph 11 of the NPPF the Local Plan housing supply policies are now considered to be out of date and the tilted balance in favour of sustainable housing development is activated. The authority must now consider increasing the supply of housing by looking beyond allocated housing sites and to sites which may fall outside of the defined development area boundaries on the NELLP. However, the golden thread of the NPPF must still be followed which is to support sustainable development and to still comply with other relevant Local Plan Policies. Policy 3 of the NELLP is clear that Grimsby is a sustainable level 1 urban area capable of accommodating substantial numbers of housing to meet need. Part 3 of Policy 5 is of particular importance and requires special regard be given to the distinctive open character, landscape quality and the role the site plays in the setting of Scartho. This Policy is still relevant.

Policy 40 refers to the strategic green infrastructure corridors which are predominantly open areas, which are located between the defined development boundaries and link with areas of formal and informal green space. These corridors stretch between the settlements and extend into the urban area. The area between Waltham and Scartho is identified. The impacts upon this area are considered as part of the report.

It is noted that the developer has provided a statement on deliverability. The applicant is a local developer who has a track record of building developments out quickly. The NPPF recognises at para 69 that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly'.

In terms of the site's position it is directly adjacent the development boundary with Scartho. From a sustainability perspective it is close to local services, public transport, amenities and public open space.

In terms of flood risk, the site is in flood zone 1 which is considered sequentially preferable for residential development.

The land itself is in agricultural use and it is evident that this is a small piece of land that is currently divorced from the main agricultural fields beyond by the landscape buffer to the south side. This in combination with the identified housing need places the balance in favour of development. The loss of agricultural land is not considered to justify a planning objection in this case.

Finally, the material planning history is fully acknowledged which includes a 2018

planning application for 51 dwellings which was refused. However, for the reasons set out above in relation to the shortfall in housing supply, the planning policy position as it relates to this development has fundamentally changed. In regards to ecology as the second reason for refusal this is addressed below.

The detailed particulars of the scheme and its impacts against the Plan as a whole will be addressed in the following sections of this report, however there is no 'in principle' objection to development given the 'tilted balance' that applies in light of the housing shortfall position.

2. Design, Visual Amenity and Character;

Policy 5 of the NELLP requires an assessment on the impact to the character of the area and visual amenity by virtue of size, scale and density with Policy 17 further seeking to ensure an appropriate level of density; reflective of settlement character and Policy 22 setting out the requirements for 'good design' and the need to ensure safe and suitable development to reduce the fear and opportunity for crime.

Being outside of the development boundary, the site has a rural feel and this will undoubtedly change as a result of the physical development proposed. Much of the objections to the development refer to this potential change in character and the potential impact of reducing the strategic green infrastructure corridor between Scartho and Waltham. Policy 40 applies. This part of Scartho has a stepped edge to the open countryside. To the east cul-de-sacs such as Torbay Drive and Boundary Road extend further south than Emfield Road. In terms of the reduction in the strategic green infrastructure corridor, it is accepted that the use of the site for housing would reduce this. There is no specific width identified in the NELLP. The consideration is one of impact on character and given that the development edge would not extend past the built form already well established by Torbay Drive the impact would not be detrimental and is not considered to result in a coalescence of the two residential areas. Substantial fields would continue to separate Waltham and Scartho.

A Landscape Character Assessment has been provided which gives an assessment of the local landscape context. It categorises the land and notes the urban fringe associated with existing development. The report notes that development has been restricted to the northern part of the site and recognises the limitations of what built form could be achieved given the pipeline to the south of the site which forms a natural delineation in the landscape character. The categorisation is not disputed.

In terms of the specifics and layout and density in particular, it is considered that 64 dwellings on a 4.55 hectare site can be accommodated without resulting in a cramped or overdeveloped layout. The density and size of the plots is not at odds with existing development at Emfield Road, Boundary Road and Torbay Drive.

In terms of scale single storey bungalows are proposed to the north and eastern sides, which responds to the single storey existing development beyond the site boundaries.

Two storey development is proposed, but this is set into the site away from the site edges. It is considered that in such locations an increase in scale can be accommodated. This change in scale and in property size also adds to the housing mix which would add to the range and quality of accommodation available in this part of Scartho.

Access is proposed from Torbay Drive to the east and comprises of a main spine road that loops around with cul-de-sacs stemming from it. Importantly the Public Right of Way to the east is to be retained and the proposed layout responds to this by ensuring properties front onto the footpath. This would promote natural surveillance over the footpath in the interests of safety. Additionally proposed dwellings either front on or side onto the open space to the south which is recognised as 'good design' in the National Design Guide. The Crime Reduction Officer raises no objections and recognises the security measures incorporated into the design in response to the need to assist in designing out crime.

The dwellings themselves offer identity and character through their individual features such as bays, chimneys, canopies and projecting gables which would add interest and diversity through the differing house types in the street scenes.

The open space combined with the landscape buffer to the southern boundary would create a natural transition from the new development edge to the agricultural fields beyond.

Whilst it is accepted that the character of the site would change, this is not the determinant factor, rather it is the impact of that change. To this end, it is considered that the scheme responds well to its context and is well thought out in terms of how it relates to the open countryside and footpath in particular and accords with Policies 5, 15, 17, 22 and 40 of the NELLP.

3. Impact to Neighbours;

Policy 5 of the NELLP requires an assessment on the impact to neighbouring land users.

Substantial opposition has been received to the development from neighbours. The main areas of objection have been outlined already in the 'representations received' part of this report. Full regard has been given to the content and nature of these objections.

Firstly, it is accepted that there will be a change in outlook as a result of the physical presence of development. This is acknowledged but it is the degree of impact of the development on those neighbours which is the material consideration.

Most of the neighbours that surround the site perimeter are single storey or dormer styled properties. The proposal includes single storey bungalows where development is adjacent to neighbouring boundaries. This keeps the scale of the development low, where it is most likely to impact. Two storey development has been focused within the

more central areas of the site.

Properties on Emfield Road in particular have shallow rear gardens, but development remains adequately separated given the single storey nature of the development proposed at this location. Garages would sit within the rear gardens toward the back of plots and this relationship is similar to the existing situation.

Residential dwellings proposed to the east are equally single storey and well separated given the private road arrangement, inclusion of open space and the retention of the public footpath.

The approach of bungalows to the site perimeter ensures no detrimental massing or overlooking issues. A condition restricting upper floor accommodation on these plots is recommended as to ensure future amenity is protected.

The introduction of 64 dwellings would increase the levels of activity on the site and indeed more so to those properties on Torbay Drive where the access would be located. Whilst this change would be more significant to these properties given the cul-de-sac nature of the street, the activity associated to this size of development would be no more than what is already experienced in many residential areas throughout the borough. Importantly no objections are noted from the Environment Team or Highways on the grounds of increased noise or activity.

Technical matters that have been raised by neighbours will be addressed in other sections of this report.

It is accepted that construction has the potential to create noise and nuisance for neighbours and a series of conditions in response to consultee feedback have been recommended to protect neighbours amenities.

Whilst there would be impacts associated with the development, these would not be at a level that is considered to be detrimental and subject to conditions, the proposal accords with Policy 5 of the NELLP.

4. Access and Highways;

Policy 5 of the NELLP requires an assessment of the impacts of the proposal in regard to access and traffic generation with Policy 36 seeking to promote sustainable travel and Policy 38 setting out the requirements for parking.

A number of representations refer to access, safety and parking concerns.

As stated, access is proposed from the east from Torbay Drive. Comprising predominantly of a 5.5m wide carriageway and 2m wide footpaths either side. The Public Footpath would be retained to the east and the PROW Officer has recommended the surface be upgraded with new signage installed and crossings included. No objections

from the Officer are recorded subject to these being secured. Conditions are recommended for this detail in the event of an approval.

Each dwelling is proposed with at least two parking spaces and a garage serving it. This is considered to be adequate to serve the size of the dwellings proposed and indeed, with a slightly higher ratio than a number of new build housing estates would alleviate the pressure for parking on street and on neighbouring streets.

In terms of additional traffic, a Transport Statement accompanies the application. This highlights that the proposed development would generate up to 35 two-way vehicle movements per hour during the peak periods. The Statement has assessed the key junctions in which occupants would travel, the main being out of Torbay Drive and then out from Boundary Road onto the wider network. The Statement confirms these junctions would continue to operate within capacity with this development added.

Comments originally received from the Refuse Officer's have resulted in a change to the layout, as to ensure that refuse vehicles can enter and turn within the site safely and within the carriageway. The amended tracking details confirm this and this has been accepted by the Refuse Team. Equally adequate visibility for safety reasons has been provided.

From a sustainability perspective it has already been acknowledged in the 'principle' section that the site is a short walk from bus stops in the local area which provides alternative modes of travel for future occupants.

The Highway Officer has reviewed the proposal in detail and acknowledges the submitted Statement, confirming in line with the tests of the NPPF, that the development would not have a severe impact on the highway network. Moreover, there are no safety concerns. They have however indicated a number of conditions which are recommended in the event of an approval of planning permission.

Full regard has been given to the highway issues raised by residents. Plans have been amended to address tracking concerns and the layout has resulted in no technical objection from either the Refuse Team or the Highways Team on either highway, parking, capacity or safety grounds. Thus, the proposal accords with Policies 5, 36 and 38 of the NELLP.

5. Ecology and Landscape;

Policy 41 of the NELLP requires that regard is had to biodiversity. It advises that biodiversity should be protected or mitigated where necessary. Policy 42 places an emphasis on the natural environment. An Ecology Appraisal, Landscape Masterplan and Landscape Management Plan accompany the application along with a Biodiversity Net Gain Assessment.

The Ecology Appraisal in summary advises that there are no ecological constraints to

developing the site. No badgers were recorded, the site has low potential for bats and the site as it stands offers low potential as a habitat for reptiles. No great crested newts were noted on the survey but the Appraisal does recognise the potential of the site as 'suboptimal' as a habitat to support them given a pond within 500m of the site. Nesting birds are listed as a possibility given the existing vegetation around the site. Whilst no protected species were recorded, detailed recommendations form part of the report by the Ecologist and as advised by the Council's ecologist, these will need to be secured via condition. Whilst Biodiversity net gain is not a requirement through Policy as it stands, the applicant has sought to provide an assessment which states that there would be an 'overall post-development gain in habitat units of 25.19% (9.07 baseline units to 11.35 post development units). Similarly, there is a gain of 72.03% of hedgerow units post-development (1.74 baseline units to 2.99 post-development units). The NPPF and Policy 41 promote ecological enhancement and this proposal would appear to support those aspirations.

A detailed Landscape Masterplan has been provided with the application which shows how the landscape forms an integral part of the overall site layout. Importantly, the open space is to the south. This is proposed to include grass and wildflower planting with lower storey and upper storey woodland tree planting beyond. A woodland walk trail is proposed through the open space with trees dispersed around the open space and alongside the road edge. A key recommendation of good design through the design guide relates to highway trees and the landscape layout demonstrates how this would be achieved, particularly towards the north of the site. The landscape plan is well thought out and follows principles of 'good design'. As already stated in earlier sections of this report, this area will form a natural boundary to the site that will act as a transition into the open countryside beyond. The Council's Tree Officer has confirmed that the principles of the scheme are acceptable and that conditions can be used to finalise the detail.

Subject to conditions ecology and the landscape can be enhanced to accord with Policies 40, 41 and 42 of the NELLP.

6. Drainage and Flood Risk;

Policy 33 of the NELLP sets out the requirements in relation to flood risk with Policy 34 seeking to ensure appropriate provisions are in place for water management. A Flood Risk Assessment and Drainage Strategy accompany the application.

As stated previously, the site is within flood zone 1 and so is suitable for housing on a sequential basis. Nevertheless, a site specific Flood Risk Assessment still accompanies the application given the size of the site. The Environment Agency have confirmed no comments on the application.

The site is currently undeveloped agricultural land with no likely positive drainage. There is an existing ditch running along the Eastern boundary.

In regards to surface water drainage, the scheme proposes to use a number of measures

to deal with water. This includes utilising an existing ditch to the east with restricted flows, and by providing an attenuation pond to the south east. The pond would be bound by banked slopes (1 in 3). Additionally swales are proposed alongside the road corridor to capture highway surface water. The Drainage Officer considers that the overall principles of the drainage scheme are acceptable subject to final details which can be secured via condition.

Foul connections are proposed in Torbay Drive for foul water. Anglian Water have confirmed that the existing systems have the capacity for the flows arising from this development and raise no objections.

A condition relating to the re-use of water on site from the dwellings is recommended in line with the requirement under Policy 34 which seeks to ensure a water efficiency standard of no more than 110 litres per person per day.

On the basis that the site is outside an area of flood risk, provides positive solutions for surface water management and the existing systems have the capacity to accommodate the foul flows arising from development, the development accords with Policies 5, 33 and 34 of the NELLP.

7. S106 and Policy Requirements;

Policy 6 of the NELLP requires that appropriate infrastructure is provided to support the development with Policy 18 setting out the Affordable Housing requirement. Policy 42 of the NELLP requires that where the number of dwellings exceeds 50, a children's play area should be provided.

The developer has agreed to provide a fully compliant development in terms of Section 106 contributions.

This includes:

- An agreement to provide primary and secondary education contributions in line with Policy 6;
- An agreement to provide 20% affordable housing (high market area) in line with Policy 18. In accordance with the National Planning Policy Framework, the affordable homes provision will include a mix of low cost home ownership including first homes and socially rented;
- An agreement to provide an on site play area in line with Policy 42.

In relation to affordable housing, this will be provided on site and a layout plan of the affordable units will be required via the S106.

In regards to the play area, this is proposed to the south west of the site within the open space. Details have been provided. The area benefits from natural surveillance from the proposed dwellings and no consultee objections to its position or type have been

provided.

In the event of an approval, these will be secured through a Section 106 Agreement.

8. Other Matters.

To the south of the site beyond the southern boundary is a pipeline. The pipeline operators have been consulted and have confirmed that the development is an acceptable distance from the pipeline and thus that there are no safety concerns surrounding the proposal in accordance with Policy 5 of the NELLP.

During consideration of the application a query had been raised about whether the correct Certificate of Ownership had been signed in relation to the site area edged in red. It is confirmed that this resulted in an amended Certificate being provided. This fulfils the procedural requirement for the application.

CONCLUSION

The proposal is for a residential development outside of the development boundary on an agricultural field south west of Scartho. Whilst residential development is typically resisted in such areas the shortfall in deliverable housing land engages the tilted balance in favour of development, subject to an assessment of the proposal against the Plan as a whole.

No technical objections have been received from any consultee and full regard has been given to the substantial and extensive objections by neighbours. Whilst impacts will arise as a result of development, these are considered acceptable.

Thus, the proposal is recommend for approval subject to the conditions outlined and the signing of a Section 106 Agreement.

RECOMMENDATION

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

(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 01.335.22 Rev C
- Tracking Layout E844-05 Rev A
- Feasibility Layout E844-FEAS Rev B
- Feasibility Road and Sewer Sections E844-FEAS20
- Feasibility Road and Sewer Sections E844-FEAS21
- Proposed Block Plan 2.335.22
- Topographical Survey 3.335.22
- Topographical Survey 4109/10/001
- Proposed Site Plan Ecology 15.335.22 Rev H
- Aspen Plans and Elevations 17.335.21 Rev A
- Fuchsia Plans and Elevations 06.335.21 Rev A
- Aspen House Plans and Elevations 14.335.21 Rev A
- Holly Plans and Elevations 15.335.22
- Proposed Garage Plans and Elevations 16.335.22
- Heather Plans and Elevations 04.335.22
- Poppy Proposed Plans and Elevations 05.335.22
- Fuchsia Plans and Elevations 08.335.21
- Poppy Proposed Plans and Elevations 09.335.22
- Elm House Proposed Plans and Elevations 11.335.21
- Hornbeam House Plans and Elevations 12.335.21
- Walnut House Plans and Elevations 13.335.21

Reason

For the avoidance of doubt and in the interests of proper planning and in accordance with Policies 3, 4, 5, 6, 15, 17, 18, 22, 33, 34, 36, 38, 40, 41, 42 and 43.

(3) Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be taken in or dispatched from the site in connection with the demolition and construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time.

Reason

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

(4) Condition

No development shall take place until a Construction Management and Traffic Plan (CMTP) has been submitted to and approved in writing by the Local Planning Authority. The CMTP shall include:

- details of the control measures that will be employed to control the impact of noise, vibration and dust during the construction phase. The noise assessment must comply with the requirements of British Standard 5228.
- Contact details of the person with responsibility for the implementation of the Plan;
- The expected number, types and size of vehicles during the entire construction period;
- Details of on-site parking provision for construction related vehicles;
- Details of on-site storage areas for materials and temporary fencing to the site;
- Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), and
- Details of wheel washing facilities (locations, types etc.).

The approved Plan and control measures it contains shall be implemented throughout the construction phase. There shall be no burning of construction waste material on site.

Reason

In the interests of public health, to protect the amenities of nearby residents, to ensure adequate access facilities are provided during construction and for highway safety reasons to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

Prior to commencement of development, a detailed scheme for Air Quality Improvement, including a schedule for implementation, shall be submitted to and approved by the Local Planning Authority. It shall include a scheme for electrical vehicle charging infrastructure. The development shall then proceed in accordance with the approved details.

Reason

In the interest of improving air quality and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

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

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

Development shall not begin until the following details have been submitted to and approved in writing by the Local Planning Authority.

- (i) Detailed plans to a scale of at least 1/500 showing:-
- (a) the proposed layout of the carriageways and footways on the development;
- (b) the wearing course materials proposed for the carriageways and footways;
- (c) cross sections;
- (d) the highway drainage system;
- (e) the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
- (f) management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;
- (g) details of the Public right of way signs, upgrading of the existing public footpath and provision of the tactile crossing point;
- (h) a phasing and implementation plan;

Once approved, development shall be implemented as approved and in line with the phasing and implementation plan.

Reason

To ensure that the proposed access roads are made up as soon as possible and in the interests of public safety and to accord with Policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

A Residential Travel Plan (RTP) shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is occupied. The RTP should be produced in accordance with NELC Guidance and in liaison with the Residential Travel Plan Officer. The RTP should include, but not be limited to the following:

- Contact details of the person with responsibility for the implementation for the RTP;
- Details of measures and initiatives to be in place to encourage travel by sustainable modes of travel, in particular walking, cycling, and public transport use;
- 3 and 5 year targets associated with minimising lone car occupancy travel;
- Details of how the RTP will be monitored (e.g. results of travel surveys within 3 months of first occupation and at key stages during occupancy;
- The 'life' of the RTP should be from first occupation to 5 years after full occupation of dwellings to ensure that the RTP has adequate time to become effective.

It shall be implemented in line with its terms.

Reason

In the interests of sustainable development and to accord with Policies 5 and 36 of the

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

(9) Condition

Prior to development commencing, a materials schedule detailing all external materials and boundary treatments to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Once approved, development shall proceed in accordance with the agreed details.

Reason

In the interests of good design and to accord with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(10) Condition

No dwelling shall be occupied until a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day has been submitted to and approved in writing by the Local Planning Authority. Once approved, the dwellings shall be occupied in strict accordance with the agreed details.

Reason

In the interests of efficient water management and to accord with Policies 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(11) Condition

The open space and woodland belt shall be completed in accordance with the approved landscaping scheme shown on approved plans LMP-M010622-AH, LP2-010622-AH, LP3-010622-AH and LP4-010622-AH before occupation of the first dwelling. The landscaping shall be protected immediately following planting in accordance with a Tree Protection scheme to be submitted to and approved in writing by the Local Planing Authority. The landscaping shall be protected for the duration of the development until all construction is complete and all plant and materials have been removed from site.

A scheme for phasing and implementation of the remaining approved landscaping throughout the remainder of the site shall be submitted to and approved in writing by the Local Planning Authority before works on site commence. Once approved, the remaining landscaping shall be implemented as approved.

All tree planting shall be maintained for the lifetime of the development in accordance with the approved Landscape Management Plan. Any losses within the first 5 years of development commencing shall be replaced during the next available planting season.

Reason

To ensure early establishment of tree and hedge planting and the satisfactory appearance and setting for the approved development in the interests of amenity and to

accord with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(12) Condition

Prior to any development commencing on the site details of all dwelling finished floor levels, finished levels within the gardens of each plot and a detailed plan for the protection of existing ground conditions where landscaping is to be implemented, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out and retained in accordance with the approved details.

Reason

To prevent compaction of the soil, changes to ground levels, the introduction of contaminants in areas where tree planting and grass/wildflower seeding is to take place and in the interests of residential amenity to accord with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(13) Condition

The development shall be constructed in accordance with the working practises outlined in the Ecological Appraisal.

Prior to any works commencing on the development an up to date Great Crested Newt Survey shall be submitted to and approved in writing by the Local Planning Authority. Should Great Crested Newts be found to be present then a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority and the development shall then only proceed in strict accordance with the approved details.

A scheme of Ecological enhancement and an implementation plan in accordance with the recommendations set out in the Ecological Appraisal shall be submitted to and approved in writing by the Local Planning Authority. Once approved, development shall proceed in accordance with the approved details.

Reason

In the interests of ecological preservation, mitigation and enhancement and to accord with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(14) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (and any statutory amendment thereto), no development under Schedule 2 Part 1, Class B or C shall be permitted within the curtilage of the following plots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27.

Reason

To protect residential amenity and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(15) Condition

Prior to commencement of development, an open space, SuDs and play equipment management plan including final details of play equipment, long term design objectives, timing of the works, management responsibilities and maintenance schedules for it, shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall then be fully installed and the open space, SuDs and play equipment subsequently managed and maintained in accordance with the details approved through the lifetime of the development.

Reason

To ensure suitable open space and play equipment is delivered and managed in a timely manner, in the interests of flood risk to accord with Policies 5, 33, 34, 42 and 43 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(16) Condition

Prior to the commencement of the development final details on the provision of a sustainable surface water drainage scheme to follow the principles shown on Drainage Layout Plan - E844-FEAS and details in the Flood Risk Assessment to include a phasing and implementation plan shall be submitted to and approved in writing by the Local Planning Authority. All drainage shall implemented as approved and in accordance with the implementation plan.

Reason

To ensure drainage is delivered and in the interests of flood risk to accord with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would provide much needed housing that would boost housing delivery at the south western end of Scartho. It would not detrimentally harm the area character or residential amenity and is acceptable under all other planning considerations including drainage, flood risk, ecology and highways. This proposal is approved in accordance with the North East Lincolnshire

Local Plan 2013-2032 (adopted 2018), in particular policies 3, 4, 5, 6, 15, 17, 18, 22, 33, 34, 36, 38, 40, 41, 42 and 43.

2 Added Value Statement

Article 31(1)(cc) Statement - Positive and Proactive Approach In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing additional and amended information during the consideration of the application to ensure robust decision making.

3 Informative

In accordance with Approved Document S of the Building Regulations you will be required to install electric vehicle charging points as part of the development.

4 Informative

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

If the footway or carriageway is damaged as a consequence of any excavation or any other operations relating to the development, the Highway Authority may make good the damage and recover expenses reasonably incurred. You are required to contact the Highway Management Team at least 4 weeks prior to commencement of works to arrange for a highway pre-condition inspection (Tel: 01472 324431).

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

5 Informative

Please note the Public Rights of Way Officer's comments in regards to construction of the access and the procedure around the footpath.

6 Informative

Please note the informative advice from Waste Services in regards to contacting them well in advance of any occupation.

7 Informative

Please note the informative advice from Humberside Fire and Rescue regarding access

and water supplies for firefighting.

8 Informative

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

9 Informative

Please note the Crime Reduction Officers comments in regards to secured by design and applying for the SBD Awards.

10 Informative

The applicants are advised to contact Anglian Water in advance of works commencing to discuss adoption, connections and protection of their assets.

DM/0285/22/FUL – LAND OFF TORBAY DRIVE, WALTHAM



DM/0285/22/FUL – LAND OFF TORBAY DRIVE, WALTHAM



PLANNING COMMITTEE - 2nd November 2022

ITEM: 2 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 - amended drainage information

APPLICANT: AGENT:

Tony White Simon Coyne

Land At Church Lane CDC Architecture Limited

Humberston 35 Louth Road

North East Lincolnshire Scartho
Grimsby

North East Lincolnshire

DN33 2HP

DEPOSITED: 4th December 2021 **ACCEPTED:** 3rd March 2022

TARGET DATE: 28th April 2022 PUBLICITY EXPIRY: 26th October 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, landscaping and the size of the dwellings.

Following extended consultation with neighbours the following comments have been received:

Cyden Homes - maintain their objection to the development. A detailed response has been provided with concerns over the drainage, how the development has been implemented, lack of compliance with previous conditions relating to construction details, landscaping and water use.

14 and 15 Cherry Close - maintain their objections with concerns over drainage, flooding, lighting, access, size of the dwellings and how the development has been implemented.

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 included permeable paving throughout the site with underground storage that then 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 all the information and undertaken site visits and surveyed the site 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. It is also acknowledged that substantial permeability has been achieved through the works that have been undertaken.

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 and shall thereafter be retained 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).

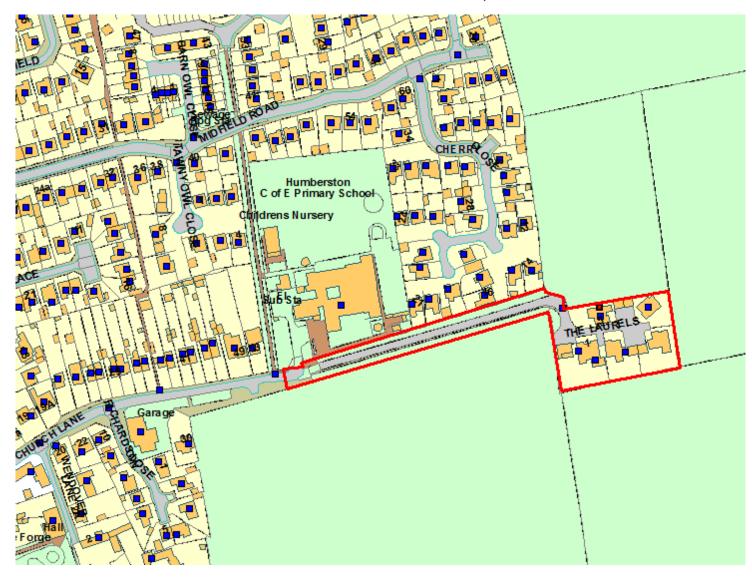
2 Added Value Statement

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



DM/1195/21/FUL - LAND AT CHURCH LANE, HUMBERSTON



PLANNING COMMITTEE - 2nd November 2022

ITEM: 3 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 - amended drainage information

APPLICANT: AGENT:

Tony White Simon Coyne

Land At Church Lane CDC Architecture Limited

Humberston 35 Louth Road

Grimsby Scartho
Grimsby
DN33 2HP

DEPOSITED: 22nd September 2021 **ACCEPTED:** 22nd October 2021

TARGET DATE: 17th December 2021 PUBLICITY EXPIRY: 26th October 2022

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.

Following extended consultation with neighbours the following comments have been received:

Cyden Homes - maintain their objection to the development. A detailed response has been provided with concerns over the drainage, how the development has been implemented, lack of compliance with previous conditions relating to construction details, landscaping and water use.

14 and 15 Cherry Close - maintain their objections with concerns over drainage, flooding, lighting, access, size of the dwellings and how the development has been implmented.

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 included permeable paving

throughout the site with underground storage that then 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 all the information and undertaken site visits and surveyed the site 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. It is also acknowledged that substantial permeability has been achieved through the works that have been undertaken.

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 and shall thereafter be retained 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).

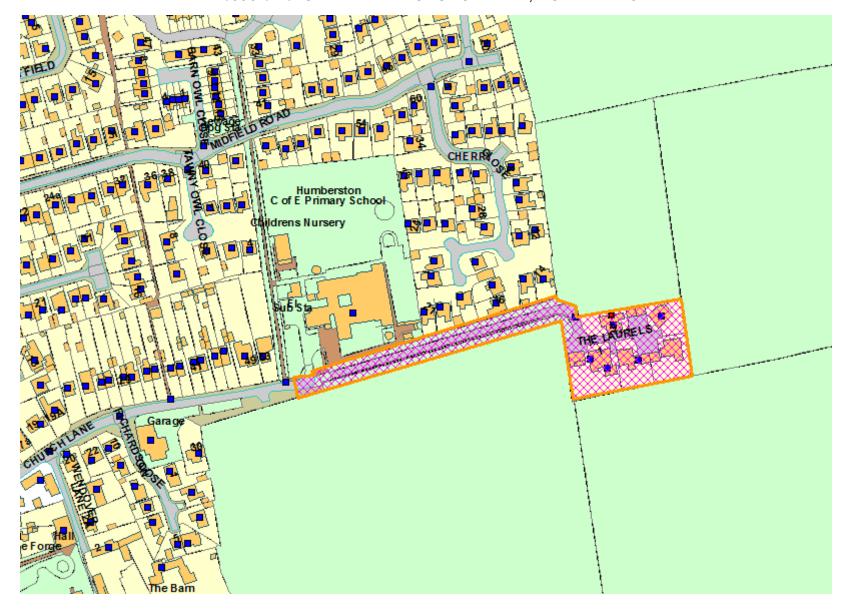
2 Added Value Statement

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



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



PLANNING COMMITTEE - 2nd November 2022

ITEM: 4 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 - amended drainage information

APPLICANT: AGENT:

Tony White Simon Coyne

Land At Church Lane CDC Architecture Limited

Humberston 35 Louth Road

North East Lincolnshire Scartho
Grimsby

North East Lincolnshire

DN33 2HP

DEPOSITED: 14th October 2021 **ACCEPTED:** 14th October 2021

TARGET DATE: 9th December 2021 **PUBLICITY EXPIRY:** 26th October 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 20th November CASE OFFICER: Richard Limmer

2021

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.

Following extended consultation with neighbours the following comments have been received:

Cyden Homes - maintain their objection to the development. A detailed response has been provided with concerns over the drainage, how the development has been implemented, lack of compliance with previous conditions relating to construction details, landscaping and water use.

14 and 15 Cherry Close - maintain their objections with concerns over drainage, flooding, lighting, access, size of the dwellings and how the development has been implemented.

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 included permeable paving throughout the site with underground storage that then 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 all the information and undertaken site visits and surveyed the site 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. It is also acknowledged that substantial permeability has been achieved through the works that have been undertaken.

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 and shall thereafter be retained 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



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



PLANNING COMMITTEE - 2nd November 2022

ITEM: 5 RECOMMENDATION: Approved with Conditions

APPLICATION No: DM/0707/22/FULA

APPLICATION TYPE: Accredit Agnt - Hseholder application

APPLICATION SITE: 18 Stallingborough Road, Healing, North East Lincolnshire,

DN41 7QN

PROPOSAL: Demolish existing detached garage, erect detached garage with storage at first floor with roof lights and associated works

APPLICANT: AGENT:

Dr S Gupta Mr Byron Smith
18 Stallingborough Road By Design
Healing 47 The Avenue

North East Lincolnshire Healing DN41 7QN Grimsby

North East Lincolnshire

DN41 7NA

DEPOSITED: 8th August 2022 **ACCEPTED:** 8th August 2022

TARGET DATE: 3rd October 2022 PUBLICITY EXPIRY: 11th September 2022

AGREED EXTENSION OF TIME DATE: 4th

November 2022

CONSULTATION EXPIRY: 2nd September CASE OFFICER: Becca Soulsby

2022

PROPOSAL

The proposal is to demolish the existing detached garage and to erect a detached garage with storage at first floor with roof lights and associated works.

The application is brought to committee following a call-in request from Councillor Hasthorpe.

SITE

18 Stallingborough Road is a detached house located to the north of Stallingborough

Road. The area surrounding the host property is residential in nature, made up of predominantly detached houses to the north, east, south and west.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

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

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

Consultees

Highways - Approval no conditions.

Drainage - Condition RE Surface Water.

Heritage - No heritage input.

Trees - No comment.

Healing Parish Council - Neither object nor support.

Ward Councillor - Councillor Hasthorpe - Called in to planning committee due to parish council abstaining from comment.

Neighbours

16 Stallingborough Road - Neighbour objects based on massing, overshadowing, poor design quality, not in keeping with existing property and that alternative locations which have less impact are possible.

5 Stallingborough Road - Neighbour comment in support of application.

7 Stallingborough Road - No objections.

Tudor Garth, 18a Stallingborough Road - No objections.

APPRAISAL

The material considerations are:

Principle of Development

The site is located within the development boundary of Healing, therefore Part 1 of Policy 5 of the NELLP 2018 applies. Policy 5 does not preclude works of this nature in principle within the defined development boundaries. It is therefore considered in principle that the proposed development is acceptable subject to the site-specific impacts discussed below.

Design

The existing garage is set back within the site and forms part of the boundary with the neighbouring property at 16 Stallingborough Road. The proposed garage is to be situated in the same location, sharing the same boundary. There will be limited views of the garage from the street scene, limiting any visual impacts. The design is in keeping with the host property and the materials proposed are to match that of the existing dwelling ensuring a satisfactory finish is achieved. The garage would not harm the street scene or wider character of the area given its scale and position and is considered in accordance with Policies 5 and 22 of the NELLP 2018.

Neighbouring Amenity

The host dwelling adjoins 16 and 18a Stallingborough Road to the sides, 52 and 54 Wisteria Drive to the rear, and 5a and 7 Stallingborough Road to the front. An objection has been received from 16 Stallingborough Road with reference to massing, overshadowing and poor design amongst other matters. In relation to 16 Stallingborough Road, it is accepted that the garage would be higher than the existing garage which it would replace given the first-floor element. That being said, both properties have substantial rear gardens along with screening forming the dividing boundary. Therefore, whilst there would be an impact from the physical presence of the development, it would not be unduly detrimental due to its overall size, position and height. Additionally, the development would be to the west which would reduce any adverse overshadowing. In

relation to issues of design, these matters have been addressed already above.

In relation to all other neighbours, the garage would be suitably screened and separated to ensure no adverse impacts.

The comments in support of the application are also acknowledged.

The proposal would not be detrimental to neighbouring amenity and is considered in accordance with Policy 5 of the NELLP 2018.

Other Considerations

The council's Highways, Heritage and Tree Officers raised no concerns in relation to this application. The Drainage Officer has requested a condition to be attached to the decision in regards to surface water drainage.

Healing Parish Council abstained from commenting on the proposal after receiving representations from both the agent and objecting neighbour, and requested that the application be called in for decision by the planning committee. Councillor Hasthorpe called the application in, triggering the requirement for the planning committee decision.

CONCLUSION

The garage whilst larger than a traditional garage can be accommodated and is of an acceptable size, design and appearance in the position proposed. It is considered that the development would not unduly harm the amenity of the neighbouring properties or the character and appearance of the area. The application is therefore considered to be in accordance with Policies 5, 22 and 34 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

3626.01 - Site Location Plan and Block Plan

3626.02 - Existing and Proposed Plans and Elevations

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with Policies 5, 22 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The proposed development shall be constructed in accordance with the materials specified in the application form and on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of good design and in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2018-2032 (adopted 2018).

(4) Condition

No development shall commence until a scheme for the sustainable provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and the drainage implemented in full prior to the use of the garage. It shall be retained as approved thereafter.

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 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

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

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 adding conditions to manage surface water drainage.

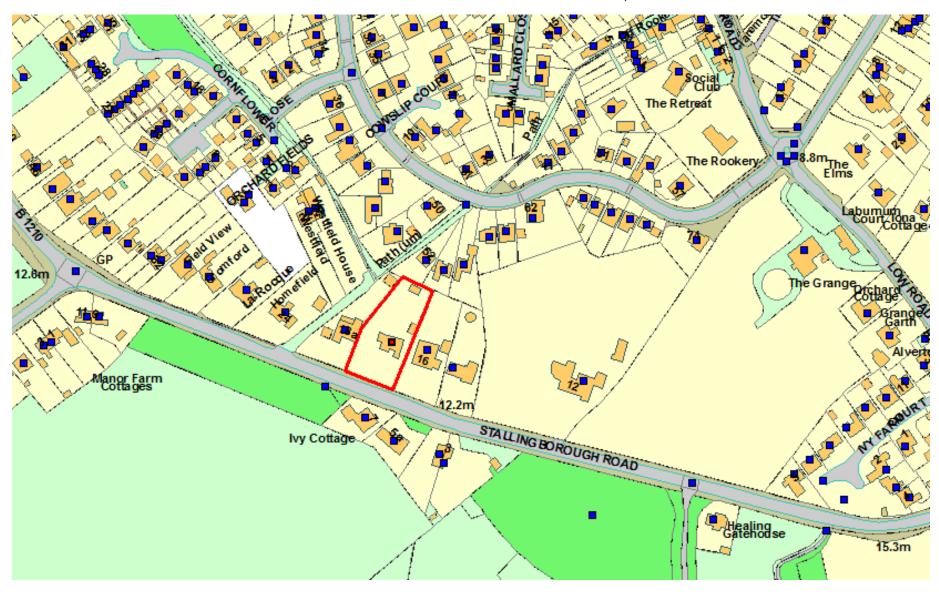
3 Informative

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).

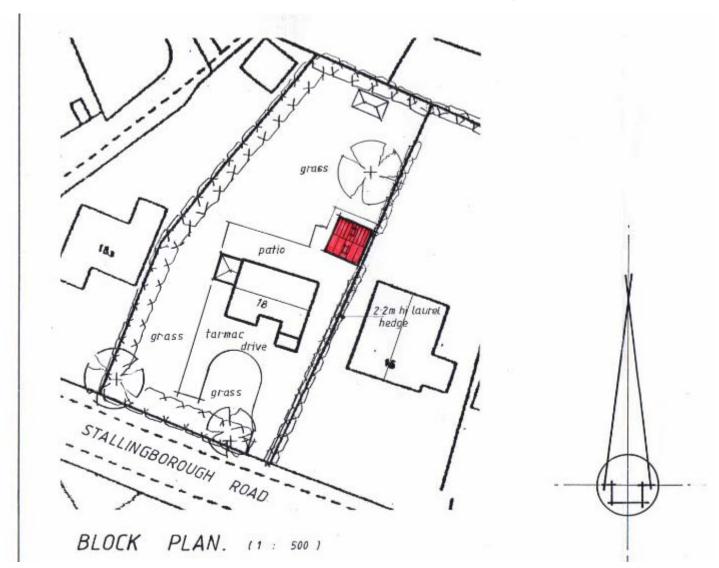
4 Informative

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.

DM/0707/22/FULA - 18 STALLINGBOROUGH ROAD, HEALING



DM/0707/22/FULA – 18 STALLINGBOROUGH ROAD, HEALING



PLANNING COMMITTEE - 2nd November 2022

ITEM: 6 RECOMMENDATION: Approved with Conditions

APPLICATION No: DM/0627/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 18 Humberston Avenue, Humberston, North East

Lincolnshire, DN36 4SJ

PROPOSAL: Demolish existing dwelling and erect 2 detached dwellings with garages and associated works (Amended Description and Plan received 23rd September 2022 omitting Plot 7 from scheme and retaining approved landscaping)

APPLICANT: AGENT:

Ms M Lewis Ross Davy Associates - Daniel Snowden

18 Humberston Avenue Pelham House Humberston 1 Grosvenor Street

North East Lincolnshire Grimsby

DN36 4SJ N E Lincolnshire DN32 0QH

DN32 0QF

DEPOSITED: 12th July 2022 **ACCEPTED:** 22nd July 2022

TARGET DATE: 16th September 2022 PUBLICITY EXPIRY: 14th October 2022

AGREED EXTENSION OF TIME DATE: 4th

November 2022

CONSULTATION EXPIRY: 15th August 2022 CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to demolish the existing dwelling and erect two detached dwellings with garages and associated works.

The application is brought to Planning Committee following an objection from Humberston Village Council.

SITE

The site is located to the south side of Humberston Avenue and takes access from a

private drive. Humberston Avenue runs east to west and links the villages of Humberston (to the east) and New Waltham (to the west).

The site currently comprises a single dwelling in extensive grounds, its measures 128 metres in length (north to south) and 36 metres in width (east to west). The site is relatively flat.

The site contains a number of large mature trees with a large concentration of these along the front of the plot. This screens the site from the road. The site to the rear has recently been undergoing construction following an earlier approval however only one dwelling has been constructed and is not yet finished.

The site is located in an area characterised by residential development onto Humberston Avenue. In recent years there have been a number of backland developments behind existing dwellings on Humberston Avenue and the division of existing plots to create new residential curtilages.

The plot is surrounded by residential development to the western and eastern boundaries. Directly to the south is the adjacent development site and beyond that the Scouts Camp.

RELEVANT PLANNING HISTORY

DM/1220/14/OUT - Outline application for the demolition of existing dwelling & erection of five dwellings with all matters reserved - Approved with Conditions

DM/0298/17/OUT - Outline application to demolish existing dwelling and erect 5 dwellings with all matters reserved - Approved with Conditions

DM/0101/18/REM - Reserved matters application pursuant to DM/0298/17/OUT (Outline application to demolish existing dwelling and erect 5 dwellings with all matters reserved) to consider access, appearance, landscaping, layout and scale (four plots) along with details in discharge of conditions 3 (Drainage) and 4 (Construction Management Plan) - Approved with Conditions

DM/0367/18/CND - Details in discharge of Condition 3 (highways access) pursuant to application DM/0101/18/REM (Reserved matters application pursuant to DM/0298/17/OUT (Outline application to demolish existing dwelling and erect 5 dwellings with all matters reserved) to consider access, appearance, landscaping, layout and scale (four plots) along with details in discharge of conditions 3 (Drainage) and 4 (Construction Management Plan)) - Conditions Complied With

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.

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

PO41 - Biodiversity and Geodiversity

PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Humberston Village Council - Objects based on concerns relating to back land development in this area following an adopted policy.

Highways Officer - Parking and turning and CTMP conditions and highways works license informative.

Environment Team - Hours of construction/demolition and Construction Method Statement conditions.

Drainage Team - Sustainable drainage condition and no raising of ground levels.

Heritage Officer - No input required.

Trees & Woodlands - Previously objected to the scheme. Amendments provided and landscaping now acceptable. Recommends a Method Statement relating to works compound.

Anglian Water - Under threshold for comment.

Ecology - Previously requested a newt survey however further clarification has removed this requirement. If newts are found, works to stop and the ecologist consulted.

Linesearch - Owners identified and consulted.

HSE - No interest.

Neighbour Representations

7 Canon Oakes Court - Objects based on concerns relating to inaccuracy, misleading details, boundary treatments, signage, road material, flood risk advice, drainage, loss of privacy and health concerns. Reference to loss of heritage feature.

APPRAISAL

Principle of Development

The application site is located within the development area of Humberston, and as such policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) applies. Moreover this is effectively a small residential development which has commenced under a separate permission and the frontage is now subject to this new and amended scheme. The principle of the development is acceptable in policy terms subject to an assessment of the site-specific impacts.

Impact on the Visual Character of the Area and Layout

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

The dwellings would be two storeys in height, adopting an 'L' shaped footprint, to include a protruding wing to the rear. The dwellings would provide a lounge, kitchen/dining/day room area, utility and integral garage at ground floor and four bedrooms, a bathroom, ensuites and landing at first floor. The second floor would also include a bedroom and playroom within the roof space. There would be openings installed to all the elevations, with roof lights to the rear roof slope, which would face onto the neighbouring property, landscaped area and side boundaries. The dwellings would sit at around 9.1 metres in maximum height and would adopt a pitched roof. The rear wing and front gable would sit lower. These would be constructed of brown brickwork and dark grey roof tiles. Furthermore, the window and door openings would utilise uPVC in a white/cream finish.

The proposal is for two detached dwellings with garages, following the demolition of an existing dwelling, located at 18 Humberston Avenue in Humberston. In view of the predominant character, the proposal would represent a similar density to other plots in

the locality and following previous approvals to the rear. The principle of two detached dwellings and garages on this plot would not be seen as out of character in this context as Humberston Avenue is considered similar in design and appearance, with a similar range of materials used within the vicinity of the application site. The dwellings are of pleasant design incorporating more traditional details with pitched roofs, gable ends and a vertical emphasis to openings.

The scheme includes sufficient outside amenity space, as part of their domestic curtilage, mostly to the rear with some to the front. This would include a driveway and hard standing to the front of the plots. There are existing boundary fences to the eastern and western boundaries which would be retained to the west however the eastern boundary would include the retention of the replacement close boarded fencing at 2.4 metres in height to its entirety. New close boarded fencing would be installed to the side boundaries of the new plots as well between them to create the separation of the garden areas, at around 1.8 metres in height. The driveways and access points would be open.

It should also be acknowledged that the scheme has been significantly amended since the initial submission which included an additional plot to the front, known as Plot 7. This has been removed from the scheme following concerns relating to the impact of the approved landscaping scheme. It was important to retain the approved landscaping scheme in order to support the works and this has now been achieved. Some additional planting has also be included to the new plots. The Trees and Woodlands Officer has confirmed that this is now acceptable however has suggested that a method statement relating to actions and materials to be used to ameliorate the existing ground conditions so that it is conducive for the approved landscaping scheme to establish. A condition to this affect has been included to ensure that this is acceptable.

It is therefore considered to be in accordance with policy 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Highways

Access to the site would be taken from Humberston Avenue utilising the access point and road as previously approved. The plans indicate that driveways would be included to allow for off-street parking to each plot.

The Highways Officer has reviewed the details and had requested further information to demonstrate that the existing access can be upgraded to the required criteria and standards. The passing place has also been upgraded with the bin storage area also included. The agent has provided the details, and this has been deemed acceptable. Some additional conditions relating to parking, manoeuvring and construction traffic management have been requested and these have been included.

It is therefore considered that the proposal would not lead to severe/significant impact on the wider highway network and cause a detrimental impact to highways safety subject to further details being provided. It is therefore considered to not be in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Drainage and Flood Risk

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

The agent has confirmed that they agree to a condition in this instance though its not considered that there are any specific drainage issues. Details relating to water reuse are also required and have also been recommended as a condition.

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

Trees and Ecology

The site does include trees that are covered by tree protection measures. The previous approval included significant work to prevent damage to trees and create a landscaping scheme which supported the scheme without detriment to the trees. This is adhered to in this scheme through the amendments discussed above.

The Ecology Officer had previously commented to state that a newt survey would be required given the presence of a pond on site. However, it has since been confirmed that this is not a pond as such and more a rockery feature. Following further discussions the Councils Ecologist confirms that there is no need for a specific report but should anything be found then appropriate action is taken. A condition is recommended.

Therefore, it is considered that this would be in accordance with policies 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the guidance in section 15 of the NPPF 2021.

Impact on Neighbouring Properties

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

There has been one objection received from the neighbour, at 7 Canon Oakes Court, relating to inaccuracy, misleading details, boundary treatments, signage, road material, flood risk advice, drainage, loss of privacy and health concerns.

The heritage, drainage and flood risk issues have been reviewed by the relevant

consultees and relevant conditions and details have been requested to address these at a later date, where necessary. The fencing has been included with this application to authorise these works that have already been erected. It is important to note that the demolition of the existing dwelling has already been approved under previous applications. The issues raised have been considered by the relevant consultees and, where required, details requested in which have resulted in conditions to be included to secure the details prior to commencement on site.

The design includes openings to the front, sides and rear at both floors, which would be adjacent to the neighbouring property, side boundary and neighbour at 22 Humberston Avenue. There were some concerns relating to the impacts to the neighbour, at 22 Humberston Avenue, given the introduction of two plots adjacent to the side boundary and the private amenity space. The separation is now in excess of 21.5 metres to this neighbour and 24.7 metres from the neighbour to the west. The plots have since been moved back sufficiently in order to address any privacy or overlooking issues.

It is considered that the impact of these openings would not negatively affect the privacy of neighbours or present an unacceptable arrangement in relation to overlooking given the separation and arrangements of the layouts of the properties.

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

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

CONCLUSION

In conclusion it is considered that the proposed development would not have an unduly detrimental impact on the neighbouring properties residential amenities, the character and appearance of the area, highway safety and amenity and drainage and flood risk. The proposal therefore accords with Policies 5, 22, 33, 34, 41 and 42 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - RD4011-33A Proposed Site Plan - RD4011-32E Proposed Floor Plans and Elevations for Plots 5 & 6 - RD4011-30A

Reason

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

(3) Condition

The proposed development shall be constructed using materials as specified within the application form received 12th July 2022c unless otherwise first approved in writing by the Local Planning Authority.

Reason

This condition is imposed in the interests of design considerations in the context of the existing buildings in order to comply with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

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

Reason

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

(5) Condition

No development shall commence until a final scheme for the sustainable provision of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and the drainage implemented prior to occupation and shall thereafter be so retained unless otherwise agreed in writing by the Local Planning Authority. There shall be no raising of ground levels.

Reason

To prevent an increased risk of flooding by ensuring the provision of a satisfactory means of surface and foul water disposal in accordance with policies 5, 33 and 34 of the North

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

(6) Condition

Prior to occupation of the dwellings, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be adhered to at all times following first occupation.

Reason

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

(7) Condition

Development shall not begin until details showing the location, layout, design and method of construction of the new and altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the vehicular access, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

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

(8) Condition

No works related to the development hereby approved shall begin until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP should include, but not be limited to the following:

- 1. Contact details of the person with responsibility for the implementation of the CMP;
- 2. The expected number, types and size of vehicles during the entire construction period;
- 3. The proposed daily hours of operation during the construction period;
- 4. Details of on-site parking provision for construction related vehicles;
- 5. Details of on-site storage areas for materials and any construction compound, also relating to trees:
- 6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required: and
- 7. Details of wheel washing facilities (locations, types etc.).
- 8. Means of suppressing dust and noise.

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

Reason

To ensure adequate access facilities are provided during construction, and for highway safety reasons. in protect residential amenity and in the interests of tree protection and to accord with Policy 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

If any great crested newts are found on site at any time during construction, then works must stop and this be reported to the Local Planning Authority. A survey for Great Crested Newts shall then be undertaken and submitted to the Local Planning Authority along with any required mitigation. Works shall only recommence on agreement of the Local Planing Authority and in accordance with any agreed mitigation.

Reason

In the interests of ecology to accord with Policy 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 5, 22, 33, 34, 41 and 42.

2 Informative

Article 31(1)(cc) Statement - Positive and Proactive Approach In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.

3 Informative

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

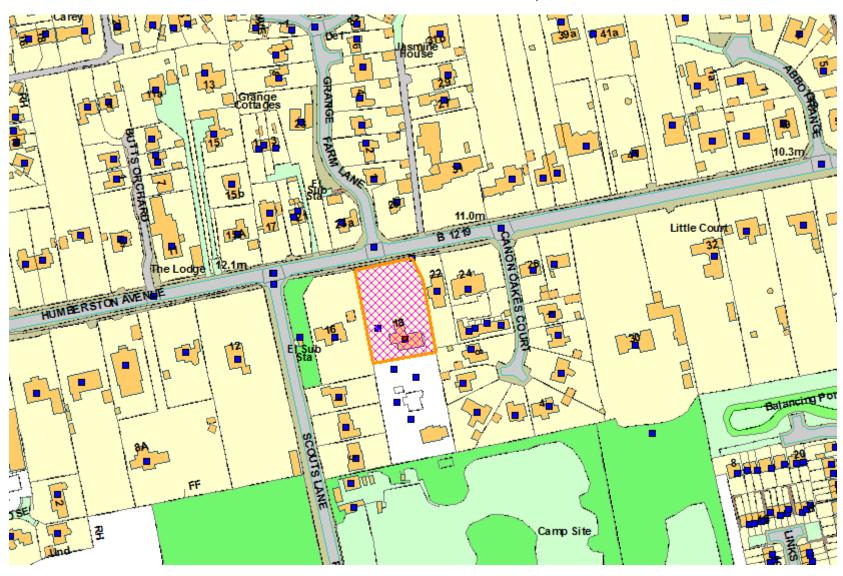
4 Informative

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

5 Informative

As works are required within the existing highway to enable the development to take place, please contact Highways Management Team on 01472-324431 well before works begin.

DM/0627/22/FUL - 18 HUMBERSTON AVENUE, HUMBERSTON



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