

ITEM 1- DM/0285/22/FUL

**Carol Pedersen (EQUANS)**

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**Subject:** FW: Local Plan - Torbay Drive application DM/0285/22/FUL

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**From:** MATHIAS, Jim (NAVIGO HEALTH AND SOCIAL CARE CIC)

**Sent:** 25 October 2022 09:54

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

**Subject:** Local Plan

You don't often get email from [redacted] [Learn why this is important](#)

Hello,

The Government state " The Local plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise" NELC local plan was established in 2108 and signed off by the relevant minister after 3 years of substantial local consultation.

Could you please advise as to how land which is not identified in the local Plan for housing development nor has any known material considerations can be then given planning support by the principle town planner before it is heard by the planning committee especially when there are significant local objections?

Thank you in advance

Regards

J mathias

DN33 3BL

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## Supplementary Agenda – Item 1

DM/0285/22/FUL – Torbay Drive

In response to Jim Mathias's email of 29<sup>th</sup> October (9.57am), it is confirmed that the site within the Parish of Waltham. The application site address is listed as being in Waltham accordingly. The Officer's report refers to the site being to the south west of Scartho. The site is inherently next to the boundary of Scartho, Grimsby and indeed would connect into Scartho, Grimsby through provision of its access.

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**Sent:** 29 October 2022 09:57

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

**Subject:** RE: Local Plan - Torbay Drive application DM/0285/22/FUL

You don't often get email from [REDACTED]

Thank you for the reply

It might be useful to pass on to Ms Jarvis that the site is within the boundary of Waltham Parish not Scartho and that Waltham Parish council have already stated in their refusal that they have met if not exceeded their allocation for development 2021/2022 so the view she has taken is both geographically wrong and spurious

Regards

J mathias

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**Carol Pedersen (EQUANS)**

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**Subject:** FW: DM/0964/21/FUL

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**From:** neal markham  
**Sent:** 25 October 2022 19:26  
**To:** Richard Limmer (EQUANS) <[Richard.Limmer@nelincs.gov.uk](mailto:Richard.Limmer@nelincs.gov.uk)>  
**Subject:** Re: DM/0964/21/FUL

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I was very disappointed to find out that a meeting was planned on 5 October to review the latest proposed variations, including the changes to the drainage plans, and that the approval of a restrictor was just a formality for sign off (I note installation of this has already started).

I have deep concerns of these new drainage plans which wholly rely on the water being able to flow into a ditch that has been dug by the developer on a 3rd parties land without their approval or knowledge (I will be providing videos to show this ditch being constructed).

Can you confirm that the additional water flow has taken into consideration when there every year there is always flooding in the field which extends into the garden of 7 Cherry Close and close to entering number 8, will the additional water flow affect the level and therefore risk these properties?

It brings into question the drainage report, as it clearly shows the water flowing away from number 7 & 8 in an easterly direction, but it is clear when you visit that the land goes uphill at that point and is therefore the reason why the field floods.

The drainage report seems to suggests that there has always been a culvert under the road, this is not the case, at that point on the road was a large concrete turn pad, but no culvert. It also shows that both ditches remain on the access lane to the development, however looking at the south ditch it appears to have been filled, if this is the case where does the water from the upper field flow?



The report also states that there will not be an increase in water, I don't understand, previously there was an empty field, if it rained, a significant amount of the water would be absorbed into the land, now the proposal is to collect the water from 5 large houses, 4 double garages, one quadruple garage, how can this be the same amount of water?

One other point I note from another Objection is the question of where Mr White drains his pool, I can answer that, he drains it through the culvert, I know this because Mr White told me he did this, and I was left with standing water which caused a rodent infestation on my property, the Pest Controller stated the rodents would only leave if the standing water was removed. How can we be assured that the pool is not drained through the culvert again? Will this be controlled by the restrictor as previously it was emptied prior to the collection tank and ditch so it's clear there are other water flows? Has consideration been given to the effects of emptying either chlorinated or salted water in the field.

There is however now another issue, as the 3rd party land owners have, returned their field to its original condition ie the ditch that was dug in their field has been filled in, this then presents another issue as the water which is passing through the culvert can only go into the ditch on the north side of the lane behind our properties will be restricted leaving the ditch, and there will be standing water in the ditch. This then exposes the houses downhill from this ditch, although its doubtful the level will ever breach the ditch and flow into the gardens or properties, it is reasonable to expect that outside of summer the ditch will have standing water, has considerations been given to any effects on the footings / gardens of these properties?

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Finally, I believe all the variation applications should be rejected, however in order to find a solution, why not ask Mr White to show some consideration to his neighbours and:

- Implement a water drainage solution that does not affect others.
- Remove the street lights and fit bollard lights.
- Take down the featheredge board fence and reinstate all of the traditional hedgerows he torn down.

That would be a sensible resolution, and we can all move on.

Mr N. MARKHAM  
14 Cherry Close

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**From:** Mick Redfern  
**Sent:** 23 October 2022 17:28  
**To:** Richard Limmer (EQUANS) <[Richard.Limmer@nelincs.gov.uk](mailto:Richard.Limmer@nelincs.gov.uk)>  
**Subject:** The Laurels

## The Laurels

I OBJECT to the approval of this development until all of the numerous outstanding issues have been rectified. It's easy to approve what's been built instead of enforcing what was approved.

The previous owner of this land Mr Reynolds tried on numerous occasions to develop this land. In January-2018 he applied for outline planning permission to build 5 'Farm Style dwellings' to blend in with the surrounding landscape (DM/0036/18/OUT). This was rejected by the planners, he appealed to the government planning inspectorate and approval was given to develop these 5 farm style buildings.

A statement from his application as follows- 'The ethos of the scheme is to facilitate an exemplar residential development emanating a farm complex which can be successfully assimilated into the edge of settlement location. This was the basis to approve this application.

Mr White purchased this land with the associated outline planning as above. He applied to develop the land (DM/0036/19/FUL), he followed none of the guide lines from the outline planning approval and proposed a totally different scheme. The planners recommended rejection of this proposal on the grounds that it didn't match the approved outline plan, for reason's no one can understand this development was approved.

Mr White proceeded to build the 5 dwellings but not to the approved plan all the dwellings are different sizes, roof lights have been added, the garages are much larger than the plan, the window styles have not been approved.

The water collection tank was removed and replaced with a swimming pool.

He added Victorian lamp posts instead of low level bollard lighting, these lights shine directly into our rear bedrooms. The tree officer insisted that to soften the development against the landscape, hedging should be installed, this was totally disregarded and he has installed close board fencing which looks very hard against the countryside.

The drainage system is a big concern to the neighbourhood Cherry Close has flooded at least 3 times and if he discharge's his water into the ditch against our properties this will make the situation worse. The ditch adjacent to the field has been filled in during the construction of the road, this would be a far better option to remove the water. His latest plan shows the water being discharged into ditches that don't exist on someone else's land.

Mr White has taken the view that he doesn't need to follow the approved plan and if he continues to add additional applications (listed below) he will eventually force the planners into submission and they will approve this development.

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I think there should be an independent inquiry into how this development could be so far away from the approved specification , and why , after 18 months enforcement haven't made Mr White comply with the approved plan. This makes a mockery of the whole planning system, if people don't need to comply and enforcement don't take action, what's the point?





**From:** Ralph Gilbert <[ralph.gilbert@rollits.com](mailto:ralph.gilbert@rollits.com)>

**Sent:** 26 October 2022 11:38

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

**Cc:** Andy Smith (EQUANS) <[Andy.Smith@Nelincs.gov.uk](mailto:Andy.Smith@Nelincs.gov.uk)>; Martin Ambler (EQUANS) <[Martin.Ambler@nelincs.gov.uk](mailto:Martin.Ambler@nelincs.gov.uk)>; Sophie Pickerden (NELC) <[Sophie.Pickerden@Nelincs.gov.uk](mailto:Sophie.Pickerden@Nelincs.gov.uk)>

**Subject:** FW: DM/1195/21/FUL - amendment application - land at Humberston

Dear Mr Limmer

Thanks for your e mail.

I note that the application(s) are due to go before committee on 3 November 2022. It is of concern that once again we are given a short period to respond when , clearly, the information we sought has been in your possession for some time.

We have already lodged our objection to the applications and any attempt to justify applications to amend based on a supposed drainage route from the application site over my client's land via watercourses to the west of its land and then travelling east over another supposed ditch. With respect the work undertaken by the Drainage Team has been scant in the extreme and conclusions drawn without evidence. Indeed Mr Smith's own evidence from 2010 and the site location survey ( both attached) shows watercourses either side of the access road ( and of water flowing east to west along the access road ditch) and not the ditches now being suggested as having been in existence for so many years. Why would Mr Smith have required the watercourses either side of the access road to be cleared if this was not relevant to drainage of the Application Site? As the Council is aware, it appears the Applicant changed the topography of my clients land, including erecting a ditch; we say to ensure that any flow travels onto my clients land, even though there is no right to do so. There was indeed a small pipe at the head of the access road but in so far as this took any flow from the application site, it was down the access road ditches and not otherwise.

More specifically:

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The reality here for members to consider very carefully is that there has been a failure to comply with planning permissions granted, and this appears to be excused / justified on the basis of an alleged drainage route which is unsupported by and contrary to evidence.

Finally and to remind the Council and members that planning determinations do not alter legal rights and my client will not permit water from the application site to drain over my client's land save to the extremely limited extent that it then turns westward along the northern side of the access road. My client has already taken self help step to ensure that this remains the case.

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**Ralph Gilbert | Managing Partner | Dispute Resolution  
for Rollits LLP**

**Email** [ralph.gilbert@rollits.com](mailto:ralph.gilbert@rollits.com)

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The report also states that there will not be an increase in water, I don't understand, previously there was an empty field, if it rained, a significant amount of the water would be absorbed into the land, now the proposal is to collect the water from 5 large houses, 4 double garages, one quadruple garage, how can this be the same amount of water?

One other point I note from another Objection is the question of where Mr White drains his pool, I can answer that, he drains it through the culvert, I know this because Mr White told me he did this, and I was left with standing water which caused a rodent infestation on my property, the Pest Controller stated the rodents would only leave if the standing water was removed. How can we be assured that the pool is not drained through the culvert again? Will this be controlled by the restrictor as previously it was emptied prior to the collection tank and ditch so it's clear there are other water flows? Has consideration been given to the effects of emptying either chlorinated or salted water in the field.

There is however now another issue, as the 3rd party land owners have, returned their field to its original condition ie the ditch that was dug in their field has been filled in, this then presents another issue as the water which is passing through the culvert can only go into the ditch on the north side of the lane behind our properties will be restricted leaving the ditch, and there will be standing water in the ditch. This then exposes the houses downhill from this ditch, although its doubtful the level will ever breach the ditch and flow into the gardens or properties, it is reasonable to expect that outside of summer the ditch will have standing water, has considerations been given to any effects on the footings / gardens of these properties?

Finally , I do continue to have concerns about the process, I am yet to understand how this development received approval, when after many years of rejection planning was finally granted for 5 x Barn Style Houses, this was approved primarily due to the barn conversions on South Sea Lane. The amendments to these plans were then passed against the advice of the Planning Officers recommendations. when these properties are clearly not in keeping with their surroundings, they have not been constructed in line with the approved plans, numerous violations continue to go un-enforced, it does pose the question why? Why have a process if people appear to act with impunity? This needs to be clarified.

Finally, I believe all the variation applications should be rejected, however in order to find a solution, why not ask Mr White to show some consideration to his neighbours and:

- Implement a water drainage solution that does not affect others.
- Remove the street lights and fit bollard lights.
- Take down the featheredge board fence and reinstate all of the traditional hedgerows he torn down.

That would be a sensible resolution, and we can all move on.

Mr N. MARKHAM  
14 Cherry Close

---

**From:** Mick Redfern  
**Sent:** 23 October 2022 17:28  
**To:** Richard Limmer (EQUANS) <[Richard.Limmer@nelincs.gov.uk](mailto:Richard.Limmer@nelincs.gov.uk)>  
**Subject:** The Laurels

## The Laurels

I OBJECT to the approval of this development until all of the numerous outstanding issues have been rectified. It's easy to approve what's been built instead of enforcing what was approved.

The previous owner of this land Mr Reynolds tried on numerous occasions to develop this land. In January-2018 he applied for outline planning permission to build 5 'Farm Style dwellings' to blend in with the surrounding landscape (DM/0036/18/OUT). This was rejected by the planners, he appealed to the government planning inspectorate and approval was given to develop these 5 farm style buildings.

A statement from his application as follows- 'The ethos of the scheme is to facilitate an exemplar residential development emanating a farm complex which can be successfully assimilated into the edge of settlement location. This was the basis to approve this application.

Mr White purchased this land with the associated outline planning as above. He applied to develop the land (DM/0036/19/FUL), he followed none of the guide lines from the outline planning approval and proposed a totally different scheme. The planners recommended rejection of this proposal on the grounds that it didn't match the approved outline plan, for reason's no one can understand this development was approved.

Mr White proceeded to build the 5 dwellings but not to the approved plan all the dwellings are different sizes, roof lights have been added, the garages are much larger than the plan, the window styles have not been approved.

The water collection tank was removed and replaced with a swimming pool.

He added Victorian lamp posts instead of low level bollard lighting, these lights shine directly into our rear bedrooms. The tree officer insisted that to soften the development against the landscape, hedging should be installed, this was totally disregarded and he has installed close board fencing which looks very hard against the countryside.

The drainage system is a big concern to the neighbourhood Cherry Close has flooded at least 3 times and if he discharge's his water into the ditch against our properties this will make the situation worse. The ditch adjacent to the field has been filled in during the construction of the road, this would be a far better option to remove the water. His latest plan shows the water being discharged into ditches that don't exist on someone else's land.

Mr White has taken the view that he doesn't need to follow the approved plan and if he continues to add additional applications (listed below) he will eventually force the planners into submission and they will approve this development.

Additional applications;-

DM/0036/19/FUL (approved)

DM/0905/20/FUL (Dec-20 withdrawn)

DM/0964/21/FUL (Oct-21 pending) OBJECT

DM/1042/21/FUL (Oct-21 pending) OBJECT

DM/1195/21/FUL (Mar-22 pending) OBJECT

I believe that the 3 applications above should be REJECTED by the council planning committee until Mr White has installed an agreed drainage system, which should include a collection system as the original specification. He should remove the close board fence and install a hedge and remove the lamp posts and install low level bollard lighting all as per his original application. If these issues are not addressed to the original specification there is no point in having a planning department, it will allow all developers to do as they wish.

I think there should be an independent inquiry into how this development could be so far away from the approved specification , and why , after 18 months enforcement haven't made Mr White comply with the approved plan. This makes a mockery of the whole planning system, if people don't need to comply and enforcement don't take action, what's the point?



## ITEM 4 - DM/1042/21/FUL

**From:** Ralph Gilbert <[ralph.gilbert@rollits.com](mailto:ralph.gilbert@rollits.com)>

**Sent:** 26 October 2022 11:38

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

**Cc:** Andy Smith (EQUANS) <[Andy.Smith@Nelincs.gov.uk](mailto:Andy.Smith@Nelincs.gov.uk)>; Martin Ambler (EQUANS) <[Martin.Ambler@nelincs.gov.uk](mailto:Martin.Ambler@nelincs.gov.uk)>; Sophie Pickerden (NELC) <[Sophie.Pickerden@Nelincs.gov.uk](mailto:Sophie.Pickerden@Nelincs.gov.uk)>

**Subject:** FW: DM/1195/21/FUL - amendment application - land at Humberston

Dear Mr Limmer

Thanks for your e mail.

I note that the application(s) are due to go before committee on 3 November 2022. It is of concern that once again we are given a short period to respond when , clearly, the information we sought has been in your possession for some time.

We have already lodged our objection to the applications and any attempt to justify applications to amend based on a supposed drainage route from the application site over my client's land via watercourses to the west of its land and then travelling east over another supposed ditch. With respect the work undertaken by the Drainage Team has been scant in the extreme and conclusions drawn without evidence. Indeed Mr Smith's own evidence from 2010 and the site location survey ( both attached) shows watercourses either side of the access road ( and of water flowing east to west along the access road ditch) and not the ditches now being suggested as having been in existence for so many years. Why would Mr Smith have required the watercourses either side of the access road to be cleared if this was not relevant to drainage of the Application Site? As the Council is aware, it appears the Applicant changed the topography of my clients land, including erecting a ditch; we say to ensure that any flow travels onto my clients land, even though there is no right to do so. There was indeed a small pipe at the head of the access road but in so far as this took any flow from the application site, it was down the access road ditches and not otherwise.

More specifically:

1. The 37-61 OS Plan and photograph. Even if these do show a West to East ditch ( and the evidence for this is scanty at very best), neither show any ditch coming south to meet the Application Site. If the Applicant and / or your Drainage Team wish to rely on the Plan to evidence a West to East ditch, then they must also accept the complete lack of a South to North ditch emanating from or connecting to the Application Site.

2. There is no evidence that shows flows from the then undeveloped site ever discharging from the site onto my client's land via a ditch to the west of my clients land and then across to the East.

The reality here for members to consider very carefully is that there has been a failure to comply with planning permissions granted, and this appears to be excused / justified on the basis of an alleged drainage route which is unsupported by and contrary to evidence.

Finally and to remind the Council and members that planning determinations do not alter legal rights and my client will not permit water from the application site to drain over my client's land save to the extremely limited extent that it then turns westward along the northern side of the access road. My client has already taken self help step to ensure that this remains the case.

Yours Sincerely



**Ralph Gilbert | Managing Partner | Dispute Resolution  
for Rollits LLP**

**Email** [ralph.gilbert@rollits.com](mailto:ralph.gilbert@rollits.com)  
**Direct Dial** +44 (0) 1482 337352

SUPPLEMENTARY PLANNING AGENDA - 2ND NOVEMBER 2022

TREE WORKS SUBJECT TO A TREE PRESERVATION ORDER  
22 COOKS LANE, GREAT COATES

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



Working in partnership

Tel: 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/0833/22/TPO	Application is to remove a healthy tree in a conservation area and there are conflicting needs of tree preservation against damage to a Grade 2 listed building. Determination of the application would benefit, I believe, from the input of experienced planning committee members.

**Contact Details: -**

**Signature**

**Date 12.10.2022**

**Name : Steve Holland**

**Address: c/o Municipal Buildings, Town Hall Square, Grimsby, N.E.Lincs**

North East Lincolnshire Planning  
New Oxford House, George Street, Grimsby, N E Lincolnshire, DN31 1HB  
(01472) 313131 W [www.nelincs.gov.uk](http://www.nelincs.gov.uk)



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Registered in England No 598379



SUPPLEMENTARY PLANNING AGENDA - 2ND NOVEMBER 2022

TREE WORKS SUBJECT TO A TREE PRESERVATION ORDER

22 COOKS LANE, GREAT COATES

Mrs Yvonne Prest  
22 Cooks Lane  
Great Coates  
DN37 9NW

26<sup>th</sup> October 2022

Planning Application DM/0833/22/TPO

Reply to Case officers report prepared for planning committee siting on the 2<sup>nd</sup> November 2022.

Having read Mr Chaplin's report I believe there are areas which need clarity on our initial application.

I would like to address the visual amenity value of this tree in its location. The area of the tree is a rural quiet cul de sac which has an abundance of large trees which this Sycamore is just one of, and I don't believe using the Helliwell system of evaluation that this actually scores high, particularly that this very large tree is actually in a small area, of a garden and adjacent to a grade 2 listed building. The sycamore can live up to 400 years which means that this tree is actually in its infancy and will only grow larger given time and even with good tree management will continue to do so. I have investigated about planting of sycamores and the consensus of opinion is that these trees are more likely to be planted in large open areas and woodlands not gardens.

I look at the report and where the author states I have given no evidence to deter the birds roosting. I have lived in Cooks lane for 31 years, this is a quiet rural area, and have discussed with previous residents of 22 over the amount of bird droppings caused all year round, and I know that there is very little that the individual can do to prevent bird roosting. Mechanical and audible solutions would be unacceptable and certainly would raise complaints from local residents. I have looked at ultra high frequency deterrent, but due to the size of the roosting area would not be that effective. Previous residents I believe used a bird of prey kite fixed to deter birds but wasn't successful.

Root damage on the drive way and under the side wall of the premises. The building due to its age has only Clay foundations which was apparent during the extension which was built in 2016/17. The very nature of roots are to seek to feed the tree and are quite aggressive in this task. The sycamore tree root can span over 30 feet at full growth and about 2 foot under the soil, potentially causing issues with buildings, foundations, sewerage systems and as there is one which run along side this drive way. Photographic evidence

has been produced to show the extent of the displacement of the tarmac and that the root actually goes under the wall to the side of the building. Without digging up the driveway and clay foundations its very difficult and expensive to provide any other evidence. There has been no evidence provided to the contrary by the author, who only made a visual inspection under duress as my husband insisted he actually go on to the property to see for himself. Any work on the root is work on the tree and is subject to planning I believe.

The author advises that there are alternative places to park vehicles other than the driveway of number 22 Cooks lane. Firstly why would the future occupant of 22 want to park other than on their property causing further obstruction and damage to grass verges in the lane which is a conservation area? Secondly having lived in the lane for three decades I have seen that the use of vehicles has increased as has those houses which have more than one vehicle per home. The lane is a single track lane, which has only partial footpath provided, there is soft verges on one side for the full length of the lane, which is not suitable for the parking of vehicles due to a ditch and drainage access. The description offered regarding Cooks lane is slightly inaccurate as the road does lead to a cul de sac and then on to a track for dog walkers, but that also leads on to four large houses where there are approximately seven cars for residents of those houses and two large motor homes. The area outside of number 22 Cooks lane is often used as a turning area for vehicles which have accessed the lane, often causing congestion at peak times. The previous occupant Mr Frank Brookes used to park his car on the entrance to his drive, partially on the lane because he couldn't use the driveway due to the sycamore. This act would cause obstructions when large farm vehicles and HGV's wanted to use the lane to its end. Mr Brookes was unable to use the grass verge adjacent to his address as this was still subject to the Sycamores debris and bird dropping, as well as having exposed and raised iron work for water pipes. Parking on Cooks lanes verges would be irresponsible as there have been complaints made to the Parish Council and also the local council regarding vehicles and pedestrians being at risk by other vehicles. Cllr Holland is currently investigating these complaints.

The author states that the bird guano is addressed by simple household management. The driveway, footpath and rear yard to 22 is quite large and all those areas are subject to the disgusting bird dropping. This is a persistent problem all year round. And when there was just one occupant of the house, as there has been for the last 30 years, the management of clearing the paths and driveways was very time consuming taking several hours a day, only to find that within a very short period of time that it was all back again. Carpets and floors become stained even after carefully cleaning the shoes and footwear. I noted that there was a comment from some one who doesn't live in the area stating that this was a narrow self interest of a



single Great Coates Resident, and is against the councils Natural assets plan regarding the Tree canopy cover in the Borough, as I have stated in my application it is my intention to replace this tree with a minimum of two new trees of a suitable species for gardens and adjacent roadways.

The arial picture of the tree over number 22 , shows its cover is quite extensive area and has caused problems with the slates and gutters. The management of these gutters is very difficult due to the design and layout of the roof and gutters some are inaccessible to owners without specialist equipment or scaffolding, again which becomes an added expense on a regular basis. This have been easily managed at number 21 but not 22.

There is mention of a previous application DM/0944/21/TPO which was submitted in September 2021, by Mr Frank Brookes the then owner and occupant of 22. There was a site visit and the author states that there was some validity to the application but couldn't be supported due to the loss of amenity. I have seen no score for the amenity placed on this report but I again refer to Helliwell evaluation, and believe that it scores quite low on that scale. This application was actually withdrawn not with the intention to reduce the canopy as stated but due to the fact Mr Frank Brookes was terminally ill.

Finally I understand that the nature of the Tree officer is to protect trees within the borough but has made brief mention that again this is on the grounds of a listed building in a close proximity and causing damage. I wonder at what point does there become a conflict between a TPO and a Grade II listed building and the problems that this brings by its very nature.

Mrs Y.E. Prest

Web References:

Tree Journey

Hellis solutions

The woodland Trust

## Comments for Planning Application DM/0833/22/TPO

### Application Summary

Application Number: DM/0833/22/TPO

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

Proposal: Sycamore tree T1: Pollard to a 12ft stump|cr|Reason: tree is approximately 2.5m from Building, shade to No.22, causing damage to driveway, roots go under property, making driveway and side lane unusable for parking vehicles due to bird droppings and sap, branches causing damage to house due to leaf fall blocking gutters, bird guano being trodden into house.

Case Officer: Paul Chaplin

### Customer Details

Name: Mr Stephen Holland

Address: c/o Municipal Offices Town Hall Square - Select -

### Comment Details

Commenter Type: Ward Councillor

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Although no-one wants to see healthy trees removed, the reality is that many trees outgrow their location. No-one would have planted a sycamore tree so close to the house with the intention of it growing to this height with the damage that could cause and the removal of all light from the house frontage. I suspect that it might have self-seeded at some time in the distant past. I made a site visit on October 4th and had a lengthy conversation with the owners. The house affected belonged to the applicant's father, sadly recently deceased and ownership will now pass to the applicant who lives in the adjoining property. It was declared Grade 2 listed in 1993 with all the applicants property whilst they owned it and they clearly have gone to great expense to comply with Grade 2 listing requirements which were summarily imposed upon them.

The house is in a conservation area. There are other locations in the conservation area where trees have simply outgrown their intended size - some by a massive amount.

The house is of an age where no foundations were used. There is damage being caused to the small driveway between the tree and house which I paced out at being about 4 metres from the house. One large root visually appears to run from the tree beneath the driveway and under the house just below the surface. There may well be others. The house is in heavy shade which, whilst access to light is not a right, living without natural light is known to create mental health issues and is clearly the cause of mould and damp on roofs and some walls. The windows are small to comply with listing requirements, and they will not be able to be changed due to listing requirements.

The size of the tree relative to the house and it's proximity to the house would, in my opinion, deter most buyers if the house was needed to be sold, particularly given that it is Grade 2 listed, which can be a barrier in itself. House insurance premiums will also be high given that any potential

remedial works would need to comply with listing approval.

The applicants has given assurances that two replacement trees of natural species will be transplanted close to the boundary on the eastern side should planning consent be given and will take advice from the tree officer accordingly if that is available.

In summary, such a tree is magnificent, but it belongs in a forest, not within a few metres of a Grade 2 listed cottage. Would I buy the house and want to live in it as is, without natural light for large parts of the year and knowing that problems are only likely to increase over time, creating expense and affecting it's future saleability? Almost certainly not, and nor would I want to rent it and on that basis I support the application.

## Comments for Planning Application DM/0833/22/TPO

### Application Summary

Application Number: DM/0833/22/TPO

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

Proposal: Sycamore tree T1: Pollard to a 12ft stump|cr|Reason: tree is approximately 2.5m from Building, shade to No.22, causing damage to driveway, roots go under property, making driveway and side lane unusable for parking vehicles due to bird droppings and sap, branches causing damage to house due to leaf fall blocking gutters, bird guano being trodden into house.

Case Officer: Paul Chaplin

### Customer Details

Name: Mrs Yvonne Prest

Address: 21 Cooks Lane Great Coates Grimsby

### Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I would like to add the following points to my application for 22 Cooks Lane, Great Coates.

1. After Grant of Probate for 22 Cooks Lane, I will then be the owner.
2. 22 Cooks Lane is a Grade 2 listed building, due to the age of the house, when it was built there were no foundations. The tree subject to the application is within 4 to 5 meters of the house. A tree root has broken the surface of the driveway and goes under the side wall of the property. The root by its nature draws moisture and fluid from the surrounding ground to feed the tree which causes concern as to what type of damage the root system may be causing to the property now and in the future as it will only get worse.
3. There are plans in place to plant at least 2 trees in the garden away from the house to replace the tree in the application. I have already planted 4 trees in the adjacent garden at number 21.
4. Through lack of light to the side of the property, brick work does not dry out and remains damp for most of the year. There is evidence within the bedroom of the recently decorated room having its wallpaper coming away due to these conditions.
5. There are several drains around the driveway and the tree. If the tree roots cause damage then the liability would fall to me and this is avoidable by removal of this very large tree.
6. At what point does a tree within the conservation area out weigh the importance and value of maintaining, repairing and decorating a Grade 2 listed building.
7. The lower kitchen roof of number 21 Cooks Lane is half covered in moss (see additional photograph) which is caused by the shadow cast by the tree and has caused the tiles to be dislodged over the years and allowed water ingress to the property.

SUPPLEMENTARY PLANNING AGENDA - 2ND NOVEMBER 2022  
TREE WORKS SUBJECT TO A TREE PRESERVATION ORDER  
22 COOKS LANE, GREAT COATES  
**Ellie Mitchell (EQUANS) (Planning)**

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**From:**  
**Sent:** 25 October 2022 20:59  
**To:** Planning - IGE (ENGIE)  
**Subject:** Re: DM/0833/22/TPO

**Categories:** Purple Category

Dear Planning Department

Re: DM/0833/22/TPO

Please could I submit an objection to this application in advance of the planning committee making its decision.

The presence of droppings is proof that the tree provides an important feeding/ roosting habitat for birds, almost certainly including songsters such as robins, wrens and blackbirds.

On this basis alone, the tree should definitely not be "pollarded to a stump" - rather it should be retained and cherished.

As the photographs show, the tree is a magnificent specimen which not only enhances the garden but also its wider setting.

To approve what amounts to felling would breach NELC's own stated aspiration for the borough to become greener and more friendly to the natural environment.

According to the authority's own Natural Assets Plan, published last year, tree canopy cover in the borough is just 10.5 per cent, well below the national average of 15.8 per cent which is, itself, one of the lowest in Europe.

In its survey, 97 per cent of respondents said they wanted increased tree coverage in the area, and the council acknowledged trees were valued for their "positive environmental benefits".

The document further states: "Trees enhance the environment and make a valuable contribution to the character of an area.

"They play a significant role in absorbing carbon dioxide and releasing oxygen into the atmosphere, helping to clean and filter the air of dust and pollutants."

The Plan goes on to identify the outcomes NELC wants to see over the next five years:

- ✓ The tree canopy cover of the borough is increased to at least the national average.
- ✓ Trees are valued for the positive environmental and social benefits they bring.
- ✓ Trees are managed to increase the length of their lives and to increase biodiversity.

As well as setting an unwelcome precedent, I believe it would be wrong morally for this magnificent tree to be destroyed just to satisfy the narrow self-interest of a single Great Coates resident.

Yours

James Wright  
27a Parker Street  
Cleethorpes  
DN35 8TH