

Item 1 - Land Off  
Torbay Drive,  
Waltham  
DM/0285/22/FUL

Planning Application Reference: DM/0285/22/FUL Proposal: Erect 64 dwellings with associated access and landscaping Location: Land Off Torbay Drive Waltham North East Lincolnshire

**Waltham Parish Council recommends refusal of this application on the following grounds. The proposal is not on a site designated for housing in the Local Plan and would be an erosion of the strategic gap between Scartho and Waltham. There are other sites in Waltham designated for housing that are not yet developed. The increase in the number of houses from the original application increases the density and represents an over-intensification of the site. The development would increase traffic, impacting significantly on Boundary Road and Torbay Drive. The Parish Council questions if the concrete roads in this location would deteriorate further with the increased volume of traffic. The proposed access crosses a public right of way, and the Parish Council is concerned over the impact on the footpath. The Parish Council has concerns over increased flooding to properties on Emfield Road, with some properties already experiencing flooding during high rainfall periods.**

Planning Application Reference: DM/0285/22/FUL 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)). Please note all previous representations sent in still stand on this application. Location: Land Off Torbay Drive Waltham North East Lincolnshire

**Waltham Parish Council's position remains the same and it recommends refusal of this application on the following grounds: The proposal is not on a site designated for housing in the Local Plan and would be an erosion of the strategic gap between Scartho and Waltham. There are other sites in Waltham designated for housing that are not yet developed. The increase in the number of houses from the original application increases the density and represents an overintensification of the site. The development would increase traffic, impacting significantly on Boundary Road and Torbay Drive. The Parish Council questions if the concrete roads in this location would deteriorate further with the increased volume of traffic. The proposed access crosses a public right of way, and the Parish Council is concerned over the impact on the footpath. The Parish Council has concerns over increased flooding to properties on Emfield Road, with some properties already experiencing flooding during high rainfall periods.**

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Lilian Maxwell

Address: 3 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having seen previous comments, I would agree wholeheartedly with everyone else's objections. Having recently objected to a previous application for agricultural access at this point, I am surprised that anyone would again propose using Boundary Road as access. Rather than repeat the very valid comments of everyone before me about the total unsuitability of Boundary Road as an access point for many reasons, the potential loss of wildlife habitat and the already stretched amenities not being able to cope with more housing, I would like to add my name to the many objections to this application.



## Planning - IGE (ENGIE)

---

**From:** Christine Watkinson  
**Sent:** 24 May 2022 10:19  
**To:** Planning - IGE (ENGIE)  
**Subject:** Objection toDM/0285/22/FUL

Dear Sir/Madam

As a resident of 4 Torbay Drive I am horrified at the prospect of this development in the plans there's has been no mention of the infrastructure being further developed too ,the schools are already overloaded in this area as are the doctors and dentists and not to mention the traffic increase . The norm now is 2 cars (at least) per household that is an increase of 128 cars Torbay drive is a very small road to cope with that massive Increase it is frightening prospect .

Boundary road parking is hazardous at the best of times as most of these houses do not have garages but they do have 2 cars when the emergency service need access the extra traffic and parking will cause further difficulties plus all the heavy vehicles that will need access to the building site is the structure of the road able to take the weight of these heavy vehicles as there has been in the past a collapse of part of the road .

The public pathway that will run parallel to Emfield road will be a nightmare for the residents day and night these fenced areas always attract clusters of groups or gangs that disrupt and cause disturbance

I must also mention the total destruction of all the flora and fauna in the whole Plan it cannot have escaped your notice that there are lots of wild life In the field that is In question sightings of deer foxes squirrels even badgers to destroy all of this natural habitat would be criminal .

In Grimsby we do have many areas with new developments in progress and I realise it is necessary for the future but there are better areas that would be lest destructive to our Great Grimsby .

Yours Sincerely

Mrs Christine Watkinson

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Linda Lambert

Address: 6 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The road network is not suitable for heavy lorries.

The road network is not suitable for an extra 64 vehicles and possibly double that number.

I live on a corner which will be used for access and it is already dangerous due to the speed of some vehicles.

The extra number will make it an accident waiting to happen.

I am registered blind and therefore the additional traffic will make it very difficult for crossing the road due to the number of cars that are already parked there.

I strongly object to this plan.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr NEIL FARMAN

Address: 8 Torbay drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I strongly object to this development .The access is totally unsuitable and the effect on the neighborhood will be devastating. I have lived in this area for 15 years and to build a development of any kind is wrong

On another point the wildlife in what is left of the green belt has suffered enough with ongoing developments in and around the area .

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr JOHN Tuck

Address: 9 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I ask the question why is this planning application being allowed to be put forward again when as I understand it has been turned down 3 times now already, for a lesser number of houses. And the only reason I can see for it is that some member or members of the council will directly or indirectly gain from it financially.

Therefore, I hope there is a system in place where such councillors must declare their interest and are not allowed to take part in any debate or vote on the matter.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Jenifer Tuck

Address: 9 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a resident of Torbay Drive for 20 plus years we were unfortunate to suffer flooding to our property in August 2014. The council advised us after an inspection by themselves and Anglian Water the underground pipes in Boundary Road were old and had tree roots around them. I fear that heavy lorries traveling over them could amount to more damage, and the drains not able to cope with the amount of water a new build would create. Add the amount of traffic this new build would constitute with the current volume of vehicles on the estate and you will finish up with a major grid lock at the exit onto Waltham Road which is very busy at peak times.

**From:**

**Sent:** 02 June 2022 09:38

**To:** Planning - IGE (ENGIE) <planning@nelincs.gov.uk>

**Subject:** Further objection to planning DM/0285/22/FUL

Further to my previous objection to the above planning application on land of Torbay Drive Grimsby.

I would like to draw your attention to the attached images showing severe damage to the kerb stones adjacent to our property .

This concern has already been raised by NELC waste services on the planning portal with regard to the new proposed build.

I remain fully in objection to this application.

Respectfully

Jennifer Tuck  
9 Torbay Drive  
Grimsby



From: ivy kettrick  
Sent: 22 May 2022 17:30  
To: Planning - IGE (ENGIE) <[planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)>  
Subject: Planning DM/0285 objections

Boundary road is already congested and road surface not suitable for heavy vehicles.  
Torbay road is a quiet road with mainly elderly people There is a public right of way in this field Toll  
bar school is full so where would extra children go Roads into town from Scartho are already  
congested Torbay drive is too small to give access to so many houses Plans have been rejected  
before, how is this different.  
Joining Waltham and Scartho would destroy the village feel of both places

Ivy Kettrick, 12torbay drive, Grimsby, dn333dq

Mrs J E Arnold  
14 Torbay Drive  
GRIMSBY  
DN33 3DQ

Commenter type: Neighbour (and Scartho resident for 38 years)

Objection to the proposal to erect 64 dwellings with associated access and landscaping/Land off Torbay Drive. Waltham.

**Ref:** DM/0285/22/FUL

**Case Officer:** Cheryl Jarvis

I would like to lodge my formal objection to the above planning application on the following grounds:

**Building works** - if passed this will mean heavy, noisy and dirty construction traffic using the roads along Boundary Road, Bulwick Avenue and Torbay Drive for site access. It will also mean an increase in carbon emissions from vehicles. At peak times these roads are already busy and will require regular cleaning. Boundary Road is laid to concrete and not tarmac, as the proposer suggests and is in poor repair in some areas. What will the impact of 32 ton trucks have on this on a daily basis and who will be responsible for any costly road repairs?

**Flora and Fauna** - the proposed area of the building is visited regularly by deer, foxes, rabbits, hares, mice, hedgehogs, bats and birdlife, currently including skylarks and buzzards. Neighbours have reported evidence of badger movements locally. Developing this land will reduce and impact on many habitats.

**Footpath from Rivan Avenue** - this footpath is well used by dog walkers, families and those wishing to enjoy the peace and tranquillity of having the countryside "on their doorstep". Surely post COVID, we should be encouraging everyone to get outdoors, for their mental wellbeing. Fencing this footpath to make way for this development is not the way forward and may result in anti social behaviour and create an "unsafe" space for people to walk, especially during the darker winter months

**Council's Strategic Plan** - is this proposed development within NELC's strategic plan? It is my understanding that the land bridges between Waltham and Grimsby and Waltham is already over its quota required for new housing. Will the housing be



“affordable for our younger people” or merely more executive 3 & 4 bedroom homes they cannot afford? Would it not be better to make use of the many empty houses within the borough?

**Loss of the strategic gap between Grimsby and Waltham** - building on the proposed land would remove part of the strategic gap between Grimsby and Waltham and would surely leave the flood gates open for further applications for development, resulting in greater urban sprawl with total loss of our “*green and pleasant land*”

**Local Infrastructure** - local services in Scartho, including Schools, Doctors, Dentists, and pharmacies are already stretched to capacity with Springfield Primary currently oversubscribed. With another 800 houses planned for Scartho Top and building taking place at Toll Bar, where and who will provide the funding and places for services needed to support these new residents?

**Increase in local traffic** - at peak times the increase in traffic along Springfield Road, Bulwick Avenue, Boundary Road and the surrounding areas, increases greatly. There is only 1 school crossing patrol on Waltham Road and despite restricted parking on Lavenham Road near the school, some drivers continue to park and drive in a dangerous manner. Surely this will only increase as 64 dwellings could mean over 100 plus vehicles using these roads. Lots of children cycle along Boundary Road to access Toll Bar Academy and their safety and the safety of others must be studied carefully. Many older residents walk in this area and feel safe in the quietness they have known for many years. I fear this plan is just the “tip of the iceberg”.

**Loss of agricultural land** - the land for the proposed site is currently used for agriculture. Surely, in today's world, we should be encouraging more agriculture to feed ourselves as an “island nation”?

**In conclusion I would respectfully request that the planning committee reject this planning application.**



Mr K J Arnold  
14 Torbay Drive  
GRIMSBY  
DN33 3DQ

Commenter type: Neighbour (and Scartho resident for 38 years)

Objection to the proposal to erect 64 dwellings with associated access and landscaping/Land off Torbay Drive. Waltham.

**Ref:** DM/0285/22/FUL

**Case Officer:** Cheryl Jarvis

I would like to lodge my formal objection to the above planning application on the following grounds:

- **Building** - if passed this will mean heavy, noisy and dirty construction traffic using local roads, which are not really suitable for such means.
- **Wildlife** - we have a wide range of inhabitants which live all around the area proposed for building.
- **Area of natural gap between Waltham and Scartho** - if passed this will erode part of the natural boundary between Grimsby (Scartho) and Waltham. Scartho has been known for many years as a village in its own right but is quickly becoming another suburb of Grimsby with no clear definition
- **Footpath Fairway to Rivan Avenue** - it is so sad to think that soon we may have no green footpaths locally to walk but once again will be forced to walk amongst housing estates.
- **Council's Strategic Plan** - is this proposed development within NELC's strategic plan? I cannot understand the need for more new housing when there is another 800 plus due to be built on Scartho Top! There is also huge construction underway at Toll Bar.
- **Local Infrastructure** - currently getting an appointment at either a dentist or Doctors is very hard and this will only get worse with another 64 houses and

bungalows, with potentially 2-4 people per household, or more. Are there sufficient school places locally?

- **Increase in local traffic** - local traffic passing through the Springfield and Fairfield areas is ever increasing. If passed all traffic from this development must exit via Torbay Drive and Boundary Road or Bulwick Avenue. These roads are heavily used at peak times with lots of children walking and cycling and will add to the danger for them.
- **Loss of agricultural land** - the land for the proposed site is currently used for agriculture. Do we not need more areas to grow food to feed people and livestock as import/food taxes increase and peoples budgets decrease.
- **The farmer** recently withdrew his application for agricultural access to this land and met opposition from local residents. How is this application any different, surely it is much much worse?

**I respectfully request that the planning committee reject this planning application once again.**

**From:** Jane Arnold  
**Sent:** 31 May 2022 15:28  
**To:** Planning - IGE (ENGIE) <planning@nelincs.gov.uk>  
**Subject:** Further objection to planning application DM/0285/22/FUL

Dear Ms Jarvis

Further to my previous objection to the above planning application I would like the planning committee to note the following:

I read with interest the comments added by Kate Fox, Waste Services Manager on 04/05/2022 where she states regarding waste vehicles accessing the proposed new site "our vehicles need an adequate turning circle of 18 metres. The plans indicate this is not available.....there may be occasions when vehicle tyres hit the kerbside & potential for damage .... waste services will not accept any liability for damage at any time."

Please see attached 3 photographs showing the damaged dropped kerb outside of our property at 14 Torbay Drive. Even in this wide cul de sac vehicles including the waste collection ones regularly mount and damage our dropped kerb rendering it very uneven & dangerous.

This could also be the case for the new planned development.

The waste teams do a sterling job but it is fact that HGV vehicles reversing can be a real danger to pedestrians and children .

I urge you again to please reject this planning application.

Yours respectfully  
KJ & JE Arnold 14 Torbay Drive







**From:** kevin Arnold

**Sent:** 02 June 2022 21:07

**To:** Planning - IGE (ENGIE) <[planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)>

**Subject:** Further objection to planning application DM/0285/22/FUL

FAO Cheryl Jarvis

Further to my previous objection to the above planning application I would like to draw attention to the attached images. These show the "lake" that emerged on the farm land lying to the right of Peppers Hill in the farmers field & next to the cow field.

During heavy February rain this year, this lake quickly emerged due to flooding of the low lying field. I feel this further supports the residents fears of previous & future flooding that may occur during/following the proposed building of 64 dwellings nearby.

Look closely and you will see that it was deep enough for someone to row a small boat across it! This may have seemed funny to some but with climate change as it currently stands it can only get worse.

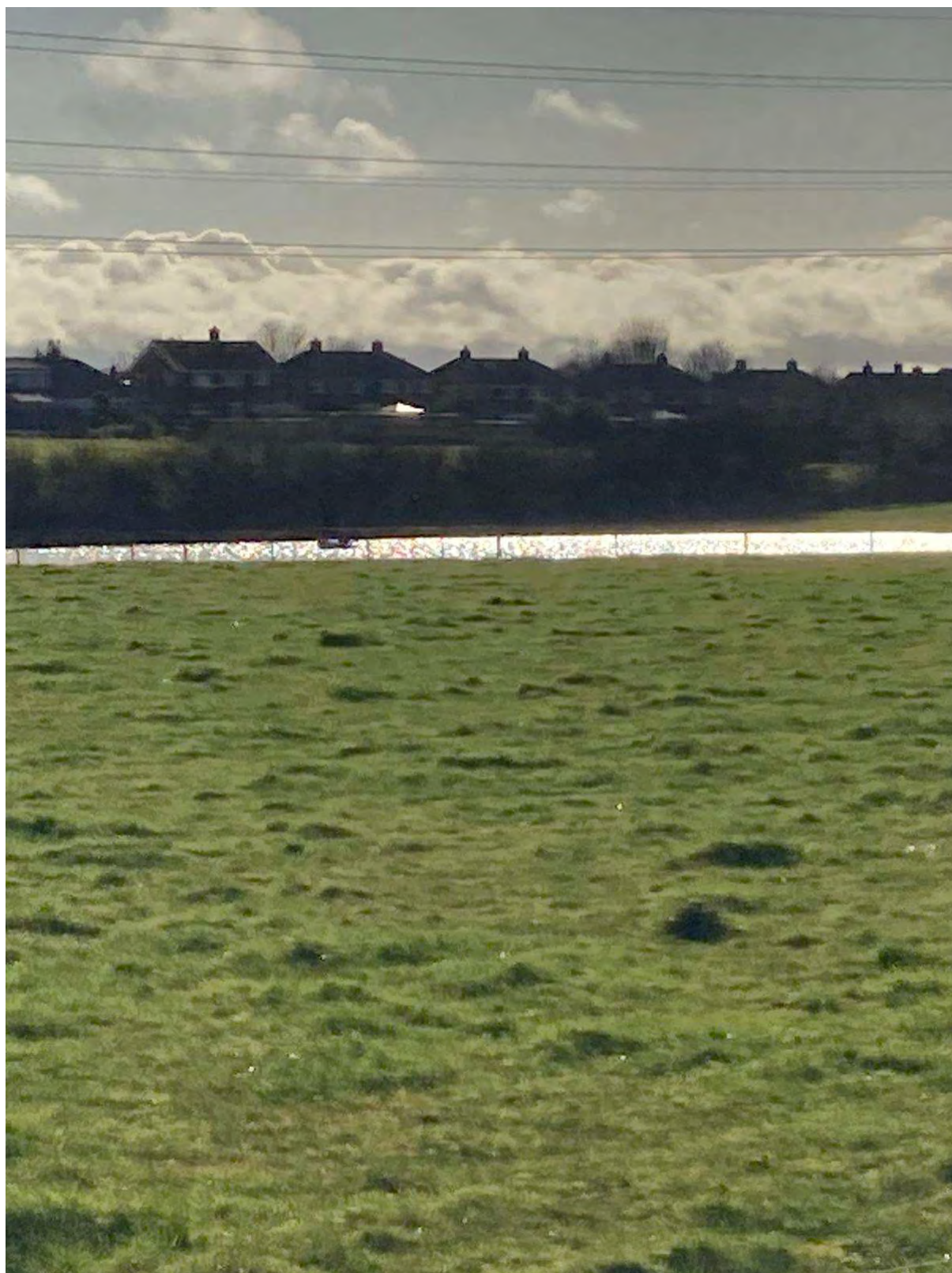
Please deny this application .

Yours

Kevin Arnold

Images taken from rear of Torbay Drive looking towards rear of Fairway Waltham









# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Paul Whittall

Address: 15 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write to object to this proposed development for the following reasons:-

### 1) Access to development

- a) The approach roads are of a residential nature and are not suitable for construction traffic use, for a period of around 12 months.
- b) currently the junctions between Boundary Road, Totnes Road/Dawlish Road and Torbay Drive have no road markings or signage. Once complete the 64 dwellings will produce an extra 100+ car movement's. This will need addressing to ensure residents safety.

### 2) Public footpath

- a) alongside the new development this path will become more enclosed and will become attractive for anti social behaviour.
- b) The new pond is alongside this footpath, this will become a health and safety concern with young children walking past.

3) Surface water drainage - it would appear that this goes to the pond and any excess goes to the ditch alongside the public footpath. This ditch will need maintaining to eliminate any blockages, flooding etc.

4) Conservation- Skylarks are seen in this area and if constructed, would be another area of habitat lost. Skylarks are on the red danger list of Birds under conservation concern 2021.

5) Strategic Gap - Thus area was identified by NELC in the local plan. Development would erode the strategic gap between Scartho and Waltham.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Kim Brown

Address: 18 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Once again, our quiet, well kept residential area is under threat from yet another submitted application for new housing to be built on this land. Hopefully sense will once again prevail, and this application dismissed. The roads leading up to what is the single access point to the proposed development, are wholly unsuitable for purpose. Are we all to park our cars several streets away to accommodate huge construction vehicles and the like which would be needed for the development. I note the magnificent document on transport etc!! What a joke that is! The developer would have been better served in scouting for a suitable area for his building project. The area is hugely over developed already. Will the builder have contingency funds to increase the availability of GP and schooling places? I think not. The massive development at Toll Bar is going to have a detrimental effect on noise, traffic and travel, air and light pollution and putting lives at risk with the increase of traffic close to the school. Wildlife is very much affected also. We and those responsible to the town planning, should be more sympathetic to the planet we live on stop destroying the natural habitat of our animal friends. I am horrified that this piece of land between Scartho and Waltham is being considered at all for development. There are so many new housing developments taking place all around the town, we do not want, or need another in Scartho/Waltham. We give a resounding THUMBS DOWN to this application. NO, NO, NO!!

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Kim Brown

Address: 18 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I find it absolutely incredible that the developer and his representatives blatantly lied on an official form of application saying that HE (Mr Snape) owned the land and that it was NOT presently used for agricultural purposes. This was not a simple 'slip of the pen' error. More, blatant lie. These unscrupulous people will stop at nothing in their devise quest to get away with rapeing the land for nothing other than mass profit. I only hope that the planning committee consider all of these letters of objection and devour the extent of total devastation it will cause to the residential harmony, social consequences and destruction of wildlife habitat and natural beauty currently enjoyed by local residents.

kim & Alan Brown

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Martin Brockbank

Address: 22 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to strongly object to the planning application off Torbay Drive Grimsby.

The heavy construction vehicles and additional traffic will cause excessive noise and mud from the site. Also, a potential for flooding down Torbay Drive, as the new development is on higher ground.

Some Torbay and Boundary Rd residents own more than one car, this already causes problems, as the streets are not wide enough, especially for emergency vehicles. All traffic must exit via Torbay Drive/ Boundary Rd or Bulwick. At peak times when children leave school this will cause an increased risk of danger to them.

Currently obtaining an appointment with a Dentist/Doctor is extremely difficult. This will be exasperated if more houses were to be built.

The development will contravene your local plan, being outside the area in the strategic gap between Grimsby and Waltham. It's an important green belt corridor containing lots of wildlife ie, foxes, deer, birds and badgers. This will destroy their habitats.

I respectfully request the planning committee wholeheartedly reject this planning application for the final time.

Martin Brockbank.

# **Comments for Planning Application DM/0285/22/FUL**

## **Application Summary**

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## **Customer Details**

Name: Mrs Kim Brown

Address: 18 Torbay Drive Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Understandably, Snape builders are doing their utmost to project their company, standards and reputation in a positive light, and all of the 'propaganda' surrounding their self promotion may be well deserved. This is not of issue in relation to their heavily loaded application.

However, the voice of discontent, rejection and opposition from those of us that will be badly affected, must surely be listened to and this application once and for all declined.

Once again, on behalf of our community, we urge the planning committee to strike through this application and let this lovely area and its residents enjoy the tranquility and quality of life we chose when purchasing our properties.

Alan and Kim Brown

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Thomas Allsworth

Address: Nauvoo 25 Torbay Drive scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Field survey - destruction of protected species habitat

It is claimed that an extended phase 1 habitat survey was completed on 1st February 2022 by Ecologist Rachel McNally. It is further claimed that she has three year's experience of undertaking ecological walkover surveys. With respect to Ms McNally, it needs asking why she undertook the survey outside the breeding season for great crested newts and at a time when difficulty existed in their observation - rather convenient! However, more importantly, I can find no reference in the report that disputes observations made by dog walkers during last summer 2021, that the species exists in the drainage ditch to the end of Torbay Drive. GCN are noted by their rather long black bodies and orange bellies. They are a protected species under the Wildlife and countryside act 1981 and are a priority species under UK post -2010 framework and under Annex IV of European Habitats Directive. They cannot be harmed. Question - has any eDNA sampling been conducted, I suspect not, simply because they are a hinderance, and the planned destruction of their habitat would follow thus quietly build on previous noted FARMLAND. What other endangered species exist on that land? I suspect there could be many but this is kept quiet by planners illegally. The same goes for Dormice which came off the field and entered our garden at end of autumn 2021.

Factually false measurements on planning application

Factually incorrect measurements on planning application eg distance to bus stops is WRONG in planning favour. It also fails to give distance to shopping location in Coniston Road, because it is not as near as they want planning to be aware of. The distance between closest dwelling in Scartho and Waltham is NOT 0.8 miles (1292m) as shown on the application but just 0.1 mile or 210 meters. Why do the applicants want to give falsehoods in their application and not the truth? If they cannot give correct distances on the application, one must question where else have they lied.

Streets directly affected if permission is granted: Torbay Drive, Brixham Court, Paignton Court, Totnes Road, Dawlish Road, Boundary Road. Torbay Drive and others are designated as Cul-De-Sacs with concomitant restrictions on traffic. Single access routes as with cul-de-sacs could easily be blocked and prevent Fire services from attending a property in a timely fashion. Has the Fire Safety Officer been consulted? (Fire and Rescue Services Act 2004)

Mud on the road is mainly caused by heavier vehicles such as construction, leaving sites under development; it occurs more frequently when the weather is wet.

The very nature of construction of houses necessitates the use of very large construction vehicles being propelled in a safe way through residential streets. Such would cause extreme disturbance, noise, and the potential of pollution. Local residential roads around Torbay Drive have properties with and without driveways. Many residents have several cars that cannot be placed in driveways necessitating their being parked on the road restricting passage of larger vehicles. The residents know when waste disposal vehicles will be attending and move their vehicles to allow safe passage. It is extremely unlikely that set times would be forthcoming for construction vehicles moving along the local streets, nor is it likely that residents would be willing to move their cars to facilitate the carriage of very heavy ready-mix concrete trucks.

For your information: The size and weight of a ready-mix truck filled with concrete is Length= 9.15m, Height=3.75m, width= 2.55m, weight=32 tonnes (even more, depending on the type of concrete.) Figures as advertised by Hanson online. 32 Tonnes would destroy subterranean sewage pipes.

Conflict with pattern of development for the area.

Torbay Drive was designated as a residential Street during the 1970's when the estate was built. Housing was restricted and the street was designated a cul-de-sac. The proposed construction access and future road extension flies in the face of what was previously ordered. The previous application to use the land for housing was resoundingly rejected.

Strategic gap between Waltham and Scartho

The plans submitted have already been rejected previously, now amended. The farmland was designated part of the strategic gap, to allow housing to be constructed as planned would for sure, at a future time, be met with even more planning applications to erode the gap.

Road system is inadequate and prejudicial to highway safety, and extremely inconvenient to pedestrians

As noted above the road system is residential and not designed to convey large construction vehicles safely without damage to other parked vehicles, Or to utilities water/sewage/gas/electricity etc.

Signed



Thomas A Allsworth (retired psychologist and educator.)  
25 Torbay Drive, Scartho, NELincs. DN33 3DQ

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Thomas A Allsworth

Address: 25 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am at a loss to understand why there is such a need for the applicant to try to mislead planning. For example, in supporting document: Design, Access, Planning, Sustainability and statement of community involvement. Page 7, 2.4 ACCESS. Line three, "All the roads are laid in tarmac and are of a good condition." This is a blatant untruth. Boundary Road is concrete and laid in the expansion joint strip method. Furthermore, it has a great number of cracks in the road and is far from the reported 'good' condition. One must wonder why falsehoods are presented as being true when a simple examination will prove the opposite. I suspect that the applicant does not wish the truth to be known regarding concrete road condition and as I mentioned in a previously made statement, "the weight of a concrete mixer truck can weigh 36 tonnes" and WILL cause even greater damage to the road - far more than which exists presently. Pre-existing problems with the Boundary Road concrete shows extensive areas of damage. For example, at the junction of Boundary Road and Dawlish Road extensive concrete failures, and subterranean pipework remedial work, demonstrate the effects that will occur should extensive construction traffic be allowed onto dwelling place feeder roads. Perchance no one has read reports on damage done to roads by concrete mixers, I refer the reader to the many reports regarding cement mixer trucks driving on paths to avoid parked traffic and tipping over or causing extensive damages. I also make note of police reports regarding cement mixer trucks going through a manhole cover, bursting water pipes, it was then unknown how many cracks to sewage pipes occurred (10th January 2019 Carlton Road, Sneinton, Notts,) leading to astronomical disruptions for the local area. It is unknown how many cracks already exist in the sewage pipes, little cracks grow bigger every day when subjected to constant pressure of excessive weights.

DM/O285/22/FUL

## Strong Objection

Sirs,

I must write again giving further objections to the above application.

Issue 1 / I have cited previously in a former application, major concerns regarding access for emergency vehicles. Torbay Drive has a very large number of residents in their senior years with concomitant health issues. In the last year and a half my wife and I have required the services of ambulances SEVEN times. Neighbours have been very kind to us and assisted in the facilitation of safe passage, even to the moving of cars so my wife and I could be attended to. How do constructors propose the safe passage of their vehicles down residential streets?

Issue 2 / I understand that this application will intrude into the strategic gap between Scartho and Waltham despite former applications being withdrawn before failing on this point alone.

Issue 3 / Before allowing the construction of new houses, why not fill the hundreds of empty houses in Grimsby first?

Issue 4 / The supportive document: Design, Access, Planning, Sustainability, and statement of community involvement. Page 7, 2.4 ACCESS. Line three, "All the roads are laid in tarmac and are of a good condition." Such is a blatant falsehood. Are applicants allowed to lie to get planning consent? Photo attached

Corner of Boundary Road and Dawlish Road. Concrete in very bad repair and NOT Tarmac as stated in the application. Attempting to deceive the council planning department by deliberate untruths is grounds for dismissal of the application



Tom Hallsworth  
25 Torbay Drive  
Scarho

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Jane Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To continue my husband's objections to this outrageous planning application I cite the Science and Environment report from the BBC titled: The butterflies we may never see again in Britain. If you want to catch sight of many of Britain's butterflies, you'll need to be quick.

A report by Butterfly Conservation warns that 24 of 58 species may soon disappear from our shores.

Humans are driving the loss of butterflies by destroying wildlife-rich habitats, says Head of Science for Butterfly Conservation Dr Richard Fox. "They've literally been destroyed... for housing," he told BBC News.

Now, some good news. Conservation work has helped bring back some species from the brink by focusing on protecting butterflies from the effects of changing land management and climate change, explains Dr Fox.

North East Lincolnshire Council should be at the forefront of saving all endangered creatures by protecting known habitats from needless building on greenfield sites for greed not need.

Failure to act now will destroy our future generations' ability to watch in awe at the sight of those wondrous insects as they move through their four stages of life. Butterflies are a beautiful and essential part of the UK's wildlife. They are susceptible indicators of the health of the environment and play crucial roles in the food chain as well as being pollinators of plants.

This application to destroy habitats will consign future generations to watch the Papillion ballet (as beautiful as it is,) and forever ask the question: Why did NELC kill off the real thing? You have a choice to make.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: 25 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Sirs,

I continue my objections by quoting another glaring issue.

In the Ecology report as presented by Ms Rachel McNally, she states that an extended Phase 1 Habitat Survey was completed on 1st February 2022 (Bullet 3.2) She declares she is registered to use Natural England Class Licence WML-CL08 to survey great crested newts; registration number 2020-48921-CLS-CLS). She claims over three years' experience in undertaking ecological walkover surveys. From her declaration, one would expect a person such as this would know the counsel given to all ecology consultants (by IEL.) As she clearly does not know about the guidance or thinks she knows better than that learned society, or she just gave the applicant what they wanted without conducting a full and proper survey. Hmmm!

IEL inspired Ecology Ltd - I copy the instruction below:

"Great crested newt surveys must be undertaken between March and June; Great crested newt surveys are undertaken in spring when the animals are in their aquatic habitat. Surveys to establish presence/absence must be undertaken between March and June."

The ditch in question had water in it during March 2022

To repeat: Surveys to be conducted from March to June. NOT January to 1st of February

JNCC.gov.uk paper, page 5 gives warnings about survey errors 5.3 (a) "our understanding of precise habitat requirements is incomplete, and therefore the attributes proposed are also incomplete or even erroneous."

5.3 (b) warns about time lag between changes in habitat condition and response at population level, thus rendering habitat assessments invalid if short-term evaluation is required." As occurred in Ms McNally's report.

5.4 Addresses issues leading to confusion.

5.4 (a) relationship between monitored results and the actual population is poor for most species.

5.4 (b) ...magnitude of change in population can be large.

9.1 recommends visiting sites every three years to detect changes in population.

It is also recommended again that monitoring should only take place from March to June.

Several local residents have witnessed Great Crested Newts along the ditch - they are a protected species. Building some sort of drainage pond is NOT sufficient to protect them as is required by law.

Please note again this immense failing in the applicant's submitted paperwork. Yet again we find inaccuracies, half-truths and outright lies. In fact, anything to support the application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Sirs,

Continuation to objections submitted earlier. In this paper, I will only address issues around Great Crested Newts, a protected species and their habitat.

Buried within the amended Ecology spreadsheet under the heading DM\_0285\_FUL\_ECOLOGY\_SPREADSHEET-1597928, Subsection: A-2 Site Habitat Baseline, Item 4 titled Heath and shrub, Assessors comments: Dry ditch considered as bramble scrub (i.e. the dominant habitat over/within ditch) as it does not hold water for more than four months of the year (as indicated by terrestrial vegetation only within the channel.)

As I previously informed the committee in my objection the survey performed by Ms McNally was falsely given to support the applicant. It would not have been possible to check for Great Crested Newts (GCN) before March/April - CERTAINLY not in January when she conducted her very scant survey (more later.) GCN and their habitat are protected! She was required to conduct a full survey during early summer during the breeding season when there was water in the ditch. As noted in the latest missive (above,) the ditch holds water for four months, long enough for GCN breeding, but disregarded by Ms McNally.

Ms McNally presented a fictitious report to support Mr Kirk's application despite knowing the counsel given by various learned societies had warned about this, as I noted in my earlier objections.

Various neighbours advised me last year to having seen GCN at the side of the ditch during early summer. This would fit in with other findings. Mr Kirk has obtained false reports to support his



application. My intention is to inform the council and others.

For your information - I am in the process of writing to the various organisations cited in my objection dated 28 May 2022, namely IEL, Ms McNally's registered licensing body, and CIEEM citing her false declaration contained within the application to push through a dubious planning application. Ms McNally knows she presented false information and that she conducted a survey out of season against advice to the contrary by learned bodies. It begs the question if there was any form of inducement? I am instigating a Professional Conduct Inquiry as she has failed to abide by the code of conduct as given by CIEEM.

NE Lincs council should not accept falsehoods in planning applications. If found as shown here and in other objections, there are grounds for refusal of the application. If a local planning authority found that there had been a material inaccuracy or an attempt to mislead in the planning application and it considered it expedient to do so, it could revoke on that account. It already has the powers to revoke the planning permission. House of Commons Standing Committee A (pt 10)

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Sirs following my previous objection to this planning application, I ask that you consider the following extraction of information to be found on the government website.

<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#when-to-survey>

"Protected species and development: advice for local planning authorities

- Where to expect protected species

Use Table 1 to see where protected species are likely to be present to assess the chance of a development proposal affecting them.

Table 1. Likely habitat for protected species.

Habitat, building or land Species to look for

Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)

Bats, badgers, breeding birds, great crested newts, invertebrates, reptiles and protected plants

When to survey

Use Table 2 to check that surveys submitted with planning proposals are carried out at the most appropriate time to survey for the presence of protected species and the purpose of the survey.

Table 2. Survey timetable

Species When to survey (dependent on weather conditions)

Great crested newts Mid-March to mid-June (Mid-April to end of June for eDNA)

- 2. Assess the information provided with the planning application

You should check the developer has:

- submitted enough information for you to fully consider the effect on protected species and their habitats

- as far as possible, planned to avoid harm or disturbance to protected species and their habitats with the location, layout, design and timing of the development

If the information is not adequate you should ask for further information, such as further surveys or mitigation measures.

You can refuse planning permission if surveys:

- are carried out at the wrong time of year
- are not up to date
- do not follow standard survey guidelines without appropriate justification
- do not provide enough evidence to assess the likely negative effects on protected species

Please note that you can refuse this application on a number of grounds as noted in previous objections. This objector wishes you to make special note that the survey was performed at the wrong time of the year - see note above."

Please note that you can refuse this application on a number of grounds as noted in previous objections. This objector wishes you to make special note that the survey was performed at the wrong time of the year - see note above, and is a false representation of a report to support the application.

FYI.

I have submitted complaints to the Gov body and IEL. As I have now advised NELC of these breaches of planning application law I will await your responses before making further representation to relevant Gov bodies. This application should be rejected by law!

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Thomas Allsworth

Address: 25 Torbay Drive, Grimsby, North East Lincolnshire DN33 3DQ

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Cont.

On careful examination of the survey spreadsheet, I find under B1 Site Hedge Baseline FAILS to meet the required criteria. Once again, we see that Ms Rachel McNally is the assessor. There is no regard for protected species and this so called report is again given to support the applicant.

NELC must not be blindsided by the applicant through the use of half truths and lies.

I await with interest the professional conduct review.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tom Allsworth

Address: 25 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation of objection.

Sirs,

Why must we be subjected to the raft of lies and falsehoods in this planning application. Mr Kirk has seen fit to falsify response after response to questions on this application. Submitting new papers drip by drip.

Today I cite his response to Application for Planning Permission Town and Country Planning Act 1990 (as amended) submitted 6th June 2022.

On page 1 the incorrect location is given, claiming it is being number 39 Torbay drive. RUBBISH! Number 39 is halfway down Torbay Drive. I point out that the Disclaimer on the top of the page reads 'We can only make recommendations based on the answers given in the questions.' An incorrect answer to the first question should be enough to stop this application.

On page 9 false answers have also been submitted. Asked to respond to Biodiversity and Geological Conservation.

Bullet a) protected and priority species gave answer as NO - This again is false as I previously pointed out, Great Crested Newts are in the ditch and witnessed by a number of neighbours.

Bullet b) Designated sites, important habitats or other biodiversity features. Answer given NO - this again is false for reasons given above.

I refer you to your warning at the base of this section: 'Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to

determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.'

Previously I gave evidence that contrary to Government instruction a proper survey should be conducted, this was not done! The report submitted states survey was conducted in January and submitted on 1st February 2022. This survey was conducted out of season and as such it is impossible to check for certain animals out of their breeding season and 'IS GROUNDS TO REFUSE THE APPLICATION UNDER CURRENT LAWS.' I refer you to my previous comments on this together with direct quotes from governing bodies.

Those surveys were submitted to planning in support of the application knowing them to be FALSE. I am awaiting response from the Professional Conduct enquiry that is going on currently as to why contrary to direct guidelines Ms McNally submitted a false report to give credence to Mr Kirk's application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Cont, of previous objections.

I read with interest the Consultee comments on Drainage. The final sentence reads, "The boundaries ditches should be cleared out and there must be no raising of existing ground levels."

This comment is made with no reference to the ditch being a habitat for protected species. Is the applicant now totally supporting the illegal destruction of protected species and their environment? NELC should stop this nonsense. It is illegal, and representations WILL be made to relevant authorities if this greedy plan is approved.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tom Allsworth

Address: 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Extension to previously submitted objections.

Sirs,

I fail to understand why the applicant continues to present untruths to planning yet expect planning to approve this application. I know the answer and will show why hereafter.

Each and every time this form has been presented to planning, the applicant has failed to give an explanation based on truth.

I pointed out in previous objections that they have responsibility to

a) conduct a proper survey, (NOT done)

b) for that survey to be conducted in accord with regulations i.e., during breeding season - between March and June. The very poor survey was conducted out of regulated time - during January and finalised on 1st February 2022

c) give to NELC an honest answer to the following questions contained on Page 9 of the Application form submitted 10th June 2022 (see below for untruthful answer.)

d) NELC have been advised that protected species exist in the ditch and very likely in the area designated for development.

NELC planning have a legal requirement to reject the application as being invalid. A correct survey was not conducted because it would give information likely to force failure of the application, i.e., protected species would be found. A false survey was submitted and is now a subject to professional standards review to be held shortly.

Such is criminal and a blatant attempt to pervert the rule of law for pecuniary gain. All objections place the onus on NELC to stand up for truth and reject this illegal document.



### Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species

☐ Yes, on the development site

☐ Yes, on land adjacent to or near the proposed development

☐ No (THIS IS A LIE)

b) Designated sites, important habitats or other biodiversity features

☐ Yes, on the development site

☐ Yes, on land adjacent to or near the proposed development

☐ No (Not recognised but exist and UNCHECKED)

c) Features of geological conservation importance

☐ Yes, on the development site

☐ Yes, on land adjacent to or near the proposed development

☐ No

### Supporting information requirements

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information, and assessments to allow the local planning authority to determine the proposal.

\*\*\*Failure to submit all information required will result in your application being deemed invalid.\*\*\*

It will not be considered valid until all information required by the local planning authority has been submitted.

---

As pointed out above, a false survey was presented to NELC the survey was incorrectly conducted and any revision of that survey could not cover the correct breeding period until next year, that assumes the original surveyor still carry's a membership authority following Standards examination on her behaviour. Any future survey would demonstrate existence of Great Crested Newts and other protected species. No amount of nice words and promised protections could every ensure the protection of these animals and their habitats. If you doubt my words, I invite you

to check with the relevant national authorities as previously quoted in other documents.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to previous objections

Sirs, I read with great interest the Amended Transport Statement dated 9 June 2022. Under bullet 3.5.3 (page 14) the Torbay Drive is measured as being 6.2m. As the typical car measurements do NOT include mirrors which will add 32cm to the average width. My next car purchase was to be the Escalade at 2.3m, but my neighbour uses a van and/or a car his van measures 2.3m. When placed opposite each other on the road, assuming we both bring our wheels tight to the curb, we use 4.6m of road space leaving just 1.6m for other vehicles. If we both had medium width cars of 1.981.2m plus mirrors would equate to 4.262m leaving only 1.938m. To assist our other neighbours, we stagger parking to facilitate traffic flow. How on earth can the developer even consider taking construction traffic down the road unless they possess heavy duty drones, heavy lift Boeing CH-47 Chinook helicopters or hydraulic lifts with drive wheels on their lorries to lift them over obstacles.

Rather than use my figures let us use figures provided by the applicant in their 'TRACKING LAYOUT' submission 12 April 2022. A 4-wheel drive car overall width is 2.009m (that would not count mirrors =32cm.) 2 cars opposite each other amounts to 4.018. That leaves just 2.182m based on their own figures for construction traffic to negotiate Torbay Drive. If the mirrors are considered, then that is reduced by 32cm assuming one mirror on each car overhangs the path. That would leave just 1.762m for traffic.

Taken from the House of Commons Library on Lorry sizes and weights, note SN/BT/654 dated 23 Nov 2009, lorry widths excluding mirrors is 2.55m maximum. Grab lorries on average are 3m wide. The applicant would need a great deal of good will from neighbours to facilitate flow of building traffic, such goodwill is in VERY short supply.

The Highway Code rule 244 states that drivers "MUST NOT park partially or wholly on the pavement in London and should not do so elsewhere unless signs permit it." Such parking would cause wheelchair users or people with prams to have to walk into the road, then you should find somewhere else to park. No such signs exist in Torbay Drive therefore, to park on the path to allow builder's traffic is ILLEGAL.

Not all neighbours have large driveways, many have two or more vehicles necessitating that at least one vehicle must remain on the road.

CONCLUSION. Torbay Drive is too narrow for construction traffic.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation to objections

How many times must we be subjected to falsehoods and miss-guidance submitted to support this application?

In the "ADDITIONAL PLANNING STATEMENT

1. 4.2 ... It is evident that any scheme WILL CREATE AN ELEMENT OF HARM and this needs to be balanced against all other material planning considerations, including housing need. "

\*\*\*Here they admit the plan WILL cause harm to protected species contrary to law\*\*\*

"In DESIGN, ACCESS, PLANNING, SUSTAINABILITY AND STATEMENT OF COMMUNITY INVOLVEMENT

INTRODUCTION

...The closest last dwelling in Scartho to the first dwelling Waltham is on Waltham Road which is 0.80 miles (The road is Grimsby Road - yet more errors in this application). "

\*\*\*To support this claim they include a map on page 5 and again enter false measurements - the gap between 95 and 133 Grimsby road is only 0.1 miles. Check on Google map - it is just 165 yards - 150 meters. Get out a trundle wheel and check this.\*\*\*

They now admit they are willing to destroy protected species and are prepared to deliberately lie about distances between Scartho and Waltham - this is in addition to the other lies I have found and pointed out to the Planning Committee previously.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation of previous objections

Sirs,

I despair when reading the Highway Authority submission. Quote, "The Transport Statement has identified that as a result of the proposals there will be 35 two - way vehicle trips during the peak hours." This statement flies in opposition to the Transport Statement dated 9th June 2022. How on earth is it now possible for FEWER journeys to be made after the additional houses are built than now?

Highways Authority might well be "content" with the proposals. There will be red faces in that department once this (if approved) lands in the High Court on appeal.

I ask why the change in opinion when a fool could see that Boundary Road has already more than 35 two way trips a day. Adding 64 more residential units with up to two cars each would greatly increase this flow.

Who is responsible for mathematics in the Highways department - they need to return to school?

The NTP submission 9th June 2022 reads in 2.2.1 The proposed development consists of 64 dwellings. The number of weekday person trips associated with this level of development has been estimated using average trip rates contained in the TRICS (Version 7.4.1) trip rate database (Houses Privately Owned) - for consistency this is the same data as used in the Transport Statement for the previous planning application for the site.

The trip generation calculations are summarised in the following table: Table 2.01: Weekday Person Trips Generated by the Proposed Development shows with housing (64 dwellings) Daily number of trips is 504. FIVE HUNDRED AND FOUR.

They repeat their selves in the next bullet - Bullet number 2.2.2 reads "The proposed development

would generate around 504 two-way person trips per day (by all modes of transport). "

All of this must go down Torbay drive before joining Boundary Road via Totnes Road or Dawlish Road.

I ask planning committee to scrutinise these documents and note the blatant errors which keep appearing in them, each of which is in support of the applicants - WHY?

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Sirs,

An extension of my earlier objections.

I respectfully ask that you carefully read the latest Developers Statement. In the first paragraph they contradict what they have said previously, and attempt to add confusion, and bluster in the attempt to hoodwink the Planning Committee.

In the above referenced statement, I quote

"... our market very limited at the HIGHER END OF THE MARKET. Our company aim is to build a quality family home at an AFFORDABLE PRICE."

How could a new house be both. The house would either sit at the higher end of the market or much lower to be affordable. This statement is once again in direct contradiction to previously made statements claiming they would produce affordable housing. This goes to show this developer is not interested in affordable homes. They are in it for financial gain, and to let others suffer the pain.

I have on several occasions asked that you read the Developers paperwork with care, therein you will discover many discrepancies as have been raised by local neighbours. This company of foxes is trying to lull the Planning committee into a sense of false security whilst they take of with the prize chickens.

There is no necessity for this housing complex at the end of Torbay drive. There is already land set apart for housing, they chose to ignore that and seek to make use of farmland at a time that the country is in great need for home grown produce.



They seek not to help the needy, only to satisfy the greedy.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: 25 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Comment:From reading the latest submission of the supportive document dated 4th August 2022

'Landscape Character Assessment,' it is very clear AGAIN that copy and paste of information continues. Incorrect data is still being furnished without checks being made as to its accuracy. Once again, I must remind the readers that the planning committee are required to check the honesty of the submitted documentation.

In the above document under section 2 Site description, sub 2.1

"...The application site (Figure 1) and focus of the study lie in the North East Lincolnshire District and specifically the ward of Waltham. It is located approximately 4.0km south of the centre of the town of Grimsby. The outskirts of the settlement of Waltham lie approximately 450 metres to the south [of Scartho], the centre of New Waltham lies approximately 2.4km to the east and the large settlement of Cleethorpes is located on the coast approximately 5.7km to the north-east. It is intended that access to the application site will be afforded off Torbay Drive to the east. NOTE

This statement is a copy from another discredited document.

NB

The distance from the southern edge of Scartho to the Northern edge of Waltham is only 150metres, not 450 as suggested in the above document. This can be checked by a trundle wheel. Google Maps state the distance is 0.1miles = 165 yards = 150 metres

Intrusion into the strategic gap will soon blend Waltham with Grimsby and the green belt destroyed

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: DESIGN, ACCESS, PLANNING, SUSTAINABILITY AND STATEMENT OF COMMUNITY INVOLVEMENT (amended) Dated 15 Aug 2022

Here we go again - more disinformation

In the 3rd paragraph of the introduction on page 4, "The closest last dwelling in Scartho to the first dwelling Waltham is on Waltham Road which is 0.80 mile..." NOT true. A simple check as I suggested before either using a trundle wheel or checking on Google Maps will show that the distance between the two properties is only 0.1 mile - 150 metres. A simple point of interest showing poor research - both properties are on Grimsby Road NOT Waltham Road.

Ibid paragraph 4: "At present, the only vehicle access to the site is agricultural vehicles and Pedestrian access is through a Public Right of Way from the Culsac on Rivan Avenue connecting the Avenue through the site and all the way to Waltham along the drain that forms the Eastern Boundary. This Right of Way is very popular with dog walkers." No such word as Culsac if you mean Cul-de-sac then say so. Another example of lack of text proofing before publication.

Ibid paragraph 7: "The location of the proposed site is well positioned to make use of the existing bus stops. The closest bus stop is located 200 m off Kiddier Avenue or off Coniston Avenue which is about 407 m. The nearest shopping is located off Coniston Avenue next to the Bus Stop. The shopping consists of a Restaurant, Post Office / Grocer and a Fish and Chips shop. Other shopping can be done from the Car filling Station off Waltham Road some 500 m from the site." Oh dear! No checking of facts AGAIN. The shortest distance from the Bus Stop in Kiddier Avenue via Windermere Avenue, Fairfield Road, Bulwick Avenue, Boundary Road to the end of Torbay Drive is shown on Google Maps as being 0.6 miles = 900 metres NOT 407 metres. There are NO shortcuts.

Ibid page 5. 1.1 -4th paragraph. This submission makes no reference to the discredited survey which was NOT carried out in accordance with instructions (March to June,) but was carried out in January and reported falsely as being OK. Various protected species exist along the ditch e.g. GCN (Great Crested Newts) and others. Destroying GCN habitats does harm the animals.

Ibid page 7 item 2.4 Once again we see falsehoods being cut and pasted without checking. Third sentence reads, "A l l t h e r o a d s a r e (sic) laid in tarmac and are of a good condition." This sentence demonstrates cut and past - the same letter spacing occurs on every document. That does not make it true. All roads are NOT laid with tarmac - please see previous photographs which show Boundary Road is concrete and in a VERY bad state of repair.

Ibid page 8 paragraph 3. "...it is not prone to flooding and no records are available of flooding near the site." So UNTRUE - see the objected submissions against this plan and note how many households suffer from flooding. Building on the land as sought will only increase the number of properties and the depth of flooding they will have to suffer.

Ibid page 8 item t 3.2. "The development will aim to have a biodiversity gain of above 10 per cent which is recommended for new sites." Other submitted documents admit there will be harm to creatures living on the edge of this plan incl. GCN

Ibid page 10. Comments to Figure 3 "Site Analysis-It is a very interesting site with an existing pedestrian access from Rivan Drive." This is the first time this has been suggested, previous submissions have stated there was to be a fence along the pathway from Rivan Drive to Torbay Drive. Their own plan Figure 6 & 7 show no entrance from Rivan Drive but with a fence along the pathway as shown in earlier submissions.

Ibid page 12 item 4.0 As shown above this plan fails to follow NPPF objectives. It will not help local needs but in contrast, will put strains on an already overloaded system.

Ibid page 12 item 4 ". Included in the development is affordable housing to cater for the low income groups." This is a contradiction to what has been submitted previously. "... our market very limited at the HIGHER END OF THE MARKET. Our company aim is to build a quality family home at an AFFORDABLE PRICE." I repeat myself, how could a new house be both? The house would either sit at the higher end of the market or much lower to be affordable. This statement is once again in direct contradiction to previously made statements claiming they would produce affordable housing. This goes to show this developer is not interested in affordable homes. They are in it for financial gain, and to let others. suffer the pain. No doubt another amended statement will be forthcoming.

To be continued



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation of objections.

TRUTH will be known

I am weary of the constant flow of lies emanating from Snape's submissions.

### ISSUE 1.

On page 5 of their submission dated 15 Aug 2022, they make more false claims and produced a map to conceal the truth. On the map, they have produced a circle which they falsely claim has a radius of 1292 metres. Today, 18th Aug 2022, with help, Grimsby Road was accurately measured between the last house classified as being in Scartho number 133 (map location 53.525025, -0.09261,) and the first house on Grimsby Road, Waltham number 95 (map location 53.523498, -0.093062.) The distance between the two locations is 567 feet 7 inches = 173 metres EXACTLY we measured it, which was witnessed. Snape claims the distance as 0.8 miles = 1287.475 metres. This is a repeated lie as the same falsehood that appears on page 4 3rd paragraph. Snapes are not telling the truth AGAIN. They are trying to claim that the strategic gap is bigger than it really is.

### ISSUE 2.

Ibid page 5 is a much larger circle supposed to show "Distance of the closest dwelling from the proposed site to Waltham is 1.49 miles. (2395 metres)" Yet another lie. Closest proposed dwelling (Map Location 53.525181, -0.098282.) To the closest dwelling in Fairway, Waltham map location 53.521901, -0.096948) is 0.4 km = 0.2 miles nothing like the 1.49 miles as claimed.

Why must we be subjected to a litany of lies from this developer? Snapes are trying to deceive the planners by using false figures. The use of fabrications to hide the fact that they want to destroy

the strategic gap. Please don't accept their figures, check them and see that they are only deceptions.

TRUTH WILL PREVAIL

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:continuation

Ibid page 12 item 4.0 As shown above this plan fails to follow NPPF objectives. It will not help local needs but in contrast, will put strains on an already overloaded system.

Ibid page 12 item 4 ". Included in the development is affordable housing to cater for the low income groups." This is a contradiction to what has been submitted previously. "... our market very limited at the HIGHER END OF THE MARKET. Our company aim is to build a quality family home at an AFFORDABLE PRICE." I repeat myself, how could a new house be both? The house would either sit at the higher end of the market or much lower to be affordable. This statement is once again in direct contradiction to previously made statements claiming they would produce affordable housing. This goes to show this developer is not interested in affordable homes. They are in it for financial gain, and to let others. suffer the pain. No doubt another amended statement will be forthcoming.

Ibid page 14 item 8.4. In no way is this plan promoting healthy communities - the health care is under immense strain and is unable to cater for what already exists in this area. Try and get to see a doctor on the same day you have a need - NO you will have to speak to a computer then an unqualified telephone operative, plead to see a doctor only to be told none are available and if you need to be seen immediately go to hospital and sit amongst myriads of others also languishing in the waiting zone.

Ibid page 14 item 8.5 "Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area." There is a requirement for planning authorities to ensure it is also in keeping with local needs and in



harmony with local feelings/concerns. After 200 submissions regarding this application, except the applicant's papers, NO one else has wanted this to go forward, they all object most strongly.

Ibid item 8.6 Whilst there is a suggestion that local planning authorities should aim to boost the supply of housing, there is more than enough land already earmarked to be developed without resorting to the destruction of farmland as in this plan.

Ibid item 9. They are having a laugh. NO community involvement has taken place. It is reported that they letter-dropped residents. It could never be said they had a good response. I have been shown and told what had been returned to the applicants. I do not use expletives and thus choose not to write here what they had on the returned forms, suffice it to say they were written in choice Anglo Saxon language. Please note that anyone whose address has appeared with objections were deliberately missed out in the letter drop - I wonder why?

Ibid page 22. I disagree with the applicant's premise where they cite the failure of NELC to meet its 5year supply of houses. There is already sufficient land set apart with planning permission to build enough houses. This application does not want any of those sites preferring to use farmland for profit at almost any cost.

The application is to build on WALTHAM land to imply that the Scartho area is failing in untrue. Waltham has exceeded the requirement for houses and so in an attempt to muddy water, they are blending to suit themselves. There is a strategic gap between Scartho and Waltham, this plan would erode that gap.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: 25 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Councillors,

Having taken legal advice regarding DM/0285/22/FUL, I wish to summarise various points of misinformation in the above application. Counsel is, "that the case officer must take misinformation into account in deliberations on the application. Should planning be approved, an appeal to the ombudsman will follow." "This document and others will be considered, and the ombudsman can recommend the council make the situation right," This would be at a public meeting where the press and public would be able to discover the misinformation entered by the applicant to attempt to mislead and misguide the planning officer. As they are legion, I will try to be brief and refer to previous documents rather than redrafting all points.

1. My objection dated 18th August. Shows misinformation by the applicant on distances between Scartho and Waltham suggesting a greater distance exists. Evidence is submitted showing the true distance is very much shorter. If the application were to succeed, then the strategic gap would be greatly narrowed.

2. My objection dated 15th August (part 1) Under my *ibid* paragraph 7. Shows misinformation by the applicant on distances between the existing bus stop on Kiddier Avenue and the end of Torbay drive is 900 metres, not the 407 meters as claimed.

3. My objection dated 15th August (part 1) Under my *ibid* page 5, 1.1, 4th paragraph. This submission contains misinformation and makes no reference to the discredited survey which was NOT carried out in accordance with set instructions (March to June,) but was carried out in January and reported falsely as being OK. Various protected species exist along the ditch e.g., GCN (Great Crested Newts) and others. Destroying GCN habitats does harm the animals.

4. My objection dated 15th August (part 1) Under my ibid page 7 item 2.4. plus other places. This misinformation relates to the state of Boundary Road. It is claimed that the road is laid to tarmac and in good condition. The road is in fact concrete and cracked in a great many places as shown in previously submitted photographs.

5. My objection dated 15th August (part 1) Under my ibid page 10. Misinformation suggests access to the planned estate would be possible from Rivan Drive. Submitted plans show a tall fence will be built along the PRefW. This is also shown in the photo of the path in their submission.

6. My objection dated 15th August (part 2) Under my ibid item 9. Misinformation regarding the quality of community involvement. No real letter-dropping of residents took place. Only a very small number were sent out and an even smaller number were returned, most of which were further objections, some comments in pure Anglo-Saxon.

7. My objection dated 2nd July, Misinformation regarding vehicular movements on Boundary Road. Massive reduction of numbers from previously reported 504-person trips (NTP submission dated 9 June.) The latest submission dated 1 July, claims, "there will be 35 two-way vehicle trips during the peak hours." It is impossible that adding a further 64 dwellings would reduce the traffic flow by 470 trips.

8. My objection dated 15th June; misinformation submitted by developers to questions on biodiversity.

- a) Protected species - answer NO. despite evidence submitted by other objectors and myself.
- b) Designated sites, important habitats, or other biodiversity features. - answered NO, despite being unchecked during the breeding season and false report being submitted. \*Warning given by relevant society, "Failure to submit all information required will result in your application being deemed invalid." \*
- c) Features of geological conservation importance. Answered NO despite knowledge to the contrary.

9. My objection dated 9th June, paragraphs 2,3. Misinformation as to the correct location of the planned route as being via 39 Torbay Drive. False 39 is halfway down Torbay Drive.

10. My objection dated 6th June and other papers. Misinformation in Survey spreadsheet under ref B1 Site Hedge Baseline. There is no regard given to protected species and this so-called report is again given to support the applicant.

My objection dated 28th May. Ref 2nd paragraph. Misinformation in Ecology survey which was conducted in January and submitted to developers in February and submitted to planning officers on 31 March. The survey was conducted out of season contrary to instructions by learned societies (March to June).

With respect, I refer the committee to the following guidance from the government:  
<https://www.gov.uk/guidance/great-crested-newts-advice-for-making-planning-decisions>. I respectfully refer planning to The Conservation (Natural Habitats &c.) Regulations 1994 (the Habitats Regulations) transpose into UK law Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (often referred to as the 'Habitats [and Species] Directive.') The great crested newt is listed on Annex II and Annex IV of the Directive.

TBC

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation

Part 2

I also refer to English Nature document on GCN 5.2 "a pond on or near the site (within around 500m), even if it holds water only seasonally. Note that muddy, cattle-poached, heavily vegetated or shady ponds, ditches and temporary, flooded hollows can be used by great crested newts sites with refuges (such as piles of logs or rubble), grassland, scrub, woodland or hedgerows within 500m of a pond

6.2.1 "There are a number of operations which can affect great crested newts prior to the start of development proper. These include general site clearance, topsoiling, regrading and drainage works, which can seriously degrade habitats or kill newts."

Ibid 6.2.4 "Note that development can lead to fragmentation effects on populations outside the development

area, as well as the population occurring on the site in question. This is largely due to the metapopulation structure which great crested newt populations often form. The loss of dispersal possibilities from one pond may affect newt populations some distance away. Another important point is that fragmentation effects can be severe even when there is only a very small loss of occupied great crested newt habitat."

Ibid 10.1 C. C C9 "Map(s) of survey area [with habitat description, marking ponds and any other features sampled; summary of survey results marked on map if appropriate. Map should show area within a radius of 500m of any breeding ponds on an Ordnance Survey (or similar) base-map]." No such maps have been produced as they would present contrary information that what developers want.

From the referenced documents there is a need for a correct and in-depth survey to be undertaken during the breeding season as stated covering up to 500 yards from any point that GCN may exist. Such a survey would need to be conducted over the entire proposed site. As there are doubts concerning the original survey which is discredited, another survey by another unrelated organisation would be required and witnessed by unrelated individuals. FYI. GCNs have been seen again earlier in the year by various individuals. A few children were catching them in bottles but returned them to the ditch unharmed after being told it was illegal.

Please read this alongside the dated objections for clarity; doing so will demonstrate the extent of misinformation submitted by the developers.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: With respect, I attach a copy from English Nature - Great Crested Newt mitigation guidelines on page 2.

This is IMPORTANT - PLEASE CONSIDER in the light of the application.

Key messages for developers:

- The great crested newt and its habitat are protected by law because the species has declined significantly over recent decades, largely due to habitat loss.

- Great crested newts breed in ponds but spend much of their lives on land, sometimes venturing several hundred metres from the pond. Their populations are often dependent on there being several ponds close together, linked by suitable land habitats.

- Great crested newts occupy a range of habitats and occur in rural, suburban and urban areas.

They are widespread across lowland England, but are less frequent in the far south-west, in upland areas, in intensively farmed landscapes and where there is a high degree of urbanisation.

- It is advisable to check for the presence of great crested newts as early as possible - ideally before any land purchase. Newt surveys can only be done at certain times of the year and therefore must be carefully programmed, otherwise, considerable delays can occur. Alternative sites should be considered and surveyed at an early stage, as activities affecting newts can only be licensed where there is no satisfactory alternative.

- Before applying for planning permission, an appraisal of the impact of development on the newt

population is required.

- Planning authorities are required to take account of great crested newts when considering planning permission and may refuse applications on the basis of an adverse effect on newt populations. Insufficient appraisals can lead to delays or a refusal of planning permission. When granting permission, planning conditions or Section 106 agreements may be used to help ensure appropriate mitigation and aftercare.
- In order to undertake actions affecting great crested newts which would normally be prohibited by law (such as capturing newts, or filling in their breeding ponds), a licence is required. In a development context, a licence may be granted by the Department for Environment, Food and Rural Affairs, ideally, after the developer has conducted initial liaison with English Nature. Usually a licence will only be granted after gaining planning consent ( where applicable).
- In order to obtain a licence, it must be demonstrated that the project is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest.
- Mitigation to compensate for any impacts is likely to be a requirement of the licence and may involve changes in the timing of operations, capturing and excluding newts, setting aside land for newts, purchase of additional land, habitat creation, and post-development commitments to ensure the population is safeguarded. The level of mitigation required depends crucially on (a) the size and type of impact, and (b) the importance of the population affected.
- Some mitigation plans may impose a lead-in time of several months to a year before ground clearance or construction works can commence.
- Developments for which planning permission is not required still need to take account of great crested newts, and licensing may still be necessary.
- English Nature strongly advises developers to seek the services of a professional environmental consultant with proven experience in planning great crested newt mitigation, in order to assist with the above stages.
- This document gives generic technical advice to assist in assessing impacts and producing mitigation plans. It is important to note that the document gives general guidance and is not a full explanation of the legislation relating to great crested newts.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation of previously submitted objections.

I am trusting this to be my last objection to this planning application - subject to no further misrepresentations in future amended submissions by Snape.

Following recent advice and guidance I received regarding surveys conducted to discover the presence of Great Crested Newts GCN, I again refer back to an earlier objection dated 6th May 2022. From that report, it is clear that it was NOT conducted in accord with legal guidelines. Further, the survey makes no reference to requirements in guidelines. In the English Nature guidelines relating to GCN mitigation, section 5, sub 5.2, on page 23. Instruction is given regarding surveying for GCBs. Under the second and third bullets reference is given that a survey MUST include ponds, or [water courses] within 500 meters of the planned site. This is extended to include ditches and flooded hollows.

If one examines a map of the area that the builder wishes to make use of, there are FIVE water courses in that area of land. None of those finds references in the survey I referred to above. One only has to figuratively extend any of those water courses on the map and within a very short distance, Buck Beck in Waltham is captured in the area, likewise Grove Farm and ponds as shown on the maps. Those water courses all have the potential of carrying GCN. Why then were those areas NOT included in that survey, is it that finding a GCN potential would hinder the application? Was that why the survey was conducted out of the breeding season contrary to what the government directs as do English Nature and all the other learned bodies that oversee surveys of GCN?

A kind neighbour gave me permission if needed to copy photographs of flooding on the farmland

taken by drones - from 2018 to 2021. The photos clearly show flooding would extend to ditches that would be full and connected - ripe breeding grounds for GKN, but conveniently not surveyed then. Why? The survey was conducted too early.

Please re-read my objections as submitted on 23rd Aug in conjunction with this objection, "Planning authorities are required to take account of great crested newts when considering planning permission and may refuse applications on the basis of an adverse effect on newt populations. Insufficient appraisals can lead to delays or a refusal of planning permission. When granting permission, planning conditions or Section 106 agreements may be used to help ensure appropriate mitigation and aftercare." At no time in any of the submitted proposals in favour of the planning application is there any reference to the fact that the builder has taken English Nature or any other body's advice, let alone warnings. Rather they hold to a discredited survey conducted out of the required time scale and incorrectly conducted. Building a pond on the site will not overcome the destruction of GCN habitats.

Thank you  
TA 25-8-22

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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 (August)).

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation to objections previously submitted - This is submitted in two parts A & B

Part A.

An initial reading of the latest version of the Design and Access Statement dated 9th September 2022 shows no proofreading has ever taken place. The same mistakes are still there making my observations so much easier. The applicants do not even take care to check and correct the previous misinformation they submitted.

1./ Design and Access Statement dated 9th September 2022, Page 4, INTRODUCTION. 3rd paragraph. Despite notice being given that the last dwelling in Scartho is on Waltham Road and the first dwelling in Waltham which is on Grimsby Road, Waltham is NOT 0.8 miles as stated in every submission by the applicant. I refer to my objection of 21 Aug 2022. The Grimsby Road was accurately measured between the last house classified as being in Scartho number 133 (map location 53.525025, -0.09261,) and the first house on Grimsby Road, Waltham number 95 (map location 53.523498, -0.093062.) The distance between the two locations is 567feet 7inches = 173 metres EXACTLY we measured it, which was witnessed. Snape claims the distance as 0.8 miles = 1287.475 metres. They can't even correctly enter diagrams on page 5 which I will refer to below.

2./ ibid. I refer to my objection of 21 Aug 2022.

If we take the writing in the latest submission as being true, and that the distance between the

dwelling is 1.49 miles and check this on an Ordnance Survey map with grid references the distance between the closest proposed dwelling (Map Location 53.525181, -0.098282.) To the closest dwelling in Fairway, Waltham (map location 53.521901, -0.096948) is 0.4 km = 0.2 miles nothing like the 1.49 miles as claimed. Laying falsehood to the claim that "...our proposed dwellings are located nearly twice that of the existing dwellings of the two settlements."

3./ ibid paragraph 7. Distance between proposed dwelling places and nearest bus stop. I refer to my objection dated 15 Aug 2022. The shortest distance from the Bus Stop in Kiddier Avenue via Windermere Avenue, Fairfield Road, Bulwick Avenue, Boundary Road to the end of Torbay Drive is shown on Google Maps as being 0.6 miles = 900 metres NOT 407 metres as claimed in the application. There are NO shortcuts.

4./ ibid page 5 figure 2. Massive misinformation. Examine the smaller circle that claims a radius of 1292 metres shown to be incorrect see 173 metres not 1292 metres as claimed on figure 2. In like manner the larger circle claimed to be a radius of 2395 metres is again a falsehood used to deceive. I refer to my objection dated 18 Aug 2022, issue 2: "... Closest proposed dwelling (Map Location 53.525181, -0.098282.) To the closest dwelling in Fairway, Waltham map location 53.521901, -0.096948) is 0.4 km = 0.2 miles nothing like the 1.49 miles as claimed." Again, the applicant is trying to present misinformation to the planning committee. Whilst I most strenuously object to their use of misinformation, I respectfully ask that the planning committee use the submitted figure 2 to see in simple terms how the applicant is trying to deceive -The claim is that the radius of the smaller circle is 1292 metres when it is really only 173 metres (checked with a trundle wheel and an extended tape - this was witnessed,) the diameter of that circle is 346metres. Whilst I disagree with the stated distances, may I suggest the committee members mark a piece of paper showing the diameter of the smallest circle and overlay it on the nearest proposed dwelling off Torbay Drive on the larger circle and check where the other mark comes to, it is beyond the nearest building. Clearly closer than 173 metres not 2395 metres as shown on the diagram. The image and measurements have been manipulated to deceive. The strategic gap would be dramatically reduced.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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 (August)).

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation to objections previously submitted - This is submitted in two parts A & B

Part B.

5./ ibid, page 7, bullet 2.4. Cut and pasted falsehoods, all roads are NOT laid in tarmac and in good condition - I refer to my objections dated 15 Aug 2022 and other objections and photographs submitted by myself and others showing the terrible state of Boundary Road, which is laid in concrete.

6./ ibid, page 9, bullet 3.1.2 land classification. The site was 'sliced' off a much larger field that was used for cropping and divided by digging a ditch and by planting a hedge, ALL so the claim could be that the site is independent of the other and not as good for cropping. This was purposed to attempt facilitation of its sale.

7./ ibid, page 10, Figure 3. Please do not take the arrow showing pedestrian access as being access to the proposed site, see figure 7 on page 17, it is NOT but shows the existing right of way.

8./ ibid, page 14, item 9, paragraph 6. I refer to my objections dated 15 Aug 2022. No 'real' visits with residents have taken place, in fact, they refused to meet and speak with the public. Letter drops did not occur as they imply, I have seen some of the few that were returned to them written

in Anglo-Saxon insults.

9./ ibid, page 16, The claim that the plans follow the Garden City Ethos that upholds the sensitivity to balance green and built areas is an unbelievable claim - if the plan was passed, the green belt often referred to as the strategic gap would be eroded. The idea as shown beneath figure 4 that the adjoining farmland can be classed as another green land, WHY it already is including the proposed and unwanted building site.

10./ ibid, page 18, Final Design. We keep being informed that such and such published papers were the final design, see Snape submission dated March 2022. When objections are presented, another Final Design is produced as occurs in their latest "Final Design." In a similar nonsense wording, it occurs under Figure 8 'This is the Final Proposed Layout' dated March 2022 repeated August 2022 after additions. We await yet another, 'Final \*\*\*\*.'

11./ ibid, page 22, 2.1. To blame the council for the failure to build houses at a higher rate is most offensive, it is not the fault of the council, the fault lies with the guilders who fail to make use of previously designated land which WOULD meet the desired building rate.

12./ ibid, page 22, 13.3. The only mention of the impact on biodiversity is to claim a meaningful gain. No mention exists in this document to answer previous objections regarding the destruction of protected species habitats. The originally submitted paper has been discredited.

Objection from neighbour – Tom Allsworth, Nauvoo, 25 Torbay Drive, Scartho. DN33 3DQ

The map displays a route starting at Waltham Windmill and ending at De-sovery Beauty & Holistic Therapies. The route is segmented as follows:

- Segment 1: Waltham Windmill to The Kings-head (800.0 m)
- Segment 2: The Kings-head to Waltham (1.6 km)
- Segment 3: Waltham to Fairways News (1.2 km)
- Segment 4: Fairways News to De-sovery Beauty & Holistic Therapies (2.0 km + 2.9 km)

Other visible locations include Netherwood Farm, Grove Farm, Buck Beck, Great Oak Therapies, Classic Drums, Porters Transport Gimsby, Ruff 2 Ruff Dog Grooming, Veronica's Larder and Tea Rooms, Prospect Farm Country Cottages, Swanky Software, Sungrove club, Arcadia Trading Europe, All Saints Church, Waltham, The Tilted Barrel, Waltham Tea Garden, The Grove Care Home, Aspervail Business Systems UK, Blueprint Automation, Riverswan Veterinary Centre, and Fairways News.

Snape et al show a map on page 5 of their submission dated 9 Sept 2022 as figure 2.

The map displays a route starting from Waltham and heading towards Grimsby. Key locations and landmarks along the way include:

- Waltham:** The starting point of the route.
- Waltham Leas Primary Academy:** Located near the start of the route.
- Waltham Fire Station:** A red building icon located near the center of the route.
- Riverswan Veterinary Centre:** A green building icon located near the center of the route.
- Fairways News:** A blue building icon located near the end of the route.
- Grimsby Road:** The destination road, marked with a red dot and the address 133 Grimsby Road.

Distance markers along the route are:

- 1.29 km from Waltham
- 1.00 km to The Tilted Barrel
- 500.00 m to Fairways News

ibid, Snape figure 2, second claim.  
Snape et al claim the distance from the last house in Scartho, number 133 Grimsby Road to the first house in Waltham, number 95 Grimsby Road is 1292 metres.

1292 metres extend way past 95 Grimsby Road and across to Cheapside in Waltham, **NOT** 95 Grimsby Road as in their claim.

Again, I implore that the planning committee carefully check Snape et al submissions. Doing so will show that they will use any form of misinformation to get consent to build.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation of previous objections. - part 1

Here we go again. Misinformation by the bucket load in Snape et al latest version of their submission titled DESIGN AND ACCESS STATEMENT. I will continue to raise objections until the planning committee sits up and takes notice. As legal counsel has advised, "...the case officer must take misinformation into account in deliberations on the application." Should planning be approved, an appeal to the ombudsman would follow. This document and many others will be considered, and "the ombudsman can recommend the council make the situation right," This would be at a public meeting where the press and public would be able to discover the misinformation entered by the applicant in their numerous attempts to mislead and misguide the planning officer and NE Lincs. I give warning that a judicial review would be sought on the grounds that the decision was illegal following misdirection at the planning committee stage. If it shows that despite identified misinformation submitted by the applicant being disregarded. Such a review would echo others brought against Local Authorities with success and the application would be overturned. The press and public will then ask simple questions, why did the application succeed at the local level? and what would be the cost of attempting to fight a losing battle in the courts? NE Lincs funding comes from the public, such waste I assure you WILL be heralded at the next council elections, by me, and many many others. It would be a source of national interest - I assure you. The foregoing is not a threat, I simply trust that the planning committee takes on board the frustrations of so many neighbours as they read again Snape et al lies and deliberate



misinformation.

1./ DESIGN AND ACCESS STATEMENT 7th September 2022. Page 4, 3rd paragraph. I quote from their submission: "The closest last dwelling in Scartho to the first dwelling on Waltham Road which is 0.80 miles while the gap between dwellings on the proposed site to Waltham built up (sic) area is 1.49 miles. (See Figure 2 on page 5). This means that our proposed dwellings are located nearly twice that of the existing dwellings of the two settlements." Deliberate misinformation to mislead and imply that the strategic gap is not being eroded - I beg the planning committee to see my previous objections regarding the discrepancies between Snape measurements and the truth. Just how many times must I submit corrections to their untruths?

2./ ibid, 7th paragraph. I quote from their submission, "The location of the proposed site is well positioned to make use of the existing bus stops. The closest bus stop is located 200 m off Kiddier Avenue or off Coniston Avenue which is about 407 m." Deliberate misinformation. I refer to my earlier objection dated 15 Aug 2022: "The shortest distance from the Bus Stop in Kiddier Avenue via Windermere Avenue, Fairfield Road, Bulwick Avenue, Boundary Road to the end of Torbay Drive is shown on Google Maps as being 0.6 miles = 900 metres NOT 407 metres. There are NO shortcuts."

3./ ibid, page 5 final paragraph. I quote from their submission: "Our Landscape architects (Arboricultural Consultancy ) have designed the proposed landscape to maximise all the information from both the Ecologist and Landscape Assessments to achieve all the proposed gains and the developer has given an undertaking to achieve this." I have submitted more than one rebuttal to the 'Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment document dated 31 March 2022. I Refer to my earlier document dated 6 May 2022, in the Ecology report as presented by Ms Rachel McNally, she states that an extended Phase 1 Habitat Survey was completed on 1st February 2022 (Bullet 3.2) She declares she is registered to use Natural England Class Licence WML-CL08 to survey great crested newts; registration number 2020-48921-CLS-CLS). She claims over three years' experience in undertaking ecological walkover surveys. From her declaration, one would expect a person such as this would know the counsel given to all ecology consultants (by IEL.) As she clearly does not know about the guidance or thinks she knows better than that learned society, or she just gave the applicant what they wanted without conducting a full and proper survey. IEL inspired Ecology Ltd - I copy the instruction below: "Great crested newt surveys MUST be undertaken between March and June; Great crested newt surveys are undertaken in spring when the animals are in their aquatic habitat. Surveys to establish presence/absence must be undertaken between March and June." The ditch in question had water in it during March 2022 To repeat: Surveys are to be conducted from March to June. NOT January to 1st of February. JNCC.gov.uk paper, page 5 gives warnings about survey errors 5.3 (a) "our understanding of precise habitat requirements is incomplete, and therefore the attributes proposed are also incomplete or even erroneous."

## Carol Pedersen (EQUANS)

---

**From:** Cheryl Jarvis (EQUANS)  
**Sent:** 24 October 2022 12:36  
**To:** Planning - IGE (ENGIE)  
**Cc:** Carol Pedersen (EQUANS)  
**Subject:** FW: DM/0285/22/FUL

Morning,

Please could you add.

Kind Regards,

**Cheryl Jarvis FD, MSc, MRTPI**  
Principal Town Planner  
Development Management - Planning  
Places & Communities – NEL  
[cheryl.jarvis@nelincs.gov.uk](mailto:cheryl.jarvis@nelincs.gov.uk)  
Tel. +44 (0) 1472 324253  
Mob. +44 (0) 7730014043



Working in partnership

[equans.co.uk](http://equans.co.uk)

New Oxford House, George Street  
Grimsby, North East Lincolnshire, DN31 1HB

---

**From:** Tom Allsworth  
**Sent:** 24 October 2022 11:52  
**To:** Cheryl Jarvis (EQUANS) <[Cheryl.Jarvis@nelincs.gov.uk](mailto:Cheryl.Jarvis@nelincs.gov.uk)>  
**Subject:** DM/0285/22/FUL

You don't often get email from  

Hi Cheryl.

Please add the following to the objection list

Kind regards

Tom

DM/0285/22/FUL  
Objection  
Tom Allsworth  
25 Torbay Drive  
Scartho  
DN33 3DQ

Having spent time re-reading submitted documents, I can find no reference to the presence of phosphate on the proposed site nor the level in the water courses that lie inside the 500-metre protection area from any building site.

In that designated area there are five water courses. The proposed building site has been farmed for many years.

One can only guess at the levels of phosphate in those watercourses because of that farming or what would be added through house building.

Natural England, a UK government agency, said phosphate pollution is causing "serious damage" to rivers, wetlands, [pools, puddles, and ditches] - and the species that live in them.

Phosphorus compounds are extremely bad for the marine environment because nutrients are generally present in very low concentrations and permanently consumed by living organisms.

Phosphorus is well known to have a significant impact on ecosystems damaging the health of rivers and lakes (known as eutrophication).

The original paper submitted on 31 March 2022 'Ecology Appraisal and Bio-Diversity Net Gain Assessment,' makes no reference to phosphates or to the damage done to the ecosystem. Protected species NEED protection.

--  
\*\*\*\*\*  
Smile - Families can be forever  
\*\*\*\*\*

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Alison Rowell

Address: 27 Torbay Drive Scartho Great Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development will overshadow houses on Emfield Road with loss of their privacy.

There will be extra noise and disturbance down unsuitable roads eg. Boundary Road that has cars parked on both sides of the road.

The public footpath will be affected.

There will be the loss of the hedgerow at the end of Torbay Drive.

The schools in the area are full so there will be no room for any new children in the area.

There will be a loss of wildlife eg, deer, peacocks, badgers and birds.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Allsworth

Address: Nauvoo 25 Torbay Drive Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Continuation of previous objections. - part 2

3./ DESIGN AND ACCESS STATEMENT 7th September 2022. Page 5 continuation of objection. JNCC.gov.uk paper, page 5 gives warnings about survey errors 5.3 (a) "our understanding of precise habitat requirements is incomplete, and therefore the attributes proposed are also incomplete or even erroneous." 5.3 (b) warns about the time lag between changes in habitat conditions and response to the population level, thus rendering habitat assessments invalid if short-term evaluation is required." As occurred in Ms McNally's report."

<https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit> states very clearly that the Check for protected sites and species lies with the developer, "You are responsible for finding out if your development or activity is likely to affect a protected site, species, or other wildlife. Natural England may not grant your permit if your development or activity may damage protected sites or species." The McNally report is erroneous, the survey was conducted out of season. Was this information handed to Natural England? I very much doubt it. I personally checked to see if Snape et al advised them regarding the out-of-season survey and the genuine presence of Great Crested Newts GKN, a protected species, in the proposed building site. I am awaiting their response which I will submit once received.

4./ ibid, page 7, 2.4 ACCESS. I quote from their submission, "The Main access to the site will be off Torbay Drive through to Dawish (SIC) [Dawlish] Road to Boundary Road before joining the main Waltham / Grimsby Road. All the mentioned roads are quite (SIC) [quiet] apart from the

Waltham / Grimsby Road which is moderately busy. All the roads laid in tarmac and are of a good condition." (Whilst the immediately following comment is not part of my objection, I fail to see why this submission is copied from previous ones and still contains examples of very poor spelling, grammar, and knowledge of how to correct previous mistakes.) I have in the past submitted photographs showing that Boundary Road is NOT laid in tarmac but is of a concrete construction over 80 years old. Laid to service a gun emplacement during WW1. It has cracks and patches galore and is in a very poor state. One must wonder why Snape et al continue to give false information regarding the state of the road.\

5./ ibid, page 10, quote, "It is a very interesting site with an existing pedestrian access from Rivan Drive." One could easily be misled by that comment unless a careful examination of figures 6 & 7 on page 17 is undertaken. They show the public right of way is to be fenced off with NO access on to the site. Page 12, 7.0 Secure by design, reads: "all rear spaces of the dwellings will be protected by high timber fences and gated with a high quality (SIC) lock. Torbay Drive does not need a gated community at its western end.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Shirley Wolfe

Address: 28 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is the fourth application in respect of this site following those of 2017 - 59 dwellings (withdrawn), 2018 - 51 dwellings (refused) and agricultural access of 2021 (withdrawn). Refusal in 2018 was based on various grounds one of which was the development would extend into open countryside and have a significantly detrimental impact; contrary to the North East Lincolnshire Local Plan and the core principles of the National Planning Policy Framework. There are no material changes in this application except for a greater density.

The existing public footpath is intended to be along a boarded area. This raises the issue of security and anti-social behaviour. Under the NPPF developments should be designed to create safe and secure layouts, where fear of crime does not undermine quality of life. In an area where the overwhelming majority of residents are of a more mature age this is unacceptable. Presently the public footpath allows immediate access to open countryside. Public rights of way should be protected and planning policy decisions should promote public safety.

There is a wealth of wildlife on the site whose habitat will be put at risk.

There are a number of factors set out in the North East Lincolnshire Local Plan.

Relating to Waltham, "the character will have been protected through good design and sensitive planning. The open countryside that separates settlements will have been protected to maintain the sense of separation and recognising the value and importance of environment corridors".

The Local Plan specifically seeks to avoid the coalescence of settlements, thus safeguarding local character.

Future development should be within the defined settlement area boundary. This site is outside the development boundary on land designated as the strategic gap infrastructure corridor. This land is regarded as open countryside as it is beyond the development boundary.

Strategic gaps were identified by NELC and have helped prevent coalescence.

The land is a strategic green infrastructure corridor as shown on the policies map. Accordingly the strategic gap between Scartho and Waltham should be retained.

Any proposal for development has to be considered with regard to, density; access and traffic generation; provision of services; impact on neighbouring land by reason of noise air quality disturbance or visual intrusion; flood risk; impact on open land that contributes to settlement character. All of the above are affected.

There will be an adverse effect on the character of the neighbourhood which has been a quiet residential area with an open aspect to the countryside. It will create loss of privacy, with increased noise and disturbance. Properties will be affected by visual impact.

Services such as medical facilities are already stretched beyond capacity

There will be significantly more traffic generated using inadequate access on roads which will not withstand increased traffic volume. Access from Waltham Road will be by way of Boundary Road which is a busy road with many vehicles parked on both sides of the highway. It is a concrete road and is in poor repair. Access and egress to and from Totnes Road and Dawlish Road is difficult now and this situation will be exacerbated by increased traffic volumes.

Waltham has a five supply of housing so there is no reason to develop further.

As the land is outside of the development boundary and in a strategic green infrastructure corridor. the strategic gap between Scartho and Waltham should be retained and this application refused.

Shirley Wolfe (Mrs)





Mrs Sandra Smith,  
29, Torbay Drive,  
Scartho, Grimsby,  
North East Lincs,  
DN33 3DQ.

Principal Town Planner,  
Planning Office  
New Oxford House,  
2, George Street,  
Grimsby,  
DN31 1HB

12<sup>th</sup> May 2022

Dear Cheryl Jarvis,

With reference to Planning Application **DM/0285/22/FUL**, I would like to make the following observations and therefore make a **formal objection to the Proposal**.

The only way off the main road ( Waltham Road ) is Boundary Road, a road that was constructed in concrete sections and was intended for domestic traffic only. Further development has taken place over the years, feeding even more traffic, both light vehicles and heavy delivery lorries. This has taken its toll. The addition of 64 more dwellings, both during construction and when occupied (potentially 64x 2 cars = 128 cars plus all the delivery vans/lorries) would put an intolerable strain on the infra structure.

The proposed entry to the site is at the end of Torbay Drive. This, therefore must mean that the potential new traffic load must involve exiting Boundary Road into either Dawlish Road or Totnes Road which is often difficult even now due to the number of cars parked on these roads and constitutes a "slalom" at the best of times for a car yet alone for a lorry. There is also the consideration of the "Emergency Services" gaining access (Have they been consulted?)

In addition to these observations there is the proposed demolition of a large section of hedge which has existed for many years across the end of Torbay Drive and is a haven for and a passage for a variety of wildlife. (Has Natural England been consulted and approved this ?)

I also have the fear that the creation of a pond for surface water from the new site would in the times of heavy rain alter the water level very close to our property and

cause flooding.

It is with these considerations and the general loss of peace and quiet ( the reason we chose our bungalow in such a rural idyll) that I must vehemently object to the proposed development of cramming a further 64 homes in such a small area.

Yours faithfully,

Sandra Smith

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Victoria Dobson

Address: 30 Torbay Drive, Grimsby, North East Lincolnshire DN33 3DQ

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to my previous objection:

There are inaccuracies in the plans regarding the number of dwellings proposed. Some say 62 and other parts say 64. Inaccuracies are unnerving, how sound are these plans bearing in mind there are surveys etc?

The proposed plans are not on the local plan.

The strategic gap must be maintained as the villages shall almost meet if the original proposed plans go ahead and please note the amended plans show a much larger area which spans much further across the field towards Waltham, decreasing the strategic gap even further. Neither set of plans adhere to maintaining a strategic gap.

What reason is there for this increased area in relation to the original plan submitted? The new hedgerow planted by the farmer in recent years in attempt to help the proposed plans (due to our neighbourly joint concerns raised regarding the detrimental impact to the wildlife in our area) looks null and void if this new boundary will be uprooted to accommodate this even larger surface area of the amended plans. The affect on the neighbouring wildlife shall be immense. There are multiple wildlife types in our area bats, deer, pheasants, peacocks, herons, weasels to name but a few. These shall all be affected badly by the proposed original development, and more so by the new amended development.

The amended plans and increased green areas which have increased in size, I feel have been created to provide further building space in the future despite gas mains currently there (but for how long?). I feel the pond would be increased in size to accommodate these plans in the future to the further detriment and potential damage of the current residential properties in situ.

I am concerned regarding the proposed multi-level houses overlooking the current neighbours whom have bungalows. Privacy shall be decreased as the houses overlook gardens and properties. Houses like this are not in keeping with the surrounding properties, bearing in mind most are occupied by older people, these houses shall be purchased by growing families. Whilst

the houses are generally at the furthest point away from the existing dwellings, due to multi-level structure, they undoubtedly shall overlook current residential properties, reducing the privacy.

If the new dwellings are purchased by families, are there enough school places locally? The neighbouring schools are always full to the current catchment status.

The increased concrete and building materials involved in building dwellings shall force increased water drainage towards the current residents homes despite the proposed pond. The proposed pond could fill to the top and flood over the ditch into Torbay Drive properties, the water in general could flood into all neighbouring homes (as each winter particularly) the field has much standing water on it when it reaches saturation point. This saturation point shall be decreased considerably by all the concrete and brick from the new dwellings.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Victoria Dobson

Address: 30 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Please note our objections as follows:

The current roads Torbay Drive, Totnes Road and Dawlish Road and Boundary Road are not fit for heavy industrial, and/or frequent building works traffic, and/or extra residential traffic from the new dwellings; the roads are too narrow (particularly when current residents need to park their vehicles in the street), not of suitable condition (the surface already melts, lifts, cracks and suffers pot holes from water ingress and freezing in the winter). These vehicles shall create damage to the current road beyond what is already suffered periodically. Bearing in mind they were resurfaced within the last year, the evidence is becoming apparent already.

The roads were structurally built to accommodate the traffic for the dwellings already present; unknown damage could be caused to gas and water mains for example by heavy building works traffics passing over, and extra frequent traffic from these new dwellings (of which are four bed houses aimed at families with potentially up to four vehicles each, more if the resident have work vehicles they intend on bringing home).

Parking is already an issue down Torbay Drive, potentially there shall be extra vehicles looking to spill from the new residential area, onto Torbay Drive to accommodate all these extra family vehicles. Extra and/or buliding works traffic vehicles shall struggle to pass down Torbay Drive, particularly when cars are parked (often in a slalom effect) down the street.

Security and privacy shall be affected as the field is opened up to create a new opening for the new extension of Torbay Drive into the new residential area.

This new road shall pass across what is currently a ditch for drainage. Is this ditch to be filled in, in this area? If so this could affect drainage flow for current residents of Torbay Drive.

The pond is shown on plans as being at the lowest point. This concerns me greatly as our home shall be the next thing in its path. The pond is being created to protect the dwellings proposed, there are storm drains to it. What effect shall a pond have on the integrity of the land it sits in and the land near our home? Has anyone done a full professional, industrial survey to ensure the new

pond shall not cause any detriment or damage to our home now or in the future when the predicted rainfall increases with the climate change (which is evidently starting). What has been done to ensure there is no water ingress to the surrounding properties including mine, from the water drainage from these new dwellings? I do not see sufficient evidence of protection from flooding or damage, now or in the future, particularly when the property developers have moved on.

Also who will maintain this pond? It potentially shall smell, be fly ridden and possibly dangerous if the 'green' areas are used by children to play unaccompanied. Who will maintain these green areas?

Likewise there are mature hedgerows lining the current boundary to Torbay Drive which the farmer has historically and periodically maintained by thinning out and topping. This has ensured light to our home, and other neighbouring homes, is not affected. Is this hedgerow remaining? If so, the farmer cannot access it, or own it so has no responsibility to maintain it? If the hedgerow remains it shall grow uncontrollably and affect our light and grow into boundaries. We do our best to trim it ourselves on our side but the top, and field side particularly requires industrial cutting equipment (the ditches shall be affected if left to grow uncontrollably). If the hedge row is being removed, how will it be removed without damaging our boundaries, fences etc? The mature hedgerow is entwined in our fence, the roots will be under the fences. If you try to remove the hedgerow, our boundaries will suffer damage beyond repair. Who will landscape our boundaries to remove the damage, roots and provide new boundaries? A fence alone without the hedgerow would not be insufficient when the frequent winter/spring (up to 60mph plus) winds blow across that field (and they do!)

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Victoria Dobson

Address: 30 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Please note our objections as follows:

The current roads Torbay Drive, Totnes Road and Dawlish Road and Boundary Road are not fit for heavy industrial, and/or frequent building works traffic, and/or extra residential traffic from the new dwellings; the roads are too narrow (particularly when current residents need to park their vehicles in the street), not of suitable condition (the surface already melts, lifts, cracks and suffers pot holes from water ingress and freezing in the winter). These vehicles shall create damage to the current road beyond what is already suffered periodically. Bearing in mind they were resurfaced within the last year, the evidence is becoming apparent already.

The roads were structurally built to accommodate the traffic for the dwellings already present; unknown damage could be caused to gas and water mains for example by heavy building works traffics passing over, and extra frequent traffic from these new dwellings (of which are four bed houses aimed at families with potentially up to four vehicles each, more if the resident have work vehicles they intend on bringing home).

Parking is already an issue down Torbay Drive, potentially there shall be extra vehicles looking to spill from the new residential area, onto Torbay Drive to accommodate all these extra family vehicles. Extra and/or building works traffic vehicles shall struggle to pass down Torbay Drive, particularly when cars are parked (often in a slalom effect) down the street.

Security and privacy shall be affected as the field is opened up to create a new opening for the new extension of Torbay Drive into the new residential area.

This new road shall pass across what is currently a ditch for drainage. Is this ditch to be filled in, in this area? If so this could affect drainage flow for current residents of Torbay Drive.

The pond is shown on plans as being at the lowest point. This concerns me greatly as our home shall be the next thing in its path. The pond is being created to protect the dwellings proposed, there are storm drains to it. What effect shall a pond have on the integrity of the land it sits in and the land near our home? Has anyone done a full professional, industrial survey to ensure the new

pond shall not cause any detriment or damage to our home now or in the future when the predicted rainfall increases with the climate change (which is evidently starting). What has been done to ensure there is no water ingress to the surrounding properties including mine, from the water drainage from these new dwellings? I do not see sufficient evidence of protection from flooding or damage, now or in the future, particularly when the property developers have moved on.

Also who will maintain this pond? It potentially shall smell, be fly ridden and possibly dangerous if the 'green' areas are used by children to play unaccompanied. Who will maintain these green areas?

Likewise there are mature hedgerows lining the current boundary to Torbay Drive which the farmer has historically and periodically maintained by thinning out and topping. This has ensured light to our home, and other neighbouring homes, is not affected. Is this hedgerow remaining? If so, the farmer cannot access it, or own it so has no responsibility to maintain it? If the hedgerow remains it shall grow uncontrollably and affect our light and grow into boundaries. We do our best to trim it ourselves on our side but the top, and field side particularly requires industrial cutting equipment (the ditches shall be affected if left to grow uncontrollably). If the hedge row is being removed, how will it be removed without damaging our boundaries, fences etc? The mature hedgerow is entwined in our fence, the roots will be under the fences. If you try to remove the hedgerow, our boundaries will suffer damage beyond repair. Who will landscape our boundaries to remove the damage, roots and provide new boundaries? A fence alone without the hedgerow would not be insufficient when the frequent winter/spring (up to 60mph plus) winds blow across that field (and they do!)



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Victoria Dobson

Address: 30 Torbay Drive, Grimsby, North East Lincolnshire DN33 3DQ

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Please note our objections as follows:

The current roads Torbay Drive, Totnes Road and Dawlish Road and Boundary Road are not fit for heavy industrial, and/or frequent building works traffic, and/or extra residential traffic from the new dwellings; the roads are too narrow (particularly when current residents need to park their vehicles in the street), not of suitable condition (the surface already melts, lifts, cracks and suffers pot holes from water ingress and freezing in the winter). These vehicles shall create damage to the current road beyond what is already suffered periodically. Bearing in mind they were resurfaced within the last year, the evidence is becoming apparent already.

The roads were structurally built to accommodate the traffic for the dwellings already present; unknown damage could be caused to gas and water mains for example by heavy building works traffics passing over, and extra frequent traffic from these new dwellings (of which are four bed houses aimed at families with potentially up to four vehicles each, more if the resident have work vehicles they intend on bringing home).

Parking is already an issue down Torbay Drive, potentially there shall be extra vehicles looking to spill from the new residential area, onto Torbay Drive to accommodate all these extra family vehicles. Extra and/or building works traffic vehicles shall struggle to pass down Torbay Drive, particularly when cars are parked (often in a slalom effect) down the street.

Security and privacy shall be affected as the field is opened up to create a new opening for the new extension of Torbay Drive into the new residential area.

This new road shall pass across what is currently a ditch for drainage. Is this ditch to be filled in, in this area? If so this could affect drainage flow for current residents of Torbay Drive.

The pond is shown on plans as being at the lowest point. This concerns me greatly as our home shall be the next thing in its path. The pond is being created to protect the dwellings proposed, there are storm drains to it. What effect shall a pond have on the integrity of the land it sits in and the land near our home? Has anyone done a full professional, industrial survey to ensure the new

pond shall not cause any detriment or damage to our home now or in the future when the predicted rainfall increases with the climate change (which is evidently starting). What has been done to ensure there is no water ingress to the surrounding properties including mine, from the water drainage from these new dwellings? I do not see sufficient evidence of protection from flooding or damage, now or in the future, particularly when the property developers have moved on.

Also who will maintain this pond? It potentially shall smell, be fly ridden and possibly dangerous if the 'green' areas are used by children to play unaccompanied. Who will maintain these green areas?

Likewise there are mature hedgerows lining the current boundary to Torbay Drive which the farmer has historically and periodically maintained by thinning out and topping. This has ensured light to our home, and other neighbouring homes, is not affected. Is this hedgerow remaining? If so, the farmer cannot access it, or own it so has no responsibility to maintain it? If the hedgerow remains it shall grow uncontrollably and affect our light and grow into boundaries. We do our best to trim it ourselves on our side but the top, and field side particularly requires industrial cutting equipment (the ditches shall be affected if left to grow uncontrollably). If the hedge row is being removed, how will it be removed without damaging our boundaries, fences etc? The mature hedgerow is entwined in our fence, the roots will be under the fences. If you try to remove the hedgerow, our boundaries will suffer damage beyond repair. Who will landscape our boundaries to remove the damage, roots and provide new boundaries? A fence alone without the hedgerow would not be insufficient when the frequent winter/spring (up to 60mph plus) winds blow across that field (and they do!)

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss linda birkwood

Address: 31 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objection to the proposal to erect 64 dwellings with associated access and landscaping/Land off Torbay Drive. Waltham.

### Access Road

The proposed location of the gate would mean that visitors to 31 torbay Drive would not be able to park outside of that property and would have to park further up the street as access to the gated field would be required at all times of the day due to the agricultural usage of the fields.

This would cause huge inconvenience to the residents of 31 Torbay Drive as not only would visitors including elderly relatives be inconvenienced this would also apply to deliveries and trades people maintaining the property in future.

The current pedestrian path would have to be removed from where the proposed road and access would go making it dangerous for the elderly residents to cross.

### Private Drive Access

Private drive access to 31 Torbay Drive would be compromised if this proposal were to go ahead. The public footpath adjacent to the property has a dropped kerb to allow easy access into the private driveway, this would have to be adapted if the proposal were to go ahead making it particularly difficult to drive into the property.

### Building Works

If passed this will mean heavy, noisy and dirty construction vehicles passing down the currently quiet cul de sac. This would completely ruin the peace and tranquility of this area during the building process which could take years.

Boundary road and Torbay drive are currently in disrepair, have checks been made to see if they could take large heavy goods vehicles and if the streets are even wide enough to pass whilst resident on street parking is in place.

With heavy vehicles and machinery using the route regularly there could potentially be serious groundworks damage to not only the highways and footpaths but also residents homes. This includes garden walls that of the like that is currently in place at 31 Torbay drive.

### Natural Habitat for Wildlife

The proposed site is a natural habitat for all sorts of wildlife, Deer are regularly spotted along with foxes, rabbits, hares, mice, hedgehogs bats and all types of birdlife. There has even been sightings of badgers reported locally. Developing on this land would destroy the homes and habitats of all the animals

### Loss of the village

Developing this land would join up both Waltham and Scartho, both losing their natural boundaries and identities. With houses already being built going waltham to New Waltham (Toll Bar Development) Bradley (Bradley Road) and Barnoldby (Barnoldby Road development over the next few years this will mean the going of Scartho, Waltham, New Waltham, Barnoldby Le Beck and Bradley. The once individual 5 villages will become one town but without any of the infrastructure required.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Peter Tappin

Address: 32 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My overriding objection to this proposed development is that the land in question is not part of the current local development plan.

Also the proposal constitutes over intensification of the site, which in my opinion, is founded on fiscal considerations rather than its esthetical appeal.

Traffic flow analysis has been based upon the likely movement of vehicles from each new dwelling. If this pandemic has changed anything it's our increasing dependence on delivery transport and its regularity of using the Torbay Drive hammerhead as a turning point. Any new development will exacerbate this.

The suitability of Boundary Road to accept increase traffic from heavy construction vehicles must be in doubt owing to its current parlous condition. This proposed development should be given short shrift.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr David Ward

Address: 35 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs

Planning application Ref. DM/0285/22/FUL Land Off Torbay Drive Waltham North East Lincolnshire

We would like to register our strong objection to the above mentioned planning application.

Our principal objection to the proposal is that it would result in a loss of open countryside and would have a detrimental impact on the appearance of the area as well as reducing the visual separation between the built areas of Scartho and Waltham.

Having looked at these latest proposals in some detail and examined the previously refused outline planning application for a similar development, (DM/0551/17OUT), we cannot see that the applicant has addressed the main reason for that previous refusal nor has made a clear case for special circumstances to justify overriding those policies within the North East Lincolnshire Local Plan 2013-2032 which apply to the site.

In particular, the applicant has not demonstrated that the development would fulfil a housing need which would justifiably override policies to retain the individual identity of settlements, to prevent coalescence and to protect open countryside that separates settlements. The site falls within an area of land allocated as Strategic Green Infrastructure which should be retained as such.

The site is not included in the current housing allocations for the local authority and the applicant has not been able to show through housing needs that this site should be included as an exception site to meet a specific need.

For these reasons we feel the application should be refused.

Furthermore we feel we should draw your attention to the fact that the applicant has failed to properly consult with local residents at the pre application stage despite a statement contained in the Design and Access statement the (sic) 'we visited the site on a number of occasions to discuss and show our proposals which was for 64 properties to the residents through a letter drop.'

Despite the fact that we live on the principal access route into the proposed site, we have not received any correspondence from the applicant nor have been invited by the applicant to view any proposals.

Yours faithfully,

D. Ward

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Judith Wright

Address: 34 Torbay Drive Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is the fourth application in respect of this site following those of 2017 - 59 dwellings (withdrawn), 2018 - 51 dwellings (refused) and agricultural access of 2021 (withdrawn). Refusal in 2018 was based on various grounds - inter alia, the development would extend into open countryside and have a significantly detrimental impact; contrary to the North East Lincolnshire Local Plan and the core principles of the National Planning Policy Framework. There are no material changes in this application save for an intensification of density.

The application has not been made with due diligence to the facts. There are a number of errors in the application supporting documentation. For example -

Transport Statement clauses 1.4.1 and 2.2.1 refer to a development of 62 dwellings - the arithmetic supporting the figures is based on an inaccuracy; clause 2.5.3 refers to bus 53B which does not use Waltham Road. It should also be noted that the applicant's traffic survey was carried out in October 2017 (clause 3.6.1).

The applicant refers to community involvement (clause 9). I am not aware of any discussions with residents during site visits. The letter drop must have been on a restricted random basis as I and other residents have received no such correspondence.

Clause 5 of the Design Statement is also inaccurate in referring to recycling boxes which are no longer in use.

Clause 10 of the Design Statement refers to an all bungalow development which is based on need. The application is clearly for a mixed development.

The topographical survey indicates that the land is higher than the surrounding area. Waltham Parish Council has previously commented on this fact. Many residents of Emfield Road and Torbay Drive already suffer flooding to their properties; the field and adjacent farm land do suffer with pluvial flooding. There is a loss of natural surface water drainage. NPPF clause 159 et seq.



requires that any development should not increase flood risk elsewhere. There appears to be no demonstration that flood risk to existing properties will not be increased despite the addition of swales and pond. The applicant also states that there is a stream along the eastern boundary - this is a ditch which does not appear to be maintained by the landowner nor the relevant drainage board.

The optimal survey time for a Phase 1 Habitat survey is March to September, for vegetation May to September, breeding birds March to June and nesting birds April to July. As local residents confirm that there are various sightings of wildlife a further survey should be commissioned, particularly as badgers have been seen. The ecological survey does recommend vigilance for badgers and a specialist ecological nesting bird survey. Development on this land will result in a significant loss of wildlife habitat.

The existing public footpath is intended to be along a boarded area. This raises the issue of security and anti-social behaviour. Under the NPPF developments should be designed to create safe and secure layouts. Specifically section 92 creates safe and accessible environments where fear of crime does not undermine quality of life. In an area where the overwhelming majority of residents are of a more mature age this is unacceptable. Presently the public footpath affords immediate access to open countryside. Public rights of way should be protected and planning policy decisions should promote public safety

Planning policy should focus on regeneration and empty homes compulsory purchase orders. There are a number of factors set out in the National Planning Policy Framework and North East Lincolnshire Local Plan.

SO6 of the Local Plan states that the use of brownfield sites should be encouraged. Section 9.10 of the Local Plan in relation to the southern arc villages, including Waltham, states that "the character will have been protected through good design and sensitive planning. The open countryside that separates settlements will have been protected to maintain the sense of separation and recognising the value and importance of environment corridors".

Paragraph SO4 of the Strategic Objectives of the Local Plan specifically seeks to avoid the coalescence of settlements, thus safeguarding local character.

Section 10.1 (Policy 3) of the local plan relating to settlement hierarchy specifically states that future development should be within the defined settlement area boundary. This site is outside the development boundary on land designated as the strategic gap infrastructure corridor. Policy 5 of the local plan states that land is regarded as open countryside if it is beyond the development boundary.

Strategic gaps were identified by NELC in the Local Plan and have helped prevent coalescence. NELC has a policy of continued commitment to retaining the individual identity of settlements and preventing future coalescence.

The subject land is a strategic green infrastructure corridor as shown on the policies map. Accordingly the strategic gap between Scartho and Waltham should be retained.

NELC has supported an approach to adhering to development boundaries. The general policy of

the Local Plan is that beyond the development boundary the land is regarded as open countryside. Any proposal has to be considered with regard to, inter alia, density; access and traffic generation; provision of services; impact on neighbouring land by reason of noise air quality disturbance or visual intrusion; flood risk; impact on open land that contributes to settlement character.

All of the aforementioned criteria are affected.

There will be an adverse effect on the character of the neighbourhood which has been a quiet residential area with an open aspect to the countryside. It will create loss of privacy, with increased noise and disturbance. Properties will be affected by visual impact.

Services such as medical facilities are already stretched beyond capacity

There will be significantly more traffic generated using inadequate access on roads which will not withstand increased traffic volume. Access from Waltham Road will be by way of Boundary Road which is a busy road with many vehicles parked on both sides of the highway. It is a concrete road and is in poor repair. And incidentally not as the applicant contends in clause 2.4 of the Design Access Statement. Access and egress to and from Totnes Road and Dawlish Road is difficult now and this situation will be exacerbated by increased traffic volumes.

The end of the proposed development at the western end has been left open and it is a major concern that if this application proceeds there could be more development in the strategic gap between Scartho and Waltham.

In conclusion, as the land is outside of the development boundary and in a strategic green infrastructure corridor, there is significant strength in the premise that the strategic gap between Scartho and Waltham should be retained and this application refused.

Judith A D Wright (Mrs)

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Adrian White

Address: 36 Torbay Drive Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly wish to reject this 4th attempt by Snape ref: DM/0285/22/FUL to develop agricultural land within Waltham Parish Council. The number of construction vehicles that would be using Boundary Road and Torbay Drive to access the development really concerns me, and when completed the overall increase in traffic using Boundary Road could endanger school age children and other pedestrians alone with all the parked cars making the road narrow, also, Boundary Road is concrete and in very poor condition and would deteriorate further while increasing use. There are a number of different wildlife in the area as well as a well used public footpath. This proposed development is not in the local plan, and Waltham Parish Council has already built the required number (or in process of). The strategic gap between Grimsby and Waltham is at risk, these are not affordable homes either. Due to the various reasons outlined, I feel that the location of this proposed development is totally unsuitable and strongly reject this planning application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Carol Hornsey

Address: 37 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to our previous objection.

These properties would sit within a very popular postcode, this is an ill advised not needed or wanted development for this area, that is being purely driven by financial gain for the developer. The Scartho side of Grimsby and Cleethorpes is awash with new builds - Scartho Top, Old Hospital site off Scartho Road, Westkirk, Toll Bar, Bradley Road Waltham, New Waltham and Humberston, to name a few. The local infrastructure can cope with no more, it is pure greed by developers.

None of these developments are affordable for the majority, they do not meet the need of first-time buyers living in a low wage economy and this proposal is no different in that regard.

The numbers of inaccuracies in the proposal is quite shocking and in our opinion already shows a complete disregard to the existing residents. They claim to have had a consultation as part of their planning, we live 150 meters away from the proposed access point, they didn't ask us for our thoughts?

As we have suggested the inaccuracies are numerous and includes:

'local restaurant' is in fact a pub

The local shop they describe - is part of a petrol station and is full of sweets, biscuits and alcohol, not the place to do the weekly shop as part of a healthy diet.

The closeness of a bus stop is not as they describe, it is much further, the inaccuracies go on and on.....

We would urge North East Lincolnshire Council to reject this application for all the reasons we have described but most importantly because this land does not form part of the local plan, a plan that looks to develop a thriving economy and with that, the future housing requirements of the area. Thus, ensuring the local residents have a future to look forward to in a positive environment.

There, can therefore, in our opinion be absolutely no justification for this application to be approved.

Many Thanks

Carol and Rob Hornsey

37 Torbay Drive

We object to the proposed development DM/0285/22/FUL on the following grounds:

**Drainage:** currently our garden and my neighbours garden are continually wet and following heavy rainfall our garage floods, this is despite mitigation works by us. The flow of water is from the direction of the field in question. We do not believe the pond, swales and Suds proposals will address this situation and in fact firmly believe it will make the situation far worse.

We note there is little narrative in relation to the size and depth of the pond and as such will cause a significant risk to both the young and old, particularly given its location to the public right of way, as well as being a magnet for young people and risk of anti-social behaviour.

What are the plans with regard to maintenance of the environment of the development and thus ensuring both the landscaping and pond do not become an eyesore, a risk of stagnate water, infestations of flies, rats etc. and creating a potential cost to local council taxpayers?

**Traffic:** Torbay drive is currently a quiet cul-de-sac and as such the traffic is minimal, the width of Torbay Drive does not, we believe, lend itself to being a through road of 64 developments, giving rise according to the transport feasibility report to potentially 488 trips per day!

All these trips via Torbay Drive/Totnes Road /Dawlish Road and then Boundary Road. Boundary Road is not a 'tarmacked' road as claimed by Palmleaf Architects, this is one of many factual inaccuracies in their proposal, they have shown in their previous submissions to have very little accurate knowledge of this area.

Boundary Road has a concrete surface, that was built as part of the war effort in the 1940's, its current condition can only be described as poor and has deteriorated significantly over some 10 years + that we have lived in the area. It will not cope with 488 additional trips, let alone construction traffic!

We did not see any monies for highways improvement in the proposal, so we are surmising, local taxpayers will again bear the brunt of this development, if approved?

**Noise:** Torbay Drive is currently mainly bungalows, so obviously bedrooms are at ground level, our own is just 5 meters away from the roadside. An increase to both traffic and footfall particularly at night and early morning will have a huge detrimental impact on our sleep patterns and therefore quality of life and ongoing health, we moved from a busy main road to enjoy a quiet retirement.

**Public Footpath:** The development will directly impact on the very popular public footpath, the proposed tree lining of a significant length of the path, will not only affect the ambience of the path but we suggest would create an alleyway that along with the pond area will attract anti-social behaviour making it potentially a no-go area for residents, who currently enjoy the path and the abundance of wildlife, as part of a healthy quality of life.

**Local Plan:** The Local Plan 2013 to 2032 (adopted 2018) has robustly identified the development requirements for North East Lincolnshire, this site is not within this plan, nor was it in the previous plan. We recognise that this is a living document and there will be 'windfall sites' identified and approved for planning but this certainly should not be considered as one of those.

This is not only for the reasons we have already identified within this objection letter but also because this is not a brownfield site but part of the 'green belt' land that is currently used for agriculture. It is part of the 'strategic green infrastructure' that is clearly shown as part of the local plan.

The local plan also says that the Council has a *'continued commitment to retaining the individual identities of settlements and preventing coalescence will be important over the plan period'*

The plan also states: *'Relates to the stand-alone town of Immingham and the 'Arc Settlements' of Healing, Humberston, Laceby, New Waltham and Waltham. These settlements perform the role of key local services offering a good range of basic services and amenities, combined with good accessibility to the wider services available in the urban area. Future development would involve development principally of greenfield sites adjacent to but within the defined settlement area boundary'*

This development does not meet this standard as the development, if approved will be away from the development area of Waltham as they will be separated by agricultural land.

The plan also states:

*'The existing form, character and pattern of Development. The defined boundaries are not drawn so as to 'round off' or 'straighten' edges as this would be contrary to an approach that seeks to safeguard local character and distinctiveness, as it is often the irregularity of settlement edges that adds to a settlements attractiveness.'*

The plan submitted by Palmleaf Architects clearly shows that is exactly what is being proposed, a 'rounding off'.

These properties would sit within a very popular postcode, this is an ill advised not needed or wanted development for this area, that is being purely driven by financial gain for the developer.

The Scartho side of Grimsby and Cleethorpes is awash with new builds – Scartho Top, Old Hospital site off Scartho Road, Westkirk, Toll Bar, Bradley Road Waltham, New Waltham and Humberston, to name a few. The local infrastructure can cope with no more, it is pure greed by developers.

None of these developments are affordable for the majority, they do not meet the need of first-time buyers living in a low wage economy and this proposal is no different in that regard.

The numbers of inaccuracies in the proposal is quite shocking and in our opinion already shows a complete disregard to the existing residents. They claim to have had a consultation as part of their planning, we live 150 meters away from the proposed access point, they didn't ask us for our thoughts?

As we have suggested the inaccuracies are numerous and includes:

'local restaurant' is in fact a pub

The local shop they describe – is part of a petrol station and is full of sweets, biscuits and alcohol, not the place to do the weekly shop as part of a healthy diet.

The closeness of a bus stop is not as they describe, it is much further, the inaccuracies go on and on.....

We would urge North East Lincolnshire Council to reject this application for all the reasons we have described but most importantly because this land does not form part of the local plan, a plan that looks to develop a thriving economy and with that, the future housing requirements of the area. Thus, ensuring the local residents have a future to look forward to in a positive environment.

There, can therefore, in our opinion be absolutely no justification for this application to be approved.

Many Thanks

Carol and Rob Hornsey

37 Torbay Drive



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Carol Hornsey

Address: 37 Torbay Drive Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to the proposed development DM/0285/22/FUL on the following grounds:

Drainage: currently our garden and my neighbours garden are continually wet and following heavy rainfall our garage floods, this is despite mitigation works by us. The flow of water is from the direction of the field in question. We do not believe the pond, swales and Suds proposals will address this situation and in fact firmly believe it will make the situation far worse.

We note there is little narrative in relation to the size and depth of the pond and as such will cause a significant risk to both the young and old, particularly given its location to the public right of way, as well as being a magnet for young people and risk of anti-social behaviour.

What are the plans with regard to maintenance of the environment of the development and thus ensuring both the landscaping and pond do not become an eyesore, a risk of stagnate water, infestations of flies, rats etc. and creating a potential cost to local council taxpayers?

Traffic: Torbay drive is currently a quiet cul-de-sac and as such the traffic is minimal, the width of Torbay Drive does not, we believe, lends itself to being a through road of 64 developments, giving rise according to the transport feasibility report to potentially 488 trips per day!

All these trips via Torbay Drive/Totnes Road /Dawlish Road and then Boundary Road. Boundary Road is not a 'tarmacked' road as claimed by Palmleaf Architects, this is one of many factual inaccuracies in their proposal, they have shown in their previous submissions to have very little accurate knowledge of this area.

Boundary Road has a concrete surface, that was build as part of the war effort in the 1940's, its current condition can only be described as poor and has deteriorated significantly over some 10 years + that we have lived in the area. It will not cope with 488 additional trips, let alone construction traffic!

We did not see any monies for highways improvement in the proposal, so we are surmising, local taxpayers will again bear the brunt of this development, if approved?

Noise: Torbay Drive is currently mainly bungalows, so obviously bedrooms are at ground level, our

own is just 5 meters away from the roadside. An increase to both traffic and footfall particularly at night and early morning will have a huge detrimental impact on our sleep patterns and therefore quality of life and ongoing health, we moved from a busy main road to enjoy a quiet retirement.

Public Footpath: The development will directly impact on the very popular public footpath, the proposed tree lining of a significant length of the path, will not only affect the ambience of the path but we suggest would create an alleyway that along with the pond area will attract anti-social behaviour making it potentially a no-go area for residents, who currently enjoy the path and the abundance of wildlife, as part of a healthy quality of life.

Local Plan: The Local Plan 2013 to 2032 (adopted 2018) has robustly identified the development requirements for North East Lincolnshire, this site is not within this plan, nor was it in the previous plan. We recognise that this is a living document and there will be 'windfall sites' identified and approved for planning but this certainly should not be considered as one of those.

This is not only for the reasons we have already identified within this objection letter but also because this is not a brownfield site but part of the 'green belt' land that is currently used for agriculture. It is part of the 'strategic green infrastructure' that is clearly shown as part of the local plan.

The local plan also says that the Council has a 'continued commitment to retaining the individual identities of settlements and preventing coalescence will be important over the plan period'

The plan also states: 'Relates to the stand-alone town of Immingham and the 'Arc Settlements' of Healing, Humberston, Laceby, New Waltham and Waltham. These settlements perform the role of key local services offering a good range of basic services and amenities, combined with good accessibility to the wider services available in the urban area. Future development would involve development principally of greenfield sites adjacent to but within the defined settlement area boundary'

This development does not meet this standard as the development, if approved will be away from the development area of Waltham as they will be separated by agricultural land.

The plan also states:

'The existing form, character and pattern of Development. The defined boundaries are not drawn so as to 'round off' or 'straighten' edges as this would be contrary to an approach that seeks to safeguard local character and distinctiveness, as it is often the irregularity of settlement edges that adds to a settlements attractiveness.'

The plan submitted by Palmleaf Architects clearly shows that is exactly what is being proposed, a 'rounding off'.

To be continued

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr pettit PETTIT

Address: 39 torbay drive grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objections reference the above planning application are as follows : -

1. This development will contravene your local plan as it is the strategic gap between Grimsby and Waltham. This is an important area which is at the moment a green belt and contains a lot of wild life.

2 The only exit from the planned properties to the main Waltham Road is via Dawlish Road / Totnes Road and Boundary Road .

3 The increased number of cars parking in these roads , and the numbers of delivery vans are already causing problems any additional use of lorries can only make matters worse. The condition of the concrete Boundary road could also become a major problem.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Daniel PICKERDEN

Address: 195 Scartho Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Object

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Robert Giles

Address: 7 Orchards Croft Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Why has this proposal been made on a site designated not for housing in the Local Plan when there are other sites in

Waltham designated for housing that are not yet developed?

This development would erode the strategic gap between Scartho and Waltham causing both villages to lose their heritage and identity.

The increase in the number of houses from the original application increases the density and represents an over intensification of the site. The development would increase traffic, impacting significantly on Boundary Road, Torbay Drive and Waltham Road.

Are the concrete roads in this location up to the extra traffic or would this cause them to deteriorate further with the increased volume of traffic?

The proposed access crosses a public right of way which is used by many residents to access the field for exercise / dog walking etc. What will be the impact on the footpath?

What is the impact of flood risk to existing properties on Emfield Road? Some properties already experiencing flooding during high rainfall periods.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Lee Hubbard

Address: 29 Emfield Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this development on several grounds.

1) Boundary Road and surrounding roads are already under pressure from the amount of traffic and can not support addition vehicles which will obviously result from the construction of the 64 dwellings.

2) The area is prone to flooding, which not only effects the land of the proposed development but also the surrounding streets and properties. Emfield Road being one example.

3) The land is on the strategic gap, the local plan currently stops the 2 villages merging and should remain so to prevent this happening.

4) The green belt area attracts lots of wildlife and is essential for conservation and the environment.

5) The developer has unsuccessfully submitted planning proposals previously, thankfully common sense prevailed and these were turned down. However despite the strong local opposition on the fore mentioned applications a new attempt is being made to build on this land with even more properties than the previous application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr David Vince

Address: 37 Emfield road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sir/Madam with regard to the planning DM/0285/22/FUL. I am opposed to the development as it completely in the wrong place and to increase housing in this greenfield area will cause access traffic problems for the residents of Boundary road and Torbay drive, this has been inspected by Waltham parish council earlier this year and they concluded that it was inappropriate because of the road size and housing position, the former application for planning was for fifty four properties so why have they applied for so many extra? is it just a ploy to make out they are considering people's views about the development. A pipeline from the oil terminal at Tetney runs under the field and there are strict criteria about building and tree lines to protect it from damage, an earlier planning application for this field was declined by Waltham parish council as it is not in the ten year plan, Grimsby planning also rejected it previously, and it also failed after appeal. After talking to our councillors at a meeting a short time ago we were told that the schools were full in the area, with all these new builds like Toll Bar and New Waltham they will cause severe problems with a worse shortage of school places. Also traffic on Scartho Road, Station Road and through Scartho village will increase. We have lived in Emfield road for over twenty and have enjoyed a wonderful quiet place to live, this build on a greenfield site would destroy a strategic gap that stops these lovely villages becoming an urban sprawl, the dividing hedge cutting through the field was planted by the Kirk family trying to create the appearance it was an isolated corner but it wasn't it was a part of a very large field. They are the family trying to sell it to Snape builders who are cramming in houses ETC, all over Waltham Scartho and surrounding areas for profit without any concern about how the local community is disrupted or the area spoiled. This will destroy the an area vital to wildlife, we have badgers, foxes deer and every year we have skylarks nesting in that area ,also all types of finches. Our neighbour has a problem with groundwater rising in their front garden to a point they have installed a pump to send it to the drain, we live close to the top of this field level and it appears there was a ditch behind us all in Emfield road but has been ploughed in, if this development is allowed it could divert water into all the properties in our

road. We have new people moving into the road and surrounding and three who we know personally and have said how quiet it is especially at nights and weekends and how lucky that are to have found such a super home and neighbourhood wishing they had moved before. These comments are the true feelings of people who are living in the village setting. Please consider this application as just another greed and profit making development and support us by rejecting this planning application

Thank you



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Anthony Westerman

Address: 33 Emfield Road Scartho

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having lived here for the past 4 yrs, I have loved the quiet nights and weekends. My wife and I bought this bungalow to retire into as it is so quiet and peaceful, 64 new dwellings at the bottom of my garden is not what we had planned for the "quiet life".

please reject this application!!

Also the traffic through the village is increasing all the time with new properties being built on Grimsby Road. Waltham

Scartho Top, Grimsby

Toll Bar, New Waltham

Louth Road, New Waltham

I believe we have enough new building in the area without the proposed development of Torbay Drive.

Also the Boundary road and Torbay drive will become a traffic jam on a daily basis. This is not conducive of the village life we all in this village thought we had bought into.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Jo VINCE

Address: 37EMFIELD ROAD GRIMSBY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I strongly object to this development we have already got problems with flooding. We need to keep the two villages separate Waltham in Waltham and Scartho in Scartho . The roads are not wide enough for more traffic around 8 AM to 9.30 AM the main roads are grid locked with traffic , Boundary road is the main road into this development which is not strong enough to take heavy construction traffic . The schools are full around this area, the Doctors are full . The public footpath leading to Waltham will become a no go area because it will be a fenced area so it will be used for anti social behavior, We need to keep the gap between the two village. We need to keep farm land to feed not only our country but others . We want wildlife living there not people, animals not houses crops not houses. Please give this application great thought we have enough houses been built in Waltham and surrounding areas. If this gets passed then they will start going the other way across to Bradley road it will become a town not rural district

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr DAVID VINCE

Address: 37EMFIELD ROAD GRIMSBY

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to my previous comments concerning planning application DM/0285/22/FUL Dear Cheryl and planning group I would like to raise my opposition to this application because during the time from when it was first raised in the Grimsby Telegraph the first time, it was clear that the description was contradictory and not at all accurate all the way through. Since then I along with other residents have attended all the Waltham Parish council meetings about this planning application and every time it has been unanimously rejected, because it is not in the local plan and Waltham Parish do not want this strategic gap eroded. Both they and we have been very fortunate to live in very peaceful rural village settings, this gap also stops a lot of illegal and antisocial behaviour as this open space and the main road are open areas and be very easily monitored by police and ourselves. The point that I and many others find appalling is that about a hundred and sixty local home owners have opposed this with good reason, along with our good neighbours in Waltham and yet, one builder and his architect can force this application forward against the will and views of all these people, with respect what happened to democracy the basis of English life which unlike other Countries are deprived of. Grimsby is in need of good affordable housing for young families in areas like Freeman Street and east marsh as this is closer to places of employment EG. Pyewipe industrial estate and the Humber bank. Today I had to attend Scartho medical centre at 9 am, the traffic had backed up to Mendip Avenue from Scartho fork, to make my appointment I had to go down Mendip Avenue and park up and walk down to Springfield road to make sure I was on time. On talking to the chemist staff afterwards they told me it is like it every day, with that in mind if we keep building houses at this rate we will be grid locked permanently

before long.

Please reject this application and allow us to remain rural villages and not just another suburb of Grimsby, this building application is not for the benefit of anyone apart from the builder and his architect under the pretext that the farmer needs to sell this small field which is not usable, it is strange three years ago the new hedge did not exist to which group members have pictures of them planting it and the area was part of a huge field between us and Waltham.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss Amy Shephard

Address: 46 Emfield Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development.

1) The environmental report is not accurate. It was performed in winter when there is little evidence for the biodiversity. My property is on the edge of this proposed site and I have bats frequenting my garden. The only way for them to get to my house is to cross this land. Cherry cottage wildlife rescue group have released several rehabilitated hedgehogs in to the area. Local buzzards live on the edge of the field and use it for hunting. (I can show you the tree they roosted in last year) A local sparrow hawk pair utilise the field. They have visited my garden. There are several Skylarks nesting in this field, which on a personal level makes my environment very pleasant. (Ironically Snape's believes their developments should be a nice environment, at the cost of destroying the environment we already enjoy.) On a legal level, skylarks are a red list bird. This development would destroy this valuable ecosystem that might not look a lot in winter but come spring is bursting with life that also deserves a place to live.

2) My house and the houses down hill from this development will suffer the risk of flash flooding. At the moment heavy rain falls on the fields and percolates down. This then runs harmlessly underneath the houses. It can be seen escaping from opposite Hurford Place and going down the drains. Based on GCSE Geography - replacing the permeable soil with impermeable houses, concrete, roads and patios will mean that surface water now travels down hill over the surface and straight in to the gardens and houses of Emfield Road in particular. I would prefer my house and garden not destroyed by flash flooding.

3) The foot path is a well used path and enclosing it poses a safety concern for me as a lone female walker. In addition it allows access to the gardens of the current properties and the new properties under the cover of darkness. Increasing crime.

4) the land is in Waltham parish - Waltham parish has met its 5 year housing target. This land is intended as a strategic gap to allow the villages to retain their character. Unlike what has

happened with Scartho already.

5) The housing designs are NOT SUSTAINABLE! If you believe in climate change or not the government has a target to reduce carbon emissions. this estate is 64 poorly designed properties that will leak heat in to the environment. There is no alternative provision for heating energy sources. This is 64 new gas fired boilers. They could have designed in a community ground source heat pump or even solar panels on the houses. But no, its more of the same energy intensive poorly built shacks. On a wider scale Grimsby council should be making sure all developers move away from old defunct building standards.

6) 64 houses, with with at least 2 cars each is an environmental disaster for the cleanliness of the air across scartho. The wind is a prevailing south westerly. Increased particulate and gaseous emissions from both the building and using of these dwellings will have a negative health affect on people down wind. especially those with breathing difficulties. At present the prevailing wind blows from the Lincolnshire Wolds.

7) Their reports themselves are factually incorrect. There are enough objections on this site that highlight them, but for instance to think that Boundary road is in good condition is fallacious. To say a bus stop is close by negates the fact that a person would have to "walk around the houses" to get to it. The reports are designed to make a mockery of the planning department.

8) With the scartho top development there are not enough amenities in the villages to cater for the swelling population. No additional schools, doctors surgeries or other amenities are being provided. Only faceless housing.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs HELEN THORNTON

Address: 58 Emfield Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have to object to these plans, as someone whom grew up in this area of Scartho, I always appreciated the semi-rural location. We do not have the infrastructures to support the plans, local schools are at capacity. Wildlife is massively affected. The mass development opposite Toll Bar academy, less than half a mile away from the site more than compensates. I've lived here all my life, I attended Springfield school and it's at full capacity. There is more than enough housing at Toll Bar

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Ray Grant

Address: 59 Emfield Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this application. The local plan for this area states that there is no more development needed.

Waltham and Scartho are 2 villages and this would join the two up.

There is lots of wildlife on the field that would be destroyed if this went ahead.

Boundary road would not cope with heavy construction vehicles and the traffic in Scartho is horrendous now so building 64 more houses is a definite NO



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Robert Batchelor

Address: 61 Emfield Rd Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:REF DM/0285/22/FUL

I object to the building of dwellings on the field at the rear of my property.

A few of the reasons are -

The drainage of rain water from the field tends to run off the field (which is higher than our garden) and under our bungalow to the road in front. I have had my Kardeen floor lifted and re-laid once and a nearby bungalow has had the same problem with their home.

I am concerned as many of the new properties will be block paved or concrete, that the natural drainage will be very much lessened and we may get flooded.

I also object to having a fenced off alleyway behind my garden, Alleyways cause social problems, Crime, etc.

Yours Sincerely

Mr R Batchelor

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Jill Grant

Address: 59 Emfield Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this planning application.

The flooding outside my bungalow now is dreadful with water running down from the field behind, so building on this field would make it worse than ever.

The land is on the Strategic Gap which means Scartho and Waltham would be joined up, the local plan is designed to stop this happening

Boundary Road is not suitable for all the traffic as it has cars both side of the road and would not cope with heavy building vehicles to go down.

64 houses, each with 2 cars would create even more traffic in and out of Scartho when it is bad enough now. Doctors/schools are over capacity now so wouldn't cope with anymore residents .

I hope this application is rejected for all these reasons

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr KEVIN TAYLOR

Address: 63 Emfield Road SCARTH GRIMSBY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this planning application on the following grounds:

The land sits within the Strategic Green Infrastructure Corridor, to allow Development on this land would cause coalescence between Scartho Grimsby and Waltham Village, this Infrastructure Corridor, is supposed to stop this from happening.

The Land is not earmarked for Development in the Councils own Local Plan, or supporting documents, the draft SHHLA and the NPPF

Building the places we need Policy 10

4) In pursuance of a principle of maintaining strategic gaps the Council will protect the setting and separate identity of settlements; require buffers between potentially conflicting use; prevent coalescence of settlements; retain the openness of land; and control that nature and scale of urban and rural developments; specific protection will be afforded to the open areas between (E) Waltham and Grimsby and new Waltham.

The Roads that would be affected are as follows: Boundary Road, Totnes Road, Dawlish Road, and Torbay Drive.

Boundary Road is laid to concrete, and is most certainly NOT laid to tarmac or in good condition, as the developers would have you believe. Residents cars/vans are parked either side throughout the day

Totnes Road & Dawlish Road are both narrow Roads leading to Torbay drive; they are not wide enough to allow safe passage of heavy construction vehicles.

Torbay Drive is a designated Cul-de-sac, resident population is a mix of elderly, and young families, with children. This is a quiet residential area, to allow development off Torbay Drive, would turn it into a busy through road.

The noise and disturbance is a concern for all of these residents, of the above mentioned Roads/Drives.

Infrastructure and Amenities for the surrounding area, and indeed the whole of Grimsby, Hospital, Doctors, Dentist, are all stretched to capacity, with some Doctors and Dentist with a waiting list. As mentioned above, the land sits within the parish of Waltham, and school places are stretched or at capacity.

The main route into Grimsby is gridlocked of a morning/evening, and with already planned Developments underway, and some near completion, the extra vehicles that these will bring onto the roads, will cause even more traffic, we just don't have the Infrastructure in this area to cope.

Public Right of Way Footpath:

Building the places we need Policy 10

2) Proposals that would result in the loss or reduction in quality or existing public rights of way (PROWs) will not be permitted unless acceptable equivalent alternative provision is made. Where diversions are proposed these should be convenient and attractive to users and not increase disturbance on protected wildlife sites

This is a popular footpath, with many young and old, and used on a daily basis, some mothers use it for the school run, as it is far safer than the roads.

This Development would see this open footpath closed for the duration of construction, if planning is granted. It would then it appears, be enclosed with fencing from its entrance off Rivan grove, all the way along to Torbay Drive, this raises alarm for anti-social behaviour and crime, this would then become a 'no go area', and take away the beauty that this footpath provides for all to enjoy.

The residents of Emfield Road already have to tackle water runoff, from this land, as it sits higher, than their properties, whenever there is rain fall. Some residents have had to install water pumps on their land, to pump this runoff away faster; this helps to stop the water sitting in the gutters along Emfield Road.

It wasn't that long ago that the gas pipes under the footpath were renewed, once the trenches where dug, they very quickly filled with water, and had to be pumped out each day, for works to be carried out.

Properties that boarder this land, have their main living quarters over looking their rear gardens, this was the build design. As mentioned above this land sits higher, with a gradual increase, some properties, will have trees behind them, causing loss of natural daylight and overshadowing in

time. Others may have cause for concern of overlooking, and loss of privacy.

This land was previously refused Planning of 51 dwellings at the Planning office, under Delegated powers Jan 2018 DM/033/18/OUT.

Nothing has changed, apart from an even more intensified application, to build 64 dwellings on the same size land.

I respectfully ask that the planning Officers refuse Planning permission once again.

Kind regards

Mr K Taylor.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Patricia Taylor

Address: 63 EMFIELD ROAD SCARTHOS Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We the residents object to this planning application, on the following:

1) This proposed development site was not in the local plan (2003) and is not in "The Adopted Local Plan" 22 March 2018. There are a number of reasons why this Planning application should not be granted, and the following sections of the "Adopted Local Plan" give strong evidence to reject this Planning application.

6 - What is life like in North East Lincolnshire - Landscape 6.64?

Strategic Gaps were identified in the North East Lincolnshire Local Plan 2003, and have helped to prevent coalescence of the Grimsby/Cleethorpes urban area with Humberston, Waltham and new Waltham to the south and Bradley, Laceby and Healing to the West. Continued commitment to retain the individuality identity of settlements and preventing coalescence will be important over the plan period.

. 11- General Policies Policy 5, page 89 Key aspects. The existing form character and pattern of development.

The defined boundaries are not drawn so as to 'round off' or 'straighten' edges as this would be contrary to an approach that seeks to safeguard local character and distinctiveness, as it is often the irregularity of settlement edges that adds to a settlement's attractiveness.

Preventing coalescence of settlements.

Boundaries include the gardens (curtilage) of properties except where they functionally separate

from the dwelling or, where the scale of the site is such that it could, through future development, lead to ribbon development or coalescence with a nearby settlement. Properties on Emfield Road Scartho, that boarder this land, have their main living area, 'lounge' overlooking their rear gardens, this is how these bungalow were built in mid 1950/60's. The other side of these garden boundaries is in fact the Parish of Waltham.

The land is in the boundary of Waltham Parish Council, if planning is granted, the 'Strategic Green Infrastructure Corridor' will have been affected or the acreage of Waltham will have been eroded. Would the proposed development site become part of Scartho Grimsby? To grant planning on this land, would fly in the face, of the local plan, that our Council worked hard on to fruition, and would then open the flood gates, for further development on this land. The parish of Waltham would therefore be in real danger of being swallowed up into Grimsby.

## DESIGN, ACCESS, PLANNING, SUSTAINABILITY AND STATEMENT OF COMMUNITY INVOLVEMENT.

This document has a number of errors and falsehoods:

Introduction:1.0 Scartho Village 'All villages in this area have a distinct character but for Scartho it seems not to be defined and according to some people this village can be classified as a "Missing Village". Who are these 'people'?

We the residents beg to differ, we are proud of our Village.

### Outcomes 2.0

#### 2.1 Purpose

As far as we are aware the 'Local plan' is in Place and has been since its adoption 2018

#### 2.4 ACCESS

Where is Dawish Road, in Scartho Grimsby? It then goes on to say 'All the roads are laid in tarmac and are of good condition' Boundary Road the main road that would lead to this development, is most certainly NOT laid to tarmac this is a blatant 'falsehood', and would it appears stated to mislead the Planning Officer, when making their decision (evidence has already been submitted to the planning portal, via a residents Objection, a photograph of the junction of Boundary road and DAWLISH ROAD, showing the TRUE state of Boundary road, and that it is in fact laid to CONCRETE).

### 9.0 COMMUNITY INVOLVEMENT AND PRE APPLICATION ADVICE.

The Applicant claims to have 'visited the site on a number of occasions to discuss and show our proposals which is for 64 dwellings to the residents through a letter drop'.

A letter pushed through the letterboxes of a hand full of properties, with no engagement or discussion. A Tick Box exercise, no doubt.

2) On looking at these plans, it would appear that the Public Right of way footpath, would end up enclosed for most of its length from its entrance onto the land, up to Torbay drive, this raises cause for concern, of 'Anti social behaviour', and all that entails, and would possibly become on 'no go area', this 'Foot Path' is a very popular route for many on a daily basis, and would be a crying shame to lose it.

We bring to your attention the Previous Applications for this Land:

DM/0551/17/OUT Application for 59 dwelling, Withdrawn by the Applicant

DM/0033/18/OUT Revised Application for 51 dwelling, REFUSED UNDER DELEGATED POWERS, RECOMMENDATION REFUSED

(1) 'The sites residential development would extend into the open countryside and have a significant 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'.

DM/0777/21/FUL Application for Gated Agricultural access, Withdrawn by Applicant

3) Waltham has many developments already underway or soon to be started, as planning has already been granted. Has Waltham parish reached their housing shortage? Or have they exceeded it? For the term of the Local plan.

4) Nothing has changed, other than a hedgerow planted by the Land owner around 2019, to partially separate this parcel of land, from the wider agricultural land. Access is gained by the wider agricultural Land and is today set to crops.

5) The Land still sits within the Parish of Waltham, and borders Scartho Ward, and always will do unless parish and ward boundaries are removed. If this Application is allowed, it will 'Round off the settlement edge'.

6) This Land is not in the local plan, earmarked for development, to allow this application, would open the flood gates for other development, and most certainly erode the 'Strategic green Infrastructure Corridor'.

7) The infrastructure & Amenities for the area are already under pressure, Roads, Hospital, Doctors, Dentist, and Schools.



The roads leading into Grimsby are already grid locked at peak times of the day, and we have development in the area already underway, Toll Bar, Wigmore Park, Scartho Top, others will soon be expanding, as Planning was granted for them to do so.

Hospital, we are already asked not to attend the A&E department, due to the high demand.

Doctors & Dentist in and around the area are full to capacity

.

Schools: Have no or very little space available for the population.

The residents of Torbay Drive, enjoy the peace and quiet, with elderly taking their sometimes, daily walk along the pavement already in place, around Torbay Drive, and across the proposed access road, safe in the knowledge that they will not be put at risk, by allowing this application, we fear that these residents will no longer feel safe to take their walk, with the coming as goings of large, heavy construction vehicles. Is onsite parking to be provided for the work force?, or are they going to park on the road side, of this already quiet safe area, causing inconveniences to the residents.

Boundary Road as mentioned previously is laid to concrete, with expansion strips; this road is already in poor state, with cracks, allowing heavy construction vehicles would undoubtedly cause even more issues for the road, & the underground pipe work at whose cost? No doubt N.E Lincs Council & the utilities companies.

Most of the properties along this road, cannot get all the vehicles onto their driveways, resident do move them for the refuse collections. Allowing this development would cause a major inconvenience for the residents.

Dawlish and Totnes are narrow roads that lead off Boundary and onto Torbay Drive; again these are quiet residential roads, and not wide enough today, to allow safe passage of two vehicles.

Emfield Road properties that boarder this land, are bungalows, with their main living quarters at the rear overlooking their rear gardens, this is how they were built circa late to mid 1950's/60's. These bungalows already suffer from water runoff, from the land, as the land sits higher ranging from 1.5 m upwards towards the Public Foot Path; some owners have had to install water pumps to their properties to disperse and alleviate any flooding of gardens, garages.

When works commenced to replace the gas main along Emfield Road circa 2019, and trenches were dug along the foot paths, each day, these trenches had to be pumped out of the water runoff from the land. Today this is still an ongoing problem for some residents, with paving slab movement/cracks appearing, due to the material underneath washing away again from the land runoff.

The bungalows along Emfield Road would no doubt suffer from the following:

Noise Pollution

Light pollution

Disturbance

Overshadowing from tree planting

Loss of natural daylight to their principal living quarters

We the residents of all the mentioned Roads/Drives and surrounding areas, believe that this proposed development conflicts with this council planning policy.

51 dwellings were refused planning; this application seeks planning for 64 dwellings, a far greater intensification of the same land.

We the residents respectfully ask that, this application is refused planning permission.

R.A.G.S (Residents Action Group Scartho)

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Patricia Taylor

Address: 63 EMFIELD ROAD SCARTHO Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We the residents object to this planning application, on the following:

1) This proposed development site was not in the local plan (2003) and is not in "The Adopted Local Plan" 22 March 2018. There are a number of reasons why this Planning application should not be granted, and the following sections of the "Adopted Local Plan" give strong evidence to reject this Planning application.

6 - What is life like in North East Lincolnshire - Landscape 6.64?

Strategic Gaps were identified in the North East Lincolnshire Local Plan 2003, and have helped to prevent coalescence of the Grimsby/Cleethorpes urban area with Humberston, Waltham and new Waltham to the south and Bradley, Laceby and Healing to the West. Continued commitment to retain the individuality identity of settlements and preventing coalescence will be important over the plan period.

. 11- General Policies Policy 5, page 89 Key aspects. The existing form character and pattern of development.

The defined boundaries are not drawn so as to 'round off' or 'straighten' edges as this would be contrary to an approach that seeks to safeguard local character and distinctiveness, as it is often the irregularity of settlement edges that adds to a settlement's attractiveness.

Preventing coalescence of settlements.

Boundaries include the gardens (curtilage) of properties except where they functionally separate

from the dwelling or, where the scale of the site is such that it could, through future development, lead to ribbon development or coalescence with a nearby settlement. Properties on Emfield Road Scartho, that boarder this land, have their main living area, 'lounge' overlooking their rear gardens, this is how these bungalow were built in mid 1950/60's. The other side of these garden boundaries is in fact the Parish of Waltham.

The land is in the boundary of Waltham Parish Council, if planning is granted, the 'Strategic Green Infrastructure Corridor' will have been affected or the acreage of Waltham will have been eroded. Would the proposed development site become part of Scartho Grimsby? To grant planning on this land, would fly in the face, of the local plan, that our Council worked hard on to fruition, and would then open the flood gates, for further development on this land. The parish of Waltham would therefore be in real danger of being swallowed up into Grimsby.

## DESIGN, ACCESS, PLANNING, SUSTAINABILITY AND STATEMENT OF COMMUNITY INVOLVEMENT.

This document has a number of errors and falsehoods:

Introduction:1.0 Scartho Village 'All villages in this area have a distinct character but for Scartho it seems not to be defined and according to some people this village can be classified as a "Missing Village". Who are these 'people'?

We the residents beg to differ, we are proud of our Village.

### Outcomes 2.0

#### 2.1 Purpose

As far as we are aware the 'Local plan' is in Place and has been since its adoption 2018

#### 2.4 ACCESS

Where is Dawish Road, in Scartho Grimsby? It then goes on to say 'All the roads are laid in tarmac and are of good condition' Boundary Road the main road that would lead to this development, is most certainly NOT laid to tarmac this is a blatant 'falsehood', and would it appears stated to mislead the Planning Officer, when making their decision (evidence has already been submitted to the planning portal, via a residents Objection, a photograph of the junction of Boundary road and DAWLISH ROAD, showing the TRUE state of Boundary road, and that it is in fact laid to CONCRETE).

### 9.0 COMMUNITY INVOLVEMENT AND PRE APPLICATION ADVICE.

The Applicant claims to have 'visited the site on a number of occasions to discuss and show our proposals which is for 64 dwellings to the residents through a letter drop'.

A letter pushed through the letterboxes of a hand full of properties, with no engagement or discussion. A Tick Box exercise, no doubt.

2) On looking at these plans, it would appear that the Public Right of way footpath, would end up enclosed for most of its length from its entrance onto the land, up to Torbay drive, this raises cause for concern, of 'Anti social behaviour', and all that entails, and would possibly become on 'no go area', this 'Foot Path' is a very popular route for many on a daily basis, and would be a crying shame to lose it.

We bring to your attention the Previous Applications for this Land:

DM/0551/17/OUT Application for 59 dwelling, Withdrawn by the Applicant

DM/0033/18/OUT Revised Application for 51 dwelling, REFUSED UNDER DELEGATED POWERS, RECOMMENDATION REFUSED

(1) 'The sites residential development would extend into the open countryside and have a significant 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'.

DM/0777/21/FUL Application for Gated Agricultural access, Withdrawn by Applicant

3) Waltham has many developments already underway or soon to be started, as planning has already been granted. Has Waltham parish reached their housing shortage? Or have they exceeded it? For the term of the Local plan.

4) Nothing has changed, other than a hedgerow planted by the Land owner around 2019, to partially separate this parcel of land, from the wider agricultural land. Access is gained by the wider agricultural Land and is today set to crops.

5) The Land still sits within the Parish of Waltham, and borders Scartho Ward, and always will do unless parish and ward boundaries are removed. If this Application is allowed, it will 'Round off the settlement edge'.

6) This Land is not in the local plan, earmarked for development, to allow this application, would open the flood gates for other development, and most certainly erode the 'Strategic green Infrastructure Corridor'.

7) The infrastructure & Amenities for the area are already under pressure, Roads, Hospital, Doctors, Dentist, and Schools.

The roads leading into Grimsby are already grid locked at peak times of the day, and we have development in the area already underway, Toll Bar, Wigmore Park, Scartho Top, others will soon be expanding, as Planning was granted for them to do so.

Hospital, we are already asked not to attend the A&E department, due to the high demand.

Doctors & Dentist in and around the area are full to capacity

.

Schools: Have no or very little space available for the population.

The residents of Torbay Drive, enjoy the peace and quiet, with elderly taking their sometimes, daily walk along the pavement already in place, around Torbay Drive, and across the proposed access road, safe in the knowledge that they will not be put at risk, by allowing this application, we fear that these residents will no longer feel safe to take their walk, with the coming as goings of large, heavy construction vehicles. Is onsite parking to be provided for the work force?, or are they going to park on the road side, of this already quiet safe area, causing inconveniences to the residents.

Boundary Road as mentioned previously is laid to concrete, with expansion strips; this road is already in poor state, with cracks, allowing heavy construction vehicles would undoubtedly cause even more issues for the road, & the underground pipe work at whose cost? No doubt N.E Lincs Council & the utilities companies.

Most of the properties along this road, cannot get all the vehicles onto their driveways, resident do move them for the refuse collections. Allowing this development would cause a major inconvenience for the residents.

Dawlish and Totnes are narrow roads that lead off Boundary and onto Torbay Drive; again these are quiet residential roads, and not wide enough today, to allow safe passage of two vehicles.

Emfield Road properties that boarder this land, are bungalows, with their main living quarters at the rear overlooking their rear gardens, this is how they were built circa late to mid 1950's/60's. These bungalows already suffer from water runoff, from the land, as the land sits higher ranging from 1.5 m upwards towards the Public Foot Path; some owners have had to install water pumps to their properties to disperse and alleviate any flooding of gardens, garages.

When works commenced to replace the gas main along Emfield Road circa 2019, and trenches were dug along the foot paths, each day, these trenches had to be pumped out of the water runoff from the land. Today this is still an ongoing problem for some residents, with paving slab movement/cracks appearing, due to the material underneath washing away again from the land runoff.

The bungalows along Emfield Road would no doubt suffer from the following:

Noise Pollution

Light pollution

Disturbance

Overshadowing from tree planting

Loss of natural daylight to their principal living quarters

We the residents of all the mentioned Roads/Drives and surrounding areas, believe that this proposed development conflicts with this council planning policy.

51 dwellings were refused planning; this application seeks planning for 64 dwellings, a far greater intensification of the same land.

We the residents respectfully ask that, this application is refused planning permission.

R.A.G.S (Residents Action Group Scartho)

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Patricia Taylor

Address: 63 EMFIELD ROAD SCARTHOS Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The land sits within the Strategic Green Infrastructure Corridor, as designated in the Local Plan, to allow Development on this land would cause coalescence between Scartho Grimsby and Waltham Village, this Infrastructure Corridor, is supposed to stop this from happening.

The Land is not earmarked for Development in the Council's own Local Plan, or supporting documents, the draft SHHLA and the NPPF Building the places we need Policy 10

4) In pursuance of a principle of maintaining strategic gaps the Council will protect the setting and separate identity of settlements; require buffers between potentially conflicting use; prevent coalescence of settlements; retain the openness of land; and control that nature and scale of urban and rural developments; specific protection will be afforded to the open areas between (E) Waltham and Grimsby and new Waltham.

To allow planning on this land, would open the flood gates, for development, in this Strategic Corridor, and fly in the face, of the Local Plan.

The Roads that would be immediately affected are as follows: Boundary Road, Totnes Road, Dawlish Road, and Torbay Drive.

Boundary Road is laid to concrete, and is most certainly NOT laid to tarmac or in good condition, as the developers would have you believe. Residents cars/vans are parked either side throughout the day.

Totnes & Dawlish Road both narrow Roads leading to Torbay drive; they are not wide enough to



allow safe passage of heavy construction vehicles.

Torbay Drive is a designated Cul-de-sac, resident population is a mix of elderly, and young families, with children. This is a quiet residential area, with some elderly residents using Torbay Drive, for daily exercise, safe in the knowledge that it is safe to do so, to allow development off Torbay Drive would deprive them of this, and would turn it into a busy through road. The noise and disturbance is a concern for all of these residents, of the above mentioned Roads/Drives.

#### Amenities

The surrounding area, and indeed the whole of Grimsby, Hospital, Doctors, Dentist, are all stretched to capacity, with some Doctors and Dentist with a waiting list. As mentioned above, the land sits within the parish of Waltham, and school places are stretched or at capacity.

#### Infrastructure:

The main route into Grimsby is gridlocked of a morning/evening, and with already planned Developments underway, and some near completion, Toll bar, Waltham, New Waltham, Shaw Drive, Springfield, Scartho Top, the extra vehicles that these will bring onto the roads, will cause even more traffic, we just don't have the Infrastructure in this area to cope with even more development in this area.

#### Public Right of Way Footpath:

Building the places we need Policy 10

2) Proposals that would result in the loss or reduction in quality or existing public rights of way (PROWs) will not be permitted unless acceptable equivalent alternative provision is made. Where diversions are proposed these should be convenient and attractive to users and not increase disturbance on protected wildlife sites. Badgers, Deer, Foxes, Owls, Newts, Hedgehogs, Bats, and the like, are regular visitors to this land.

This Development would see this open footpath closed for the duration of construction, if planning is granted.

It would then it appears, be enclosed with fencing from its entrance off Rivan grove, all the way along to Torbay Drive, this raises alarm for anti-social behaviour and crime, this would then become a 'no go area', and take away the beauty that this footpath provides for all to enjoy.

This is a popular footpath, with many young and old, and used on a daily basis, everyday through the year, some mothers use it for the school run, as it is far safer than the roads.

The residents of Emfield Road already have to tackle water runoff, from this land, whenever there is rain fall as it sits higher than their properties.

Some residents have had to install water pumps on their land, to pump this runoff away faster; this helps to stop the water sitting in the gutters along Emfield Road.

It wasn't that long ago that the gas pipes under the footpath were renewed, along Emfield Road,

once the trenches were dug, they very quickly filled with water, and had to be pumped out each day, for works to be carried out.

Properties on Emfield Rd, that border this land, have their main living quarters overlooking their rear gardens, this was the build design. As mentioned above this land sits higher, with a gradual increase, some properties, will have trees behind them, causing loss of natural daylight and overshadowing in time. Others may have cause for concern of overlooking, and loss of privacy. We enjoy sitting in our garden, with nothing but bird song, when my own property was built back in the early 60's, behind it was 'Blue Bell Woods', these woods were felled, to gain more Agricultural land, to sustain the country by growing crops.

The state of our country today, is that we will need as much agricultural land as possible, to grow more crops, to feed the population...

This land was previously refused Planning of 51 dwellings at the Planning office, under Delegated powers Jan 2018 DM/033/18/OUT.

Nothing has changed, apart from an even more intensified application, to build 64 dwellings on the same size land.

I respectfully ask that the planning application is once again refuse.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Ian Stanfield

Address: 65 Emfield Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to strongly object to this planning application !!!

The land in question at present is not on the NELC local plan, sits in the parish of Waltham which currently has met its criteria outlining their proposed developments for the next five years, therefore this is an unnecessary application. There is a need for affordable housing; this development certainly doesn't reflect this with expensive 3 and 4 bedroom properties. If they genuinely want to build affordable housing then there are BROWNFIELD SITES suitable for this type of development, desperate in need of rejuvenation. NELC, in their own submitted pre-application advice has stated this development does not meet their criteria as to what is acceptable.

The land in question is considerably higher than the adjacent properties. As years have passed the "dyke" that run along the back of the properties along Emfield Road has been filled in to attain more land for farming. This has had a very negative effect for the properties with flooding when there is a heavy rainfall; water can be seen running down from the field and down the driveways of said properties. Some residents have had to install pumps to clear their rear gardens of water. Another knock-on effect is the pavement at the front of the properties becomes unstable due to the substrate being eroded away because of the extra water. As there are plans to use Torbay Drive as an entrance and as the only piece of "dyke" left this will be filled in leading to even more threat of flooding. The plans do show a balancing pond but it is considerably smaller than the last submitted application from the developer, therefore totally inadequate

I'd like to draw your attention to the ecology report, carried out basically in the middle of winter when there is very little flora and fauna, no birds or mammals of any description. Instead I'd like to give you a detailed report of what is actually present on or around this land at different times of the

year.

Hedgehogs - when the report was carried out, they were hibernating; how do i know this? Simple, I have a box in my garden stuffed full of food, water and bedding and during the year I get "visited" by several hedgehogs nightly. These mammals are on the red list, they are a **CRITICALLY ENDANGERED SPECIES** and are vulnerable to extinction! This proposed development would seriously impact on their natural habitat and contribute to the further decline of this native species. We also get visited by skylarks every year which are a ground nesting bird that use the land for rearing chicks. This development is in their nesting area; these too are on the red list for endangered species. Having spoken in detail with the RSPB, whilst it may not have the same impact as the hedgehog, as they are quite widespread with their locations, it would be detrimental to the species. There are endless other species including deer, foxes, badgers, birds of every description, from owls, birds of prey, to small sparrows and tits, rabbits, hares, and every possible type of rodent known (my cats bring them home, I know). There are wild flowers that attract bees and butterflies. The list is endless, not this drab 'didn't see nowt mate' description portrayed in the report.

Traffic, whilst the application may state everything is within walking distance that is simply not the case, not without some kind of magical teleporter to get them through peoples existing properties. Therefore everything, and I mean everything, will be needed to be accessed by a vehicle of some description via the Torbay access. We already have congested roads around the area in general, and with an extra minimum 64 vehicles (possibly 128 as this was the number of spaces stated in the application), this will only increase, with extra noise and pollution to the area. Boundary Road is concrete, already in a state of disrepair, not as stated by the application as suitable, nor tarmacked. The delivery of large 44 tonne construction vehicles through this location isn't a viable option and with no other route available to them, I cannot see how they can negotiate the narrow roads and tight corners without further destroying the roads, pathways and verges. The carbon footprint alone on this development would be massive, not just to the immediate surrounding area but also further afield because of congestion.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Tina Stanfield

Address: 65 Emfield Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this planning application. An outline application for the erection of 51 dwellings was submitted and subsequently rejected under delegated powers in 2018. One of the main reasons it was rejected was because the land was not identified within the Local Plan as deliverable or developable. This was formally adopted on 22/03/18 and is not due for review until 2023. I question why the developer has come back again with an application for development when this is the case? Even more questionable is that the developer has proposed a development of 64 dwellings this time, 13 more than the application that was rejected, and is a mix of bungalows and houses, where last time it was just bungalows. Why does the developer think he can put in another application when it is the same Local Plan and nothing has changed, other than he has increased the number of properties? On the Application for Planning Permission, part of the pre-application advice from the local authority emphasises all of this and states that North East Lincolnshire does not have a shortfall in housing supply and that the proposal is 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 land proposed for development sits higher than the bungalows on Emfield Road, so will overshadow and overlook these properties.

If this development was to go ahead, there would be coalescence between Scartho (Grimsby) and Waltham. The following statement is paragraph 6.64 in the current Local Plan: "Strategic Gaps were identified in the North East Lincolnshire Local Plan 2003, and have helped to prevent coalescence of the Grimsby/Cleethorpes urban area with Humberston, Waltham and New Waltham to the south and Bradley, Laceby and Healing to the west. Continued commitment to retaining the individual identity of settlements and preventing coalescence will be important over the plan period." Why then, should this application be considered? Paragraph 9.10 of the current Local Plan refers to the Western and Southern Arc, which includes Waltham and includes the following statement: "The open countryside that separates settlements will have been protected to

maintain the sense of separation; recognising the value and importance of environment corridors stretching into the urban area." This is all backed up in the pre-application advice given by the local authority and noted on the Application for Planning Permission, stating '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'. This again reiterates that the application should not be considered for planning permission.

The Design & Access Statement notes that 'the closest bus stop is located 200m off Kiddier Avenue or off Coniston Avenue which is about 407m'. This is not true and must be an 'as the crow flies' measurement because the actual distance to walk would be significantly further. The statement that all the surrounding roads are laid in tarmac is also untrue. Boundary Road is made of concrete and is in very poor condition. The Design & Access Statement also specifically refers to the NPPF (2012) and quotes section 8.4 from it 'The Framework explains that delivering sustainable development means: protecting green belt land and conserving and enhancing the natural environment.' Considering the land is green belt, how is building 64 dwellings on it protecting it or conserving/enhancing the natural environment? It is clearly taking yet more green field land away. Once it is gone, we cannot get it back. There are plenty of brownfield sites identified in the current Local Plan as developable, so why aren't these been considered, instead of attempting to develop green belt land that is NOT identified in the Local Plan? Building on brownfield sites would surely help the many struggling first-time buyers to get on the housing ladder.

The applicant states that they visited the site on a number of occasions to discuss and show their proposals to the residents. I have never been visited regarding this proposed development or had it discussed with me. I belong to the local residents' group and nobody I have spoken to was visited either. In this, and previous applications, the developer makes statements that are untrue and would mislead the council planning department, with the aim of meeting current planning criteria.

To be continued...

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Tina Stanfield

Address: 65 Emfield Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a continuation (and in addition to) my previous comments:

There is a public footpath which runs over the land proposed for development, that has been very well used for many years. Walkers currently enjoy open views of farmland and the Wolds. The whole feel of the footpath will be changed if the development was to go ahead.

There would be an impact to the wildlife in the area. Over the 28 years I have been resident here and indeed recently, I have seen deer, foxes, badgers, mice, hedgehogs, skylarks and bats in and around the field. They would lose some of their natural habitat. I have done some research and skylarks are on the red list of Birds of Conservation Concern, which means urgent action is needed to prevent extinction in the UK. Hedgehogs are on the red list for mammals as 'vulnerable to extinction.' An ecological survey was carried out under instruction from the applicant's architect. I would like to question why this was carried out in February, when clearly the flora and fauna would be at its least active.

In terms of local amenities, many local schools are over-subscribed and GP surgeries and the local hospital under pressure, especially after the covid-19 pandemic. There are many large developments already underway in the Scartho and Waltham areas which will affect these services. Why add to this with yet another opportunist development that is definitely not needed?

I would like to reiterate that I strongly oppose this application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Mike Hargadon

Address: 69 Emfield Road Scartho Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Regarding Planning Application DM/0285/22/FUL

Dear Sir/Madam

I would like to object to the building of houses behind Emfield Road and Torbay Drive, firstly that this development is not on the 5-year plan and also because the building of the houses fall into the Waltham area. Which has already met its building of new homes requirement.

The land which is proposed in the application currently agricultural with no access to a main road, the proposed access through Boundary Road/Torbay Drive is a quiet suburban area, not well appointed to take heavy plant machinery and hgv traffic. Boundary Road being constructed of ageing concrete sections from the second world war, cracked in places. There are also safety concerns for the width of the roads and safety of school children traveling to and from the local schools twice a day. Also, Bulwick avenue becoming a rat run to and from local shops. There are concerns that refuse collection services would find it difficult to service the development adequately which also raises the question for the emergency services.

None of the drainage issues for Emfield Road have been addressed, with field runoff at times of rain. This development will not do anything to correct this problem and may impact the people further. Especially with there being provision for just one drainage pond for 64 houses.

There is also the impact on local wildlife that live in the field, we have skylarks that nest in the field. Badgers have also been seen in the area. The hedge that outlines the proposed development is not a long-standing hedge, it was only planted about 18 months ago and is only just beginning to mature.

Lastly the impact on local services, doctors, dentists, schools, play groups. Many of which are oversubscribed.

Thank you for taking the time to read my point of view.



Regards

Mike Hargadon

69 Emfield Road.

## PLANNING APPLICATION DM0285/22/FUL

Dear Sir these are my objections to the above planning application.

My objections to building houses on the land at the back of Emfield and Torbay are as follows .This is prime arable land that produces healthy crops year after year . How can we in this present climate give up arable land to buildings .The world is facing a global food shortage,as a country we are unable to provide all our food needs we should take on board what is happening around the world with all its conflicts and do all we can to reduce the amount of imported grain .taking away farmland is just adding to our food shortages . This land should be protected against developers .There are alternatives to building on farmland there are plenty of brown field sites where Mr Dieter Nelson and his associates can use there development skills and make them an attractive place to live .Not until every brown field site has been used should farmland be even be considered .

This application has to be looked at as a bigger picture we have a duty to our future generations to give them the ability to provide food .I enclose a picture of the crop in the field as it is now can we afford to throw all this food away, which is ultimately what we are doing if we fill this field with houses .We all have a duty to help the country feed its self . building houses any number of houses on this land is not the answer.

### PLEASE PROTECT OUR FARMLAND

Thankyou for taking the time to read this. and I hope you can understand why I feel so strongly against this application .I hope to see in the not so distant future the government will realise the mistakes in letting developers build on farmland and make a u turn on there 5 year plans for developments. Regards Andrea Hargadon. 69 Emfield Road.



**From:**

**Sent:** 05 June 2022 14:17

**To:** Cheryl Jarvis (EQUANS) <[Cheryl.Jarvis@nelincs.gov.uk](mailto:Cheryl.Jarvis@nelincs.gov.uk)>

**Cc:**

**Subject:** OBJECTION TO: DM/0285/22/FUL - Erect 64 dwellings with associated access and landscaping -Land Off Torbay Drive Waltham North East Lincolnshire

Dear Ms Jarvis

I am forwarding the attached document and associated photo / image, objection to the above planning application, on behalf of my neighbour Mrs Andrea Hargadon of 69 Emfield Road, Grimsby (she is copied in to this email).

Andrea has provided an objection to the above planning application, published on the planning portal on 30th May 2022.

However, the associated photo / image of the farmland embedded in the attached document, and embedded here in this email could not be uploaded, as the planning portal software appears not to support an attachment function.

Therefore, on behalf of Andrea, could I please ask that you arrange for this photo image of the farmland referred to in Andrea's previous objection, and the attached document be added to the portal.

Kind regards and many thanks.

Caroline Barley

On behalf of Andrea Argadon



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Andrea Hargadon

Address: 69 Emfield Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: PLANNING APPLICATION DM0285/22/FUL

Dear Sir these are my objections to the above planning application.

My objections to building houses on the land at the back of Emfield and Torbay are as follows .This is prime arable land that produces healthy crops year after year . How can we in this present climate give up arable land to buildings .The world is facing a global food shortage, as a country we are unable to provide all our food needs we should take on board what is happening around the world with all its conflicts and do all we can to reduce the amount of imported grain .taking away farmland is just adding to our food shortages . This land should be protected against developers .There are alternatives to building on farmland there are plenty of brown field sites where Mr Dieter Nelson and his associates can use there development skills and make them an attractive place to live .Not until every brown field site has been used should farmland be even be considered .

This application has to be looked at as a bigger picture we have a duty to our future generations to give them the ability to provide food .I enclose a picture of the crop in the field as it is now can we afford to throw all this food away, which is ultimately what we are doing if we fill this field with houses .We all have a duty to help the country feed its self . building houses any number of houses on this land is not the answer.

PLEASE PROTECT OUR FARMLAND

Thankyou for taking the time to read this. and I hope you can understand why I feel so strongly against this application .I hope to see in the not so distant future the government will realise the mistakes in letting developers build on farmland and make a u turn on there 5 year plans for developments. Regards Andrea Hargadon. 69 Emfield Road.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Caroline Barley

Address: 71 Emfield Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Our comments / objections of 14th June 2022 remain unchanged, are still relevant in relation to the latest developer documentation. Please take our objections made on 14th June 2022 as applicable to the developers proposal / application and their subsequent amended documentation.

Caroline and Paul Barley



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Wayne Brewitt

Address: 91 Emfield Road Grimsby North East Lincs Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I firmly oppose to this application there are lots of valid reasons.

This would destroy the strategic gap between scartho and Waltham.

It would have serious detrimental problems with the wildlife on the field which are free to roam at present .

The road upto Torbay drive is not fit for purpose for construction traffic nor the extra 100 odd cars which the development would produce

The main road coming into Dawlish road is already at its limit at peak times so this would put traffic into a dangerous position

This is the fourth time an application has gone in for this housing development last time it was asked to gain access through the gate at Torbay drive for farmhouse machinery this was not the case as it was just a lie to gain access to the field to build on

The last time an application went in it was for a less number of plots and they were bungalows this time the number has gone up and they are houses

I see no reason why approval should be made just like the other times when planning has been denied

Plus the land is not in the local plan



The proposed development is immediately located up against the **garden boundaries of residents in the Scartho ward**. We object to this development for the following reasons.

We appreciate new and reconditioned housing is required in the borough. However, it needs to be in the **right place, of the right type, to meet different needs and demand**. However, this is an illinformed, developer led development aimed solely to make money.

If **'Place based housing, communitiy capacity and integration'** are important to the Council, **Place Board and Health and Wellbeing Board'** priorities of **Stronger Economy and Stronger Community**, are they not fundamental pillars to informing the Local Plan and 5 year housing supply and ensuring equitable housing supply across the Borough? We understand the answer to be yes to this question, and therefore this development should be redirected and targeted to an area of need identified in the Local Plan and in need of development.

#### **Strategic design and development logic and policy:**

The **need for housing in this location is not in the adopted NEL local plan**. Whereas the areas local plan sets out the various development needs that are community and economy led, which includes areas where housing is required and would be considered for development land for housing. This development appears to be one of a speculative and opportunistic application that has done little more than a poor **desk top assessment, and that is in many areas factually incorrect**. It completely disregards the areas local plans and the strategic priorities that elected ward members have agreed on behalf of their constituents.

This planning application is for **unplanned housing**, and proposed to be built on land that **national policy classes as prohibited, and is categorised as green field. It is an agreed strategic gap between Scartho and Waltham**. Furthermore, the original application was refused and was for fewer properties, this second application is for more dwellings and increases the density of properties resulting in **greater intensification**.

The **planning system is plan led**. Therefore, the NEL adopted local plan should be used by developers as a guide as to what type of development is needed and appropriate and where it should go. Where an up to date local plan exists, the local planning system and **decision makers should refer to its local plan** and decisions should be taken in compliance with it.

**If the developer is of the view they can argue their planning application should be considered towards the NEL 5 year housing supply** for the period 01.04.21 to 31.03.26, **I would respectfully point out again this site is not in the local plan**, and should not be **considered for inclusion in the next review and plan proposed to Government** in light of my neighbours objections and those given in this objection from my husband and I. In addition, in our view there have been contributions that should already have been included and counted towards this 5 year house supply plan, such as properties completed, near completion, in pipeline, approved planning applications and those considered to contribute.

**We have been unable to locate on the Council's website current realised delivered number and those forecast as realisable consequent of those in pipeline and approved in planning / outline applications for 21/22.**

**The affordable homes contribution should be 20%,** the developer offer is insulting given that most of our ageing population, young adults and families are on low income, cash poor and are financially excluded at the house prices this development will ask. Where is the contribution towards social connectivity to support the older population that need social activity on their doorstep to help prevent loneliness and social isolation. This development seeks to build more of the same housing type for these population groups in an area that already has one of the highest number of older people in NEL.

If this development is about housing need then **why does it not offer a greater affordable housing offer mix,** including 1 and 2 bed properties.

**The developer appears to have ignored the local plan policy no6.** The only infrastructure they are providing are the side roads . **Who will hold the public liability for this space** when neighbouring households experience excess water soak away and run off to their properties, as is experienced now; this floods out residents out house properties eg garages, sheds, rendering the contents unusable - evidenced in the water running down the the roads leading off and adjacent to Emfield Road for days after persistent rain.

Therefore, **this development** which is **for unplanned housing, on agricultural land, with no exceptional or very special circumstances, should be refused and not get planning permission. It is by definition a harmful inappropriate development** . It would detrimentally alter the **Waltham area's distinct characteristics of a village** as it becomes a **continuation** of the **urban sprawl** of Scartho, a village now lost to the area. It certainly does not **positively plan a development and infrastructure that is meeting a or the communities need(s) eg:**

- Protection and enhancement of the natural and historic environment, including landscape, wildlife, open space
- Protection of homes and property from flooding

**This development is not future proofed, nor sustainable. It is of a traditional build type that will almost immediately require adaptations** for those with long term health and disability conditions, rather than embracing modern methods of construction (MMC). The increasing need and demand for home adaptations to enable people with a disability to continue living independently in there home places a significant call on the Council's Disability Facilities Grant (DFGs). This development is partly aimed at the older population according to the developer, and consequently this will add further to financial pressure on the DFG and council's budget. It claims it is for the elderly, when we should be encouraging inter generational and mixed ability communities that can support each other rather than place greater demand on statutory services.

**Issues with current infrastructure and amenities are poorly considered** and does not demonstrate an appropriate financial offer to it other than a **minimal S106 contribution towards affordable housing and education**. There is **no mention as per policy 6 of the local plan towards the local road network**, nor mention of who will maintain this development's roads - will the council adopt the maintenance and ongoing replacement of the road surfaces without a financial contribution?

- Notwithstanding the above, **the applicant wrongly states** the site entrance road is surfaced with tarmac, not true, in fact it is of concrete construction and not suitable for heavy traffic and plant machinery.

Furthermore, the **Waste Services consultee states** that *'the roads are not wide enough for waste vehicles and need an adequate turning circle of 18 meters'*, and added, *'will need to reverse vehicles with risk of hitting kerbside, maybe causing damage for which we will not accept liability'*. How will the emergency services safely attend to respond to residential properties? Waste Services consultee also states that *'parked cars are an obstruction and therefore we ask full access is made on all scheduled days of collection to avoid delays / non service'*.

This developer is seeking merely to achieve an outcome of self benefit **without due regard to the NEL local plan and economic strategy**.

#### **Biodiversity Net Gain (BNG)**

This development is **disingenuous** to the immediate and surrounding **community, and established ecosystem**. It will **destroy the vital connections between plants and wildlife, and the environment around it, and will damage the existing relationship between living organisms, including humans, and their physical environment**.

How does this *'development leave the biodiversity in a better state than before'*, it certainly does not support the **neighbouring communities priorities for nature conservation**. Neighbours objections have noted the **importance of wildlife, decades old hedgerows, and existing established Public Right of Way**.

This concept has been developed by **the UK government** to ensure that **every new development will improve natural habitats and protect wildlife, plants and ecosystems from further losses**. BNG requires a 10% increase in biodiversity after development compared to the level of biodiversity before the development. **This concept has been nationally mandated for all Local Planning Authorities**.

**QUESTIONS:** 1) where is the Environmental and Social Impact Assessment for this development? 2) where is the impact assessment / survey of the current biodiversity for this area and its surrounding / connected environment? 3) who, how and when will the assessment to measure if the 10% increase in biodiversity has been achieved? and 4) what is the penalty to the developer if not achieved?

Consideration of how this development will impact the health and wellbeing of the neighbouring community should be given due regard in planning applications and the planning process. The local authority and its parish councils should ensure the wellbeing of its (local authority duty of care) citizens,

and **should seek to limit detrimental impact on the environment** in which we live and share with other life forms, to support the **achievement of the outcomes of having a stronger community and a stronger economy**.

The Council and its health partners will fail in their prevention and wellbeing duties set out in the Care Act 2014, and other relevant government legislation, including **the Human Rights act 1998**, which should be **‘universal, inalienable and, indivisible and interdependent’**, that is to say **the government and its agents (in this case NEL and Waltham Parish councils)** should not be able to **‘pick and choose’** - in the case of this development re-routing and or limiting an individual’s liberty and right to use the Public Right of way used since ‘time immemorial’, and destruction of wildlife habitat.

**QUESTION:** *Why are not, the statutory designated accountable and responsible roles of the North EastLincolnshire Council, Director of Adult Social Services (DASS), Director of Childrens’ Servies (DCS) and the Director of Public Health (DPH) consultee for planning applications, who all have a duty of care for health and well-being of population groups residing in North East Lincolnshire?*

There is clear visual evidence in areas of NEL of **brown field sites prime for housing development** in NEL and identified in the areas Local Plan.

This housing development **should not be on good quality agricultural land**, which given the **emerging Global and National indicative food supply shortage**, consequent of Russia’s war on Ukraine means; significant escalation of unprecedented energy and food costs not experienced since the Second World War; exposes us to the **risk of becoming even less sustainable** and unable to meet the energy and food needs of the UK population. We cannot afford and continue to use yet more farm land, particularly when there are brown field and other land suitable for housing development.

An example ripe and an area deserving, and **in need of regeneration is the Lincolnshire Housing Partnership land where tower blocks and housing was demolished at the back of Freeman Street**; unused buildings at the top of Freeman Street, Riby Square area eg Freeman House and old shopping complex.

Additional considerations are:

- **increased flooding, surface water and groundwater to residents land and property** happens frequently with heavy and sustained rainfall. The field in question and, immediate adjoining fields do have areas of standing water which drains off to neighbouring households. The water table is made higher in these situations. We are still experiencing the drain off from the winter and spring weather. We have a dehumidifier in operation daily in our property for a number of years due to this drain off which is moved room to room and our out houses.
- **not enough dikes left in situ** against the hedges to drain away excess water, as farmer has sacrificed these filling them in to maximise crop acres (which begs the question why sell off land when drainage for crops to maximise income from yields is required) and be a good neighbour.

- **we are concerned about the reduction in balancing ponds.** How are these constructed and what materials would be used? How will one balancing pond do the job of the original two balancing ponds.? Where will any overflow from the pond, the rain from surrounding fields and snow drain off go. Undoubtedly this will be a soak away system that will drain off in to the properties of Emfield Road and Torbay Drive as the water does now and as described earlier the properties surrounding this proposed development already suffer and bear the cost. This unsupervised pond is a significant risk to children, people unsteady on their feet eg frail elderly, people with physical disabilities, and the vulnerable.
- **increased pressure on the local highways network for Waltham, Scartho, New Waltham and neighbouring areas.** Our roads cannot continue to sustain yet another housing development, which at several peak times during the day are in paralysis. This proposed development offers no contribution to the road infrastructure.
- **the road infrastructure servicing Scartho, Waltham and New Waltham area are at saturation point and therefore requires the local authority in its strategic planning and housing authority roles to act 'strategically' and prepare the place and its infrastructure** appropriately so that it could facilitate housing development that meets need and demand suggested ie right type, in the right place eg inter-generational mixed ability that supports the community in which they reside. Without such action, this development places greater pressure on the over stretched amenities available in the affected area and puts at risk the growth of the local economy and resilience of the local community to adapt to change when it threatens the lives, health and wellbeing of the communities that this ill considered development proposes affecting the wards of Waltham, Scartho (most affected), New Waltham. Schools in the area are full and children needing to go out of catchment area.
- **Sustainability.** The developers statements are short term and insulting. This development will leave immaterial economic, social and environmental benefit; again they have been disingenuous to the community and available local provision.
- **This development places greater pressure on an already overstretched system to the road infrastructure, adult social care and health provision in Scartho, Waltham, New Waltham, Barnoldby-le-Beck, Brigsley, Ashby, East Ravendale, Hatcliffe, Beesby.** It offers nothing in financial contributions to these areas.
- **increased difficulty for emergency services** getting to 999 calls
- **increased risk of anti social behaviour with the proposed public right of way** re-route / configuration to a narrow corridor where people will feel unsafe. This providing an opportunity for anti social behaviour and dare I say fires and other accidents. Quantock Park in Scartho is an example of this, where there's a congregation of Young people striking up fires and BBQs in the smaller wooded area, smoking marijuana and getting drunk whilst pulling the trees to bits. The developer claims the residents of the new properties will pay for the maintenance of this public

space, this has not worked at Scartho top. All of this will make access more difficult and cut down access to the open space many people enjoy for their walks to maintain wellness, independence, mobility and help reduce risk of dementia, trips and falls, COPD, loneliness, social isolation etc.

- **QUESTION:** Why is the change and re-route of the proposed **Public Right of Way** not being subjected to the **legal requirement of a whole public consultation in compliance with the legislation and requirements placed on Government bodies, Public sector. The Environmental Impact Assessment (EIA) or Environmental and Social Impact Assessment (ESIA/ SEIA)** is a process of identifying environmental and social risks and impacts of a project. subject to should the chan this not be subject to
- **there are well established habitats for wildlife** for these set of fields, including this proposed plot that will have significant negative impact on the species that depend upon it e.g. sky larks, bat communities various types, native owls, further reduction of the local hedgehog population, newts and frogs, birds of prey, variety of other birds - the decades of hedgerows and trees are their environment and life line to their continued existence, and contribution to the internatio for the past eight years the neighbourhood surrounding this development and to the neighbouring fields have been reintroducing hedgehogs and their rehabilitation of this area working with Cherry Cottage a local wildlife rescue centre. This development puts this at risk, we have c1million hedgehogs in the UK, a wildlife mammal at risk and which is in significant decline in UK.
- **United Nations Climate Change ‘COP 26’ pact and action priorities and Sustainable Development 17 integrated goals** both have at their core the need for sustainable communities, health and well-being, and heed to protect natural habitats from **environmental and development degradation**.
- **consideration of the custom and practice of the numerous citizens** who regularly use the edge of the field from Waltham Road and Torbay Drive along the Waltham field boundary edge running adjacent to the back of Emfield Road used as a footpath. After circa 51 years of this being used as a recognised community public route **would be ended by this development**. In which case this proposal would need to be amended if this development was to be granted, to reflect this and, the plot sizes reduced accordingly to provide the space between the development to allow for a new public right of way.
- **all of the above will put more pressure and demand on diminishing resources and services and, will shift the cost to the local public purse** and council tax payers, which will not be equally matched by the revenue receipts collected from council tax on these proposed new properties nor the section 106 education and affordable homes contributions it may offer.

These comments explain our objections to this planning application, now and in the future.

Mr Paul and Mrs Caroline Barley

Amended 13th June 2022

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Jan Cawte

Address: 91 Emfield Road, Scartho Scartho Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object wholeheartedly to this application for several reasons;

The strategic gap is a big issue Waltham and Scartho would become one. The additional traffic would impact a great deal on surrounding streets which, with Toll bar and Springfield developments it is a struggle already.

The impact on wildlife also comes into question, we have deer, badgers etc which will be driven out.

As I understand Waltham parish (which is where the proposed development will actually be) has already met its affordable housing requirements.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Wayne Brewitt

Address: 91 Emfield Road Grimsby North East Lincs Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly oppose to this planning application.

The road upto the proposed development is not fit for purpose it was never constructed to cope with the extra traffic from lorries etc for construction purposes .The main road is often at a standstill with all the traffic so it couldn't cope with more households with maybe two cars each.The development would destroy the strategic gap between Waltham and Toll bar.The surrounding properties already suffer from excess water coming off the land so more housing would make matters worsten.The land is not down for building works

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs lorraine dent

Address: 93 emfield rd grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My main concern is always the impact on the already overloaded Scartho rd. 64 houses x at least 2 cars per household. Then all that traffic feeding out to a quiet cul de sac. Brown sites should be used, 3 storey affordable housing for first time buyers is what this town needs! Loss of agricultural land is also a big concern, very counter intuitive to keep building on green sites.

97, Emfield Road,  
Scartho  
Grimsby.

23.5.22.

Dear Madam,

Once again we find ourselves objecting to the most recent planning application by Snape properties for sixty four bungalows on the land West of Grimsby and Torbay Drive. ref -  
D.M/0285/22/FUL

Our objections are as follows:-

- Great concern that the boundary between Scartho and Waltham would become non-existent.
- This land is not in the local plan as suitable for building also -
- This land is designated as the Strategic Green Infrastructure Corridor.
- Increased traffic would further impact on Scartho Village and Scartho Road both of which are extremely busy now and become gridlocked at peak times.
- We feel that there are now too many new developments in this area which are already impacting on services like doctors, the Hospital and schools etc which already stretched will become much worse!

For the reasons stated we would urge  
the planning office/committee to reject  
this planning application.

Yours sincerely .  
Mr. & Mrs. D. R. Brumpton.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Clifford Garnham

Address: 56 Woodhall drive , Waltham Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This application must be refused. This area is a land used for farming and a area of beauty used by dog walkers and residents alike. There is already numerous building going around NEL and there is no requirement for any further developments until all the current ones are complete. This is just another example of the destruction of our countryside where it is not needed.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Cliff Garnham

Address: 56 Woodhall Drive Waltham Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is an area of natural beauty and is used by members of the public for activities such as dog walking, walking, running etc, and building on this land would take away that facility, also extra traffic that would be generated in quieter area of the town would not be welcome. This would be destruction of yet another green space in the NELC area which is happening far too often now. There are already numerous other new housing initiatives around the area, so this one is not needed.

**From:**

**Sent:** 16 May 2022 16:55

**To:** Planning - IGE (ENGIE) <planning@nelincs.gov.uk>

**Subject:** DM/0285/22/FUL ( Objection. )

Erect 64 dwellings land off Torbay Drive.

This will be the 4<sup>th</sup> attempt for this planning application.

I remember another application from some one else had one turned down 3 times but was allowed because he had got all his ducks in a row a few years ago!!! Then was allowed another 3 years.

These dwellings are planned in a field at the end of a cul de sac of Torbay drive. We visit our son it is a narrow road with cars often parked on the road, that we go to bottom to turn round.

The way is up Boundary road which again is full of parked cars, some do not have driveways and nowadays people have more than one car. Off Boundary there are 2 small roads leading into Torbay Drive.

64 dwellings could lead to increasing traffic by 120 more cars (probably joining Scartho Road.)

Also there is the problem between Waltham and Scartho joining and being no boundary.

There is wild life in this field deer are often seen.

Mrs Joan White

17 Muirfield

Waltham

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Joan white

Address: 17 Muirfield Waltham

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Additional objection

All applications that are NOT in the Local Plan should be refused, until the Local Plans have been completed. I notice another development is on the cards for Cheapside by Carr and Carr for Strawson. 200 are being built on Briggsley Road, and more to be built near fire station. Roads and schools will not cope enough is enough.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Katie Smith

Address: 37 Antrim Way Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a ridiculous proposition. I regularly walk through the fields on the public footpath to Waltham. The amount of wildlife I see in those fields, which would be gone if the houses were built. I have seen foxes, badger, many birds and a heron towards the bottom of the field where the water always sits.

This green area separates two villages and provides homes and a safe place for all the wildlife. As well as this the field in front has cattle in it, building houses in the field will affect their natural habitat too.

Not just this, the roads around this area are not very wide and some are not even tarmac but concrete. The schools are already full or very close to being at full capacity. Adding more houses will mean more children having to travel to schools further afield, bringing more traffic to the area more traffic jams and even more pollution.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Carol Libera

Address: The Moorings Peppin Lane Louth Lincolnshire

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Although I no longer live in this area, I previously lived for many years on Emfield Road and regularly visit so feel the need to object to the proposed development.

The land sits within the Strategic Green Infrastructure Corridor, as designated in the Local Plan. To build on this land would cause the two villages of Scartho and Waltham to be joined which I believe goes against the recommended policy. The land is not earmarked for development in the NELC's Local Plan and permission to develop this land has already been previously refused as the council's current policy aims to maintain strategic gaps in order to protect the separate identity of settlements and prevent coalescence, maintaining the openness of the land.

Should planning permission be granted to build here, I believe it would open the floodgates for similar development on green field sites separating villages and completely go against the council's own local plan.

Many of the bungalows on Emfield Road, which borders the site, were built on an incline with the land continuing to rise behind their homes. When I lived there, it meant that my garden and the fields beyond were considerably higher than my house. This is the case for many of the homes along Emfield Road. I fear that any dwellings built on the land immediately beyond these gardens would cause residents' homes, windows and gardens to be overlooked, causing a lack of privacy and light, as the homes will then be on a much lower level than the new dwellings in the field.

The houses also suffer from water run-off from the fields, causing water to run down the driveways and into the gutters along Emfield Road which can struggle to deal with the amount. A few years ago, Anglian Water had to be called in to deal with damage to the old drains under my driveway and I am aware that the previous occupant had a similar problem, as have other residents nearby. Whilst Anglian Water may be responsible for some drainage on the new development, I suspect they will not consider the needs of the residents of Emfield Road who will still have to deal with excess water run-off from the higher land. I have also been told by neighbours opposite, that they

too suffer the problems with water run-off from the fields and that even the people beyond them in Windermere Avenue have water-logged gardens after heavy rainfall.

The roads that would be immediately affected are Boundary Road, Torbay Drive, Totnes Road, and Dawlish Road. Boundary Road is concrete and not laid to tarmac or in good condition, as the developers seem to think. Residents cars/vans are parked either side throughout the day. Totnes Road and Dawlish Road are both narrow roads leading to Torbay Drive and are not wide enough to allow safe passage of heavy construction vehicles. Torbay Drive is a cul-de-sac, with a mix of elderly residents and young families. This is a quiet residential area with elderly residents walking along Torbay Drive for daily exercise so they would really suffer if it was turned into a busy through road. The noise pollution is a very real concern for all of these residents.

If houses were to be built on this piece of land, the already stretched amenities of Doctors and Dentists would be stretched even further at a time when you have to be on a waiting list to find a local doctor or dentist. School places are also a problem for the local village school.

The main route into Grimsby is gridlocked both mornings and evenings, especially with the new developments already in the area (Toll Bar, Waltham, New Waltham, Scartho Top, etc)

There appears to be also planned interference with a pre-existing Public Right of Way Footpath. I understand that proposals that would result in the loss or reduction in quality of existing public rights of way would not be permitted unless acceptable equivalent alternative provision is made. This Development would see this open footpath closed for the duration of construction, if planning is granted. It appears it would then be enclosed with fencing from its entrance off Rivan Grove, all the way along to Torbay Drive, increasing the likelihood for anti-social behaviour and crime. It would become a 'no go area', and take away the pleasure that this footpath provides for all to enjoy.

I strongly object to this development and hope that you will fully consider the long term detrimental consequences of building on this land. I would ask that you look extremely closely at the overall impact of this proposed development on the local area and hopefully, once again, refuse this unnecessary build.

Yours faithfully,

Carol Libera

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr RICHARD APPLETON

Address: 161 WALTHAM ROAD N.E. LINCOLNSHIRE

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I live in Scartho... ( point-two of a mile from Torbay Drive ) in the VILLAGE of Scartho ... Waltham is another village... and they should, in my humble opinion, remain as villages...

separately from one another, without being 'welded together by greed'!

This proposed development, which has already been refused more than once, has no place in this area... it will destroy the 'village' and 'community' feel of BOTH villages.

When I moved to Waltham Road Scartho 38 years ago we lived on the edge of the village... far from the villages of New Waltham and Waltham (and Holton-le-Clay, which also is creeping ever closer!). ... we have seen building site after building site in the area, gradually enveloping us and dragging us into a 'Town' situation... there are plenty of new developments all around the area, 'Becklands' and 'Wigmore' and the 'sneaky development' taking place behind Waltham Fire Station and along Grimsby Road, Waltham for example, without squeezing in even more characterless 'toytown' buildings into a totally unsuitable area just to satisfy the greedy aspirations of business people and 'developers' who live nowhere near the area and have absolutely no empathy with the communities of both Scartho and Waltham.

Also, it seems as though there has been no thought whatsoever regarding the Traffic and Road Safety problems that will undoubtedly arise should this monument to greed be allowed to go ahead - just take a look at the road chaos that is Scartho Top these days, and that is before it is anywhere near complete!

I feel that the 'strategic gap' should be maintained, for the reasons mentioned ... I therefore strongly object to the proposal and respectfully request that it is refused in order to let both villages remain as exactly that... separate villages - and not a mini-town within a town.

Thank you,

Dick Appleton - longtime Scartho resident.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Lorraine Simcock

Address: 194, Waltham Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My concerns are over the access to the public footpath that crosses any construction site off Torbay Drive.

It's an area of natural rural beauty with lots of butterflies

Also it would dangerously increase the traffic not only on Torbay Drive but also on Boundary Road and Bulwick.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Lorraine Simcock

Address: 194, Waltham Road Scartho Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have already previously objected to this planning application on the grounds that is used agricultural land with biodiversity.

The land is also bordered by a well used public footpath between the villages especially with dog walkers, of which I am one.

The amount of traffic will greatly increase especially during the building phase.

I received a letter from Lia Nici about the Conservative Governments's commitment to farming and nature which as a Conservative run council your are aware. I quote, "We have a chance to have a farming industry that is more independent and resilient. An industry that will champion economic growth and increase domestic production while returning nature to the land, improving natural assets and support food production"

I urge the planning committee to reconsider this planning application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Gordon Spencer

Address: 198 Waltham Road, Grimsby, North East Lincolnshire DN33 2PZ

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear sir/madam.

I would like to voice my strong objection to the proposal of erecting of 64 dwellings on the land off Torbay Drive. I'm originally a man of Kent but have been living in your beautiful county of Lincolnshire for a couple of years now. This development, in my opinion, has no place on this plot of open farm land, and I'm sure as eggs is eggs, it wont stop there, just a slippery slope to more adjacent land being used and abused to build more and more, eating into and eroding this green,[belt], and pleasant land.

We have sky larks, [already on the endangered list of birds and a fully protected species under the wildlife country side act of 1981], badgers, deer and foxes co existing in this beautiful, unspoilt countryside, so I'm sure I speak for many others of our community, that our voices need to heard, on their behalf, to protect them for future generations to enjoy and not to completely disappear as other species have done.

I also echo the concerns of many of my fellow community residents that should this development proceed, how would the services such as Doctors, dentists and schools etc., cope with this extra demand; they are already bursting at the seams as the roads would be under the constant and prolonged assault on our already frail and poorly maintained roads with huge, rumbling construction vehicle delivering and working on this construction site.

I implore you to reject this proposed development as you did back in 2018, and not allow this beautiful part Lincolnshire to become a concrete jungle as it sadly has in Kent !!!!!

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Ms Shirley King

Address: 198 Waltham Road Scartho Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I oppose the planning application of the proposed development of the field behind Torbay Drive for a number of reasons as follows:

The proposed fencing in of the public footpath off Rivan Close which extends to Waltham will prevent wildlife using the natural green way which is, and should remain, their natural highway, to not only cross the fields but use the hedgerow habitat as a means of shelter and food. If this is removed, which presumably will include in-filling the ditch that runs alongside the pathway, (potentially causing flooding to adjacent properties) this will deny our wildlife their natural protection, food and habitat. It is our responsibility to protect, maintain and sustain our wildlife and biodiversity not destroy it.

The impact of building of 64 dwellings on the strategic gap is there to ensure that Waltham and Grimsby retain their identities and to protect the land which surrounds them. Skylarks are now on the RSPB red list and in danger of being lost from our skies. Anyone walking down the footpath, at this time of year can't fail to hear it's glorious and rare song, we are privileged to have these birds nesting in the fields and singing in our sky, how can we allow them to be endangered further by these developers and landowner?

Anyone who has driven up Boundary Road from Waltham Road on to Torbay Drive, Dawlish, can't fail to recognise how these concrete roads are in terrible condition, clearly they won't hold up to heavy construction traffic which will block our roads for at least 2 years if this development is allowed to go ahead. As it is, waste services traffic struggle to traverse these roads. If 64 houses are built they will create at least an additional 120 cars on these roads which are not wide enough to accommodate extra traffic. Boundary Road is already used as a cut through by traffic coming from the new development off Springfield Road, the additional traffic created by the new



development at Tollbar will impact heavily on daily traffic on Waltham Road and the proposed development on Torbay Drive will compound this even further.

I strongly and vehemently oppose the proposed development by Snapes and Sons.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Keith Hall

Address: 30 Bulwick Avenue Scartho Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: In addition to the numerous objections already filed to which I concur, I wish to raise two further points in my objection to this development going ahead.

I live at the junction of Bulwick Avenue and Boundary Road. This junction is blind due to the bend in the road preceding it, and at the apex of the bend the road is only 4.7m wide, barely enough for two vehicles to pass. In addition, there are high bushes on either side further restricting the view. Bulwick Avenue is predominately occupied by retired residents so there is not usually heavy traffic flow due to commuting. The road is however busy at peak times with Toll Bar school kids walking and cycling 2-3 abreast often chatting and not paying attention to the road. I have seen cars and work vans come around the corner and have to take avoiding action from cyclists in the middle of the road. Fortunately, there has not been an accident in the time I have lived here (2 years). My concern is that if the proposed development is allowed, Bulwick Avenue will become a "rat run" because there will inevitably be queues at the junction of Boundary Road and Grimsby Road in the morning resulting from the single lane access. This increased traffic flow will inevitably lead to a greater risk of there being an accident. I absolutely do not want to ever have to rush out of my house and give first aid and call an ambulance for a school kid who has been hit by a vehicle coming round the bend. I believe this risk is real and foreseeable and should (heaven forbid) anything happen in the future I want this objection on public record to prove that the Council were made aware of this risk and chose to ignore it in arriving at their decision.

Secondly, I want to make a more general observation. I think it is fair to say that Grimsby Town has a (somewhat unfairly in my opinion) poor reputation. However, it is undeniable that there are areas of the town, particularly the immediate hinterland of the docks and the East & West Marsh areas, that represent some of the poorest socio-economic conditions in the UK. Remember, Freeman street was voted as the unhealthiest street in the UK? Surely the council should be placing absolute priority to attracting investment and development into these areas of the town before

using up what remains of the green belt between Grimsby and Waltham. The expression "follow the money" seems to be particularly appropriate here. To even the most casual observer, the fact that this development is even being considered in the light of my preceding comment is confirmation that the Council is prioritizing private profits over the needs of the town and its constituents. I am genuinely at a loss to understand why this development is even being considered, given the numerous convincing arguments already presented as to why it should not proceed. I sincerely hope that common sense will prevail and this application will be rejected, however I do have doubts. This is a genuine opportunity for the planning committee to "do the right thing". Please don't waste it and further erode public confidence in our institutions any further. Thank you.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Mike Gettings

Address: 31 Bulwick Avenue Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Waltham Parish Council have comprehensively detailed the community objection, which I fully support. The development will have a secondary but important impact on myself and I would comment as follows:

In conjunction with the comments from other objectors, my principal concern relates to the effect that the development will have on Boundary Road, particularly during the construction phase. There is also a further concern relating to the Boundary Road/Bulwick Avenue T junction when the development has been completed.

My comments relate to the reports contained within the application as it is considered that, in the unlikely event that the proposal is accepted, NELC will ensure (through local consultation) that the necessary restrictions and plans are in place prior to commencement. Scope of the comments are restricted by the 5000 character limit on the objection form.

## BOUNDARY ROAD

The road pavement is in a poor state of repair and shows signs of structural failure at numerous locations. These are located both at/between expansion joints and at SU inclusions; the bellmouths from adjacent side roads are in an even worse condition. The cracks are highly likely to be full pavement depth and a consequence of the failure of the structural layers or the subgrade itself. These failures are further compounded by the condition of the bituminous expansion joints which are equally beyond their design life and no longer serve their intended purpose. It is noted that Section 2.4 of the Design, Access, Planning, Sustainability and Statement of Community Involvement misleadingly states that 'All the roads are laid in tarmac and are of a good condition' (there also appears to be a font and word spacing change in that sentence of the document).

Construction traffic, with the attendant increase in both frequency and axle load, will only deteriorate the pavement further and result in severe disruption to the local residents. Responsibility for repair and/or replacement will need to be considered by NELC.

Section 3.5.2 of the Transport Statement details the various carriageway widths in the area, however it does not acknowledge the inherent reduction of usable carriageway due to parked vehicles. Boundary Road is often reduced to single file working and it is not practical or safe to assume that construction vehicles can use this as an access road on a regular basis.

## BULWICK AVENUE

I also note that Section 3.13 of the Traffic Distribution and Assignment report states that some traffic would use Bulwick Avenue and also confirms that it has a width of 5.2m. However similar reductions in available width exist as per Boundary Road and are predominantly at the southern end. This restriction is further compounded by the S bend approach to the T junction with Boundary Road where the actual carriageway width also reduces further. It is already a hazard due to poor sightlines - as a function of the reduced width, horizontal alignment and hedges to the rear of the footpaths. Any increase in traffic flows would have a commensurate increase in the likelihood of accidents.

It is not viable to connect the new development to Boundary Road (via Torbay Drive) and consideration should be given to the design and construction of a new permanent carriageway to form a new junction with Grimsby / Waltham Road. Inherently, this would also be used during the construction phase, thereby mitigating the majority of my concerns.

## ENVIRONMENTAL ASSESSMENT (Ecological and BioDiversity)

Section 5.4 of the IEL Appraisal and Assessment Report recommends that consideration is given to the creation of an amphibian hibernaculum proximal to the proposed balancing pond created as part of the SuDS strategy. Apparently this will enhance the site for commonly occurring amphibians, including Great Crested Newts (GCNs). This proposal is contrary to the conclusions arising from the desk study and site survey where the likelihood of GCNs was considered to be extremely unlikely due to the sub-optimal nature of the existing habitat.

I am unsure how GCN's will be able to migrate to this new facility due to the barriers detailed in the report.

I presume that NELC will make the requirement for a further survey (undertaken between March and mid June) a condition precedent, to ensure that this protected species is not currently present within the proposed development site; comments from residents would indicate otherwise.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Kevin Marsh

Address: Bulwick Avenue Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to the proposal due to the building of houses in the strategic gap between Scartho and Waltham.

The increase in traffic causing more congestion, noise and pollution affecting Torbay Drive, Boundary Road and Bulwick Avenue.

Increase risk of flooding for the new houses and Emfield Road and Torbay Drive.

The footpath from Rivan Avenue into open countryside which continues to Fairway in Waltham is used regularly by myself and grandchildren and should not be lost or enclosed.

Any building would greatly affect the wildlife on the land.

I previously lived in Fairway Waltham next to the footpath and now live the other end of the footpath in Scartho and have enjoyed the greenbelt all my life. I hope it will be preserved for my children and grandchildren to enjoy in the future and not just become another housing estate.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Janet Marsh

Address: Bulwick Avenue Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to the planning application to build houses on land off Torbay Drive. The footpath from Rivan Avenue is regularly used by walkers including myself and our grandchildren and the area opens up to countryside and is a haven for wildlife. The gap between Scartho and Waltham should remain, to separate the two. The traffic access through Boundary Road and Torbay Drive with an increase of probably 100+ vehicles would cause more problems as vehicles park on both sides of the road so only one vehicle can get through at a time and would also cause more noise issues. School children walking or cycling to school through Boundary Road would be at greater risk. There are plenty of other developments in the area, another 800+ on Scartho Top, Waltham Toll Bar, back of Shaw Drive and many others - these off Torbay Drive are not needed or wanted.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Janet Marsh

Address: Bulwick Avenue Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to the planning application to build houses on land off Torbay Drive. The footpath from Rivan Avenue is regularly used by walkers including myself and our grandchildren and the area opens up to countryside and is a haven for wildlife.

The gap between Scartho and Waltham should remain, to separate the two.

The traffic access through Boundary Road and Torbay Drive with an increase of probably 100+ vehicles would cause more problems as vehicles park on both sides of the road so only one vehicle can get through at a time and would also cause more noise issues.

School children walking or cycling to school through Boundary Road would be at greater risk.

There are plenty of other developments in the area, another 800+ on Scartho Top, Waltham Toll Bar, back of Shaw Drive and many others - these off Torbay Drive are not needed or wanted.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr L Simpson

Address: 6 Boundary Road Scartho

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We submit our objection to the proposed development on the following grounds:

1.

This, the second application proposed for Torbay Drive, is not materially different from the first and does not remedy the fact that any development on this site will effectively close the strategic green corridor separating the villages of Scartho and Waltham. I am deeply concerned that the diluting of the separation between the two villages will spoil both their character, which the residents are proud to maintain. I am concerned that the intrusion into this strategic corridor will set the stage for further development, leading to the creation of a sprawling Grimsby town. These unwanted consequences are entirely not in keeping with the objectives expressed at section 9.10 of North East Lincolnshire Council's 'Local Plan 2013 to 2032' to 'protect the character of the larger villages outside the urban area (including Waltham) through good design and sensitive planning'.

2.

Flooding is a serious concern for residents, particularly in Emfield Road. All local residents who frequent the green space are familiar with the significant flooding seen in and around this farmland (with neighbouring field's affectionately named 'Peppers Flood'). I am concerned that the reduction of natural water surface drainage will inevitably increase local flooding.

3.

The adverse effects of this development will not only be felt in the immediate surrounding area but will also reverberate throughout the villages of Waltham and Scartho. The significant increase in traffic (with at least 64 additional cars) will only add additional pressure to the bottleneck traffic areas such as Scartho Fork and Station Road. Rush hour traffic in these areas is already reaching

excessive levels and is under increasing pressure from further developments in Louth Road, Scartho Top and at Station Road adjacent Tollbar School. Scartho and Waltham villages are not equipped to cope with increasing traffic. This is exactly why their status and character as 'villages' must be protected.

4.

Without alternative access to the main road, residents of the proposed development will rely almost entirely on Boundary Road for travel, depriving existing residents of their quiet low traffic neighborhood.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr David Cooper

Address: 10 Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: After reviewing the plans and comments by others, I strongly object this proposal. The current state of repair on Boundary Road is poor, by adding a rat run this would make the road condition worse. As Boundary Road has young families living on it, adding more traffic surely poses a heightened danger to those families and their young children. People chose this area for its serenity.

As a previous neighbour has already mentioned, isn't this land partly their to separate the two villages?

Emergency vehicle access could be compromised due to lots of on street parking.

Looking at the wider community, scartho Road which is already heavily congested at peak times would become even more congested. This would impact the entire village.

The suggested site is not designed for housing.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Chris Barton

Address: 15 Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objections are

As early shifter workers we moved to 15 boundary Rd as it is a quiet street. As it is a concrete road it amplifies road noise especially heavier vehicles.

The concrete road is cracking up and in poor condition in places which may become worse with heavier traffic for construction.

The road isn't wide enough to accommodate larger vehicles' with cars parked on both sides.

Boundary Rd would become a cut through road for more vehicles. 64 new houses could possibly become 128 more vehicles cutting through.

Construction traffic leaves muddy roads and as a motorcycle rider the two don't mix well.

We have 2 vehicles left on the road that don't fit on driveway which we wouldn't be able to move for construction traffic

Also shouldn't this belt of land remain for separation and boundary between the villages.

Kind regards

Chris Barton

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss Emma Wragg

Address: 17 Boundary Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the planning application for 64 properties on land off Torbay Drive. This is just round the corner from my house and the land is not recorded in the Local Plan as suitable for development. Boundary Road, where I live, is already a busy road and this would create an increase in traffic, noise and damage to the road. The land is in the Strategic Green Infrastructure Corridor and should be preserved as it is. It should not be the start of Scartho and Waltham merging into one. I am concerned about the safety of my road, and therefore of its residents and the increase in pollution too. The land needs to be preserved as a green site to encourage wildlife too.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Ms Sharon Hurren

Address: 19 Boundary Road Scartho GRIMSBY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am very concerned about the amount of traffic in Scartho/Waltham particularly at peak times of the rush hour but, evidently even at weekends, this is still causing problems. This is more evident since the new builds have gone up near and around Toll Bar Academy affecting us in every direction, in and out of the village.

Scartho, Waltham and New Waltham have routes in and out to Grimsby and commuting times often results in gridlock.

Also this field often floods and I have concerns about the amount of wildlife around our neighbourhood, which will be displaced due to the green fields being built upon. There have been a number of deer, badgers, foxes and hedgehogs killed on or around Station Road/Louth Road due to the new builds as their habitat has been built upon.

Boundary Road has already become a race track on occasion by drivers using it as a fast-track/cut through from Fairfield. The road is made up of concrete slabs and we can feel them move/tremble, from inside our home, when heavy lorries and trucks come down the street for neighbours house improvements, let alone a full housing development around the corner.

I also strongly object to the joining up the two villages of Scartho and Waltham as they will no longer have the village feel that they currently do and needs to be retained.

There are enough areas within Grimsby that would be better renovated than to use the green fields that are becoming very scarce around our neighbourhood.

Finally, parking will become an issue as relatives visiting, often have a problem find a space when visiting at weekends.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Richard Melling

Address: 20 Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I comment firstly on the impact on greenbelt land as others have. The ecological survey appears to have been carried out in Winter at a time of low natural activity. The expansion of permitted building developments is altering the semi rural nature of the suburbs and villages to the south of Grimsby. This development would further ruin the biodiversity of the area.

My second comment is on the poor condition of The road infrastructure leading to this development namely Boundary Road. In the 21 years I have lived here the condition of the road, constructed in the 1930s in concrete sheets and expansion gaps to provide access to a Military facility at the western end of Boundary Road, had deteriorated with significant movement due to traffic increases over the decade that go beyond its intended use and construction methods. This is, from recent activity, already impacting on the subterranean water and utility infrastructure and this development places high risk on residents for interruption of utility supply as damages increase. The road structure of Boundary Road should be reconstructed utilising modern methods which can support regular traffic of vehicles of up to 32 tonnes, as the construction industry use in such developments. This would need to happen prior to this development being commenced.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss Laura Higgins

Address: 24 Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application on many grounds. I moved to this area several years ago because of the access to footpaths, green spaces, wildlife and historic views of the countryside, and general village life. I regularly enjoy walks and live close by the proposed development area. Decision makers should note that green social prescribing is at the forefront of tackling mental health issues in the community. The land is not earmarked for development so why is this being considered? Green spaces and footpaths such as this should not be comprised in any way - especially concerning local residents' physical, social and mental wellbeing. I feel the historic views, boundaries, landscapes would be comprised as a result of this development. Boundary Road is already a busy road with many cars parking on the street with enough heavy traffic passing through. The road surface is already bad enough!



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Tristan Graham

Address: 27 Boundary Road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a resident of Boundary road for over 20 , I have already seen the increase in traffic and people using it as a thoroughfare which has resulted in a very poor road surface, it will not be able to withstand months of large lorries and machinery travelling down it and once built the new cars gaining access. There are often cars parked on both sides of the road making visibility and access poor and with large trucks using it to gain access there is bound to be an accident. The increase is noise and vibrations as they pass either in front or down the side of my property is also a major concern , along with the dirt and pollution that will impact me and my family. I strongly object to the building of these properties.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Catherine Heward

Address: 26 Boundary road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Outside my home the road is made of concrete I've have lived in my home for over 40 years each time any lorries or large deliver vehicles pass my house shakes with the vibration

The water level and flow which I've reported is low at certain time and even lower at high usage times

The width of the road cannot take heavy lorries the noise the coming and going at all times of the day and the dirt from those lorries

There is a gas pipe right next to those planned bungalows and safety is and must always remain a priority

These plans must never get passed They say never in my backyard but builders are only thinking about the end figures and not about the older generation who have settled into that quiet life in there own piece of heaven

Let them live in peace

There are lots of brown spaces I say let them build there

I've not been able to attend the meeting because I have children and my house is directly opposite dawlish road must my house shake every time and distress the children I have in

Please listen to the people we have over 400 being built only road the corner at toll bar

We have to look after our green spaces once gone they are gone forever

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Caroline Graham

Address: 27 Boundary road Scartho Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to the proposal to erect 64 dwellings on land off Torbay Drive. Our property is next to one of the roads that will be used to access Torbay Drive and the noise and vibrations from large lorries and machinery travelling down it will be very disturbing, cars are often parked down there and the road is narrow so likely to cause major issues if trucks are trying to pass, the visibility when leaving my property is often very poor due to parked vehicles and I fear if there are lots of large vehicles passing it will become extremely dangerous for me and my young family when exiting our drive and crossing the road. Boundary road is a concrete road and already in extremely poor condition and will not tolerate the increased amount of traffic that will result from new houses being built. Torbay Drive and the roads off it are lovely and quiet overlooking the fields that separate Scartho village and Waltham let's keep it that way and stop trying to merge them and build on every piece of land you can find

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Steven McClean

Address: 28 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this development due to the fact there will be very large heavy vehicles coming along Boundary Road, which is a concrete road, and will cause vibrations to my house and increase traffic from the proposed residents. Also this is a residential area with old people and very young families so the extra traffic will be detrimental to their safety. Also Torbay Drive is a very narrow road and if a car or vehicle is parked on Torbay Drive any large heavy vehicles will have to mount the pavement, which is very dangerous.

Also I live in a very quiet area and I enjoy listening to the birds and I like to open the windows.

With very large heavy vehicles running up and down there will be fumes and lots of noise for many years to come.

Please stop this development, thanks Steven McClean

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Steven McClean

Address: 28 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this development due to the fact this area is a very quiet area and this development would cause massive disruption with noise and traffic during the building phase and the extra amount of traffic once built. Torbay Drive is very narrow and extra traffic would be very bad for the residents some of whom are retired. There are also young families in the area and extra traffic would be dangerous for them. Thanks Steve

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Ann McClean

Address: 28 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this development due to the fact there will be very large heavy vehicles coming along Boundary Road, which is a concrete road, and will cause vibrations to my house. Also this is a residential area with old people and very young families so the extra traffic will be detrimental to their safety. Also Torbay Drive is a very narrow road and if a car or vehicle is parked on Torbay Drive any large heavy vehicles will have to mount the pavement, which is very dangerous.

Also I live in a very quiet area and I enjoy listening to the birds and I like to open the windows. With very large heavy vehicles running up and down there will be fumes and lots of noise for many years to come.

Please stop this development, thanks Ann McClean

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Ann McClean

Address: 28 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development due to the fact it will cause massive disruption along Boundary Road during the building phase also Torbay Drive is very narrow. Boundary Road and the surrounding streets are in a very quiet area and this development will cause a lot more traffic. The field should stay as it is

Thanks Ann

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Ann McClean

Address: 28 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this development due to the fact there will be very large heavy vehicles coming along Boundary Road, which is a concrete road, and will cause vibrations to my house. Also this is a residential area with old people and very young families so the extra traffic will be detrimental to their safety. Also Torbay Drive is a very narrow road and if a car or vehicle is parked on Torbay Drive any large heavy vehicles will have to mount the pavement, which is very dangerous.

Also I live in a very quiet area and I enjoy listening to the birds and I like to open the windows. With very large heavy vehicles running up and down there will be fumes and lots of noise for many years to come.

Please stop this development, thanks Ann McClean



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Julie Stiff

Address: 30 Boundary Rd Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Torbay Drive (& the surrounding small roads) is a quiet residential area & the building of this development would be detrimental to the lives of the residents. Boundary Rd is laid to concrete (not tarmac as stated by the developer). Any vehicle larger than a family car causes reverberation through the house. Cars parked on either side of the highway often render the road to become a single lane. Bulwick Avenue is extremely narrow therefore unsuitable to be used as a main thoroughfare for the increased traffic this development would inevitably bring. As far as I'm aware, this land is in the Strategic Green Infrastructure Corridor and is not earmarked in the Local Plan as suitable for development. I strongly object to this development.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss Tamara Smith

Address: 33 Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object for the same reasons we objected previously.

The road on Boundary Road is made from concrete and is not designed for the amount of traffic that building would require. The house shakes from delivery vans driving down the road so imagine what would happen with vehicles required for building 64 dwellings.

The width of the road is not wide enough as cars park on both sides of the road.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Philip Stiff

Address: 30 Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:DM/0285/22

As a resident of Boundary Road for 46 years, I am concerned by this development, as it will greatly impact on this tranquil neighbourhood.

There is a good deal of on street parking, as certain properties do not have adequate driveways, with large panel-van vehicles parked opposite each other making the road virtually a single track in places. Therefore I am concerned for the access of utility and emergency vehicles, especially in Torbay Drive, Totnes and Dawlish Road which are narrower.

The road surface of Boundary road is laid to concrete which is already damaged. The building of 64 dwellings would give a potential further 100 plus vehicles using the road.

This land is in the Strategic Green Infrastructure corridor and constitutes a strategic gap between Grimsby and Waltham. to build on this land would destroy vital food growing arable land and habitat for wildlife.

The footpath along this land is proposed to be fenced in creating a no go area at night and a potential hot spot for criminal activity.

I strongly object to this proposed development.

42 Boundary Rd

SCARTH

20 05 22

DN33 3BD

Dear Sir

I wish to object to  
the Planning Application

REF DM / 0285 / 22 / Ful  
on the grounds, that access  
from Tonbay Drive / Totness Rd  
onto Boundary Rd, is unsuitable.

Boundary Rd is now congested  
with cars at all times

Yours faithfully



42 BOUNDARY RD

SCARTHO

DN33 3BD

9 10 22

Dear Cheryl Jarvis

I wish to object again  
to the Planning Application

REF DM/0285/22/FUL

on the grounds that access from  
Torbay Drive / Totnes Rd onto  
Boundary Rd. is unsuitable,

Boundary Rd. now is so congested  
with cars parked both sides at all  
times.

Yours faithfully

JEAN CIHLA

**From:** Bridget Pearson  
**Sent:** 11 May 2022 16:48  
**To:** Planning - IGE (ENGIE) <planning@nelincs.gov.uk>  
**Subject:** 64 Dwellings Torbay Drive

Afternoon,

I have just read on a R.A.G.S leaflet put through my door, that the planning has now changed for these fields.

I OBJECT, to building on this land , as in my previous e mail when we were lied to saying they was not building on there, Waltham & Scartho will be one village.

There are enough houses being built around here, im dreading it when Wigmore Park is finished.

The traffic is stand still at the minute for anyone trying to get to work for 9am around here, it's just an absolute joke.

Just leave the field for the cattle to graze in & for people like myself to enjoy walking around.

Yours

B Pearson  
47 Boundary rd.

Get [Outlook for Android](#)

49. Boundary Road

Scartho Grimsby

DN33 3BQ

Phone 01472 901172

North East Lincolnshire Planning

Ref: DM/0285/22/FUL

Dear Chyrl Jarvis

We are writing to lodge our objection to the proposed planning application to 64 properties on land between Scartho and Waltham.

We lodge this objection on grounds of irreparable damage to the environment, local congestion and strain on an already unsustainable infrastructure.

We are upset, disappointed and ultimately angry that consideration to this application is being made in a time when we are being informed by scientists and environmental experts that we have reached the eleventh hour in relation to the preservation of our planet. Green spaces MUST be preserved, no matter how small and insignificant they may seem. These spaces are important for the survival of wildlife and are our legacy to future generations. We need such spaces for our own well-being and mental health. Living in a sprawling conglomerate of houses and buildings is not good for humanity. This is your chance to do the right thing and preserve the green space that divides the villages of Scartho and Waltham. We need to be proud of these spaces as they show we respect the surroundings of these villages for the livelihood of wildlife that have every right to live amongst us.

We also object to the works as Boundary Road is already a substandard road and will not be able to withstand heavy construction vehicles. Families live in the area and children will be put at risk from the extra traffic that will inevitably be present.

People who commute into Grimsby from the surrounding villages already know that traffic is extremely busy during rush hour and extra time needs to be considered for their journeys. Toll Bar, Scartho Road, Waltham Road and Louth Road all merge into one very big traffic jam at the busiest time of day. Extra houses will only serve to increase the congestion and pollution.

Extra consideration must also be considered in relation to an already burdened infrastructure such as sewage, utilities, water, schooling, waste disposal etc. Councils can ill afford to maintain these services at the moment and I am sure they would struggle to put in place new services that will be effective and sustainable for future generations to rely on. I am sure that any costs would ultimately be passed on in higher council tax and utility bills.

The new proposal of 64 properties will **not** be affordable housing for the very many of Grimsby's families that are unable to get on the housing ladder and are being forced to pay rent that is in many cases, more expensive than a mortgage.

Could we propose that more consideration should be given to improving and upgrading affordable housing in areas where many properties stand empty. We feel that a council who tries to make people's lives better is something to be proud of. People who have been born, brought up and have worked in the area deserve to be able to afford good quality housing. We do not need more and more generic houses for people with 2 and 3 cars who increase the pollution and urban sprawl that we really do not need.

Yours Sincerely Noel and Vivienne Clarke



55 Boundary Road  
Grimsby  
DN33 3BQ.

Dear Sir/Madam

Ref: DM/0285/22/FUL.

With reference to the above planning application I wish to raise my objection against this for the following reasons:

Boundary Road is not suitable for heavy construction traffic and is already in poor condition.

With cars parked daily on either side the width of the road is greatly reduced and certainly not wide enough for construction vehicles to pass through easily.

Torbary Drive is even narrower than Boundary Road and also has cars parked on either side throughout the day.

Boundary Road is used by school children on foot and bicycles and I worry that there is great possibility that there could be an accident.



We need to protect our green belt areas and stop Waltham and Scartho from joining up completely.

I understand that this proposal is not part of the local plan and that with all the houses in the area already under way (Tou Bar) more are not required and would only have an effect on our already overstretched Schools, Doctors, Dentists and local hospital.

I strongly object to this proposal and urge you to reject on the grounds that it isn't needed or wanted:

Yours faithfully



57 Boundary Road

Grimsby

DN33 3BQ

24 May 2022

Dear Sir/Madam

Ref: DM/0285/22/FUL

I am writing to you to formally object to the planning application for 64 dwellings on land off Torbay Drive my reasons for this are Boundary Road is already in very poor condition and construction traffic would only increase the damage to the road. The road isn't laid to tarmac as the developer has suggested.

Boundary Road and surrounding roads are pleasant and quiet areas for families and elderly residents to live and we would like this to remain the case.

I do not feel that this application for additional housing in this area is required especially as there is currently a large development being built nearby at Toll Bar. I therefore urge you to reject this application.

Yours faithfully



59 Boundary Road  
Grimsby  
DN33 3BQ

25 May 22

Dear Sir/Madam

Ref: DM/0285/22/FUL

As a resident of Boundary Road I am concerned about the proposal to build 64 dwellings on land off Torbay Drive/Boundary Road/Emfield Avenue I wish to strongly object to this application.

This proposal would bring heavy construction lorries increasing the damage to Boundary Road which is already in poor condition and no doubt would damage Torbary Drive.

64 dwellings also brings with it cars most likely two per household which again would be passing down Boundary Road/Torbay these roads/residential areas are not suitable for such an increase. The area doesn't need more housing when several hundred are already being built not very far away from here at Toll Bar.

We need to also consider the wildlife in this area and removing this area for housing destroys their natural habitat.

Il therefore ask you to reject this application.

Yours faithfully

64, Boundary Rd.  
Scarthoe.

I object to the planning of  
houses at the end of Boundary Rd.  
Ref DM/0285/22/FUL.

Boundary Road is not wide  
enough for large lotties etc  
as every one parks in the road.

Torrey bungalows have been  
bought by people who want  
a quiet life - not lotties for  
months.

Wendy Cook,

63 Boundary Road  
Grimsby  
DN33 3BQ



25<sup>th</sup> May 2022

Dear Sir/Madam

Ref: DM/0285/22/FUL

*I wish to object to the planning application for houses on land to the rear of Boundary Road and Torbay Drive.*

*There would be a considerable increase in traffic and noise on these roads, there are many young families and older residents living in this area which has always been a quiet lovely area to live and we don't wish to lose that when these houses are not necessary.*

*More houses are not required as there are many developments already in progress around the area.*

*I therefore ask you to seriously consider rejecting this application.*

*Yours faithfully*

RECEIVED

26 MAY 2022

65 Boundary Road  
Grimsby  
DN333BQ

26.5.22

Dear Sir/Madam

With reference to DM/0285/22/FUL application to build 64 dwellings on land off Torbay Drive I strongly object to this proposal.

This is a green belt area and ensures that Scarth Village does not merge with Waltham Village and we need to ensure it remains so. This land is not earmarked in the local plan as suitable for development.

Fields that are laid to crop should remain so, we should support farmers in this country and not lose these lands to property development, also wildlife thrive in this particular field and would be lost if this proposal was passed.

I strongly urge you to reject this proposal.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Lucy WELBOURNE

Address: 65 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write to formally object to the planning application for dwellings on land off Torbay Drive my reasons for this are:

Increasing housing in this area when there are already other housing projects running will only add increased pressure to our already overstretched services such as Doctors, hospital, dentists and schools which already struggle to cope with the numbers in the area.

Boundary Road is already in poor condition and with heavy construction traffic if this scheme was approved would only increase the damage to this road and also the adjoining ones.

The number of planned houses would bring more vehicles, approximately two cars per household if not more for the family homes all needing to use Boundary Road and Torbay Drive to get through to this area this would increase pollution and noise for the residents on Boundary Road and Torbay Drive.

The area designated for building is currently farm land and I believe should remain so, we should be encouraging our farmers to retain their land and to grow crops in our country and not rely on other countries around the world to feed us. Lets protect our green belts.

This area also supports an abundance of wildlife such as badgers, foxes, hedgehogs, numerous bird species including sparrow hawks and kestrels that all use this area as feeding grounds building houses would only destroy their natural habitat. All of these I have seen in my garden and would like to continue to do so.

I do not feel that this application for more housing in this area is required especially as there is

currently a very large development ongoing at Toll Bar and other smaller developments in the surrounding areas. I also understand that this land is not earmarked in the local plan as suitable for development.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs C Simpson

Address: 66 Boundary Road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I agree with all the comments others had made. Looking at the plans we can see there is going to be a fence built around the length of the area that comes off the right of way from Rivan Grove, surely this will create an unseen area that could attract anti social behavior and also a danger to walkers using the footpath.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Gordon Beckett

Address: 67 Boundary Road, Grimsby, North East Lincolnshire DN33 3BQ

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: A North American Indian once said, " When you've cut down the last tree, poisoned the last river, you will realise you can't eat money ."

There is a world shortage of Wheat and cereal crops and, currently exacerbated by the Russian/Ukrainian conflict. The UN have indicated it's getting worse.. If every council stopped the building of dwellings on green sites, the UK could make a difference. Build homes on Brown field sites.

The ECO study is very weak. We are here All the time. I see starlings feeding off Leatherjackets in the field during the season and doing their Murmurations. We see sparrow hawks, buzzards, and even a Peregrine falcon, of which I have a video. The skylark can be seen and heard close by. We had a toad in our garden until we made changes and where there's one there's another. Last year we had a badger in our front garden which had found its way via a neighbours garden that backs onto the field.

Torbay Drive is a small road and with 64 new dwellings could introduce around 150 + vehicles using the feeder roads all of which are small. It is already different to manoeuvre and more traffic would make it worse.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Ms Karen Williams

Address: 68 Boundary road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objections are for 64 Dwellings off Torbay drive

1. excessive traffic through Tobay drive and adjacent roads, causing safety hazards to all members of the public.

2. The existing right of way behind Boundary road; is this foot path to be diverted? and who maintains the dyke adjacent to the foot path. The dyke has not been cleared and maintained for a number of years, this may cause flooding if not properly managed.

3. The strategic area between Waltham and Scartho to be left open as this development will eventually spread further in to Waltham.

Unless there are proper roads and infrastructure in place the whole area will become a rat run and dangerous.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Martin Scales

Address: 68 Boundary road Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objections are as follows.

1. The farm land behind Torbay drive is a strategic area which should be left open otherwise Waltham and Scartho will be joined up.
2. Torbay drive is not suitable for the amount of traffic should 64 dwellings were to be built its not safe for all the residents living there.
3. Boundary road surface is made from surplus run way material not suitable for heavy traffic, also it will make the adjacent roads a rat run.
4. As the current proposed plans stand for the foot path that runs behind Boundary road and Torbay drive will be come a place for unsociable behaviour

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Andu Higgins

Address: Boundary Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development as the road cannot sustain the wear and tear. The additional traffic through the adjoining streets will be significant and become even more of a thoroughfare for moving and parked traffic.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Sharon Hobbs

Address: 61 Fairway Waltham GRIMSBY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the above planning application for the following reasons:

Lack of green space

Noise, dirt and carbon fumes from construction traffic

Noise and dirt from actual building if passed

Loss of public footpath as we know it currently (I am a keen and responsible dog walker)

Loss of habitat for many animals and insects

Greater pressure on local schools and health services

Loss of the natural "gap" between Waltham and Grimsby

I request that the council please look at this carefully and recommend rejection of this planning application

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Sharon Hobbs

Address: 61 Fairway GRIMSBY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the above planning application for the following reasons:

Lack of green space

Noise, dirt and carbon fumes from construction traffic

Noise and dirt from actual building if passed

Loss of public footpath as we know it currently (I am a keen and responsible dog walker)

Loss of habitat for many animals and insects

Greater pressure on local schools and health services

Loss of the natural "gap" between Waltham and Grimsby

I request that the council please look at this carefully and recommend rejection of this planning application

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Ms Saroj Ganatra

Address: 103 Fairway Waltham

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this development.

The access is unsuitable and will create many traffic issues.

We need to keep the green open space with the public footpath between Waltham and Scartho.

On the footpath from Rivan Grove at the back of Boundary Road and Torbay Drive there is evidence of foxes and/or badgers living in the overgrown ditches.

There are enough new developments everywhere in Waltham, Scartho, New Waltham etc. without this one, they are VILLAGES.

The doctors, dentists and schools in the area are already at full capacity.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Manoj Marsh

Address: 101 Fairway Waltham

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this development.

I have lived next to the passage onto Fairway Waltham at the start or end of the public footpath most of my life and look out onto the greenbelt. The strategic gap between Waltham and Scartho should not be built on and should remain.

If there was a housing estate built on the land off Torbay Drive it would increase the risk of anti-social behaviour along the footpath as I have experienced this in the past with teenagers. For example, pulling my fence down and burning two sheds to the ground. I have also had the windows smashed on my greenhouse.

If this is approved it won't end there, will there then be applications to build on the other part of the field behind Fairway ?

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Linda Best

Address: 1 Meadow Croft Waltham

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs

I would like to register my strong objection to the planning application to build another 64 houses on land off Torbay Drive.

I love to walk in the green fields in this area, with my daughter and her dogs. We regularly see lots of wildlife, birds, insects and butterflies and it will be so sad and quite frankly a disgrace to see this disrupted for more house building.

There are already lots of developments underway at Waltham Toll Bar and on Scartho Top. I am proud to live in Waltham as a village and would love to see it remain that way. I understand Waltham Parish Council has already recommended rejection of the application.

Why subject local residents to even more traffic and further stretch on resources?

Please listen to the views of local people who know and love the area and reject this planning application once and for all.

Thank you.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss Alexis Higgins

Address: 11 Meadowcroft Waltham Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Too many terrible new builds being built in the area. Leave the land alone. Thoroughly enjoy walking by and seeing the cows. Not more terrible looking houses!

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr A Clipson

Address: 14 Allestree Drive Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The small passage of fields between Waltham & Scartho is an important wildlife and wellbeing corridor which should be maintained, being used by wildlife and local residents for exercise and walking pets it's one of the last gaps between the ever expanding villages. The additional traffic likely to be using Scartho road is a real problem with very few alternative options to relieve traffic during peak periods. This is why nelc should reject this application.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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 (August)).

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr James mathias

Address: 5 Rivan Grove Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having read the continuing re submissions from the developer I arrived at the Merits and Conclusion section of the document to be misdirected by a number of comments about the Local Plan. The developer makes mention of the 4 years that N E Lincolnshire council spent consulting with stakeholders, residents and interested parties to conclude its Housing Land Supply Assessment. They then go on to make several statements none of which note that this area of open farmland which constitutes a significant area of the strategic gap is not included in the Local Plan but suggest instead the planning authority disregard the years of democratic consultation and the Plan itself and grant their opportunistic development as a presumption in favour exists. To definitively state this development is NOT in the local plan. Im incredulous that they conclude by suggesting that developing this site of open farmland; which also provides a much used recreational amenity to our community as well as much needed agricultural produce and jobs with housing and roads, will 'preserve and enhance the local environment'.

Name: Emma Mathias

Address: 5, Rivan Grove, Scartho DN33 3BL

Planning application: DM/O285/22/FUL

Area: Torbay Drive

To whom it may concern

I, again, firmly oppose the plans for 64 dwellings off Torbay Drive, reference DM/O285/22/FUL

My reasons are:

- There is already a local plan in place, which we understand has almost a decade remaining before it requires an update. The local plan does not state a need for housing in this particular area and as this document has been approved by Government, passing any plan for development on this field would make a mockery of the local plan, rendering it pointless. Surely not a good use of taxpayers' money.
- As we understand the village of Waltham has already reached its quota for housing development and while the proposed plan for Torbay drive states that more housing is needed in North East Lincolnshire, it is not in this area that the houses are needed. I would argue that brownfield sites, closer to the town centre, or in areas that have run down spaces in need of regeneration are where the homes are needed, not on a strategic gap that will essentially join Grimsby and the village of Waltham together. Scartho is already swallowed up in Grimsby, ever more due to developments off Springfield Road, at Scartho Top, and this development would encourage that further.
- I, as a mother to a young child, am extremely concerned about the footpath that runs the entire length of the back of my home, which will become closed in and longer under the proposed plans. If implemented, I would be very concerned for the safety of my family. Currently, the public footpath to the rear of our home only accesses the field and is of very little concern at night but there have been issues with youths causing a disturbance in the past and attempted break-ins at neighbouring properties from this path. It is a narrow mud path with half of it running along our side boundary. The proposed plans would more than double the length of this path and turn it into access for the new estate. This would encourage it as a place for anti-social behaviour and it could easily become a crime hotspot. In addition, the proposals suggest putting fencing or hedging around the new estate and public footpath, which would leave a 'no man's land' gap between the homes bordering the new estate which could also become a place for anti-social behaviour. As recent as 3-4 years ago, there were abundant empty alcohol bottles and cigarette butts dumped at the entrance to the field. A closed-in space of double its current length, with young residents of the new estate taking advantage of this would surely add to the area's crime, which is not something we particularly have a problem with today. Who is going to light this area? Who is going to maintain it? It is already ignored and there are trees and obstructions blocking the path so a massive increase in traffic and possible anti-social behaviour would have a huge impact on police services, NELC and the people living in its vicinity, particularly the elderly and children, who would become very vulnerable. There is already an issue with anti-social youths in areas of Scartho and once this 'passage' is on the map, it has the chance of becoming another problem area, and one we, the residents, definitely do not welcome. The current path is used by dog walkers and families and is an access to the beautiful, surrounding countryside. The new path would be a dark, urban passage that would certainly need lighting and plenty of policing. This is of huge concern and something that has been an issue in the past, if the developers should care to contact relevant police authorities, and long-

term residents of Rivan Grove, they would find that ASB has been a problem here previously. Given that I have only seen one police car in the neighbourhood in two years, this does not fill me with confidence.

- The gas pipe for our property runs underneath the public footpath and isn't very far down. What does someone propose to do about this as it could be a hazard and we don't like the idea of increased foot traffic over our gas line?
- There is abundant wildlife in this area which we welcome and actively encourage. If the estate is permitted, we will lose badgers, bats, squirrels, hedgehogs, newts, frogs, foxes, birds and much more. It is our understanding that anywhere there are badger setts and bat roosts are protected and therefore we would also like to request that NELC does a thorough investigation into the presence of badgers prior to making a decision. We have evidence that they have been seen in Rivan Grove and Emfield Road and therefore a development will have a very negative impact on these animals.
- The Snape Properties' mission statement declares: "Supplying family homes in a green environment, at affordable prices without compromise on quality" (Snapes, 2022). The proposed housing development off Torbay Drive states that house 'names' are to include Fuchsia, Heather, Poppy, Hornbeam, Aspen, Holly, Elm and Walnut (NELC, 2022). A Snapes housing estate in Louth, which, it could be argued, has similar house prices to the area proposed for development, has properties listed as costing (CanTERS, 2022):-

Walnut - £235,000

Hornbeam - £210,000

Aspen – IEO £260,000

I could not find prices for the other properties but given that they are mostly of the same size, it is possible that they may be similar in price.

The average house price in Grimsby is currently £140,727 (Rightmove, 2022), therefore it could be suggested that the proposed Snapes properties are far in excess of the average local house price. A similar property in Rivan Grove recently sold for £150,000 while one is currently for sale for £155,000. The Torbay Drive estate would be between £60k-£110k higher than the average local house price for a similar property. Would we consider this affordable, as stated on their website? The average salary in Grimsby per person is £25,590 pa (Ottewell/Freshwater, 2018) or £30,131 according to Reed (Reed, 2022). That means a £30,000 salary multiplied by 4.5 (Online mortgage, 2022) would still only allow for a £120,000 house. Even if this was a couple, they would still be stretching themselves and given the current climate, the price of Snapes' homes are most definitely not affordable.

And when you consider that £30k is an excellent salary, and one not easy to come by, again, they are not affordable. On the other side of town, meanwhile, Gleeson Homes are building actual affordable homes on brownfield sites, for £136,995 for a 2-bed property on Macaulay Park (Gleeson, 2022). THAT is more affordable. THEY are affordable homes, not those being built by Snapes. With this in mind, I would suggest that we are being 'missold' development by being told the properties are affordable when they are arguably out of reach for most people in North East Lincolnshire. The plan is untrue and therefore not viable.

- 13,000 properties were earmarked for development in 2017 (Lynch, 2017), in North East Lincolnshire. This was said to cater for the "growing population" (Waller, 2021). The population of Grimsby, according to the census of 2001 was 87,580. In 2011 it was 88,243. It was estimated in 2020 to be 88,105, a drop of 138 (City Population, 2022). In two decades, the population of Grimsby has grown a mere 525 people. The census showed that in 2001, there were 157,979 in North East Lincolnshire. A 2020 estimate said the population figure stood at 159,364 (City Population, 2022.) In two decades, the population has increased by 1,385. Based on the required development being 13,000 properties and the population increase being just 1,385 in more than 20 years, surely this shows a massive

imbalance and a completely unjustified number of developments. I therefore cannot see any reason why another development is needed, never mind one on a strategic gap, that is not in a Government-backed Local Plan, such as the completely unnecessary proposed Torbay Drive development.

- We are emerging from the worst pandemic the world has seen for 100 years. During times of lockdown, and indeed since, the public footpath from Rivan Grove to Waltham Fairway was never busier, with hundreds of people enjoying the fresh air and views during their permitted 1-hour exercise. People were able to communicate, be free of isolation for just a few minutes, and enjoy a little piece of the countryside close to the town. During this period, and prior and since, the footpath is used by many local people for recreation. Turning it into a part of an estate would not only discourage people from using it due to safety issues, it would have a severe impact on the lifestyles and visual amenity for many families and individuals in the area, not just those bordering the proposed estate. It is said that we may have another pandemic in the not-too-distant future (Gavi, 2022). Taking this open space has the potential to destroy something that was not only so valuable to people during the coronavirus pandemic, it remains a valuable recreational space to scores of people using it daily, for dog-walking, school runs, and exercise. We use it for going to school and our son genuinely loves it out there. This is his future. Please consider that you are taking these beautiful spaces from the children when you are making your decision.
- There is a detached, 4-bed property on the plan for the space directly in front of our house. NELC planning officers, when deciding which side of our unique site was which, clearly stated that the front of the house was where the front door is, therefore the proposed estate will be opposite our front garden, with no road in between, nor footpath. We renovated our property and added an extension in 2014/5. We requested permission, from North East Lincolnshire Council, for an extension that was a mere two metres longer than the extension we were eventually permitted to build. This was declined due to the effect it would have on a neighbouring property as it would affect the owner's light. Surely, if we weren't allowed an additional two metres, a builder shouldn't be allowed to come in and block our light in the same way (particularly in the winter when the sun is much lower in the sky), especially as it has come to our attention that the field's level is one metre higher than our own garden. This would have a hugely detrimental impact on our lives and visual amenity. We have already had a 2-storey home permitted on one side of the house, so that we now have to keep the bedroom curtains closed all day, this development would affect the living areas and have the same effect. Why should people be able to see into every area of my house and subsequently, my life?
- Our home is, we believe, the oldest to border the site (late 1920's) with many of the other homes having been built in the 1950's. They are mature, quiet, residential properties that would be bordering an overbearing, high-density estate. The unacceptable proposal for the site will have a significantly detrimental impact on the current residential area. The adverse effects would include loss of privacy, over-shadowing, disturbance and noise from increased traffic and the number of dwellings proposed would hugely increase light and noise pollution from the increased street lighting, properties, people and cars.
- The ground level of the proposed site is significantly higher than the bordering homes. The site is also prone to flooding and some of the homes in Emfield Road already have issues with drainage. The new development will create even more problems and it is expected that the excess water from the estate, should it be built, will then run back into the homes on Rivan Grove, Emfield Road and Emfield Grove, possibly causing flooding. Furthermore, the balancing pond has the potential to attract rats, mosquitos and also be a place of concern for safety. We already have big problems with polluted waterways in our area, do we need another that is filled with chemicals from the new-builds, and rubbish?



- Getting to work and into town is already a complete nightmare, as the only routes are either down Scartho Road, through Southfield Road, Louth Road and onto the Parkway or into Waltham and through Toll Bar and then the Parkway. Every one of these routes is already completely congested and with housing estates already granted permission/being built in Waltham village, Toll Bar, Scartho Top, off Louth Road and the Brigsley area, the area is only going to continue getting much, much more congested. Surely we don't need to add more to this? There also aren't enough shops to cater for all of these developments, meaning residents will have to go to Tesco by going through Waltham village, or into town, through Scartho. These roads are already blocked by traffic from the increasingly groaning-at-the-seams Waltham, and by further development around Scartho top.
- Further to the above, the site could be considered isolated and away from relevant amenities. The nearest shop is a mile away and the bus stop would be a reasonable walk, to Fairfield Rd or Waltham Rd. For the elderly or those with disabilities, who would traditionally live in a bungalow, this could be very problematic.
- Schools locally are already oversubscribed. There are now more than 2,000 children attending Toll Bar, and Waltham Leas is oversubscribed. I understand that Fairfield and Springfield are the same.
- The small, Waltham dental surgery is full. There is no more room for new patients. The doctors' surgery is bursting at the seams. Where will these new residents go? With 64 houses and the potential for at least 100 new residents, where will they find amenities?
- According to the Human Rights Act Protocol 1, Article 1 (Equality and Human Rights Commission, 2022), I am entitled to enjoy my home. Article 8 of the Act states that I have a right to private and family life, the surroundings and the protection of the countryside. We will have to, yet again, endure of loss of privacy and would be overlooked, which, it could be argued, is a violation of this Act. With this in mind, I would like to mention my "dream". The act states that I am entitled to respect for my family life, privacy, the peaceful enjoyment of my possessions, and I bought our home because it is unique and semi-rural. While still uncompleted, I hope that one day it will resemble our dream home. It is in an ideal position, for us as a family. Referring back to Snapes' mission statement, "supplying homes in a green environment". This is MY green environment. My family's green environment. Why does someone else have the right to come along and take our green environment off us and give it to someone else? Why are they more important than us, the residents of Rivan, Torbay, Boundary, Emfield? What about our green environments? Do we not count, so that someone can make a tidy buck from what is essentially a small piece of land?

Destroying our area I am certain would have a wider impact on the neighbourhood. If this estate is to be approved, it would certainly have a negative effect on the amenities and enjoyment of all local residents, in addition to potentially putting many of us in harm's way as the footpath is lengthened, darkened and turned into a place for anti-social behaviour. There are many elderly people here. It is quiet, safe and tranquil. Please help us to keep it this way.

CanTERS.co.uk. 2022. *Properties for sale in Louth, Lincolnshire*. [online] Available at: <<https://www.canTERS.co.uk/lincolnshire/louth/sales>>.

Citypopulation.de. 2022. *City Population - Population Statistics in Maps and Charts for Cities, Agglomerations and Administrative Divisions of all Countries of the World*. [online] Available at: <https://www.citypopulation.de/>.

Equalityhumanrights.com. 2022. *Article 8: Respect for your private and family life / Equality and Human Rights Commission*. [online] Available at:

<<https://www.equalityhumanrights.com/en/human-rights-act/article-8-respect-your-private-and-family-life>>.

Gavi.org. 2022. *Next pandemic / Gavi, the Vaccine Alliance*. [online] Available at:

<<https://www.gavi.org/vaccineswork/tag/next-pandemic>>.

Gleesonhomes.co.uk. 2022. *Macaulay Park / Houses for Sale Grimsby North East Lincolnshire DN31 / Buy Affordable New Build Homes*. [online] Available at:

<https://gleesonhomes.co.uk/developments/macaulay-park/>.

Lynch, C., 2017. *12 huge housing developments underway or awaiting green light in North East Lincolnshire*. [online] GrimsbyLive. Available at:

<<https://www.grimsbytelegraph.co.uk/news/grimsby-news/12-huge-housing-developments-underway-130542>>.

NELC, 2022. [online] Available at: <<https://www.nelincs.gov.uk/planning-and-building-control/planning-applications/planning-portal/>>.

Online Mortgage Advisor. 2022. *Find Your Perfect Mortgage Broker / Online Mortgage Advisor*.

[online] Available at: <https://www.onlinemortgageadvisor.co.uk/>.

Ottewell, D. and Freshwater, P., 2022. *Average local wages revealed and expose a shocking gender pay gap*. [online] GrimsbyLive. Available at:

<<https://www.grimsbytelegraph.co.uk/news/grimsby-news/average-wages-grimsby-been-revealed-2147860>>.

Reed.co.uk. 2022. *Average Sales Salary in Grimsby - Reed.co.uk*. [online] Available at:

<<https://www.reed.co.uk/average-salary/average-sales-salary-in-grimsby>>.

Rightmove.co.uk. 2022. *House Prices in Grimsby*. [online] Available at:

<<https://www.rightmove.co.uk/house-prices/grimsby.html>> [Accessed 30 May 2022].

Snape Properties. 2022. *About Us — Snape Properties*. [online] Available at:

Waller, J., 2021. *The thousands of homes being built in North East Lincolnshire*. [online] GrimsbyLive. Available at: <<https://www.grimsbytelegraph.co.uk/news/grimsby-news/thousands-homes-being-built-north-6229933>> [Accessed 30 May 2022].

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr James mathias

Address: 5 Rivan Grove Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object about this proposed development. The development will diminish and negatively affect the visual amenity of this area. Currently this is farmland with views to adjoining fields and further to the wolds. This development will significantly alter and diminish the views and surroundings that create the backdrop to the area.

The site proposed has poor access coming as it does off two small side roads Dawlish and Totnes feeding into a small cul de sac Torbay. All are unsuitable for both heavy construction traffic due to size and design as small residential roads. In the future these roads will then be used by the 100 plus extra cars vans etc owned and used by residents on the proposed development. There is onroad parking already in Torbay, Dawlish and Totness and this level of new traffic will be hazardous due to size restriction of the current infrastructure. During the construction period which could be over years, lorries, concrete mixers, diggers and supply vehicles will have to use one small point of access to the proposed site. This will lead to both restriction of access to emergency vehicles as well as local residents. Boundary road is of concrete base and in poor condition but will have to sustain both possibly years of construction traffic but also the increased volume of new residents vehicles in the future. Construction vehicles will be accessing a mud field and will deposit this on all roads coming and going from the site causing more potential hazard and clean up costs. Turning on these roads will also be of significant hazard to any construction vehicle and the proposed site was recently declined (2021) for farm vehicle access planning as in part for these above concerns.

The noise and disturbance caused by the development construction and subsequent new residents will significantly alter the current environment in a negative way. The layout and density is inappropriate to this site. A previous 51 house development was previously declined and this application increases the intensity of building by 13 more houses but on the same proposed plot of land.

Landscaping will create an extended enclosed passageway where once was an open public right

of way. This passageway which will incorporate the public right of way will not be overlooked and has significant potential to increase anti social behaviour and crime due to the enclosed nature of the design with high fencing surrounding it. There are also plans for open land at the rear of the development abutting the properties on Emfield road again increasing opportunity for anti social behaviour and crime due to siting of this open land and its management. There is a proposed lagoon or drainage pond which considering the plan is to build some family housing increases the risk to young adults and children of accident.

This development is not incorporated into the Local Plan for housing in N E Lincs. This plan was adopted in 2018 after considerable consultation with partners and the local community and no development was identified as being needed in Torbay Drive to meet N E lincs future housing needs.

I believe i have noted a number of material planning objections to the proposal on a site which has significant issues with drainage, poor access, a negative impact on a public right of way widely used by the community and as per the local plan is not identified as being needed to meet the projected housing needs of N E lincs and as such is un needed and unwarranted

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr James mathias

Address: 5 Rivan Grove Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The provision of a strategic gap between Grimsby town and Waltham village will be significantly encroached if this development was to proceed. The gap is there to:

- Protect the setting and separate identity of its settlements by avoiding their coalescence;

- Retain the openness and character of the land around its existing settlements and the land allocations; and

- Provide access and recreational benefits to urban dwellers as well as the real benefits of having open countryside near to where people live. Grimsby and Waltham are currently distinct in nature and to diminish the strategic gap via this development will mean this separate nature will be lost.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss D Schrimshaw

Address: Rivan Avenue Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am registering my objection to the proposal of 64 dwellings in the strategic gap and green space between Scartho and Waltham.

The footpath is used regularly by walkers and a haven for numerous wildlife and this should not be destroyed.

Further traffic from construction and also from the proposed houses would further add to the horrendous traffic issues in Scartho.

There are numerous houses still being built in the area (Toll Bar, Waltham Road, Grimsby Road and also has recently been stated a further 800+ on Scartho top) which will see an enormous amount of further traffic without adequate road systems.

There will be further noise, light and air pollution - again from construction and the proposed housing.

The area is one place that has green space, wildlife and quiet which should not be destroyed.

I strongly object to this development

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: 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)). Please note all previous representations sent in still stand on this application.

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Rhoda Mills

Address: 8 Rivan Avenue GRIMSBY

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this application. The public bridle way is used daily by the public and can not be obstructed. . The dykes need to be clear to stop flooding which happens on surrounding fields. It harbours a lot of wild life along the hedgerows. We currently have numerous new houses being erected already in the Scartho and Waltham area with no new roads being built to accommodate more traffic. Adding to the already horrendous pollution and noise the traffic build up already cause do we need to end the strategy gap just because builder council and land owners want to make money. No we don't. . For once let's think about the environment instead if money . Keep it a pleasant bridle way for all to enjoy

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Beckey Brumpton

Address: 3 Main Road Hatcliffe Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposed site is a Strategic Green Infrastructure Corridor in a semi rural area which is host to an abundance of wildlife including badger sets, foxes, deer, birds, peacocks etc.

The area has unfortunately recently seen a vast expansion of housing developments which has already had a considerable negative impact on the local flora and fauna. This new development will decimate it further.

Boundary Road is not suitable for heavy traffic or vehicles, the road is made of concrete and not tarmac. There are known vibration issues to the houses on that road due to infrequent heavy delivery vehicles.

The smaller roads that run off Boundary Road that are proposed access to the development site are very narrow and are certainly not suitable for the extra traffic that 64 new homes would bring with them. Emergency services would struggle to gain access.

The local schools are already at full capacity and there is yet to be 400 new homes to be built opposite Toll Bar School, another development off Waltham Road and various other smaller sites all very close together.

Properties on Emfield Road will lose all privacy as their main living areas are set at the back of the properties, over looking the fields proposed to be built on.



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Zaneta Brocklebank

Address: 6 Dawlish road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the 64 dwellings to be built off Torbay drive.

Myself and my family have only recently moved to Scartho. We were living on a busy road in Grimsby which wasn't ideal or safe for our children. We wanted to move somewhere safe and quiet like Scartho where our children would be able to play outside, riding a bike or scooter without worrying too much about the traffic. There are cul-de-sacs around us which makes it safe due to low amount of cars driving past. They love living here, I feel safe and trust our lovely neighbours who are always looking out for them. If this development was to go ahead it would deprive my children from playing outside because 64 dwellings means over 100 cars going through our way. Roads around here aren't in best condition and not able to take on all that weight, they are also very narrow.

I also believe this development would reduce the gap between Waltham village and Scartho village.

The land they want to use to build on is an agricultural land, we should encourage farmers to stay put and to grow our own produce especially after Brexit and conflict between Ukraine and Russia.

Thank you

Zaneta Brocklebank

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Ronald Baker

Address: 42 Grantham Avenue Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am of the opinion that it is vitally important to maintain the green space between towns and villages, in this case Waltham and the outer edge of Grimsby.

Not to do so eventually leads to both town and village losing their character and it finishes up with an endless sprawl and town centers becoming empty and denuded of vitality,!

One has to wonder why it is deemed so necessary to build on this site when it is obvious there is ample new house building being constructed within a mile radius and also a vast number within a 3 mile radius. Please reject this application and try and leave behind the best possible attractive town for our children and future generations.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Tomlinson

Address: 3 Brixham Court Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: All our previous objections still stand;

Traffic congestion

Traffic thoroughfare

Traffic safety

Pedestrian safety

Traffic air pollution

Road maintenance

Road access

Personal home access

EMERGENCY ACCESS

Lack of amenities

Do we need to continue.....

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Tom Tomlinson

Address: 3 Brixham Court Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: All our previous objections still stand;

Traffic congestion

Traffic thoroughfare

Traffic safety

Pedestrian safety

Traffic air pollution

Road maintenance

Road access

Personal home access

EMERGENCY ACCESS

Lack of amenities

Do we need to continue.....

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Wendy Nielsen

Address: 5 Brixham Court, Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the development on the following grounds:

These roads are totally inappropriate for the possible additional 100 (and likely many more) cars. This is not accounting for the damage triggered by the construction traffic whilst trying to negotiate these narrow roads. People use the Scartho to Waltham footpath because they enjoy walking in the countryside. The footpath runs along the side of the field to Waltham and is used every day by many walkers plus people exercising their dogs. The latter usually have their dogs off the lead and this would be an accident waiting to happen, a dog running straight across the opening as a car enters the development. Worse still would be if one of the many elderly walkers, maybe not hearing too well, stepped straight into the path of one of these vehicles. This development means the footpath will go between the garages and the hedge which will be an extremely confining place. Plus, during much of the year, a dark and frightening one, not to mention the perfect meeting place for vandals. Certainly this will not be somewhere I would have the confidence to ever walk my dog again.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mr Robert Forman

Address: 6 Brixham Court Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We wish to strongly object to this proposed new development of 64 houses at the end of Torbay Drive.

This development will contravene your local plan, as it is outside the area and in the strategic gap between Grimsby and Waltham. This land is an important green belt which contains a lot of wild life and fauna.

The proposed entrance to this site will be at the end of Torbay Drive, which is already a cul-de-sac. The length of this road in the new development will increase the traffic which will use this road and could cause long delays and blockages, preventing emergency services and refuse lorries from getting through. Boundary Road which is a concrete road built in the 1940's and has not been upgraded since. This will be unsuitable for the heavy construction vehicles and the increased traffic, after these new houses are built. Boundary Road has a large number of cars parked on the road due to the lack of parking spaces in people's drives, this is already causing problems and this will increase if this new development is allowed to go ahead.

We also have concerns that the drainage system would be unable to cope with the increased housing. There will be a greater risk of flooding which is already causing problems in Emfield Road and will increase the winter flooding in the field next to Brixham Court, this can cover a large part of the field for a long period of the year.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Mrs Margarita Simms

Address: Road Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I believe that it is imperative to maintain the open green spaces between towns and villages (Waltham and Grimsby). By building on this location this will lead to both town and village losing charm and character and result in an endless sprawl and the town centre becoming derelict.

This green area is a highway for deer and a popular dog walking route. There is ample new houses being constructed within a close radius.

Please reject this application and preserve our village and town for the future generations to come.

## Ellie Smalley (EQUANS)

---

**From:** Tony  
**Sent:** 20 May 2022 09:38  
**To:** Planning - IGE (ENGIE)  
**Subject:** Planning Application for 64 Dwellings off Torbay Drive Scartho DM/0285/22/FUL

Dear Sir/ Madam,

I wish to submit the following objection?

The minimum UK Highway width for Two HGVs to pass safely is 6.6m The proposed access to the above Development

1) Dawlish Road

2/ Totnes Road

3) Torbay Drive all of which are only 6.1m wide Residents cars are legally parked Day and Night making access very restricted Yours in anticipation John A Hardwick

8 Paignton Court

Scartho

Grimsby

DN33 3DH



# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Matthew Blacklock

Address: 2 Summerfield Close Waltham Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Absolute joke, there area is built up enough as it is without yet more expensive houses being built in an area with no need for it. Plenty of land elsewhere, specifically nearer to the town centre, where they could build far more dwellings at a much more reasonable price to combat the utter lack of affordable housing for new owners and the actual main demographic of this region.

# Comments for Planning Application DM/0285/22/FUL

## Application Summary

Application Number: DM/0285/22/FUL

Address: Land Off Torbay Drive Waltham North East Lincolnshire

Proposal: Erect 64 dwellings with associated access and landscaping

Case Officer: Cheryl Jarvis

## Customer Details

Name: Miss Hayley Dent

Address: Laburnum Avenue Waltham Grimsby

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We need to keep some green spaces in the area, for the wildlife, flora and fauna. For many years neighbouring houses and walkers have been able to enjoy seeing wildlife in their natural habitat. This will be destroyed!

This area is also a popular walkway from Waltham to Scartho on the public footpath and to build on this space would destroy its natural beauty for so many locals who regularly use it. If we carry on allowing all these planning applications, we'll have no green spaces left. We used to be small villages, but if we carry on allowing every application, at such rapid speed, it'll be one big town with no green spaces at all.

There are already so many new developments around Waltham and Scartho and we don't need anymore.

As a result of these new developments, chaos has been caused, regarding major traffic jams during construction, road closures, temporary traffic lights, also disorientated wildlife has been killed and injured. Residents have had enough!

Also more houses in the area means; more residents, more residents means more localised traffic on already heavily congested roads and more strains on fully subscribed local schools and doctors.

Item 2 - Land At  
Church Lane  
Humberston  
DM/1195/21/FUL

Mr R Limmer  
North East Lincolnshire Planning

Our Ref rng/048539-0001

1 April 2022

Dear Sir

**Planning Application Reference DM/1195/21/FUL (the Amendment Application)  
Application to Vary Condition 2 attached to Planning Permission DM/0036/19/FUL (the Planning Permission)**

We act for Brian Mager Limited, the current freehold owner of land at Church Lane, Humberston, lying to the north of the land referenced in the Amendment Application and the Planning Permission.

Our client's land is the land in respect of which another objector, Cyden Homes, has an interest and we expressly associate ourselves with such objection. We limit this response to where we believe our client can add to the Planning Authority's understanding of the factual matrix underlying both the Amendment Application and the Planning Permission.

In summary, our client believes that the Applicant is seeking to achieve, revised Drainage Strategy in respect of the Planning Permission and at the same time justify the Applicant's existing breach of planning conditions, most egregiously being the failure to install a holding tank on the Planning Permission land. The Applicant is seeking to achieve this, our client believes, by setting out an incorrect analysis of the drainage position on the ground and/or in implicitly suggesting that the Planning Permission land has the legal right to utilise drainage rights over our client's land.

**The Planning Permission**

The clear intent of the Planning Permission and the Drainage Strategy, agreed at the time, was for there to be a holding tank to take surface water from the Planning Permission Land and that any remaining (and strictly limited) surface water would run along a ditch to the west of the Planning Permission Land before running east to west down the ditches on either side of the access road, Church Lane. As an example of this understanding, Andrew Smith, Drainage Officer of the NE Lincs. Council, in his Consultee Comments, mentions that it has been agreed with the Applicant that the Applicant would clean out the ditches on either side of the access road to facilitate such excess water passing down Church Lane. See the commentary in Cyden Homes' Objection.

Crucially there is no mention in the Application for the original Planning Permission of any drainage scheme or watercourse passing north of the Planning Permission Land, along the western side of our client's current ownership and then northeast across our client's land so as to feed into other co-existing, drainage systems.

**Hull Office**  
Citadel House, 58 High Street, Hull HU1 1QE  
Tel +44 (0) 1482 323239 DX 715756 Hull 15  
rollits.com

**York Office**  
Forsyth House, Alpha Court, Monks Cross, York YO32 9WN  
Tel +44 (0) 1904 625790 DX 61534 York

## **EWE Associates Limited Report**

In the papers accompanying the Amendment Application is a report dated 14 April 2021 from EWE Associates Limited. Our client has not seen this previously. The report makes an unsupported assertion that:

*"There is a watercourse located at the northwest corner of the site which conveys [sic?] flows north and then east into a system of ordinary watercourses across the land to the northeast of the site. The watercourse also accepts run-off from the catchment to the southwest of the site. The drainage route is shown on the plan at Appendix A and has been in existence prior to 1948".*

Our client wishes to make it very clear that it does not agree that such watercourse even exists, does not agree that the Planning Permission or Amendment Application land has the actual benefit of any such watercourse (even if it did exist) and strongly denies that the Planning Permission and Amendments Application Land has the legal right to use any such watercourse, again if it existed.

In respect of the existence of the watercourse, our client's director Paul Mager has known the land for at least 40 years and has never experienced surface water flowing in such a manner.

### **Actions by the Applicant**

The Council should be aware of unilateral actions taken by the Applicant over our client's land, adjacent to the northwest corner of the Planning Permission/Amendments Application land which means that an inspection of the site does not, in certain key aspects, reveal the true topographical and legal position. These are as follows:

1. the Applicant has trespassed on our client's land by fencing a parcel of our client's land off over which the Applicant has a right of way enjoyed for the Planning Permission land. In so doing, the Applicant has sought to appropriate the same for the exclusive benefit of the Planning Permission Land;
2. the Applicant has installed a large black plastic pipe under the access road, which, in our client's view, has increased any flow of water which may hitherto have crossed the end of the access road: and, crucially
3. the Applicant has placed soil over the end of the ditch running westward down the north of Church Lane, preventing the usual flow (albeit very limited) of water down Church Lane.

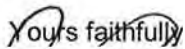
Interestingly, these actions have on occasion caused surface water from the Planning Permission land (in excess of what should have usually flowed because of the lack of the holding tank) to run out in pools across our client's land at the southwest corner. This belies the view expressed by EWE that there is a watercourse running north from this point as, if there was, the excess water would have flowed in that direction and not backed up.

The Planning Authority should be aware that the Applicant is on notice that our client intends to take self help action at some stage to remove the trespass and to prevent water continuing to spill out across our client's land.

### **Steps requested/required of the Planning Authority**

1. To reject the Amendment Application. Planning cannot create private law rights which do not hitherto exist but, in any event, the removal of the holding tank and other changes cannot be predicated upon an alleged right of drainage that does not exist on the ground or in law.

2. The Planning Authority should now take steps to enforce the conditions of the Planning Permission insofar as they relate to drainage and landscape. Although this is not the time nor place to dwell on this aspect, the Planning Authority should be aware that our client is extremely frustrated at the delay in enforcing the conditions attached to the Planning Permission and if enforcement does not occur in the near future, then our client will have to consider what further steps should be taken so as to ensure that the Planning Authority complies with its own obligations.

 Yours faithfully

**Ralph Gilbert | Managing Partner | Dispute Resolution  
for Rollits LLP**



## Mr White Planning application on Land at Church Lane Humberston

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire

This application was submitted in January 2019 and passed in April 2019. We wish to object to this application as Cyden Homes have an interest in the land adjacent to the North with a current planning application for residential development off Midfield Road.

The original Permission ref DM/0036/19/FUL, we believe according to the NELC Planning Portal has Discharged Conditions 7 and 9 (pre-commencement conditions) DM/0345/19/CND (approval December 2019).

However, we believe that there still are outstanding conditions on the Original Permission that have yet to be approved or complied with, these are: -

### Conditions Requiring Approval

Condition 6 - **Prior to their installation on site**, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Reason To protect the character and appearance of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Condition 12 - **Prior to occupation of any dwelling**, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be implemented and adhered to at all times following first occupation.

### Conditions Requiring compliance

Condition 3- The development **shall be built out in full accordance** with the submitted surface water drainage details as detailed on plan ref: 18-511-102. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).  
**Not built in accordance with the Plan**

Condition 4 - The development **shall be built out in strict accordance** with the submitted Construction Management Plan ref: 18-511-CMP. Reason To protect the amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). **Site burning and Trespass - see later commentary**

Condition 8 - The scheme of landscaping and tree planting shown on drawing no. 18-511-101 and the Planting and Bio-diversity Statement Rev A **shall be completed within a period** of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during.  
*Not built in accordance with the Plan*

We believe some of the dwellings are now occupied therefore there is currently a breach of the Planning Permission on the five conditions listed above.

We all note that this is the Fourth variation application following the original discharge of Condition 7 & 9. Due to so many variations application of the same planning permission we feel has slightly confused the planning process and these multiple applications are trying to mask and hide the objections raised by your consultees and neighbours and wish to draw your attention all of these objections made in relation to the single Approved Planning Permission DM/0036/19/FUL, in order of application.

#### **First Variation Application submitted December 2020**

This has the majority of the main principles of objections which should be considered by the planning authority as still relevant as they are items that are currently built and contrary to the approved Drawings.

**DM/0905/20/FUL** - Variation application of condition 2 (Approved Plans) as granted on DM/0036/19/FUL (Erect 5 detached dwellings with detached double garages to include landscaping and access) **to amend boundary treatment and hedge planting, location of rainwater harvesting tank**, garage types and amendments to the house types of plots 1, 2, 3, 4 and 5 (Amended Certificates) *post construction application - Withdrawn August 2021*

There are objections from:-

2 Andrew Road – Landscaping - removal of hedgerows and change of scheme to domestic fences

14 Cherry Close – Drainage - an offsite Sump built on third party land was constructed to collect site drainage with large drainage pipe under the drive connecting site overflow drainage to the sump (a soak away) – Landscaping – removal of hedgerow in Third party ownership and on boundaries

15 Cherry Close – Drainage - approved drainage has not been installed and water from the site drainage is now filling a "Dry" ditch (13 years prior to development)- noncompliance with approved drawings in relation to the driveway lighting conditioned in item 7 of the approval – increases to Building size and heights

Land owner of adjoining property – Drainage – Right over Land and trespass – increases to Building size and heights – Landscaping



Cyden Homes Ltd – increases to Building sizes and heights – Drainage strategy change to outfall location over third-party land reduction in storage capacity of rainwater harvesting – Landscaping

These objections can be read in full on the NELC Planning Portal *ref DM/0905/20/FUL*. However more importantly, are the objections from the **NELC Lead Local Flood Officer** and quote

“The infiltration trench has been removed and the rainwater harvesting tank appears smaller and I assume the overflow is now into a boundary ditch. All these changes mean the surface water drainage system now has the potential to increase flood risk in the area so can the applicant supply the drainage calculations to show that this isn't the case.” - Requiring further information

and the objection from **NELC Trees and Woodlands Officer** and quote

“1) Given the fact that this proposal is at present a salient into the open countryside, the existing hedges in the area are traditional mixed deciduous predominantly hawthorn, the proposal to use Laurel is out of keeping with the area.

2) the original landscape plan proposed the boundary hedges to be improved and these to be a feature of the site. The proposal to use close boarded fencing would indicate that there is little intension to improve or maintain the boundary hedges. I consider this to be detrimental to the character of the area. Whilst this may have been acceptable in the past it is acceptable now.

3) the whole tone of the amended landscape plan is that of an urban development. However, at present the development is in open countryside and I feel this fact should be respected.

4) **I am unable to support the present proposal.** my position is in keeping with past comments.”

This application was withdrawn, however the increases to Building sizes and heights, the change to the Drainage strategy and change to outfall location over third-party land, the reduction in storage capacity of rainwater harvesting tank and the Landscaping hedge removal have all taken place and are contrary to the current Planning permission. All of these objections are therefore still valid and requires Enforcement or should be carried over to the revised applications

At this point the applicant and agent have decided to split the variations into plot-by-plot application therefore via the planning process asking the same consultee the same question three times but as the Application descriptions do not relate to items such Landscaping and Drainage the consultee replies are as such

“I have no objection to the proposed changes as set out in the description.” and “No drainage comments”

## **Second Variation Application submitted October 2021**

**DM/0964/21/FUL** 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  
*post construction application Plot 4 and 5- Pending*

Objections from: -

14 Cherry Close – Size of Building – Light Pollution – Landscaping and Drainage all still being raised as garden is now sodden

15 Cherry Close – Size of Building – Lighting – Landscaping removal of hedges and Drainage all still being raised as garden is now sodden

Again, more importantly an objection from **Humberston Village Council**

The Village Council feels that the planning boundaries on this site are being exceeded and **would ask that no further variations are granted** on this site until a full and detailed **inspection of works carried out is undertaken by the Planning Enforcement Team.**

This application is still pending but now has two other variation application for plot 3 and 1 running alongside it. All 3 applications pending

## **Third Variation Application submitted also in October 2021**

**DM/1042/21/FUL** 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.  
*post construction application Plot 3 – Pending*

## **Fourth Variation Application submitted also in October 2021**

**DM/1195/21/FUL** 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  
*post construction application Plot 1 - Pending*

## **Important Fact**

**None** of the descriptions of these three later and current variations application refer to a change in the Drainage Strategy from that approved in the original permission DM/0036/19/FUL. All three applications have a list of documents revised or amended drawings

The original Planning Permission DM/0036/19/FUL specifically stated in

*Condition 3- The development **shall be built out in full accordance** with the submitted **surface water drainage details** as detailed on plan ref: **18-511-102**. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).*

There are two file notes on the original permissions application from the LLFA stating

"A fully sustainable surface water drainage system is required. There must be no raising of ground levels. Any ditches on or bounding the site should be cleaned out."

followed by

"The surface water drainage strategy has been agreed with the applicant who has also confirmed that he will clean out the boundary ditches around the site and on each side of the existing access road."

The construction of the onsite drainage does not follow the approved Drawing 18-511-102 seen below.



Even though the applicant clearly knew his responsibility and had agreed to them, and as he reminded the planning committee that he has been in the construction industry for over 30 years is a blatant disregard to the permission.

More concerning however, a new Drainage Strategy Document and drawing have been provided with this fourth application with drawing 18-511-102 Rev A and a Surface Water Drainage Design Document produced by EWE Associates Limited

We feel this drawing has been submitted “quietly” with no reference to it in the Agents proposed description, submitted in order to obtain an “approved” strategy without the thorough detailed analysis by the NELC Drainage engineers, LLFA or the general public



No culvert existed across the site access road as shown on the extract above, this is completely new and we believe the south side of access road has also been culverted or filled in



The current proposals have reduced the water storage capacity of the surface water system the and are draining to a newly created sump (soak away) located offsite at the end of the newly formed road culvert and is discharging illegally on to Third party land.

CDC Drawing  
18-511-102 Rev A



Surface Water Drainage Design  
Document by EWE Associates Limited



The two drawings submitted in relation to drainage conflict as to where the location outfall actually finishes, we believe the CDC drawing 102 rev A the outfall is shown incorrect (shown on the above left), whilst the Surface Water Drainage Design Document (on the right) produced by EWE Associates Limited doesn't not show any connections to the houses and shows with larger hard standing areas

We understand that the ditch to the western boundary was never connected to the adjoining land to the North, as this would have prevented vehicular field access that the applicant enjoys. Is now connected by a culverted pipe, as it is a larger diameter than 150mm Dia. as shown on EWE's Surface Water Drainage Design Document. Why such a large Pipe if it is not a culvert taking larger flows.

Significantly this western ditch at the side of plot 1 is taking the overflow outfall from the rainwater harvesting. We are unclear if the rainwater harvesting tank is taking Rainwater from just the Driveway of Plot 1 or from the house and building of Plot 1 as well. This outfall also does not appear to have any restriction to its outfall as no details have been provided contrary to the pre-occupation condition 12 so this outfall seems un restricted from plot 1

Our fears that the road culvert has be installed, because it looks like the southern ditch of the access road appears to have been filled in, becoming a service trench to the development. So, the western ditch has nowhere to outfall and hence the culvert.

In relation to the Construction Management Plan there is evidence of burning waste on/off site with photographs reference by 14 Cherry Close in his objection to the First variation Application



*Video taken of fire in August 2020, shows the Southern Hedge row had already been removed.*

and you can clearly see the amount of trespass that has occurred from the latest Google map view, with vehicle tracks over the field and a clear route to Plot 3



<https://www.google.co.uk/maps/@53.5295736,-0.0164459,235m/data=!3m1!1e3?hl=en-GB>

There may also be some trespass or land grabbing to the boundary of the whole site

## **Conclusion**

In conclusion, the Approved Planning Permission that these Variations application relate to DM/0036/19/FUL are in breach of: -

Condition 6 Material doors windows and 12 Water recycling, both have not been applied for

Condition 3 Surface water drainage, 4 CMP, 8 Landscaping, are all Noncompliant with the approved drawings.

Together with the current application to Variations of Condition 2 on Plot 1 seeming to be attempting to get a revised drainage strategy passed, under handedly. Then we respectfully request the Local Planning authority should reject all the current variation applications and enforce the current planning permission, relating to all drainage and landscaping through the legal powers of the Town and Country Planning Act 1990

As the applicant has willfully shown scant regard to any of the planning requirements or personal agreements he has made, we find his actions disrespectful of the planning system and the Local Council.

When these matters have been achieved satisfactory as per the approved drawings of the original permission then the applicant could make a variation to the material changes, he has made to the size and heights of the buildings themselves.

Kind Regards

**Steven Ibbotson**

BA(Hons) DipArch RIBA  
Architect



Cyden Homes Limited (Head Office)  
Unit 1 Laceby Business Park  
Grimsby Road  
Laceby  
Grimsby  
DN37 7DP

Tel: 01472 278002  
Website: [www.cydenhomes.co.uk](http://www.cydenhomes.co.uk)

Regd. in England 733540





## **Mr White Planning application on Land at Church Lane Humberston**

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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**. Land At Church Lane Humberston North East Lincolnshire and also DM/0924/21/FUL and DM/1042/21/FUL which have had the note fencing - **amended Drainage information added to the Description**

Whilst we welcome the true description of the Variation has now been applied for, we still have major concerns that drainage strategy is flawed and is discharging water over Third party land which should not be allowed.

The EWE Drainage Report resubmitted as amended (23 Sept 2022) is identical to the original submitted 03 Mar 2022 so there has been no amendment to the revised drainage. The report clearly shows "existing" drainage routes which are clearly an incorrect representation of what is on the ground in 2022. The Plan shows open ditches running down each side of the access road. Your Drainage officer has commented *"the western section has been piped/filled without consent"*, which at first causes concerns and that this "ditch" now culvert also serves as the service strip for the 5 properties.

The EWE Drainage Report also states there is an open ditch running through the field to the north (the land that Cyden Homes Ltd have a planning application running on since July 2019). This "open ditch" does not actually exist on the ground and believe it hasn't been there for decades. How can a modern development drainage strategy hinge its whole drainage strategy on something that is historic, if even it ever existed.

Any Planning Application submitted is required to have a positive foul and surface water connection point no matter how big or small the development. With the (known) absence of the "open ditch" there is no positive connection from the site to the existing culvert to the north east as per the details. Therefore, the Drainage Strategy cannot be adopted as it will discharge water onto open third party land and therefore trust the application is refused on these grounds alone.

We would also like to ask in the absence of any detail where does the back wash from Plot 1 swimming pool go as there does not seem to be a storage tank to hold the chlorinated water.

Our original elements of objection still also apply as per below..





## Mr White Planning application on Land at Church Lane Humberston - Original objection 24 March 2022

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire

This application was submitted in January 2019 and passed in April 2019. We wish to object to this application as Cyden Homes have an interest in the land adjacent to the North with a current planning application for residential development off Midfield Road.

The original Permission ref DM/0036/19/FUL, we believe according to the NELC Planning Portal has Discharged Conditions 7 and 9 (pre-commencement conditions) DM/0345/19/CND (approval December 2019).

However, we believe that there still are outstanding conditions on the Original Permission that have yet to be approved or complied with, these are: -

### Conditions Requiring Approval

Condition 6 - **Prior to their installation on site**, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Reason To protect the character and appearance of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Condition 12 - **Prior to occupation of any dwelling**, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be implemented and adhered to at all times following first occupation.

### Conditions Requiring compliance

Condition 3- The development **shall be built out in full accordance** with the submitted surface water drainage details as detailed on plan ref: 18-511-102. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). **Not built in accordance with the Plan**

Condition 4 - The development **shall be built out in strict accordance** with the submitted Construction Management Plan ref: 18-511-CMP. Reason To protect the amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). **Site burning and Trespass - see later commentary**

Condition 8 - The scheme of landscaping and tree planting shown on drawing no. 18-511-101 and the Planting and Bio-diversity Statement Rev A **shall be completed within a period** of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during.  
*Not built in accordance with the Plan*

We believe some of the dwellings are now occupied therefore there is currently a breach of the Planning Permission on the five conditions listed above.

We all note that this is the Fourth variation application following the original discharge of Condition 7 & 9. Due to so many variations application of the same planning permission we feel has slightly confused the planning process and these multiple applications are trying to mask and hide the objections raised by your consultees and neighbours and wish to draw your attention all of these objections made in relation to the single Approved Planning Permission DM/0036/19/FUL, in order of application.

#### **First Variation Application submitted December 2020**

This has the majority of the main principles of objections which should be considered by the planning authority as still relevant as they are items that are currently built and contrary to the approved Drawings.

**DM/0905/20/FUL** - Variation application of condition 2 (Approved Plans) as granted on DM/0036/19/FUL (Erect 5 detached dwellings with detached double garages to include landscaping and access) **to amend boundary treatment and hedge planting, location of rainwater harvesting tank**, garage types and amendments to the house types of plots 1, 2, 3, 4 and 5 (Amended Certificates) *post construction application - Withdrawn August 2021*

There are objections from:-

2 Andrew Road – Landscaping - removal of hedgerows and change of scheme to domestic fences

14 Cherry Close – Drainage - an offsite Sump built on third party land was constructed to collect site drainage with large drainage pipe under the drive connecting site overflow drainage to the sump (a soak away) – Landscaping – removal of hedgerow in Third party ownership and on boundaries

15 Cherry Close – Drainage - approved drainage has not been installed and water from the site drainage is now filling a "Dry" ditch (13 years prior to development)- noncompliance with approved drawings in relation to the driveway lighting conditioned in item 7 of the approval – increases to Building size and heights

Land owner of adjoining property – Drainage – Right over Land and trespass – increases to Building size and heights – Landscaping



Cyden Homes Ltd – increases to Building sizes and heights – Drainage strategy change to outfall location over third-party land reduction in storage capacity of rainwater harvesting – Landscaping

These objections can be read in full on the NELC Planning Portal *ref DM/0905/20/FUL*. However more importantly, are the objections from the **NELC Lead Local Flood Officer** and quote

"The infiltration trench has been removed and the rainwater harvesting tank appears smaller and I assume the overflow is now into a boundary ditch. All these changes mean the surface water drainage system now has the potential to increase flood risk in the area so can the applicant supply the drainage calculations to show that this isn't the case." - Requiring further information

and the objection from **NELC Trees and Woodlands Officer** and quote

"1) Given the fact that this proposal is at present a salient into the open countryside, the existing hedges in the area are traditional mixed deciduous predominantly hawthorn, the proposal to use Laurel is out of keeping with the area.

2) the original landscape plan proposed the boundary hedges to be improved and these to be a feature of the site. The proposal to use close boarded fencing would indicate that there is little intension to improve or maintain the boundary hedges. I consider this to be detrimental to the character of the area. Whilst this may have been acceptable in the past it is acceptable now.

3) the whole tone of the amended landscape plan is that of an urban development. However, at present the development is in open countryside and I feel this fact should be respected.

4) **I am unable to support the present proposal.** my position is in keeping with past comments."

This application was withdrawn, however the increases to Building sizes and heights, the change to the Drainage strategy and change to outfall location over third-party land, the reduction in storage capacity of rainwater harvesting tank and the Landscaping hedge removal have all taken place and are contrary to the current Planning permission. All of these objections are therefore still valid and requires Enforcement or should be carried over to the revised applications

At this point the applicant and agent have decided to split the variations into plot-by-plot application therefore via the planning process asking the same consultee the same question three times but as the Application descriptions do not relate to items such Landscaping and Drainage the consultee replies are as such

"I have no objection to the proposed changes as set out in the description." and "No drainage comments"

## **Second Variation Application submitted October 2021**

**DM/0964/21/FUL** 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  
*post construction application Plot 4 and 5- Pending*

Objections from: -

14 Cherry Close – Size of Building – Light Pollution – Landscaping and Drainage all still being raised as garden is now sodden

15 Cherry Close – Size of Building – Lighting – Landscaping removal of hedges and Drainage all still being raised as garden is now sodden

Again, more importantly an objection from **Humberston Village Council**

The Village Council feels that the planning boundaries on this site are being exceeded and **would ask that no further variations are granted** on this site until a full and detailed **inspection of works carried out is undertaken by the Planning Enforcement Team.**

This application is still pending but now has two other variation application for plot 3 and 1 running alongside it. All 3 applications pending

## **Third Variation Application submitted also in October 2021**

**DM/1042/21/FUL** 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.  
*post construction application Plot 3 – Pending*

## **Fourth Variation Application submitted also in October 2021**

**DM/1195/21/FUL** 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  
*post construction application Plot 1 - Pending*

## **Important Fact**

**None** of the descriptions of these three later and current variations application refer to a change in the Drainage Strategy from that approved in the original permission DM/0036/19/FUL. All three applications have a list of documents revised or amended drawings

Condition 3- The development **shall be built out in full accordance** with the submitted **surface water drainage details** as detailed on plan ref: **18-511-102**. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

"A fully sustainable surface water drainage system is required. There must be no raising of ground levels. Any ditches on or bounding the site should be cleaned out."

"The surface water drainage strategy has been agreed with the applicant who has also confirmed that he will clean out the boundary ditches around the site and on each side of the existing access road."

[illegible]

More concerning however, a new Drainage Strategy Document and drawing have been provided with this fourth application with drawing 18-511-102 Rev A and a Surface Water Drainage Design Document produced by EWE Associates Limited



We feel this drawing has been submitted "quietly" with no reference to it in the Agents proposed description, submitted in order to obtain an "approved" strategy without the thorough detailed analysis by the NELC Drainage engineers, LLFA or the general public

Inaccuracy of the Surface Water Drainage Design Document



Only one culvert that historically existed on this drawing that is the one to the north east behind the properties of Iona Drive to the North East. The flows of the ditches along the access road were to the west towards the Church Lane entrance and not towards the east as shown.

No culvert existed across the site access road as shown on the extract above, this is completely new and we believe the south side of access road has also been culverted or filled in

The current proposals have reduced the water storage capacity of the surface water system the and are draining to a newly created sump (soak away) located offsite at the end of the newly formed road culvert and is discharging illegally on to Third party land.

CDC Drawing  
18-511-102 Rev A



Surface Water Drainage Design  
Document by EWE Associates Limited



The two drawings submitted in relation to drainage conflict as to where the location outfall actually finishes, we believe the CDC drawing 102 rev A the outfall is shown incorrect (shown on the above left), whilst the Surface Water Drainage Design Document (on the right) produced by EWE Associates Limited doesn't not show any connections to the houses and shows with larger hard standing areas

We understand that the ditch to the western boundary was never connected to the adjoining land to the North, as this would have prevented vehicular field access that the applicant enjoys. Is now connected by a culverted pipe, as it is a larger diameter than 150mm Dia. as shown on EWE's Surface Water Drainage Design Document. Why such a large Pipe if it is not a culvert taking larger flows.

Significantly this western ditch at the side of plot 1 is taking the overflow outfall from the rainwater harvesting. We are unclear if the rainwater harvesting tank is taking Rainwater from just the Driveway of Plot 1 or from the house and building of Plot 1 as well. This outfall also does not appear to have any restriction to its outfall as no details have been provided contrary to the pre-occupation condition 12 so this outfall seems un restricted from plot 1

Our fears that the road culvert has be installed, because it looks like the southern ditch of the access road appears to have been filled in, becoming a service trench to the development. So, the western ditch has nowhere to outfall and hence the culvert.



In relation to the Construction Management Plan there is evidence of burning waste on/off site with photographs reference by 14 Cherry Close in his objection to the First variation Application



*Video taken of fire in August 2020, shows the Southern Hedge row had already been removed.*

and you can clearly see the amount of trespass that has occurred from the latest Google map view, with vehicle tracks over the field and a clear route to Plot 3



<https://www.google.co.uk/maps/@53.5295736,-0.0164459,235m/data=!3m1!1e3?hl=en-GB>

There may also be some trespass or land grabbing to the boundary of the whole site



## **Conclusion**

In conclusion, the Approved Planning Permission that these Variations application relate to DM/0036/19/FUL are in breach of: -

Condition 6 Material doors windows and 12 Water recycling, both have not been applied for

Condition 3 Surface water drainage, 4 CMP, 8 Landscaping, are all Noncompliant with the approved drawings.

Together with the current application to Variations of Condition 2 on Plot 1 seeming to be attempting to get a revised drainage strategy passed, ~~under handedly~~ now applied for.

Any Planning Application submitted is required to have a positive foul and surface water connection point no matter how big or small the development. With the (known) absence of the "open ditch" there is no positive connection from the site to the existing culvert to the north east as per the details. Therefore, the Drainage Strategy cannot be adopted as it will discharge water onto open third-party land and therefore trust the application is refused on these grounds alone.

Therefore, we respectfully request the Local Planning authority should reject all the current variation applications and enforce the current planning permission, relating to all drainage and landscaping through the legal powers of the Town and Country Planning Act 1990

As the applicant has willfully shown scant regard to any of the planning requirements or personal agreements he has made, we find his actions disrespectful of the planning system and the Local Council.

When these matters have been achieved satisfactory as per the approved drawings of the original permission then the applicant could make a variation to the material changes, he has made to the size and heights of the buildings themselves.

Kind Regards



Cyden Homes Limited (Head Office)  
Unit 1 Laceby Business Park  
Grimsby Road  
Laceby  
Grimsby  
DN37 7DP

Tel: 01472 278002  
Website: [www.cydenhomes.co.uk](http://www.cydenhomes.co.uk)

Regd. in England 733540

# Comments for Planning Application DM/1195/21/FUL

## Application Summary

Application Number: DM/1195/21/FUL

Address: 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

Case Officer: Richard Limmer

## Customer Details

Name: Mr Neal MARKHAM

Address: 14 CHerry Close Humberston GRIMSBY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I don't know why I am having to comment yet again on yet another application in relation to this development.

It seems now that the applications are being fragmented, in that they are being submitted by each of the 5 plots individually in order I feel to mask the scale of the changes that have been implemented on this development compared to the approved plans.

There have been so many applications submitted, resubmitted, pending, or withdrawn in relation to this, that I have lost track of what has been approved and what hasn't. I am of the firm belief that this is intentional and it now seems that there are elements in this latest application which appear to be purposely misleading/unclear.

I don't understand the purpose of the planning approval process if the planning officer rejects the plans but they still passed and then the development makes so many premeditated changes and just follows up with countless retrospective applications.

I haven't got the time or the energy to again go through all of the plans to compare, but the following are some the changes I can recall:

### Drainage & Ditches

The planning permission condition was to clear the ditches, in fact it appears that the southern ditch on the access road has been filled in, if correct it means the rainwater in the southern field

now needs to be included in the drainage calculations, it is not. However, the map on the drainage calculations document still shows the ditch in tact, I feel this is misleading. There is no mention of this change in this new application.

It seems a smaller underground rainwater tank has been fitted in place of the larger size in the originally approved plans, the consequence is the water will overflow more quickly, into the western ditch of the development towards the new culvert under the access road. There is no mention of this in this new application.

As per above, a culvert has been laid under the access road to allow the overflow rainwater from the western ditch into the field north of the development, this culvert did not exist previously and was not on any approved plans. There is no mention of this in this new application.

The map in the drainage study shows there is a ditch which flows south/north on the western side of the the field north of the development next to my property. I feel this is misleading, I watched & videoed this ditch being created by the developer.

These acts have lead to standing water around my property, which attracts rats and my garden for the first time in 18 years is sodden. Worse still, all the water flowing into the northern field pools near the low properties in Cherry Close which have already experienced flooding. Numbers 4,5,6 & 30 have not been asked to comment on these changes, why not?

### Lighting & Access

4ft bollard lights were approved on the access lane, these have been replaced with 12 ft lights causing light pollution to all of the properties that back onto the lane. There is no mention of this in this new application.

A 10 ft. wall and gate has been built without planning permission - now included in the application

### Buildings

The original plans included a double garage on plot 1, this has been replaced by a quadruple garage, and not mentioned in this latest application there is also an additional brick building on its western side. Why is this additional building not mentioned nor featured in the new drawings? Again it just appears misleading.

I also understand that at least one other the plots has had its garage modified, this is not mentioned in this new application.

All 5 plots have been built at a higher elevation than the initial plans, and had modification to windows and sky lights this new application only mentions changes to plot one.

The pool has been built larger than the one which had been approved - included in this application.

## Hedges

The traditional hedge rows surrounding the development and to the rear of my house 15-20ft high have been torn down contrary to the plans which stipulated these be retained.

They have been replaced by 6-8ft feather edge board, causing a 'hard boarder' contrary to the agreed conditions.

This change has not been declared in the application, however I note the the new block plan shows both a fence and a new hedgerow on the outside of the fence, the boundary fences have already been pushed out onto neighbouring land and now hedges will push them further. Why is this not clearly mentioned in this application, again it just seems misleading.

## In summary

I am confident that I have not included all of the parts of the developments which have not followed the approved plans on this development.

I feel the current situation with this latest application is either intentionally or unfortunately misleading.

At what point will the Enforcement Officer, become involved and visit site to investigate thoroughly. If this does not happen it needs to be escalated to understand why not, I will be pursuing this route.

**From:** Mick Redfern  
**Sent:** 30 March 2022 16:57  
**To:** Richard Limmer (EQUANS) <[Richard.Limmer@nelincs.gov.uk](mailto:Richard.Limmer@nelincs.gov.uk)>  
**Subject:** DM/1195/21/FUL

## DM/1195/21/FUL

I STRONGLY OBJECT to this variation application and expect that the planning authority will reject this application and carry out the necessary enforcement to ensure that all the revisions on the original approved application are carried out. This is becoming a joke there have been numerous planning applications that have either not been approved or the client has removed them over a 4 year period. This application only covers plot 1 all the other plots have many variations to the original plans.

### Drainage

The drainage plan shows a ditch on the South side of the track this used to collect water from the field. This has been filled in therefore all the run off water will now flow to the ditch on the North side of the track which is against our fence.

All the neighbours in Cherry Close have a concern about flooding around No 8. That area has flooded at least twice and with more water heading in that direction it is only a matter of time before it happens again.

### Lighting

The original application stated that there would be low level bollard lighting to light up the area, the applicant has installed high lamp standards which reflect directly into the house. This has been mention before but is not part of this application. I think that it's time that enforcement should ensure that the lighting is installed as per the original application.

### Hedging

This application states that as per the original approval that he will install an hedgerow on the outside of his boundary fence. This can't be done as he doesn't own that land and would be planting on the land owned by Cyden Homes. The only way he can achieve this is to move his fence back which I don't believe he will do unless enforcement ensure this is done.

### Gates

These gates should never have been installed as he doesn't own that land he only has a right of way the gates should be installed at the top of track nearer to the houses.

The applicant shows blatant disregard for the planning process all the houses and garages have not been built to the original approved sizes. This process has now been going on for too long , in excess of 3 years with too many variation orders which have just faded away with no action.

Mick Redfern  
15 Cherry Close

Sent from my iPad

Item 3 - Land At  
Church Lane  
Humberston  
DM/0964/21/FUL





# Humberston Village Council

Clerk to the Council – Mrs. K. Peers

Tel:- 07494 577661      Email:-  
clerk@humberstonvillagecouncil.com

TO: [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)

## Planning Consultation Comments

8<sup>th</sup> November 2021

Dear Sirs,

The Village Council considered the following applications at its meeting held on Wednesday 3<sup>rd</sup> November 2021 and wishes to submit the comments as shown:

**Planning Application Reference: DM/0964/21/FUL**

**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**

**Location: Land At Church Lane Humberston**  
*and*

**Planning Application Reference: DM/1042/21/FUL**

**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.**

**Location: Land At Church Lane Humberston**

*Objections – the Village Council asks that these two variation applications be placed before the Planning Committee. The original planning permission passed on this site should be that which is built – there have been so many variations of conditions that the site has changed dramatically since the original permission. The Village Council feels that the Planning Dept. should be checking on what is actually taking place on the site as some of the variations which have been put before the Council for consultation have already taken place and are clearly retrospective in nature, although the applications are not labelled as such. There are objections from neighbouring properties, lighting columns differing from those on the plans, rainwater harvesting systems now not being put in place despite being on the original plans etc. The Village Council feels that the planning boundaries on this*

*site are being exceeded and would ask that no further variations are granted on this site until a full and detailed inspection of works carried out is undertaken by the Planning Enforcement Team.*





## Mr White Planning application on Land at Church Lane Humberston

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire

This application was submitted in January 2019 and passed in April 2019. We wish to object to this application as Cyden Homes have an interest in the land adjacent to the North with a current planning application for residential development off Midfield Road.

The original Permission ref DM/0036/19/FUL, we believe according to the NELC Planning Portal has Discharged Conditions 7 and 9 (pre-commencement conditions) DM/0345/19/CND (approval December 2019).

However, we believe that there still are outstanding conditions on the Original Permission that have yet to be approved or complied with, these are: -

### Conditions Requiring Approval

Condition 6 - **Prior to their installation on site**, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Reason To protect the character and appearance of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Condition 12 - **Prior to occupation of any dwelling**, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be implemented and adhered to at all times following first occupation.

### Conditions Requiring compliance

Condition 3- The development **shall be built out in full accordance** with the submitted surface water drainage details as detailed on plan ref: 18-511-102. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).  
**Not built in accordance with the Plan**

Condition 4 - The development **shall be built out in strict accordance** with the submitted Construction Management Plan ref: 18-511-CMP. Reason To protect the amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). **Site burning and Trespass - see later commentary**

Condition 8 - The scheme of landscaping and tree planting shown on drawing no. 18-511-101 and the Planting and Bio-diversity Statement Rev A **shall be completed within a period** of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during.  
*Not built in accordance with the Plan*

We believe some of the dwellings are now occupied therefore there is currently a breach of the Planning Permission on the five conditions listed above.

We all note that this is the Fourth variation application following the original discharge of Condition 7 & 9. Due to so many variations application of the same planning permission we feel has slightly confused the planning process and these multiple applications are trying to mask and hide the objections raised by your consultees and neighbours and wish to draw your attention all of to these objections made in relation to the single Approved Planning Permission DM/0036/19/FUL, in order of application.

#### **First Variation Application submitted December 2020**

This has the majority of the main principles of objections which should be considered by the planning authority as still relevant as they are items that are currently built and contrary to the approved Drawings.

**DM/0905/20/FUL** - Variation application of condition 2 (Approved Plans) as granted on DM/0036/19/FUL (Erect 5 detached dwellings with detached double garages to include landscaping and access) **to amend boundary treatment and hedge planting, location of rainwater harvesting tank**, garage types and amendments to the house types of plots 1, 2, 3, 4 and 5 (Amended Certificates) *post construction application - Withdrawn August 2021*

There are objections from:-

2 Andrew Road – Landscaping - removal of hedgerows and change of scheme to domestic fences

14 Cherry Close – Drainage - an offsite Sump built on third party land was constructed to collect site drainage with large drainage pipe under the drive connecting site overflow drainage to the sump (a soak away) – Landscaping – removal of hedgerow in Third party ownership and on boundaries

15 Cherry Close – Drainage - approved drainage has not been installed and water from the site drainage is now filling a “Dry” ditch (13 years prior to development)- noncompliance with approved drawings in relation to the driveway lighting conditioned in item 7 of the approval – increases to Building size and heights

Land owner of adjoining property – Drainage – Right over Land and trespass – increases to Building size and heights – Landscaping

Cyden Homes Ltd – increases to Building sizes and heights – Drainage strategy change to outfall location over third-party land reduction in storage capacity of rainwater harvesting – Landscaping

These objections can be read in full on the NELC Planning Portal *ref DM/0905/20/FUL*. However more importantly, are the objections from the **NELC Lead Local Flood Officer** and quote

“The infiltration trench has been removed and the rainwater harvesting tank appears smaller and I assume the overflow is now into a boundary ditch. All these changes mean the surface water drainage system now has the potential to increase flood risk in the area so can the applicant supply the drainage calculations to show that this isn't the case.” - Requiring further information

and the objection from **NELC Trees and Woodlands Officer** and quote

“1) Given the fact that this proposal is at present a salient into the open countryside, the existing hedges in the area are traditional mixed deciduous predominantly hawthorn, the proposal to use Laurel is out of keeping with the area.

2) the original landscape plan proposed the boundary hedges to be improved and these to be a feature of the site. The proposal to use close boarded fencing would indicate that there is little intension to improve or maintain the boundary hedges. I consider this to be detrimental to the character of the area. Whilst this may have been acceptable in the past it is acceptable now.

3) the whole tone of the amended landscape plan is that of an urban development. However, at present the development is in open countryside and I feel this fact should be respected.

4) **I am unable to support the present proposal.** my position is in keeping with past comments.”

This application was withdrawn, however the increases to Building sizes and heights, the change to the Drainage strategy and change to outfall location over third-party land, the reduction in storage capacity of rainwater harvesting tank and the Landscaping hedge removal have all taken place and are contrary to the current Planning permission. All of these objections are therefore still valid and requires Enforcement or should be carried over to the revised applications

At this point the applicant and agent have decided to split the variations into plot-by-plot application therefore via the planning process asking the same consultee the same question three times but as the Application descriptions do not relate to items such Landscaping and Drainage the consultee replies are as such

“I have no objection to the proposed changes as set out in the description.” and “No drainage comments”

## **Second Variation Application submitted October 2021**

**DM/0964/21/FUL** 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  
*post construction application Plot 4 and 5- Pending*

Objections from: -

14 Cherry Close – Size of Building – Light Pollution – Landscaping and Drainage all still being raised as garden is now sodden

15 Cherry Close – Size of Building – Lighting – Landscaping removal of hedges and Drainage all still being raised as garden is now sodden

Again, more importantly an objection from **Humberston Village Council**

The Village Council feels that the planning boundaries on this site are being exceeded and **would ask that no further variations are granted** on this site until a full and detailed **inspection of works carried out is undertaken by the Planning Enforcement Team.**

This application is still pending but now has two other variation application for plot 3 and 1 running alongside it. All 3 applications pending

## **Third Variation Application submitted also in October 2021**

**DM/1042/21/FUL** 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.  
*post construction application Plot 3 – Pending*

## **Fourth Variation Application submitted also in October 2021**

**DM/1195/21/FUL** 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  
*post construction application Plot 1 - Pending*

## **Important Fact**

**None** of the descriptions of these three later and current variations application refer to a change in the Drainage Strategy from that approved in the original permission DM/0036/19/FUL. All three applications have a list of documents revised or amended drawings

The original Planning Permission DM/0036/19/FUL specifically stated in

*Condition 3- The development **shall be built out in full accordance** with the submitted **surface water drainage details** as detailed on plan ref: **18-511-102**. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).*

There are two file notes on the original permissions application from the LLFA stating

"A fully sustainable surface water drainage system is required. There must be no raising of ground levels. Any ditches on or bounding the site should be cleaned out."

followed by

"The surface water drainage strategy has been agreed with the applicant who has also confirmed that he will clean out the boundary ditches around the site and on each side of the existing access road."

The construction of the onsite drainage does not follow the approved Drawing 18-511-102 seen below.



Even though the applicant clearly knew his responsibility and had agreed to them, and as he reminded the planning committee that he has been in the construction industry for over 30 years is a blatant disregard to the permission.

More concerning however, a new Drainage Strategy Document and drawing have been provided with this fourth application with drawing 18-511-102 Rev A and a Surface Water Drainage Design Document produced by EWE Associates Limited



We feel this drawing has been submitted “quietly” with no reference to it in the Agents proposed description, submitted in order to obtain an “approved” strategy without the thorough detailed analysis by the NELC Drainage engineers, LLFA or the general public

### Inaccuracy of the Surface Water Drainage Design Document



Only one culvert that historically existed on this drawing that is the one to the north east behind the properties of Iona Drive to the North East. The flows of the ditches along the access road were to the west towards the Church Lane entrance and not towards the east as shown.

No culvert existed across the site access road as shown on the extract above, this is completely new and we believe the south side of access road has also been culverted or filled in

The current proposals have reduced the water storage capacity of the surface water system the and are draining to a newly created sump (soak away) located offsite at the end of the newly formed road culvert and is discharging illegally on to Third party land.

CDC Drawing  
18-511-102 Rev A



Surface Water Drainage Design  
Document by EWE Associates Limited



The two drawings submitted in relation to drainage conflict as to where the location outfall actually finishes, we believe the CDC drawing 102 rev A the outfall is shown incorrect (shown on the above left), whilst the Surface Water Drainage Design Document (on the right) produced by EWE Associates Limited doesn't not show any connections to the houses and shows with larger hard standing areas

We understand that the ditch to the western boundary was never connected to the adjoining land to the North, as this would have prevented vehicular field access that the applicant enjoys. Is now connected by a culverted pipe, as it is a larger diameter than 150mm Dia. as shown on EWE's Surface Water Drainage Design Document. Why such a large Pipe if it is not a culvert taking larger flows.

Significantly this western ditch at the side of plot 1 is taking the overflow outfall from the rainwater harvesting. We are unclear if the rainwater harvesting tank is taking Rainwater from just the Driveway of Plot 1 or from the house and building of Plot 1 as well. This outfall also does not appear to have any restriction to its outfall as no details have been provided contrary to the pre-occupation condition 12 so this outfall seems un restricted from plot 1

Our fears that the road culvert has be installed, because it looks like the southern ditch of the access road appears to have been filled in, becoming a service trench to the development. So, the western ditch has nowhere to outfall and hence the culvert.

In relation to the Construction Management Plan there is evidence of burning waste on/off site with photographs reference by 14 Cherry Close in his objection to the First variation Application



*Video taken of fire in August 2020, shows the Southern Hedge row had already been removed.*

and you can clearly see the amount of trespass that has occurred from the latest Google map view, with vehicle tracks over the field and a clear route to Plot 3



<https://www.google.co.uk/maps/@53.5295736,-0.0164459,235m/data=!3m1!1e3?hl=en-GB>

There may also be some trespass or land grabbing to the boundary of the whole site



## **Conclusion**

In conclusion, the Approved Planning Permission that these Variations application relate to DM/0036/19/FUL are in breach of: -

Condition 6 Material doors windows and 12 Water recycling, both have not been applied for

Condition 3 Surface water drainage, 4 CMP, 8 Landscaping, are all Noncompliant with the approved drawings.

Together with the current application to Variations of Condition 2 on Plot 1 seeming to be attempting to get a revised drainage strategy passed, under handedly. Then we respectfully request the Local Planning authority should reject all the current variation applications and enforce the current planning permission, relating to all drainage and landscaping through the legal powers of the Town and Country Planning Act 1990

As the applicant has willfully shown scant regard to any of the planning requirements or personal agreements he has made, we find his actions disrespectful of the planning system and the Local Council.

When these matters have been achieved satisfactory as per the approved drawings of the original permission then the applicant could make a variation to the material changes, he has made to the size and heights of the buildings themselves.

Kind Regards

**Steven Ibbotson**

BA(Hons) DipArch RIBA  
Architect



Cyden Homes Limited (Head Office)  
Unit 1 Laceby Business Park  
Grimsby Road  
Laceby  
Grimsby  
DN37 7DP

Tel: 01472 278002  
Website: [www.cydenhomes.co.uk](http://www.cydenhomes.co.uk)

Regd. in England 733540



## **Mr White Planning application on Land at Church Lane Humberston**

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire and also DM/0924/21/FUL and DM/1042/21/FUL which have had the note fencing - amended Drainage information added to the Description

Whilst we welcome the true description of the Variation has now been applied for, we still have major concerns that drainage strategy is flawed and is discharging water over Third party land which should not be allowed.

The EWE Drainage Report resubmitted as amended (23 Sept 2022) is identical to the original submitted 03 Mar 2022 so there has been no amendment to the revised drainage. The report clearly shows "existing" drainage routes which are clearly an incorrect representation of what is on the ground in 2022. The Plan shows open ditches running down each side of the access road. Your Drainage officer has commented *"the western section has been piped/filled without consent"*, which at first causes concerns and that this "ditch" now culvert also serves as the service strip for the 5 properties.

The EWE Drainage Report also states there is an open ditch running through the field to the north (the land that Cyden Homes Ltd have a planning application running on since July 2019). This "open ditch" does not actually exist on the ground and believe it hasn't been there for decades. How can a modern development drainage strategy hinge its whole drainage strategy on something that is historic, if even it ever existed.

Any Planning Application submitted is required to have a positive foul and surface water connection point no matter how big or small the development. With the (known) absence of the "open ditch" there is no positive connection from the site to the existing culvert to the north east as per the details. Therefore, the Drainage Strategy cannot be adopted as it will discharge water onto open third party land and therefore trust the application is refused on these grounds alone.

We would also like to ask in the absence of any detail where does the back wash from Plot 1 swimming pool go as there does not seem to be a storage tank to hold the chlorinated water.

Our original elements of objection still also apply as per below..



## Mr White Planning application on Land at Church Lane Humberston - Original objection 24 March 2022

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire

This application was submitted in January 2019 and passed in April 2019. We wish to object to this application as Cyden Homes have an interest in the land adjacent to the North with a current planning application for residential development off Midfield Road.

The original Permission ref DM/0036/19/FUL, we believe according to the NELC Planning Portal has Discharged Conditions 7 and 9 (pre-commencement conditions) DM/0345/19/CND (approval December 2019).

However, we believe that there still are outstanding conditions on the Original Permission that have yet to be approved or complied with, these are: -

### Conditions Requiring Approval

Condition 6 - **Prior to their installation on site**, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Reason To protect the character and appearance of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Condition 12 - **Prior to occupation of any dwelling**, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be implemented and adhered to at all times following first occupation.

### Conditions Requiring compliance

Condition 3- The development **shall be built out in full accordance** with the submitted surface water drainage details as detailed on plan ref: 18-511-102. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). Not built in accordance with the Plan

Condition 4 - The development **shall be built out in strict accordance** with the submitted Construction Management Plan ref: 18-511-CMP. Reason To protect the amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). Site burning and Trespass - see later commentary

Condition 8 - The scheme of landscaping and tree planting shown on drawing no. 18-511-101 and the Planting and Bio-diversity Statement Rev A **shall be completed within a period** of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during. Not built in accordance with the Plan

We believe some of the dwellings are now occupied therefore there is currently a breach of the Planning Permission on the five conditions listed above.

We all note that this is the Fourth variation application following the original discharge of Condition 7 & 9. Due to so many variations application of the same planning permission we feel has slightly confused the planning process and these multiple applications are trying to mask and hide the objections raised by your consultees and neighbours and wish to draw your attention all of to these objections made in relation to the single Approved Planning Permission DM/0036/19/FUL, in order of application.

#### **First Variation Application submitted December 2020**

This has the majority of the main principles of objections which should be considered by the planning authority as still relevant as they are items that are currently built and contrary to the approved Drawings.

**DM/0905/20/FUL** - Variation application of condition 2 (Approved Plans) as granted on DM/0036/19/FUL (Erect 5 detached dwellings with detached double garages to include landscaping and access) **to amend boundary treatment and hedge planting, location of rainwater harvesting tank**, garage types and amendments to the house types of plots 1, 2, 3, 4 and 5 (Amended Certificates) post construction application - Withdrawn August 2021

There are objections from:-

2 Andrew Road – Landscaping - removal of hedgerows and change of scheme to domestic fences

14 Cherry Close – Drainage - an offsite Sump built on third party land was constructed to collect site drainage with large drainage pipe under the drive connecting site overflow drainage to the sump (a soak away) – Landscaping – removal of hedgerow in Third party ownership and on boundaries

15 Cherry Close – Drainage - approved drainage has not been installed and water from the site drainage is now filling a “Dry” ditch (13 years prior to development)- noncompliance with approved drawings in relation to the driveway lighting conditioned in item 7 of the approval – increases to Building size and heights

Land owner of adjoining property – Drainage – Right over Land and trespass – increases to Building size and heights – Landscaping

Cyden Homes Ltd – increases to Building sizes and heights – Drainage strategy change to outfall location over third-party land reduction in storage capacity of rainwater harvesting – Landscaping

These objections can be read in full on the NELC Planning Portal *ref DM/0905/20/FUL*. However more importantly, are the objections from the **NELC Lead Local Flood Officer** and quote

"The infiltration trench has been removed and the rainwater harvesting tank appears smaller and I assume the overflow is now into a boundary ditch. All these changes mean the surface water drainage system now has the potential to increase flood risk in the area so can the applicant supply the drainage calculations to show that this isn't the case." - Requiring further information

and the objection from **NELC Trees and Woodlands Officer** and quote

"1) Given the fact that this proposal is at present a salient into the open countryside, the existing hedges in the area are traditional mixed deciduous predominantly hawthorn, the proposal to use Laurel is out of keeping with the area.

2) the original landscape plan proposed the boundary hedges to be improved and these to be a feature of the site. The proposal to use close boarded fencing would indicate that there is little intension to improve or maintain the boundary hedges. I consider this to be detrimental to the character of the area. Whilst this may have been acceptable in the past it is acceptable now.

3) the whole tone of the amended landscape plan is that of an urban development. However, at present the development is in open countryside and I feel this fact should be respected.

4) **I am unable to support the present proposal.** my position is in keeping with past comments."

This application was withdrawn, however the increases to Building sizes and heights, the change to the Drainage strategy and change to outfall location over third-party land, the reduction in storage capacity of rainwater harvesting tank and the Landscaping hedge removal have all taken place and are contrary to the current Planning permission. All of these objections are therefore still valid and requires Enforcement or should be carried over to the revised applications

At this point the applicant and agent have decided to split the variations into plot-by-plot application therefore via the planning process asking the same consultee the same question three times but as the Application descriptions do not relate to items such Landscaping and Drainage the consultee replies are as such

"I have no objection to the proposed changes as set out in the description." and "No drainage comments"

## **Second Variation Application submitted October 2021**

**DM/0964/21/FUL** 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 post construction application Plot 4 and 5- **Pending**

Objections from: -

14 Cherry Close – Size of Building – Light Pollution – Landscaping and Drainage all still being raised as garden is now sodden

15 Cherry Close – Size of Building – Lighting – Landscaping removal of hedges and Drainage all still being raised as garden is now sodden

Again, more importantly an objection from **Humberston Village Council**

The Village Council feels that the planning boundaries on this site are being exceeded and **would ask that no further variations are granted** on this site until a full and detailed **inspection of works carried out is undertaken by the Planning Enforcement Team.**

This application is still pending but now has two other variation application for plot 3 and 1 running alongside it. All 3 applications pending

## **Third Variation Application submitted also in October 2021**

**DM/1042/21/FUL** 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.  
post construction application Plot 3 – **Pending**

## **Fourth Variation Application submitted also in October 2021**

**DM/1195/21/FUL** 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  
post construction application Plot 1 - **Pending**

## **Important Fact**

**None** of the descriptions of these three later and current variations application refer to a change in the Drainage Strategy from that approved in the original permission DM/0036/19/FUL. All three applications have a list of documents revised or amended drawings

The original Planning Permission DM/0036/19/FUL specifically stated in

*Condition 3- The development **shall be built out in full accordance** with the submitted **surface water drainage details** as detailed on plan ref: **18-511-102**. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).*

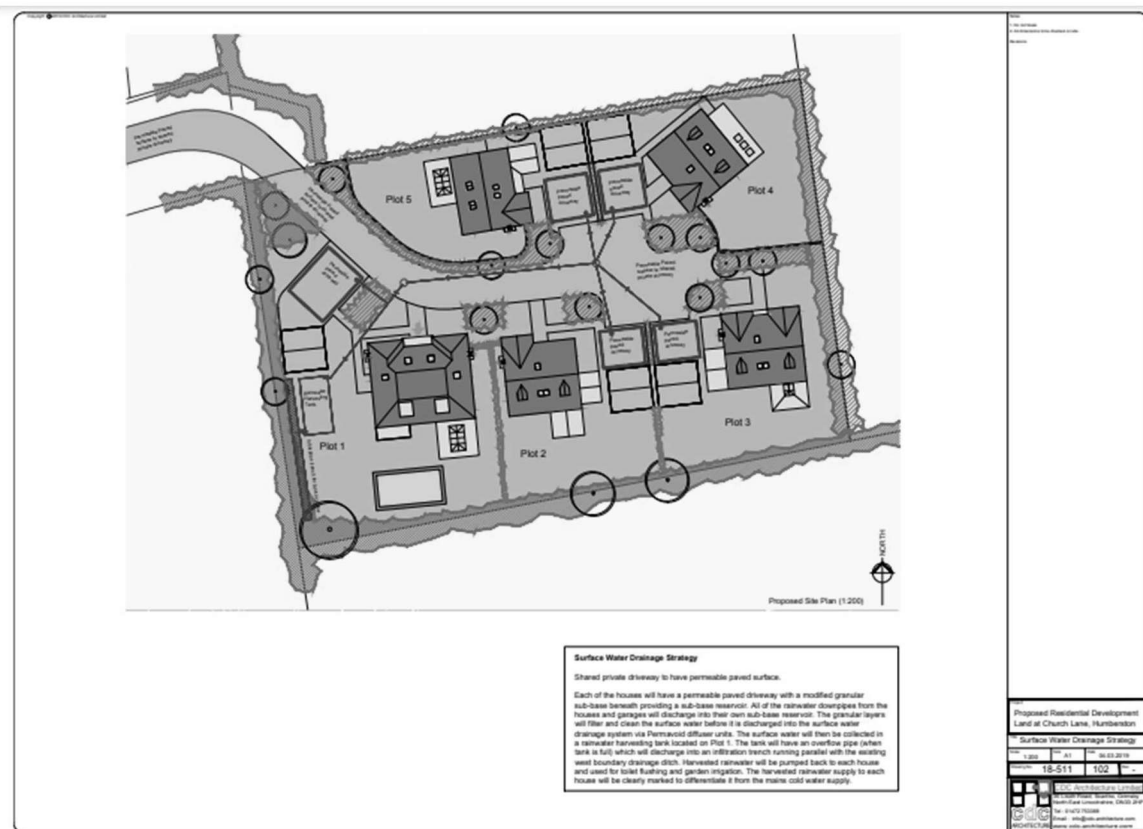
There are two file notes on the original permissions application from the LLFA stating

“A fully sustainable surface water drainage system is required. There must be no raising of ground levels. Any ditches on or bounding the site should be cleaned out.”

followed by

“The surface water drainage strategy has been agreed with the applicant who has also confirmed that he will clean out the boundary ditches around the site and on each side of the existing access road.”

The construction of the onsite drainage does not follow the approved Drawing 18-511-102 seen below.



Even though the applicant clearly knew his responsibility and had agreed to them, and as he reminded the planning committee that he has been in the construction industry for over 30 years is a blatant disregard to the permission.

More concerning however, a new Drainage Strategy Document and drawing have been provided with this fourth application with drawing 18-511-102 Rev A and a Surface Water Drainage Design Document produced by EWE Associates Limited



We feel this drawing has been submitted "quietly" with no reference to it in the Agents proposed description, submitted in order to obtain an "approved" strategy without the thorough detailed analysis by the NELC Drainage engineers, LLFA or the general public

Inaccuracy of the Surface Water Drainage Design Document



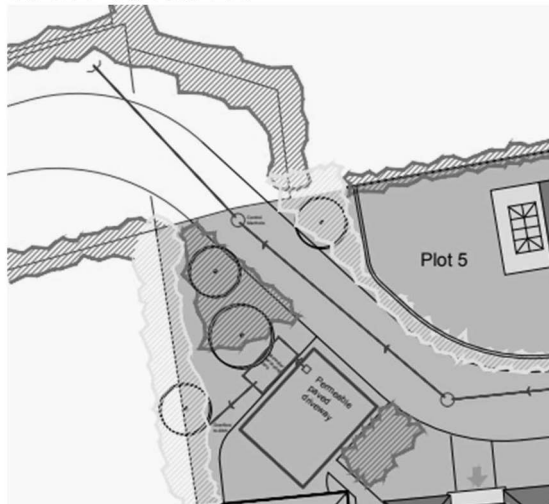
Only one culvert that historically existed on this drawing that is the one to the north east behind the properties of Iona Drive to the North East. The flows of the ditches along the access road were to the west towards the Church Lane entrance and not towards the east as shown.

No culvert existed across the site access road as shown on the extract above, this is completely new and we believe the south side of access road has also been culverted or filled in

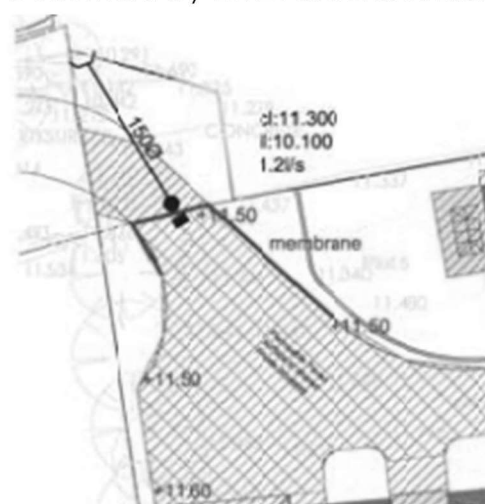


The current proposals have reduced the water storage capacity of the surface water system the and are draining to a newly created sump (soak away) located offsite at the end of the newly formed road culvert and is discharging illegally on to Third party land.

CDC Drawing  
18-511-102 Rev A



Surface Water Drainage Design  
Document by EWE Associates Limited



The two drawings submitted in relation to drainage conflict as to where the location outfall actually finishes, we believe the CDC drawing 102 rev A the outfall is shown incorrect (shown on the above left), whilst the Surface Water Drainage Design Document (on the right) produced by EWE Associates Limited doesn't not show any connections to the houses and shows with larger hard standing areas

We understand that the ditch to the western boundary was never connected to the adjoining land to the North, as this would have prevented vehicular field access that the applicant enjoys. Is now connected by a culverted pipe, as it is a larger diameter than 150mm Dia. as shown on EWE's Surface Water Drainage Design Document. Why such a large Pipe if it is not a culvert taking larger flows.

Significantly this western ditch at the side of plot 1 is taking the overflow outfall from the rainwater harvesting. We are unclear if the rainwater harvesting tank is taking Rainwater from just the Driveway of Plot 1 or from the house and building of Plot 1 as well. This outfall also does not appear to have any restriction to its outfall as no details have been provided contrary to the pre-occupation condition 12 so this outfall seems un restricted from plot 1

Our fears that the road culvert has be installed, because it looks like the southern ditch of the access road appears to have been filled in, becoming a service trench to the development. So, the western ditch has nowhere to outfall and hence the culvert.

In relation to the Construction Management Plan there is evidence of burning waste on/off site with photographs reference by 14 Cherry Close in his objection to the First variation Application



*Video taken of fire in August 2020, shows the Southern Hedge row had already been removed.*

and you can clearly see the amount of trespass that has occurred from the latest Google map view, with vehicle tracks over the field and a clear route to Plot 3



<https://www.google.co.uk/maps/@53.5295736,-0.0164459,235m/data=!3m1!1e3?hl=en-GB>

There may also be some trespass or land grabbing to the boundary of the whole site

## **Conclusion**

In conclusion, the Approved Planning Permission that these Variations application relate to DM/0036/19/FUL are in breach of: -

Condition 6 Material doors windows and 12 Water recycling, both have not been applied for

Condition 3 Surface water drainage, 4 CMP, 8 Landscaping, are all Noncompliant with the approved drawings.

Together with the current application to Variations of Condition 2 on Plot 1 seeming to be attempting to get a revised drainage strategy passed, ~~under handedly~~ now applied for.

Any Planning Application submitted is required to have a positive foul and surface water connection point no matter how big or small the development. With the (known) absence of the "open ditch" there is no positive connection from the site to the existing culvert to the north east as per the details. Therefore, the Drainage Strategy cannot be adopted as it will discharge water onto open third-party land and therefore trust the application is refused on these grounds alone.

Therefore, we respectfully request the Local Planning authority should reject all the current variation applications and enforce the current planning permission, relating to all drainage and landscaping through the legal powers of the Town and Country Planning Act 1990

As the applicant has willfully shown scant regard to any of the planning requirements or personal agreements he has made, we find his actions disrespectful of the planning system and the Local Council.

When these matters have been achieved satisfactory as per the approved drawings of the original permission then the applicant could make a variation to the material changes, he has made to the size and heights of the buildings themselves.

Kind Regards



Cyden Homes Limited (Head Office)  
Unit 1 Laceby Business Park  
Grimsby Road  
Laceby  
Grimsby  
DN37 7DP

Tel: 01472 278002  
Website: [www.cydenhomes.co.uk](http://www.cydenhomes.co.uk)

Regd. in England 733540

## Megan Green (Engie)

---

**From:** Planning - IGE (ENGIE)  
**Subject:** FW: DM/0964/21/FUL

---

**From:** neal markham <>  
**Sent:** 22 October 2021 18:12  
**To:** Richard Limmer (Engie) <[Richard.Limmer@nelincs.gov.uk](mailto:Richard.Limmer@nelincs.gov.uk)>  
**Subject:** DM/0964/21/FUL

DM/0964/21/FUL

FAO Mr Richard Limmer

14 Cherry Close  
Humberston  
DN364US

I strongly object to these proposals on the grounds that they are unsightly and not in keeping with the current surroundings.

I fail to see how the original plans were passed in the first instance when as I understand the recommendation was not to, they do not fit in with their surrounds, are unsightly and domination the ridge line for 10's of miles.

This is the second variation to the original plans that has been submitted each having multiple changes, the first being DM/0905/20/FUL which was subsequently withdrawn, all of those variations to the original plans were not treated or resolved but now we have more.

How is it possible to move to more variations when there are others that the planning department are well aware of which are still outstanding in DM/0905/20/FUL:

Elevation: The elevations on plots 2,3,4 and 5 have all increased in comparison to the approved plans.



Light Pollution: The Access Drive & Services plan (DM/0345/19/CND - 12 Apr 2019), submitted in response to the conditions of the original approval, the access road was due to have light bollards at every 6-8m. These have now been replaced with street lights of ~4m in height, these lights do not point at the ground, they are a Victorian type and therefore the light shines in all directions, this coupled with the removal of my boundary hedge and the lighting on plot 1 (9 separate lights) causes light pollution in all of my rear facing rooms.



Access: In the Access Drive & Services plan (DM/0345/19/CND - 12 Apr 2019) there is no mention of the large gates ~3m high and associated brick built walls.

Boundary Hedges: the traditional hedges that have been there for years and were in the original plans have all been torn up and replaced by feather edge boarding fence or Laurel bushes (those behind my property have not been replaced at all). These hedges were a key part in the original application to create a 'soft edge'. In the withdrawn application The Trees & Woodlands Officer was outraged by this, but nothing has happened.





Size: The majority of the houses and garages have been increased in size, in particular Plot 1 which had planning for a Double garage and now there is a quadruple garage and an additional brick building to the side built over the area where the traditional hedge used to occupy.

Drainage: This is a huge concern for myself and anyone living close by. The original plans have been modified so that a smaller rain water catchment tank has been installed, this then has an overflow into a ditch, a culvert has been installed under the road into the ditch behind my property and the field to the side. When it rains my garden is wet for days now, the water that is not draining away and caused a rodent infestation.

We requested that a full a rain water report was completed to calculate whether this unapproved variation was acceptable and now it have been withdrawn, therefore there is no understanding of whether any of the properties down hill of this development are at risk. I don't know why the properties down stream of this development were not invited to air their concerns about this.

I really am at a loss as to understand how the plans were originally approved, they do not fit in to the local area, but worse still, the planning department are very well aware of multiple violations and variations to the original plans but nothing has happened.

How many more variations to the agreed plan will be submitted before some questions are asked or anything enforced?

Regards

Neal Markham

---

Reduce your environmental footprint, please do not print this email unless you really need to.

**North East Lincolnshire Council** - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

## Megan Green (Engie)

---

**From:** Planning - IGE (ENGIE)  
**Subject:** FW: DM/0964/21/FUL

-----Original Message-----

**From:**  
**Sent:** 20 October 2021 09:37  
**To:** Richard Limmer (Engie) <Richard.Limmer@nelincs.gov.uk>  
**Cc:**  
**Subject:** DM/0964/21/FUL

DM/0964/21/FUL

FAO Mr Richard Limmer

15 Cherry Close  
Humberston  
DN364US

I OBJECT to these proposals on the grounds that they are unsightly and are not in keeping with the current surroundings.

This is again a retrospective proposal nearly two years after the houses have been completed.  
I fail to see how this application can even be reviewed until all the issues below from the previous application can be addressed.

I also need to comment on the planning application DM/0905/20/FUL which was submitted in December 2020 again as a variation order but before the issues could be addressed the application has been withdrawn by the occupant none of the issues below have been approved by the local planning authorities:-

**Buildings:-** the majority of the buildings and garages have all been built larger than the approved size with additional windows and the planning submission to approve this (DM/0905/20/FUL) was seriously inaccurate.

**Driveway:-** this is not a private drive the occupant has a right of way ONLY for access to his property he has erected large gates and associated brick walls, which do not have planning permission and are not covered in any variation orders.

**Lighting:-** originally the street lighting was proposed to be low level bollard lights these have been changed to tall lamp posts which directly reflect into two of my bedrooms causing light pollution.

**Drainage:-** this is a serious concern for the majority of residents in this area he has installed a drainage channel under the road into the ditch at the rear of my property if this floods during heavy rain it will overflow into our land. The applicant was asked to produce calculations to prove that the drainage system was of an adequate design but he has failed to do it. It appears that the proposed water harvesting system is now replaced by a swimming pool.

**Boundary fencing:-** it was stipulated in his original proposal that he would improve the current hawthorn hedging and add additional suitable hedging as required. The occupant has just used close board fencing that is not in keeping with the area which should blend in with the countryside.

**Trees and shrubs:-** many of the existing trees, hedges and shrubs have been decimated during the development and this has had a detrimental effect on the wildlife.

Regards

Regards



Item 4 - Land At  
Church Lane  
Humberston  
DM/1042/21/FUL



# Humberston Village Council

Clerk to the Council – Mrs. K. Peers

Tel:- 07494 577661      Email:-  
clerk@humberstonvillagecouncil.com

TO: [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)

## Planning Consultation Comments

8<sup>th</sup> November 2021

Dear Sirs,

The Village Council considered the following applications at its meeting held on Wednesday 3<sup>rd</sup> November 2021 and wishes to submit the comments as shown:

**Planning Application Reference: DM/0964/21/FUL**

**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**

**Location: Land At Church Lane Humberston**  
*and*

**Planning Application Reference: DM/1042/21/FUL**

**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.**

**Location: Land At Church Lane Humberston**

*Objections – the Village Council asks that these two variation applications be placed before the Planning Committee. The original planning permission passed on this site should be that which is built – there have been so many variations of conditions that the site has changed dramatically since the original permission. The Village Council feels that the Planning Dept. should be checking on what is actually taking place on the site as some of the variations which have been put before the Council for consultation have already taken place and are clearly retrospective in nature, although the applications are not labelled as such. There are objections from neighbouring properties, lighting columns differing from those on the plans, rainwater harvesting systems now not being put in place despite being on the original plans etc. The Village Council feels that the planning boundaries on this*

*site are being exceeded and would ask that no further variations are granted on this site until a full and detailed inspection of works carried out is undertaken by the Planning Enforcement Team.*



## Mr White Planning application on Land at Church Lane Humberston

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire

This application was submitted in January 2019 and passed in April 2019. We wish to object to this application as Cyden Homes have an interest in the land adjacent to the North with a current planning application for residential development off Midfield Road.

The original Permission ref DM/0036/19/FUL, we believe according to the NELC Planning Portal has Discharged Conditions 7 and 9 (pre-commencement conditions) DM/0345/19/CND (approval December 2019).

However, we believe that there still are outstanding conditions on the Original Permission that have yet to be approved or complied with, these are: -

### Conditions Requiring Approval

Condition 6 - **Prior to their installation on site**, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Reason To protect the character and appearance of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Condition 12 - **Prior to occupation of any dwelling**, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be implemented and adhered to at all times following first occupation.

### Conditions Requiring compliance

Condition 3- The development **shall be built out in full accordance** with the submitted surface water drainage details as detailed on plan ref: 18-511-102. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).  
**Not built in accordance with the Plan**

Condition 4 - The development **shall be built out in strict accordance** with the submitted Construction Management Plan ref: 18-511-CMP. Reason To protect the amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). **Site burning and Trespass - see later commentary**

Condition 8 - The scheme of landscaping and tree planting shown on drawing no. 18-511-101 and the Planting and Bio-diversity Statement Rev A **shall be completed within a period** of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during.  
*Not built in accordance with the Plan*

We believe some of the dwellings are now occupied therefore there is currently a breach of the Planning Permission on the five conditions listed above.

We all note that this is the Fourth variation application following the original discharge of Condition 7 & 9. Due to so many variations application of the same planning permission we feel has slightly confused the planning process and these multiple applications are trying to mask and hide the objections raised by your consultees and neighbours and wish to draw your attention all of to these objections made in relation to the single Approved Planning Permission DM/0036/19/FUL, in order of application.

#### **First Variation Application submitted December 2020**

This has the majority of the main principles of objections which should be considered by the planning authority as still relevant as they are items that are currently built and contrary to the approved Drawings.

**DM/0905/20/FUL** - Variation application of condition 2 (Approved Plans) as granted on DM/0036/19/FUL (Erect 5 detached dwellings with detached double garages to include landscaping and access) **to amend boundary treatment and hedge planting, location of rainwater harvesting tank**, garage types and amendments to the house types of plots 1, 2, 3, 4 and 5 (Amended Certificates) *post construction application - Withdrawn August 2021*

There are objections from:-

2 Andrew Road – Landscaping - removal of hedgerows and change of scheme to domestic fences

14 Cherry Close – Drainage - an offsite Sump built on third party land was constructed to collect site drainage with large drainage pipe under the drive connecting site overflow drainage to the sump (a soak away) – Landscaping – removal of hedgerow in Third party ownership and on boundaries

15 Cherry Close – Drainage - approved drainage has not been installed and water from the site drainage is now filling a “Dry” ditch (13 years prior to development)- noncompliance with approved drawings in relation to the driveway lighting conditioned in item 7 of the approval – increases to Building size and heights

Land owner of adjoining property – Drainage – Right over Land and trespass – increases to Building size and heights – Landscaping

Cyden Homes Ltd – increases to Building sizes and heights – Drainage strategy change to outfall location over third-party land reduction in storage capacity of rainwater harvesting – Landscaping

These objections can be read in full on the NELC Planning Portal *ref DM/0905/20/FUL*. However more importantly, are the objections from the **NELC Lead Local Flood Officer** and quote

“The infiltration trench has been removed and the rainwater harvesting tank appears smaller and I assume the overflow is now into a boundary ditch. All these changes mean the surface water drainage system now has the potential to increase flood risk in the area so can the applicant supply the drainage calculations to show that this isn't the case.” - Requiring further information

and the objection from **NELC Trees and Woodlands Officer** and quote

“1) Given the fact that this proposal is at present a salient into the open countryside, the existing hedges in the area are traditional mixed deciduous predominantly hawthorn, the proposal to use Laurel is out of keeping with the area.

2) the original landscape plan proposed the boundary hedges to be improved and these to be a feature of the site. The proposal to use close boarded fencing would indicate that there is little intension to improve or maintain the boundary hedges. I consider this to be detrimental to the character of the area. Whilst this may have been acceptable in the past it is acceptable now.

3) the whole tone of the amended landscape plan is that of an urban development. However, at present the development is in open countryside and I feel this fact should be respected.

4) **I am unable to support the present proposal.** my position is in keeping with past comments.”

This application was withdrawn, however the increases to Building sizes and heights, the change to the Drainage strategy and change to outfall location over third-party land, the reduction in storage capacity of rainwater harvesting tank and the Landscaping hedge removal have all taken place and are contrary to the current Planning permission. All of these objections are therefore still valid and requires Enforcement or should be carried over to the revised applications

At this point the applicant and agent have decided to split the variations into plot-by-plot application therefore via the planning process asking the same consultee the same question three times but as the Application descriptions do not relate to items such Landscaping and Drainage the consultee replies are as such

“I have no objection to the proposed changes as set out in the description.” and “No drainage comments”

## **Second Variation Application submitted October 2021**

**DM/0964/21/FUL** 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  
*post construction application Plot 4 and 5- Pending*

Objections from: -

14 Cherry Close – Size of Building – Light Pollution – Landscaping and Drainage all still being raised as garden is now sodden

15 Cherry Close – Size of Building – Lighting – Landscaping removal of hedges and Drainage all still being raised as garden is now sodden

Again, more importantly an objection from **Humberston Village Council**

The Village Council feels that the planning boundaries on this site are being exceeded and **would ask that no further variations are granted** on this site until a full and detailed **inspection of works carried out is undertaken by the Planning Enforcement Team.**

This application is still pending but now has two other variation application for plot 3 and 1 running alongside it. All 3 applications pending

## **Third Variation Application submitted also in October 2021**

**DM/1042/21/FUL** 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.  
*post construction application Plot 3 – Pending*

## **Fourth Variation Application submitted also in October 2021**

**DM/1195/21/FUL** 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  
*post construction application Plot 1 - Pending*

## **Important Fact**

**None** of the descriptions of these three later and current variations application refer to a change in the Drainage Strategy from that approved in the original permission DM/0036/19/FUL. All three applications have a list of documents revised or amended drawings



The original Planning Permission DM/0036/19/FUL specifically stated in

*Condition 3- The development **shall be built out in full accordance** with the submitted **surface water drainage details** as detailed on plan ref: **18-511-102**. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).*

There are two file notes on the original permissions application from the LLFA stating

"A fully sustainable surface water drainage system is required. There must be no raising of ground levels. Any ditches on or bounding the site should be cleaned out."

followed by

"The surface water drainage strategy has been agreed with the applicant who has also confirmed that he will clean out the boundary ditches around the site and on each side of the existing access road."

The construction of the onsite drainage does not follow the approved Drawing 18-511-102 seen below.



Even though the applicant clearly knew his responsibility and had agreed to them, and as he reminded the planning committee that he has been in the construction industry for over 30 years is a blatant disregard to the permission.

More concerning however, a new Drainage Strategy Document and drawing have been provided with this fourth application with drawing 18-511-102 Rev A and a Surface Water Drainage Design Document produced by EWE Associates Limited



We feel this drawing has been submitted “quietly” with no reference to it in the Agents proposed description, submitted in order to obtain an “approved” strategy without the thorough detailed analysis by the NELC Drainage engineers, LLFA or the general public

### Inaccuracy of the Surface Water Drainage Design Document



Only one culvert that historically existed on this drawing that is the one to the north east behind the properties of Iona Drive to the North East. The flows of the ditches along the access road were to the west towards the Church Lane entrance and not towards the east as shown.

No culvert existed across the site access road as shown on the extract above, this is completely new and we believe the south side of access road has also been culverted or filled in

The current proposals have reduced the water storage capacity of the surface water system the and are draining to a newly created sump (soak away) located offsite at the end of the newly formed road culvert and is discharging illegally on to Third party land.

CDC Drawing  
18-511-102 Rev A



Surface Water Drainage Design  
Document by EWE Associates Limited



The two drawings submitted in relation to drainage conflict as to where the location outfall actually finishes, we believe the CDC drawing 102 rev A the outfall is shown incorrect (shown on the above left), whilst the Surface Water Drainage Design Document (on the right) produced by EWE Associates Limited doesn't not show any connections to the houses and shows with larger hard standing areas

We understand that the ditch to the western boundary was never connected to the adjoining land to the North, as this would have prevented vehicular field access that the applicant enjoys. Is now connected by a culverted pipe, as it is a larger diameter than 150mm Dia. as shown on EWE's Surface Water Drainage Design Document. Why such a large Pipe if it is not a culvert taking larger flows.

Significantly this western ditch at the side of plot 1 is taking the overflow outfall from the rainwater harvesting. We are unclear if the rainwater harvesting tank is taking Rainwater from just the Driveway of Plot 1 or from the house and building of Plot 1 as well. This outfall also does not appear to have any restriction to its outfall as no details have been provided contrary to the pre-occupation condition 12 so this outfall seems un restricted from plot 1

Our fears that the road culvert has be installed, because it looks like the southern ditch of the access road appears to have been filled in, becoming a service trench to the development. So, the western ditch has nowhere to outfall and hence the culvert.

In relation to the Construction Management Plan there is evidence of burning waste on/off site with photographs reference by 14 Cherry Close in his objection to the First variation Application



*Video taken of fire in August 2020, shows the Southern Hedge row had already been removed.*

and you can clearly see the amount of trespass that has occurred from the latest Google map view, with vehicle tracks over the field and a clear route to Plot 3



<https://www.google.co.uk/maps/@53.5295736,-0.0164459,235m/data=!3m1!1e3?hl=en-GB>

There may also be some trespass or land grabbing to the boundary of the whole site



## **Conclusion**

In conclusion, the Approved Planning Permission that these Variations application relate to DM/0036/19/FUL are in breach of: -

Condition 6 Material doors windows and 12 Water recycling, both have not been applied for

Condition 3 Surface water drainage, 4 CMP, 8 Landscaping, are all Noncompliant with the approved drawings.

Together with the current application to Variations of Condition 2 on Plot 1 seeming to be attempting to get a revised drainage strategy passed, under handedly. Then we respectfully request the Local Planning authority should reject all the current variation applications and enforce the current planning permission, relating to all drainage and landscaping through the legal powers of the Town and Country Planning Act 1990

As the applicant has willfully shown scant regard to any of the planning requirements or personal agreements he has made, we find his actions disrespectful of the planning system and the Local Council.

When these matters have been achieved satisfactory as per the approved drawings of the original permission then the applicant could make a variation to the material changes, he has made to the size and heights of the buildings themselves.

Kind Regards

**Steven Ibbotson**

BA(Hons) DipArch RIBA  
Architect



Cyden Homes Limited (Head Office)  
Unit 1 Laceby Business Park  
Grimsby Road  
Laceby  
Grimsby  
DN37 7DP

Tel: 01472 278002  
Website: [www.cydenhomes.co.uk](http://www.cydenhomes.co.uk)

Regd. in England 733540



## **Mr White Planning application on Land at Church Lane Humberston**

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire and also DM/0924/21/FUL and DM/1042/21/FUL which have had the note fencing - amended Drainage information added to the Description

Whilst we welcome the true description of the Variation has now been applied for, we still have major concerns that drainage strategy is flawed and is discharging water over Third party land which should not be allowed.

The EWE Drainage Report resubmitted as amended (23 Sept 2022) is identical to the original submitted 03 Mar 2022 so there has been no amendment to the revised drainage. The report clearly shows "existing" drainage routes which are clearly an incorrect representation of what is on the ground in 2022. The Plan shows open ditches running down each side of the access road. Your Drainage officer has commented *"the western section has been piped/filled without consent"*, which at first causes concerns and that this "ditch" now culvert also serves as the service strip for the 5 properties.

The EWE Drainage Report also states there is an open ditch running through the field to the north (the land that Cyden Homes Ltd have a planning application running on since July 2019). This "open ditch" does not actually exist on the ground and believe it hasn't been there for decades. How can a modern development drainage strategy hinge its whole drainage strategy on something that is historic, if even it ever existed.

Any Planning Application submitted is required to have a positive foul and surface water connection point no matter how big or small the development. With the (known) absence of the "open ditch" there is no positive connection from the site to the existing culvert to the north east as per the details. Therefore, the Drainage Strategy cannot be adopted as it will discharge water onto open third party land and therefore trust the application is refused on these grounds alone.

We would also like to ask in the absence of any detail where does the back wash from Plot 1 swimming pool go as there does not seem to be a storage tank to hold the chlorinated water.

Our original elements of objection still also apply as per below..



## Mr White Planning application on Land at Church Lane Humberston - Original objection 24 March 2022

We refer to the current Variation of Condition Application ref. DM/1195/21/FUL titled as:- 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. Land At Church Lane Humberston North East Lincolnshire

This application was submitted in January 2019 and passed in April 2019. We wish to object to this application as Cyden Homes have an interest in the land adjacent to the North with a current planning application for residential development off Midfield Road.

The original Permission ref DM/0036/19/FUL, we believe according to the NELC Planning Portal has Discharged Conditions 7 and 9 (pre-commencement conditions) DM/0345/19/CND (approval December 2019).

However, we believe that there still are outstanding conditions on the Original Permission that have yet to be approved or complied with, these are: -

### Conditions Requiring Approval

Condition 6 - **Prior to their installation on site**, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Reason To protect the character and appearance of the area in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Condition 12 - **Prior to occupation of any dwelling**, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be implemented and adhered to at all times following first occupation.

### Conditions Requiring compliance

Condition 3- The development **shall be built out in full accordance** with the submitted surface water drainage details as detailed on plan ref: 18-511-102. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). Not built in accordance with the Plan

Condition 4 - The development **shall be built out in strict accordance** with the submitted Construction Management Plan ref: 18-511-CMP. Reason To protect the amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). Site burning and Trespass - see later commentary

Condition 8 - The scheme of landscaping and tree planting shown on drawing no. 18-511-101 and the Planting and Bio-diversity Statement Rev A **shall be completed within a period** of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during. Not built in accordance with the Plan

We believe some of the dwellings are now occupied therefore there is currently a breach of the Planning Permission on the five conditions listed above.

We all note that this is the Fourth variation application following the original discharge of Condition 7 & 9. Due to so many variations application of the same planning permission we feel has slightly confused the planning process and these multiple applications are trying to mask and hide the objections raised by your consultees and neighbours and wish to draw your attention all of to these objections made in relation to the single Approved Planning Permission DM/0036/19/FUL, in order of application.

#### **First Variation Application submitted December 2020**

This has the majority of the main principles of objections which should be considered by the planning authority as still relevant as they are items that are currently built and contrary to the approved Drawings.

**DM/0905/20/FUL** - Variation application of condition 2 (Approved Plans) as granted on DM/0036/19/FUL (Erect 5 detached dwellings with detached double garages to include landscaping and access) **to amend boundary treatment and hedge planting, location of rainwater harvesting tank**, garage types and amendments to the house types of plots 1, 2, 3, 4 and 5 (Amended Certificates) post construction application - Withdrawn August 2021

There are objections from:-

2 Andrew Road – Landscaping - removal of hedgerows and change of scheme to domestic fences

14 Cherry Close – Drainage - an offsite Sump built on third party land was constructed to collect site drainage with large drainage pipe under the drive connecting site overflow drainage to the sump (a soak away) – Landscaping – removal of hedgerow in Third party ownership and on boundaries

15 Cherry Close – Drainage - approved drainage has not been installed and water from the site drainage is now filling a “Dry” ditch (13 years prior to development)- noncompliance with approved drawings in relation to the driveway lighting conditioned in item 7 of the approval – increases to Building size and heights

Land owner of adjoining property – Drainage – Right over Land and trespass – increases to Building size and heights – Landscaping

Cyden Homes Ltd – increases to Building sizes and heights – Drainage strategy change to outfall location over third-party land reduction in storage capacity of rainwater harvesting – Landscaping

These objections can be read in full on the NELC Planning Portal *ref DM/0905/20/FUL*. However more importantly, are the objections from the **NELC Lead Local Flood Officer** and quote

"The infiltration trench has been removed and the rainwater harvesting tank appears smaller and I assume the overflow is now into a boundary ditch. All these changes mean the surface water drainage system now has the potential to increase flood risk in the area so can the applicant supply the drainage calculations to show that this isn't the case." - Requiring further information

and the objection from **NELC Trees and Woodlands Officer** and quote

"1) Given the fact that this proposal is at present a salient into the open countryside, the existing hedges in the area are traditional mixed deciduous predominantly hawthorn, the proposal to use Laurel is out of keeping with the area.

2) the original landscape plan proposed the boundary hedges to be improved and these to be a feature of the site. The proposal to use close boarded fencing would indicate that there is little intension to improve or maintain the boundary hedges. I consider this to be detrimental to the character of the area. Whilst this may have been acceptable in the past it is acceptable now.

3) the whole tone of the amended landscape plan is that of an urban development. However, at present the development is in open countryside and I feel this fact should be respected.

4) **I am unable to support the present proposal.** my position is in keeping with past comments."

This application was withdrawn, however the increases to Building sizes and heights, the change to the Drainage strategy and change to outfall location over third-party land, the reduction in storage capacity of rainwater harvesting tank and the Landscaping hedge removal have all taken place and are contrary to the current Planning permission. All of these objections are therefore still valid and requires Enforcement or should be carried over to the revised applications

At this point the applicant and agent have decided to split the variations into plot-by-plot application therefore via the planning process asking the same consultee the same question three times but as the Application descriptions do not relate to items such Landscaping and Drainage the consultee replies are as such

"I have no objection to the proposed changes as set out in the description." and "No drainage comments"



## **Second Variation Application submitted October 2021**

**DM/0964/21/FUL** 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 post construction application Plot 4 and 5- **Pending**

Objections from: -

14 Cherry Close – Size of Building – Light Pollution – Landscaping and Drainage all still being raised as garden is now sodden

15 Cherry Close – Size of Building – Lighting – Landscaping removal of hedges and Drainage all still being raised as garden is now sodden

Again, more importantly an objection from **Humberston Village Council**

The Village Council feels that the planning boundaries on this site are being exceeded and **would ask that no further variations are granted** on this site until a full and detailed **inspection of works carried out is undertaken by the Planning Enforcement Team.**

This application is still pending but now has two other variation application for plot 3 and 1 running alongside it. All 3 applications pending

## **Third Variation Application submitted also in October 2021**

**DM/1042/21/FUL** 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.  
post construction application Plot 3 – **Pending**

## **Fourth Variation Application submitted also in October 2021**

**DM/1195/21/FUL** 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  
post construction application Plot 1 - **Pending**

## **Important Fact**

**None** of the descriptions of these three later and current variations application refer to a change in the Drainage Strategy from that approved in the original permission DM/0036/19/FUL. All three applications have a list of documents revised or amended drawings

The original Planning Permission DM/0036/19/FUL specifically stated in

*Condition 3- The development **shall be built out in full accordance** with the submitted **surface water drainage details** as detailed on plan ref: **18-511-102**. Reason To reduce the risk of flooding in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).*

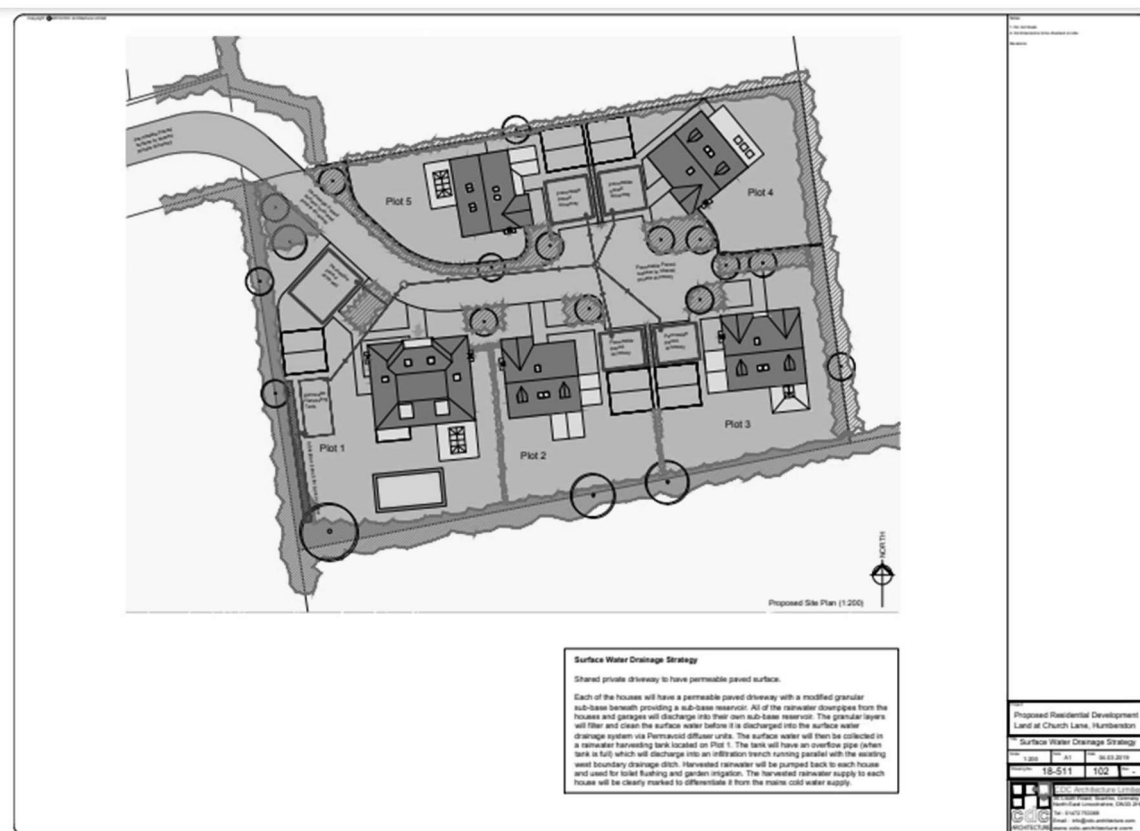
There are two file notes on the original permissions application from the LLFA stating

“A fully sustainable surface water drainage system is required. There must be no raising of ground levels. Any ditches on or bounding the site should be cleaned out.”

followed by

“The surface water drainage strategy has been agreed with the applicant who has also confirmed that he will clean out the boundary ditches around the site and on each side of the existing access road.”

The construction of the onsite drainage does not follow the approved Drawing 18-511-102 seen below.



Even though the applicant clearly knew his responsibility and had agreed to them, and as he reminded the planning committee that he has been in the construction industry for over 30 years is a blatant disregard to the permission.

More concerning however, a new Drainage Strategy Document and drawing have been provided with this fourth application with drawing 18-511-102 Rev A and a Surface Water Drainage Design Document produced by EWE Associates Limited

We feel this drawing has been submitted "quietly" with no reference to it in the Agents proposed description, submitted in order to obtain an "approved" strategy without the thorough detailed analysis by the NELC Drainage engineers, LLFA or the general public

Inaccuracy of the Surface Water Drainage Design Document

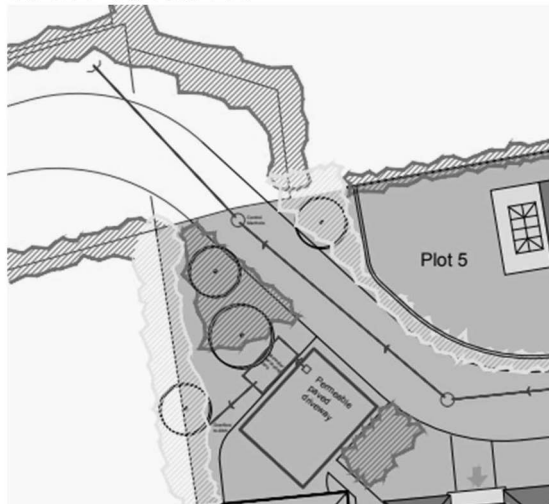


Only one culvert that historically existed on this drawing that is the one to the north east behind the properties of Iona Drive to the North East. The flows of the ditches along the access road were to the west towards the Church Lane entrance and not towards the east as shown.

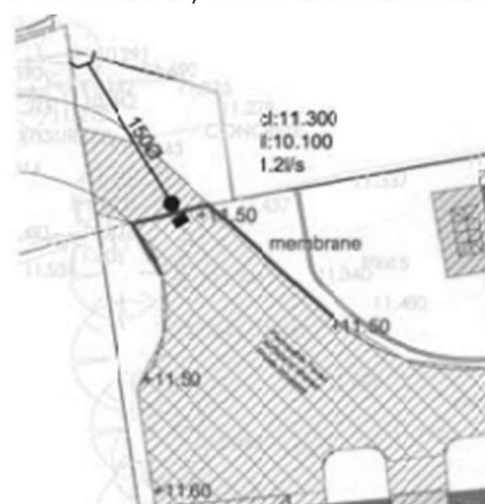
No culvert existed across the site access road as shown on the extract above, this is completely new and we believe the south side of access road has also been culverted or filled in

The current proposals have reduced the water storage capacity of the surface water system the and are draining to a newly created sump (soak away) located offsite at the end of the newly formed road culvert and is discharging illegally on to Third party land.

CDC Drawing  
18-511-102 Rev A



Surface Water Drainage Design  
Document by EWE Associates Limited



The two drawings submitted in relation to drainage conflict as to where the location outfall actually finishes, we believe the CDC drawing 102 rev A the outfall is shown incorrect (shown on the above left), whilst the Surface Water Drainage Design Document (on the right) produced by EWE Associates Limited doesn't not show any connections to the houses and shows with larger hard standing areas

We understand that the ditch to the western boundary was never connected to the adjoining land to the North, as this would have prevented vehicular field access that the applicant enjoys. Is now connected by a culverted pipe, as it is a larger diameter than 150mm Dia. as shown on EWE's Surface Water Drainage Design Document. Why such a large Pipe if it is not a culvert taking larger flows.

Significantly this western ditch at the side of plot 1 is taking the overflow outfall from the rainwater harvesting. We are unclear if the rainwater harvesting tank is taking Rainwater from just the Driveway of Plot 1 or from the house and building of Plot 1 as well. This outfall also does not appear to have any restriction to its outfall as no details have been provided contrary to the pre-occupation condition 12 so this outfall seems un restricted from plot 1

Our fears that the road culvert has be installed, because it looks like the southern ditch of the access road appears to have been filled in, becoming a service trench to the development. So, the western ditch has nowhere to outfall and hence the culvert.

In relation to the Construction Management Plan there is evidence of burning waste on/off site with photographs reference by 14 Cherry Close in his objection to the First variation Application



*Video taken of fire in August 2020, shows the Southern Hedge row had already been removed.*

and you can clearly see the amount of trespass that has occurred from the latest Google map view, with vehicle tracks over the field and a clear route to Plot 3



<https://www.google.co.uk/maps/@53.5295736,-0.0164459,235m/data=!3m1!1e3?hl=en-GB>

There may also be some trespass or land grabbing to the boundary of the whole site

## **Conclusion**

In conclusion, the Approved Planning Permission that these Variations application relate to DM/0036/19/FUL are in breach of: -

Condition 6 Material doors windows and 12 Water recycling, both have not been applied for

Condition 3 Surface water drainage, 4 CMP, 8 Landscaping, are all Noncompliant with the approved drawings.

Together with the current application to Variations of Condition 2 on Plot 1 seeming to be attempting to get a revised drainage strategy passed, ~~under handedly~~ now applied for.

Any Planning Application submitted is required to have a positive foul and surface water connection point no matter how big or small the development. With the (known) absence of the "open ditch" there is no positive connection from the site to the existing culvert to the north east as per the details. Therefore, the Drainage Strategy cannot be adopted as it will discharge water onto open third-party land and therefore trust the application is refused on these grounds alone.

Therefore, we respectfully request the Local Planning authority should reject all the current variation applications and enforce the current planning permission, relating to all drainage and landscaping through the legal powers of the Town and Country Planning Act 1990

As the applicant has willfully shown scant regard to any of the planning requirements or personal agreements he has made, we find his actions disrespectful of the planning system and the Local Council.

When these matters have been achieved satisfactory as per the approved drawings of the original permission then the applicant could make a variation to the material changes, he has made to the size and heights of the buildings themselves.

Kind Regards



Cyden Homes Limited (Head Office)  
Unit 1 Laceby Business Park  
Grimsby Road  
Laceby  
Grimsby  
DN37 7DP

Tel: 01472 278002  
Website: [www.cydenhomes.co.uk](http://www.cydenhomes.co.uk)

Regd. in England 733540

Item 5 - 18  
Stallingborough  
Road Healing  
DM/0707/22/FULA



North East Lincolnshire Development  
Management Services  
New Oxford House  
2 George Street  
Grimsby  
North East Lincolnshire  
DN31 1HB



Working in Partnership

Telephone: 01472 326289 – Option 1

## **REQUEST FOR APPLICATIONS TO BE HEARD AT PLANNING COMMITTEE**

**Ward Member Reply Slip for Applications to be reported to the Planning Committee**

Application Number	Reason for Referring to Planning Committee
DM /0707/22/FULA	HEALING PARISH COUNCIL DISCUSSED THIS APP AT THEIR MEETING ON 11TH OCTOBER 2022, BUT FAILED TO DETERMINE A DEFINITE CONCLUSION. THEY REQUESTED THAT WARD COUNCILLORS ASK FOR A COMMITTEE DECISION. PLEASE ARRANGE.

### **Contact Details**

Signature .....

..... Date 13/10/2022 .....

Name DAVID HASTHORPE

Address: 12 LINDSEY DRIVE, HEALING, DN41 7NU



# Healing Parish Council

1 Beach View Court, Norfolk Lane, Cleethorpes DN35 8BT  
Email 'healingparishcouncil@outlook.com'  
Tel – 07494 577661

12<sup>th</sup> October 2022

Planning Dept. NELC  
BY EMAIL

Dear Sirs,

The following application was discussed at a meeting of Healing Parish Council held on Tuesday 11<sup>th</sup> October 2022 – the comments and observations from the Parish Council are shown as follows:

**Planning Application Reference: DM/0707/22/FULA**

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

**Location: 18 Stallingborough Road Healing**

*The Parish Council heard representations on this application from both the agent in support and a resident in objection. The PC does note that there are letters in support of the application also.*

*The Parish Council would defer to the judgement of the Planning Committee on this application and would ask that this application be called in to be decided by the Planning Committee please.*

Yours faithfully,



Mrs. Kathy Peers  
Clerk – Healing Parish Council

# Comments for Planning Application DM/0707/22/FULA

## Application Summary

Application Number: DM/0707/22/FULA

Address: 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

Case Officer: Becca Soulsby

## Customer Details

Name: Mr Stephen Wood

Address: 16 Stallingborough Road Healing

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Objection to the proposed development at 18 Stallingborough Road, Healing.

We are objecting to the proposed development on the following grounds:

1. The direct negative impact on ourselves which could easily be avoided
2. The massing, overbearing and oppressive nature of the proposed structure
3. The overshadowing that would be caused by the proposed structure which would significantly reduce our access to natural light
4. The lack of considerate design
5. The availability of alternative design solutions that would mitigate the negative impact
6. The proposed structure is not in keeping with existing property lines or the design of the main property
7. The availability of alternative locations within the boundaries of the property which would mitigate the negative impact

The existing and proposed structures directly border our property and therefore any demolition and construction activities will have a direct impact on us, as will the final structure and its usage.

The existing structure is approximately 2.1m high and blends in with the height of the party boundaries between our properties. The proposed structure is approximately 5.8m high at the highest point (as verbally advised by the planning officer on 24/08/2022). The highest point is directly adjacent to our property line and is almost three times the height of the existing structure, resulting in a significant change to the visible appearance of the structure.

We consider the height increase and scale of the proposed structure to be unnecessary,

unacceptable, overbearing and oppressive as the structure will have a significant physical presence and mass as a result of the design and location of the structure, and cause significant overshadowing of our property, patio and greenhouse.

The properties on this stretch of Stallingborough Road are north facing meaning that the rear of the property receives the majority of their daylight during the early morning and late afternoon / evening. The position and scale of the proposed structure would significantly impact our exposure to sun light during the late afternoon and evening, as a result of the significant overshadowing. This overshadowing would add to the existing overshadowing caused by the extremely large conifer in the garden of 18 Stallingborough Road, which is situated at the rear of the proposed structure.

The overshadowing would also impact our family room by blocking out visibility of the sky from the seating area and significantly limiting access to direct light to the window adjacent to the seating area.

The proposed height increase looks to be as a result of the desire for additional storage space. This additional storage space, if required, could be obtained by increasing the footprint of the proposed structure and using a flat roof structure to avoid the height increase, as per the design of the existing structure. The property benefits from significant gardens and an increase in footprint, or even a separate large garden shed, could easily be accommodated to provide the additional storage.

Furthermore, the proposed pitched roof design is not in keeping with the existing property lines or the design of the main property roof at 18 Stallingborough Road. The roof pitch on the proposed structure is significantly greater than the pitch of the house roof, resulting in a disproportionately high apex (5.8m).

Alternatively, other potential locations could be considered which would significantly mitigate the impact on others. For example, the south east portion of the front garden would provide ample space, well away from any boundary with other properties, and with direct access from the existing driveway.

Surface water drainage has been an issue in the past and we would request that this is considered in the build of any structure.

We have simulated the height of the proposed structure and taken photographs to demonstrate the overshadowing impact that this structure would have. We can provide these if required.

If the decision on this application goes to the planning committee, we would welcome the opportunity to directly present our objections.

Kind regards, Stephen and Cheryl Wood  
16 Stallingborough Road, Healing.

# Comments for Planning Application DM/0707/22/FULA

## Application Summary

Application Number: DM/0707/22/FULA

Address: 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

Case Officer: Becca Soulsby

## Customer Details

Name: Mr Gary Fursman

Address: 5 Stallingborough Road Healing Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I support this application

# Comments for Planning Application DM/0707/22/FULA

## Application Summary

Application Number: DM/0707/22/FULA

Address: 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

Case Officer: Becca Soulsby

## Customer Details

Name: ann-marie bullas

Address: 7 stallingborough road healing grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: No objections to the demolish and building of new garage  
With better roof and more storage

# Comments for Planning Application DM/0707/22/FULA

## Application Summary

Application Number: DM/0707/22/FULA

Address: 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

Case Officer: Becca Soulsby

## Customer Details

Name: Mr David Warrilow

Address: Tudor Garth, 18a Stallingborough Road Healing Grimsby

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We have no objections to this application and think it will elevate the overall look of the property.

Item 6 - 18

Humberston Avenue

Humberston

DM/0627/22/FUL





# Humberston Village Council

---

Clerk to the Council – Mrs. K. Peers

[Tel:- 07494 577661](tel:07494577661)

Email:- [clerk@humberstonvillagecouncil.com](mailto:clerk@humberstonvillagecouncil.com)

Planning, North East Lincs Council

3<sup>rd</sup> August 2022

Dear Sirs,

The following planning applications were discussed at the meeting of Humberston Village Council held on Tuesday 2<sup>nd</sup> August 2022 and the comments below each application listed are the comments resolved to be submitted as follows:

**Planning Application Reference: DM/0627/22/FUL**

**Proposal: Demolish existing dwelling and erect 3 detached dwellings with garages and associated works**

**Location: 18 Humberston Avenue Humberston**

*Objections – the Village Council feels that the proposed number of dwellings would result in an over-intensification of the plot which would have a detrimental effect on the overall character of this area of Humberston Avenue and also on neighbouring properties.*

*Although there is an existing dwelling on site, by demolishing one dwelling and replacing with three this would constitute infill development and the Village Council has a clear policy of being against infill development along Humberston Avenue and has previously asked the local planning authority to note this policy.*

*KJ Peers*

**Mrs. K. Peers – Clerk to the Council  
Humberston Village Council**



# Humberston Village Council

---

Clerk to the Council – Mrs. K. Peers

[Tel:- 07494 577661](tel:07494577661)

Email:- [clerk@humberstonvillagecouncil.com](mailto:clerk@humberstonvillagecouncil.com)

Planning, North East Lincs Council

5<sup>th</sup> October 2022

Dear Sirs,

The following planning applications were discussed at the meeting of Humberston Village Council held on Tuesday 4<sup>th</sup> October 2022 and the comments below each application listed are the comments resolved to be submitted as follows:

**Planning Application Reference: DM/0627/22/FUL**

**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)**

**Location: 18 Humberston Avenue Humberston**

*Objections – the Village Council has an adopted policy objecting to any further infill development along Humberston Avenue and would reiterate its objections to this application based on that policy. The Village Council believes the overall character and appearance of the area is changing due to constant infill development which is detrimental to both the nature of this area and upon the inadequate infrastructure within the Village.*

Yours faithfully,

*KJ Peers*

**Mrs. K. Peers – Clerk to the Council  
Humberston Village Council**

# Comments for Planning Application DM/0627/22/FUL

## Application Summary

Application Number: DM/0627/22/FUL

Address: 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)

Case Officer: Bethany Loring

## Customer Details

Name: Mr John Middleton

Address: 7 Canon Oakes Court Humberston

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: DM/0627/22/FUL

I object to the proposed plans to demolish the existing 18 Humberston Avenue dwelling and erect 2 houses for the following reasons:

The information submitted for review and comment is still, despite my comments from 11-08-2022, are still inaccurate, contradictory and misleading; and there are some new aspects which need to be considered, as follows.

ISSUE 01:

The proposed location for the two new properties has a bunker which was part of the Grimsby decoy defences coded GR1 and is of historical significance and may have a degree of protection; because it played an important part in protecting Grimsby and its docks during WW" from German bombing.

I am surprised that the comments from the Heritage Officer have not made reference to this bunker ie decoy lighting defence, in her comments; since there are many in this area TA331061 to TA340048 and the proposed development would appear to require this bunkers removal.

At present the developer has covered the bunker with waste and rubbish.

ISSUE 02:

The original boundary was a 3 foot high wooden fence, but this has been removed and replaced with a fence with a height of 2512mm, which is higher than my garage walls.

This drawing has now been changed to show the comment "Extg. Boundary fences replaced with 2.4m high close boarded fence".

This fence was measured at 2.512 metres high; and in places it is higher than 2.512 metres.

I object to the height of this fence because it over shadows my property; the view of large metal fence posts is more suitable for an industrial estate than a residential area, and it is higher than

the normal 2 metres. It also looks unsightly from Humberston Avenue since it comes all the way up to the footway.

#### ISSUE: 03

On 06-08-2022 the developer erected a large sign on the main road detailing "Bungalow Demolition Contents and Materials For Sale 07306658988".

Does this sign require council approval because it cannot be considered temporary when it has been up over two months and still remains a distraction to car drivers

#### ISSUE 04:

A new road has been laid at the property and the ground level was lowered and covered with a non-permeable surface.

The original garden from the south back fence to the existing dwelling was flooded in 2007.

The house was pumped out by the fire brigade and the garden was submerged for approximately one month. Based on these observations the existing development and the proposed new houses are in a high flood risk area.

Lowering the ground level and laying a non-permeable surfaces greatly increases the risk of water accumulation and flooding of neighbouring properties and these all buildings in this development. The Design and Access Statement Drainage section details that the "porous road construction for the surface water"; which is difficult to envisage that a membrane laid between two layers of hardcore and then covered in tarmac can be considered porous.

#### ISSUE 05:

The Flood Risk created by this development to the local residents as well as the houses proposed, should be evaluated by a flood risk assessment.

It is well known by the local residents that both the existing house and garden area were flooded in 2007; and remained flooded in the garden area for many weeks.

#### ISSUE 06:

The comments from Anglian Water do not address the issue regarding overloading the existing problematic sewage system.

Based on discussions with local residents Anglian Water appear to be clearing the sewage system on a regular basis in both Scouts Lane and Canon Oakes Court; plus the residents in Canon Oakes are often having to have the sewage system cleaned; presumably because of all the new local developments creating a significant increase in load on the sewage system.

These proposed developments should be fitted with cesspits to prevent any further overloading of the sewage system.

#### ISSUE 07:

The Design and Access Statement conclusion states that "which will not cause any overlooking or loss of privacy" this is inaccurate and misleading.

These new houses will cause an increased loss of privacy.

#### ISSUE: 08

As previous comments and safety concerns.

#### SUMMARY:

It is clear, based on various drawing reviews, what the developer has built is different to what was approved in the original drawings.

This is clearly of great concern because it would be everyone's expectations that what is agreed, will be what is built

# Comments for Planning Application DM/0627/22/FUL

## Application Summary

Application Number: DM/0627/22/FUL

Address: 18 Humberston Avenue Humberston North East Lincolnshire DN36 4SJ

Proposal: Demolish existing dwelling and erect 3 detached dwellings with garages and associated works

Case Officer: Bethany Loring

## Customer Details

Name: Mr JOHN MIDDLETON

Address: 7 CANON OAKES COURT HUMBERSTON

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposed plans to demolish the existing 18 Humberston Avenue dwelling and erect 3 houses for the following reasons:

The information which has been supplied is inaccurate, contradictory and misleading, as follows.

In the first part of this development, plans were submitted and approved by the council, despite legitimate residents' concerns; but the developer then did something different to what was approved, without any apparent scrutiny by the council to ensure compliance with the approved plans.

Because there has been no compliance with aspects of the original approved drawings and their requirements, reusing this original drawing means that the requirements submitted with this new application are inaccurate and misleading.

ISSUE 01:

The original approvals were based on drawing RD:4011-04E and this proposal has used the same main drawing but given a revised number RD:4011-32.

The planning drawing details that the "Extg. boundary fences retained".

The original boundary was a 3 foot high wooden fence, but this has been removed and replaced with a fence with a height of 2512mm, which is higher than my garage walls.

The new fence does not follow the original boundary line.

There was no consultation or approval for this change in planning application and the erection of such a high fence using industrial steel posts is unsightly and out of character with the area.

ISSUE: 02

It appears the developer has already received council approval for this demolition because on 06-08-2022, they erected a large sign on the main road detailing "Bungalow Demolition Contents and Materials For Sale 07306658988".

This large sign was erected without any consultation or notice in the local newspapers; and is a distraction for car drivers.

#### ISSUE 03:

A new road has been laid at the property and the ground level was lowered and covered with a non-permeable surface.

The original garden from the south back fence to the existing dwelling was flooded in 2007.

The house was pumped out by the fire brigade and the garden was submerged for approximately one month. Based on these observations the existing development and the proposed new houses are in a high flood risk area.

Lowering the ground level and laying a non-permeable surfaces greatly increases the risk of water accumulation and flooding of neighbouring properties and these all buildings in this development.

The Design and Access Statement Drainage section details that the "porous road construction for the surface water"; which is difficult to envisage that a membrane laid between two layers of hardcore and then covered in tarmac can be considered porous.

#### ISSUE 04:

The Flood Risk section of the Design and Access Statement shows the "Selected Location" with a red marker; the marker is in the wrong location, relevant to this proposal.

When the marker is corrected the Environmental Agency details "You may need to carry out a flood risk assessment".

One of the criteria detailed, why there needs to be a flood risk assessment is the 4th criteria "at risk from other sources of flooding (such as surface water or reservoirs) and its development would increase the vulnerability of its use (such as constructing an office on an undeveloped site or converting a shop to a dwelling)".

The fire brigade can validate the flooding at this property from the 2007 flooding call out at 23:55.

I spoke with the fire team at the time and asked them to pump out the residential home flooded car park, but they considered the flooding inside 18 Humberston Avenue bungalow a greater importance.

#### ISSUE 05:

The drawing RD:4011-32 submitted with this consultation shows the proposed road layout, but this is different to what has been built.

#### ISSUE 06:

The addition of more new houses to this area will greatly increase the load on the existing problematic sewage system. This is probably the reason the houses in Scouts Lane have cesspits to prevent overloading the sewage system and this system should be evaluated for this application.

#### ISSUE 07:

The Design and Access Statement conclusion states that "which will not cause any overlooking or loss of privacy" this is inaccurate and misleading.

These new houses will cause an increased loss of privacy. The existing new house, despite our objections, has resulted in a complete loss of privacy in a bed room and other rooms. Adding new houses will make this problem much worse.

#### ISSUE 08:

The proposal for the demolition of the existing property does not include a "Method Statement" for the safe demolition of this building.

When the original fence was removed, it was burnt in a very large fire at the front of the property. This fire created very large volumes of smoke. Because the fencing was old, it is highly likely it was covered in many layers of creosote making this fencing potentially hazardous wood waste. This would have required the disposal by an authorised disposal company; and not burnt next to residential housing and a mental health facility, with the potentially damage to resident's health and damage to the environment.

Due to the age of the building being considered for demolition, this building may contain asbestos; and this needs to be disposed of in a safe and controlled manner. The safe disconnection of gas, electricity, water etc. should also be included on any demolition Method Statement, to prevent any hazards to the neighbouring properties and a re occurrence of the gas leak when the 2512mm fencing was being installed.

#### SUMMARY:

It would be in the interests of all parties, including any future prospective house buyers, that accurate information is resubmitted, so that the true facts and intentions can be objectively evaluated and the correct decision achieved.