



To be submitted to the Council at its meeting on 27<sup>th</sup> July 2023

## **PLANNING COMMITTEE**

**29th March 2023 at 9.30 a.m.**

### **Present:**

Councillor Pettigrew (in the Chair)

Councillors Batson, Beasant, Croft, Dawkins, Goodwin, Hasthorpe, Hudson, Lindley, Mickleburgh and Parkinson.

### **Officers in attendance:**

- Matthew Chaplin (Public Rights Of Way Mapping Officer)
- Martin Dixon (Planning Manager)
- Lara Hattle (Senior Highway Development Control Officer)
- Richard Limmer (Senior Town Planner)
- Sophie Pickerden (Committee Support Officer)
- Keith Thompson (Specialist Property Lawyer)

### **Others in attendance:**

- Councillor Harness (Humberston and New Waltham Ward Councillor)
- Councillor Shreeve (Humberston and New Waltham Ward Councillor)
- Councillor Callison (Croft Baker Ward Councillor)
- Councillor Jackson (Waltham Ward Councillor)

There were 42 members of the public present and one member of the press.

### **P.78 APOLOGIES FOR ABSENCE**

No apologies for absence were received for this meeting.

### **P.79 DECLARATIONS OF INTEREST**

All committee members declared a non-registrable interest in Item 5 of P.79 DM/1111/22/FUL as the applicant was a former Councillor.

Councillor Pettigrew declared an other registrable interest in Item 8 of P.79 DM/0765/22/FUL as he is an Ashby Cum Fenby Parish Councillor.

**P.80**

## **APPLICATION OF DIVERSION FOR PART OF PUBLIC FOOTPATH 116 AYLESBY**

The committee received a report from the Executive Director for Environment, Economy and Resources seeking to divert part of Public Footpath 116 in Aylesby.

Councillor Hudson said that he was happy to support reasonable diversions. He proposed that the application be approved.

Councillor Mickleburgh seconded the proposal of approval.

RESOLVED - That an Order be made for the diversion of part of Public Footpath 116, which is to be diverted under the Highways Act 1980 Section 119.

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

**P. 81**

## **DEPOSITED PLANS AND APPLICATIONS**

### **Item 1 - DM/0778/22/FUL - Plot 80, Humberston Fitties Humberston**

Mr Dixon introduced the application and explained that it sought to erect a chalet with associated boundary treatments, hard landscaping and associated works. He explained that the application had been brought before the committee for a second time following the application being deferred at a previous meeting due to a late representation. Mr Dixon stated that there had been a lot of objections to the application citing that there would be a loss of an open space, loss of a community asset, concerns regarding flood risk and concerns regarding the principle of the development. Mr Dixon said that the proposed site was located within a defined resort area and was also located within the Humberston Fitties conservation area. He said that the proposed site was allocated in the local plan for tourism uses. Mr Dixon stated that the application should be judged as a new build. He said that the application was acceptable in principle if the application satisfied the sequential and exception tests as the proposed site was located in a high flood risk area. Mr Dixon stated that the application passed the sequential test due to allocation of the proposed site in the local plan as well as the local plan supporting resort type development and the assumption that this type of development would be located close to the beach. Mr Dixon said that the development also passed the exceptions test as long as conditions regarding occupation, secure physical measures and to only permit on a 10-year temporary basis were followed. Mr Dixon said that the Council had also sought legal counsel regarding the application, which supported the conditions being added. As a matter of principle, Mr Dixon referred members to the planning committee report where it stated that counsel advice accepts that in planning terms (though there may be lease

restrictions) the planning permission in the 1990's for the whole site grants holiday use and this could mean non-operational holiday accommodation (for example a caravan) could be lawfully sited on the plot and only be subject to the restrictions imposed at that stage. He said that the conditions were consistent with other decisions and the advice from the Environment Agency. Mr Dixon stated that the design of the chalet was typical to what one would expect of a holiday chalet. He said that some changes had been made including the removal of a refuge area in the roof space as it would have made the chalet higher than the neighbouring chalets. Mr Dixon said that the application was considered acceptable by the heritage officer. He stated that neither the highways officer or drainage officer had objected to the application. Mr Dixon said that some of the representations received had mentioned the fact that the vacant plots within the Humberston Fitties are registered as community assets. He said that the vacant land contributed to the unique character of the Humberston Fitties and was therefore designated as a registered community asset. He said that the unique character of the area would not be adversely impacted, the application was acceptable as it would not be detrimental to that designation. Mr Dixon stated that the issue regarding the sale of the land was not a planning consideration. Mr Dixon stated that the application was in accordance with policies 5, 12, 22, 33, 34, 39, 41 and 42 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Cannon spoke as an objector to the application. He said that he was representing the Humberston Fitties Owners Association. Mr Cannon said that the applicant had set out their application based on the idea that the chalet would be a replacement chalet, but he said there had not been a chalet there for a long time. Mr Cannon said that he had concerns regarding flood risk and that the Environment Agency had originally stated that they objected to the application. Mr Cannon said that the objection had been lifted following mitigation but that there were still doubts raised by the Environment Agency about evacuation routes. Mr Cannon said that one of the mitigation tactics was a nine-hour warning of any flooding, he said that this was impossible to deliver. Mr Cannon stated that the flood risk assessment report had been undertaken by a party which had a commercial interest in the application. He said that the assessment was nonsense. Mr Cannon said that the Humberston Fitties was least understood in regard to conservation. He said that the guide states that the Humberston Fitties should be protected, and he said that the proposals within the application go against that. Mr Cannon asked committee members to seriously question the planning officer's recommendation. He said that there were lots of objection to the application, including from the Humberston Village Council. Mr Cannon stated that the Humberston Fitties was used and loved by a wide audience. He asked committee members to stop the development from happening.

Mr Deakins spoke as the agent for the application. He said that the proposed site was a plot. He said that even those who objected to the application, called the site a plot. Mr Deakins said that the site was not

an open space and that there was plenty of open space in the area. Mr Deakins referred to photos shown on the screen and said that the empty plot caused a gap that was out of character for the street scene. Mr Deakins said that he was fascinated by the Humberston Fitties and that it was an important asset to the area. He said that the Humberston Fitties had not magically appeared overnight and was the result of change over time. Mr Deakins said that the new chalet would not damage the character of the area and had been designed in conjunction with the current design guide. Mr Deakins said that he had worked with planning officers on the design and that he was more than happy with the result. Mr Deakins said that a lot of work had been undertaken to get an approval recommendation and that legal advice had been sought. Mr Deakins asked committee members to look at the application objectively. He said his client was asking to build a holiday chalet on a site which had over 300 holiday chalets. Mr Deakins said that the proposed site was also allocated for holiday uses in the local plan.

Councillor Harness spoke in his capacity as Ward Councillor for the Humberston and New Waltham Ward. Councillor Harness said that the planning application did appear to be straightforward, however, the application had attracted many objections. He said that he was happy to not have to be making the decision. Councillor Harness said that he would not want to tell the committee what to do, but asked the committee to make sure that the conservation of the Humberston Fitties would not be negatively impacted. Councillor Harness asked that the committee take into consideration the views of those objecting.

Councillor Mickleburgh said that very few planning applications lead to so many people attending a committee meeting. He thanked the members of public who were in attendance as he said that it showed that they cared about their local area. Councillor Mickleburgh said that the Humberston Fitties was unique. He sought clarification on whether the trees on the proposed site would be removed. Councillor Mickleburgh proposed that the application be refused.

Councillor Lindley said that he took on board the residents' concerns. He said that there was no firm evidence that showed what was on the proposed site previously. Councillor Lindley stated that he was not sure the proposed site was a plot. He commented that gaps in the development of the Humberston Fitties were natural and there to enhance the site and should not be used for development. He said he was sceptical about approving the application. He said that whilst the committee judged each application on merit, he questioned what would happen if similar applications were submitted. He said that if the committee kept on approving applications, then the empty green space at the Humberston Fitties would be covered and the uniqueness would be eroded. Councillor Lindley queried whether the application was development or replacement. He said he would be voting against approval of the application unless he was persuaded otherwise. He said it was important for the committee to listen to opposition as the council

always says that it is a listening council. He commented that the opposition had put strong evidence up against the application.

Councillor Goodwin said she was unsure about the application and that her biggest concern was the bushes and trees. She queried whether they would be removed and queried whether there was anything the committee could do to stop any removal of the bushes and trees.

Councillor Dawkins stated that he agreed with Councillor Lindley. He said that one of the best things about the Humberston Fitties was that it was quirky. Councillor Dawkins said that the Humberston Fitties was a lovely place and that the residents should be applauded for attending the committee meeting. He said he completely supported the residents and would be voting against the application.

Mr Dixon said that the trees would be maintained and that no issues had been raised regarding the landscaping. He said that the chalet was being treated as a new build and not a replacement. Mr Dixon said that the land use was established and should be used for holiday purposes. Mr Dixon stated that a lot of work had been undertaken with the Environment Agency, who had initially raised concerns about the application regarding evacuations, but were now happy with the application once the occupation condition was added.

Councillor Beasant said that the application for the single chalet appeared to be quite simple as there were already 300 chalets close by but he said that when he had looked at the site on Google Earth, he had seen how much green space was there which could be built on. He said he found this worrying. Councillor Beasant said that he would be voting against the application for that reason. He said he was concerned that some of the green spaces would not be green for long.

Councillor Parkinson said that he thought Mr Deakins was correct that the site was a plot. He commented that the plot opened up to a wider larger area and that he was concerned that more applications were going to come before the committee for more plots as the electricity had been serviced in that area. Councillor Parkinson said that he did not think the committee should approve the application as he felt that it could be the beginning of the end of the Humberston Fitties.

Councillor Hasthorpe said that it was important that the committee protect green spaces. He said that Councillors were elected to represent residents. Councillor Hasthorpe commented that the chalet would be huge in comparison to others. He said that he would not be supporting the application and seconded the proposal of refusal.

Councillor Batson said that he was on the fence about the application. He queried who had been maintaining the grass.

Mr Dixon said that he was unsure of who had been maintaining the grass. He said that the land was owned by Tingdene as far as he was aware.

Councillor Lindley said that the decision he had made had been strengthened by what he had heard. He said that any decision to allow the application would compromise the site. Councillor Lindley said that the committee had to look ahead as otherwise the site could end up losing its identity.

Mr Thompson informed committee members to not be concerned about setting a precedent as all applications are considered on their own merit.

Councillor Hudson stated that he didn't know the Humberston Fitties too well. He said that he initially didn't see a problem with the development, and he thought the plans looked nice. He said that the space was clearly a plot. He thought the application looked more like an infill. However, after listening to residents, he could not support the application.

Councillor Lindley said that the application was not for a replacement chalet and was a development. He said that on that basis, it was an expansion. Councillor Lindley commented that the site was now called a plot, but for how long the site had been called a plot was not clear. Councillor Lindley said that the committee could not continue to allow for development because where does that end.

Mr Dixon reiterated the legal counsel advice on the lawfulness of the site and said that in planning terms the historic permission allowed for the use of the site for holiday purposes which could involve use of the land for the siting of a caravan. He stated that this needed to be taken into account. Mr Dixon queried what the reasons for refusal were.

Councillor Hasthorpe stated that the over intensification of the site was the reason for refusal. He said that the proposed chalet was huge.

Councillor Dawkins agreed with Councillor Hasthorpe on the reason to refuse the application.

RESOLVED – That the application be refused.

(Note - the committee voted 10 for with 1 abstention for the application to be refused.)

## **Item 2 – DM/1086/22/FUL - Cleethorpes Academy, Grainsby Avenue, Cleethorpes**

Mr Dixon introduced the application and explained that it sought the erection of single storey extensions with internal and external alterations to Block 1. He said that the application also sought to demolish part of the ground floor and the erection of single storey extension with internal and external alterations to Block 5 and associated works. Mr Dixon stated that

the application had been brought before the committee due to the number of objections received and call ins from ward councillors. Mr Dixon said that the proposed development was located at an existing educational site and was also within the development boundary for Cleethorpes. He said that the application was acceptable in principle. Mr Dixon said that the National Planning Policy Framework stated that for applications which allow for the expansion of educational facilities, local planning authorities should take a proactive and positive approach. Mr Dixon said that the design of the development was acceptable and that the developer would be using materials that were typically used for school expansions. Mr Dixon said that the main issue that had been raised by objectors was regarding highway concerns and the potential increase on the access road. He explained that the number of pupils that would be attending the school would increase by 150. Mr Dixon stated that lots of consideration had gone into the issue and that it had been determined that there would be no visibility issues and that the increase in pupils would not cause a problem on the highway network.

Ms Hattle stated that she had visited the site on two separate occasions to assess how the drop off and pick up of students would work following concerns raised. She explained that she visited the site on different days and arrived early to the site before closing time to see how many vehicles were there. Ms Hattle said that she saw five cars at the school during the hour she was there. Ms Hattle explained that there had also been four teachers monitoring the children as they exited the school grounds and she said that this was something that the school did on a routine basis. Ms Hattle said that whilst a further 150 students would be an increase, she did not expect that it would cause a problem regarding the drop off and pick up of students. Ms Hattle explained that a school zone had been considered but that, at the present time, the situation would not warrant that enforcement. She said that if there were problems or further concerns raised, a school zone could be re-considered.

Mr Dixon said that it was considered that the development would not cause any detrimental impacts. He stated that the application was in accordance with policies 5, 6, 22, 33, 34, 38 and 42 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Miss Pickerden read out a statement on behalf of Ms Crews who was objecting to the application.

The statement read that Ms Crews and other residents on Halton Place had concerns about the work that would be done in the school if the proposed extension for an extra 150 pupils was approved. Ms Crews wrote that the head teacher had said in the Grimsby Telegraph that it would only be an extra 10 pupils a year. The statement read that those on Halton Place had to put up with anti-social behaviour such as swearing and shouting. Ms Crews wrote that the school had asked parents not to come on to Halton Place in their cars, but recently this had been happening more and more. Ms Crews wrote that there would be an accident one day and that a resident or pupil could be hurt. Ms Crews

added that whilst the school say the teachers were outside the school in the morning and at the end of the school day, the teachers didn't leave the school grounds. Ms Crews wrote that Halton Place was a small cul de sac that wasn't intended for the traffic and footfall it now gets. The gates had been closed 12 years ago due to the pupil's anti-social behaviour and during that time it was used as an emergency exit. Ms Crews wrote that she understood that the gates needed to be open during the pandemic, but she wrote that the gates no longer needed to remain open. If the gate was being kept open to ease congestion on the Grainsby Avenue gate then how would an extra 150 pupils ease that congestion. Ms Crews wrote that the school had said that footfall and traffic don't mix but this was already happening. Ms Crews felt that it was an accident waiting to happen, with either a resident or pupil being hurt.

Ms Scott spoke in her role as pupil planning officer. She said that there was a statutory duty that the area has resources for pupils. Ms Scott said that schools which had an outstanding or good rating were encouraged to expand. She said that the opening of the gates on Halton Place was a decision to allow for two access points. Ms Scott said that it was difficult to predict where parents and pupils would enter and exit the school grounds but she said that the school could already permit above the admission number and could continue to do that.

Councillor Callison spoke in his capacity as Ward Councillor for the Croft Baker Ward. He said that school had been built for the needs of local children and had now become an academy and could recruit elsewhere. Councillor Callison said that this meant an increase in traffic. He said that the concern was not just about parking but about the safety of the pupils. Councillor Callison said that he had attended site visits and had been promised lots of things, but none had materialised. He said that he had been told that as the school was located in the Haverstoe Ward it had nothing to do with the Croft Baker Ward. Councillor Callison said that it did affect the residents of Croft Baker. Councillor Callison said that there was a risk of children being knocked down and that although the school may be capable of expansion, it was not benefitting local children. He stated that the construction vehicles would cause wear on the roads. Councillor Callison said that he strongly opposed the application on the grounds of health and safety.

Councillor Hasthorpe said that it was important to take into account both side of the argument. He said that he understood the concerns of residents but that the needs of the pupils had to take precedence. Councillor Hasthorpe proposed that the application be approved.

Councillor Mickleburgh said that he thought that a system would be needed in the future regarding traffic if problems arose. He said that the school needed the facilities as they had the pupils anyway. He seconded the proposal to approve the application.

Councillor Lindley said that we need to realise things had changed and that it wasn't just local children going to local schools anymore. He said

that there had been significant development in Waltham and Scartho and that there would now be two new primary schools. He said that after Tollbar School, Cleethorpes Academy was the closest secondary school. Councillor Lindley stated that there was a need for school places. He said he had taken on board the views of residents and he was aware of issues with the pickup and drop off of pupils, but that this was an issue at every school. He said that there had been progress made in terms of dealing with that issue. Councillor Lindley said that there was a need for school places and said that he would support the application.

Councillor Hudson said that it sounded like the children were already there and that the school just needed the facilities.

Councillor Goodwin said that it was important to think of the children. She queried whether the teachers were at the gates during the morning and at the end of the school day.

Ms Hattle confirmed they had been during her visits two weeks ago.

Councillor Beasant said that he could not see a reason to disapprove of the application. He said that children are travelling all over for schools now and that parents send their children to where there is a good Ofsted rating. Councillor Beasant stated that he would be supporting the application.

The Chair said that schools had changed and that local children didn't necessarily go to local schools. He said that it was important to make sure children could be picked up and dropped off safely and that this was an issue in all wards. The Chair stated that it was important to listen to residents and ward councillors on this issue.

Councillor Parkinson queried whether a school street zone would be needed.

Ms Hattle said that at the present time, there was no need for one, but that this could be assessed again in the future.

RESOLVED – That the application be approved with conditions.

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

### **Item 3 – DM/0692/22/REM - Land FieldHead Road Laceby**

Mr Limmer introduced the application and explained that it sought a Variation of Condition 1 (Approved Plans) following DM/0522/21/REM to amend house types on various plots. Mr Limmer stated that the principle of the development had been well established. He said that the application had been brought before the committee due to objections raised by neighbours. Mr Limmer explained that none of the objections related to the proposed changes. Mr Limmer stated that the changes would be minor and would not be noticeable to those looking at the site. He said that the proposed changes maintained the existing design theme and would not

cause further impact on the character and appearance of the area. Mr Limmer stated that the application was in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Snowden spoke as the agent for the application. He explained that the application was for a variation to a previous application which had received planning permission. He said that the variation did not affect the principle of the development. Mr Snowden said that the proposed changes were for the dwellings and not the site. He said that the objections that had been received were regarding the principle of the development and were not relevant to the variation application. Mr Snowden said that the application was supported by Laceby Parish Council.

Councillor Hasthorpe said that the changes would be minor. He proposed that the application be approved.

Councillor Hudson seconded the proposal to approve the application.

RESOLVED – That the application be approved with conditions.

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

#### **Item 4 – DM/0719/22/FUL - Land at Grimsby Road Waltham**

Mr Limmer introduced the application and explained that it sought to erect 9 dwellings with associated highways, landscaping and boundary treatments (amended description and plans January 2023). Mr Limmer said that seven of the dwellings would be bungalows and two would be dormer bungalows. Mr Limmer stated that the proposed site was located outside of the development boundary for Waltham but that due to the Council not being able to demonstrate a five-year supply of housing, the application could be considered. Mr Limmer explained that the proposed site was located in a sustainable location with access to services and public transport. He said that previous applications had been refused and dismissed on appeal but that the current application was different as there had been a reduction in the number of dwellings and the application had been submitted with full detail. Mr Limmer said that by reducing the number of dwellings, the applicant had sought to address the issues raised by the inspector. He said that the site layout had been changed and included an open space. Mr Limmer said that the dwellings on the proposed development would be sufficiently separated from neighbouring properties on the Woodlands Way development. Mr Limmer said that the highways officer had not raised any objections to the application. Mr Limmer stated that the access road for Woodlands Way had been built out but had not yet been completed. He said that a condition could be added outlining that before any dwellings are built, that Woodlands Way be completed. He said that further conditions could be added to control the construction activity and that the extended footpath be completed prior to construction commencing on the 4<sup>th</sup>

dwelling on the site. Mr Limmer said that the drainage officer and ecology officer had raised no objections to the application but had recommended conditions. Mr Limmer stated that the application was in accordance with policies 2, 5, 15, 17, 22, 33, 34, 40, 41 and 42 of the North East Lincolnshire Local Plan and sections 5, 11, 12 and 15 of the National Planning Policy Framework. Mr Limmer said that the application was therefore recommended for approval with conditions.

Mrs Harries spoke in objection to the application. She said that she was a resident on Woodland Way and that phase 2 of the applicant's project which consisted of 14 properties had started in the Summer 2019. She said that the development had not yet been completed. Mrs Harries said that the developer had shown no respect to the planning department and said that the development was causing a detriment to residents. Mrs Harries said that she believed the applicant only wanted the new development to avoid the condition regarding the footpaths. She said that the road was extremely dangerous and that there had been a near miss on the morning of the meeting. Mrs Harries said that there was always severe flooding at the junction due to it not being finished. She said that the whole road onto the development was appalling. Mrs Harries stated that the applicant had received planning permission for phase 1 of the project seven years ago and had not yet made a start. She said that her concerns were that if the application be approved, then the applicant would leave the road and footpath uncompleted for many years.

Mr Blades spoke in objection to the application. He said that the proposal would result in significant intrusion into the open countryside and would have a detrimental impact on the area. He said that the proposal was contrary to the local plan. He stated that the applicant had planning permission for 54 houses, and these had not yet been done. Mr Blades stated that the road remained unbuilt and that a number of accidents had occurred. He commented that all residents felt the same about the application and that the development should not happen until the other developments had been completed.

Mr Deakins spoke as the agent for the application. He said regarding the other phases and the queries as to why the applicant hadn't built them out first, that it was common practice for developers to have more than one site at a time. Mr Deakins said that he was very conscious that the committee members did not like developments outside of the local plan but he felt that this development was different to previous developments outside the local plan such as the Torbay Drive development. He said that he understood the feedback he had received about the Torbay Drive development. Mr Deakins said that the development being discussed was different as it was for nine units and would act as completion of an existing development. Mr Deakins thanked planning officers for their work on the application. He stated that a third of the site would be for green space which was appropriate for the area. Mr Deakins said that the phase two scheme had required that the road be extended for 0.5 metres and whilst this had not yet been completed, it would be.

Councillor Jackson spoke in his capacity as Ward Councillor for the Waltham Ward. He said that he was speaking against the application. Councillor Jackson said that he found it ironic that the developer was using the five-year supply as justification for the development when it was partly the developer's fault that a five-year supply of housing cannot be demonstrated. He said that the applicant had received permission for the phase 1 development seven years ago and that in that time not a single brick had been put up. Councillor Jackson said that maybe if some of the houses had been built, we might not have the issue with the housing supply. He commented that we were told that the houses would be built relatively quickly, but this has not been the case. Councillor Jackson stated that the proposed site was not in the local plan and that the development would erode the strategic gap between Waltham and Grimsby. He said that he hoped the committee would refuse the application on that basis. Councillor Jackson said that many of the planning conditions had not been met for Phase 2 of the development and the road and footpaths had not been completed. He commented that there was a huge pile of soil on one of the fields and that the applicant was supposed to have that moved in the next seven days but had not moved it thus far. Councillor Jackson said that the developer had shown contempt for the residents and that the application had been objected to by both the Waltham Parish Council and the Civic Society. He asked the committee to be consistent with previous decisions.

Councillor Dawkins said that most of his points had been made. He said he would like to reiterate that the site was not in the local plan. Councillor Dawkins said that he had looked at the previous appeal decision and that there had been a decrease in the proposed dwellings, but he said there was still concerns about the effect on the character of the area. He proposed that the application be refused.

Councillor Lindley said that the proposed development was similar to that of the proposed development on Torbay Drive. He said that the Torbay Drive development was outside the development boundary and would narrow the strategic gap and that this development would do the same even though it was a smaller development. Councillor Lindley said that he did not think it was appropriate to only turn down big developments outside of the development boundary as smaller developments can build up. He said that he was consistent on this issue, and he thought that the developer had gone as far as he can. He said he would be voting to refuse the application.

Councillor Hudson said that he thought the application was similar to the application on the Humberston Fitties in the fact that it looked good. He understood that the pandemic might have impacted the issue with the soil mount. Councillor Hudson thought the development would complete the overall development but he was unsure as all the speakers had been compelling. He said he would listen to the rest of the debate.

Councillor Hasthorpe said that he would like to reiterate what he had said on a previous application, that it was important to listen to residents and

the vast majority of residents didn't support the development. He stated that he agreed with Councillor Jackson and he would not support the application.

Councillor Parkinson said that he agreed with the planning officers. He said that the development made the overall development neater and that it would be a small incursion. He said he would support the application.

Councillor Croft seconded the proposal to refuse the application.

Councillor Goodwin stated that she would be voting to refuse the application. She said that the roads looked terrible. Councillor Goodwin commented that the site was not in the local plan. She said that it was important that the Council was enforcing that work be completed on developments.

Councillor Hudson said that the inspector might approve of the application if it went to appeal. He said that inspector had thought that the strategic gap would not have been impacted if the previous application had gone ahead, and that according to planning officers, the issues the inspector had with the previous application had been addressed.

Councillor Lindley stated that he did not vote based on what might happen and he said he thought the committee should not vote based on what might happen either.

Councillor Parkinson said that he thought the application had dealt with the issues raised by the Inspector.

Mr Dixon queried what the reasons for refusal were.

Councillor Dawkins said that the proposed site was not in the local plan.

Councillor Lindley said that there was the important issue of narrowing the strategic gap.

Councillor Dawkins stated that another reason he had proposed refusal of the application was the effect on the appearance of the area.

RESOLVED – That the application be refused.

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

Councillor Goodwin left the meeting at this point.

## **Item 5 - DM/1111/22/FUL - East Mount, Barton Street, Laceby**

Mr Dixon introduced the application and explained that it sought change of use of a garage and stable to a detached bungalow with associated internal and external alterations. Mr Dixon said that the application had been brought to the committee following a call in from Councillor Hasthorpe. Mr Dixon said that the proposed site was outside of the development boundary for Laceby. He said, however, that as the council cannot demonstrate a five-year supply of housing, then the application could be considered. Mr Dixon said that the proposed site was not considered to be located in a sustainable area. Mr Dixon stated that the National Planning Policy Framework did allow for exceptions, but he said that the application did not meet the criteria for any of those exceptions. Mr Dixon stated that the application would intrude into the open countryside and would not enhance the character of the area. Mr Dixon said that another issue with the application was the increase the additional dwelling would cause in vehicle movements on and off the dual carriageway.

Ms Hattle said that the over intensification of the junction would be a problem. She said that highways team objected to the application.

Mr Dixon said that the application would not cause a detriment to neighbouring residential amenities. He said that the drainage officer had not objected to the application but had recommended conditions. Mr Dixon stated that the application would be contrary to policies 3, 4, 5, 22, 36 and 42 of the North East Lincolnshire Local Plan and was therefore recommended for refusal.

Mrs James spoke as the applicant for the application. She said that East Mount had always been an integral part of Laceby and that public transport was only a short walk away. She said that there had never been an accident at the crossing point since she has lived in her property. She said that she was perplexed as to why the highways officer had likened the application to a previous application in Aylesby as they were different applications. She said that her application was more similar to that of the application regarding the Orchards development, which had been recommended for approval by the highways team. Mrs James said that if her application was successful, then she intended to live in the Bungalow as it would be more manageable for her and her husband.

Councillor Hasthorpe said that he had visited the site and knew the Ward well. He said he had sat for a period of time looking at the access and could not see the issue with traffic leaving the site. Councillor Hasthorpe proposed that the application be approved.

Councillor Lindley stated that he agreed with Councillor Hasthorpe. He said that he had used that road a lot and did not see an issue other than that drivers should act with caution. He said that he thought a solution

could have been reached between officers and the applicant. Councillor Lindley said that he doesn't think there is a specific issue with the application. He said that the applicant and officers might want to look further at the landscaping. Councillor Lindley seconded the proposal to approve the application.

Councillor Mickleburgh said that he agreed with Councillor Hasthorpe and Councillor Lindley. He stated that he fully supported the application.

Councillor Hudson said that there were two stables close by which could be rented out which would cause more vehicle movement. He said that he thought the proposed site was in a sustainable location as was close to shops and a café. Councillor Hudson said that he was happy with the application.

Councillor Parkinson said that he was of a similar mind to the other councillors. He said that he didn't think there was much of a safety issue, but people did need to be careful. He said that the people that live there would know the risk. Councillor Parkinson said that the turning point was slightly more of a sticky issue but if it was dangerous, it surely would have been closed by now. He said that he thought it was okay to allow the application.

Mr Dixon said that the application was outside of the development boundary and the application was therefore considered against the relevant tests. Mr Dixon said that the application had not met the requirements of those tests.

Councillor Hasthorpe said that the one issue that confirms his support for the application was that lots of villagers use the café and they have managed to use the dual carriageway and not had a problem. He said he could not see any reason to not support this.

The Chair said that if committee members were minded to approve the application, then conditions should be considered.

Mr Limmer outlined conditions to be added to the application.

RESOLVED – That the application be approved with conditions.

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

## **Item 6 – DM/1014/22/FUL - Ormiston Maritime Academy, Westward Ho, Grimsby**

Mr Dixon introduced the application and explained that it was a retrospective application which sought to erect a 2.4 metre high fence to the southern boundary. Mr Dixon explained that the application had been brought before the committee due to the number of objections received from residents. Mr Dixon said that the site was located within

the development boundary of Grimsby and was acceptable in principle. He said that the design of the fence had followed the design of fences at other schools. Mr Dixon said that neighbours had raised concerns about access for maintenance purposes. He explained that the applicant had informed them that the fence panels were removable. Mr Dixon stated that Sports England had raised a concern regarding the proximity of the fence to the track. He explained that the applicant had assured Sports England that the fence would be a minimum of 1 metre away from the track. Mr Dixon stated that the application was in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Councillor Hasthorpe said that he did not see any issue with the application. He proposed that the application be approved.

Councillor Dawkins said that he believed that the gap was wide enough for any maintenance work. He seconded the proposal to approve the application.

Councillor Mickleburgh agreed with the other councillors.

Councillor Lindley said that the fence would offer more security and that he was happy to approve the application.

RESOLVED – That the application be approved with conditions.

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

### **Item 7 - DM/1099/22/FUL - 137 Humberston Avenue, Humberston**

Mr Limmer introduced the application and explained that it sought to demolish an existing garage and erect a single storey rear and side extension, with internal and external alterations including a first floor en-suite window to the side and alterations to existing front and rear dormers. Mr Limmer said that the application had been brought before the committee due to a call in from Councillor Harness and Councillor Shreeve. Mr Limmer said that the proposed site was located within the development boundary of Humberston. Mr Limmer stated that the development was acceptable in principle as long as the development would not cause a detrimental impact to the character of the area or the neighbouring residential amenity. Mr Limmer said that the proposals would have a minimal impact on the street scene and that the rear extension would not be visible from the street. Mr Limmer said that the design would not cause any detrimental impacts on the character of the area. He said that the neighbour had raised concerns regarding the application citing loss of light and overshadowing. Mr Limmer explained that due to the separation between the proposed extension and the neighbour's wall and the extension being single storey, the impacts on the neighbour would be minimal. Mr Limmer said that the concerns

raised about the removal of the hedge had been noted but he informed committee members that the hedge could be removed without planning permission. Mr Limmer stated that the drainage officer had recommended that a sustainable surface water drainage condition be added and that this had been agreed with the applicant. Mr Limmer stated that the application was in accordance with policies 5, 22 and 34 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Dr Bedi spoke in objection to the application. He said that his main concern was the loss of natural light the development would cause. Dr Bedi said that the wide extension on the eastern side would reach right up to his garage and would cause the loss of natural light. He said that he strongly objected to this and also objected to the height as it would cause overshadowing. Dr Bedi said that if the committee were minded to approve the application, then they should require that a space of separation be kept and that the extension have a flat roof. He said that he had other concerns regarding the effect the development could have on the cost of his property.

Councillor Shreeve was invited to address the committee in his capacity as a Humberston and New Waltham Ward Councillor. He said that the committee had supported the views of the many on previous applications and that he was now asking them to consider the views of one. He said that the application had been making its way through the process when he had received a call from Dr Bedi. Councillor Shreeve said that he visited Dr Bedi and looked at the proposal. He said that the designers of the extension had got carried away and that all of the bushes would be removed along the fencing. Councillor Shreeve commented that Dr Bedi was a sincere man who did not want to have any trouble with his neighbours but was concerned about the development. Councillor Shreeve asked committee members to refuse the application or consider significantly revised changes.

Councillor Dawkins said that he agreed with speakers. He said that he would not want to exit his property and see a wall in front of him. Councillor Dawkins proposed that the application be refused. He said that he also thought the property was for sale.

Councillor Lindley seconded the proposal to refuse the application. He said that if the property was up for sale, then clearly the applicant was not bothered about the neighbour's concerns and was just looking to sell. He said that he thought the application was unreasonable.

Councillor Mickleburgh said that he did not like the extension and thought it was a shame for the hedge to be removed as it was a nice hedge. He stated that he would be supporting refusal.

Councillor Hudson said that when he had looked at the photos, he thought the plans looked good. He said that he did not think the height of the roof would be much higher. He said that he thought it would be a

good compromise for the roof to be a flat roof. Councillor Hudson said he would listen to the rest of the debate.

Councillor Parkinson said that he agreed with Councillor Hudson. He said that the applicant had a right to remove the hedge. Councillor Parkinson said that he did not think the application was very different to other applications that had been passed by the committee before. He said that he would support the application.

The Chair said that the application was for a long expansive brick extension and he thought it would have a detrimental effect on the neighbour.

Councillor Lindley said that the height was not the main issue, but the view was. He said the development would have an impact on the neighbour. Councillor Lindley said that Dr Bedi and Mrs Bedi had been treated with contempt and that he thought the first thing any person should do is speak to their neighbours about an application like this one.

Councillor Hasthorpe stated that he agreed with Councillor Lindley and that he thought the application was unreasonable.

RESOLVED – That the application be refused.

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

### **Item 8 - DM/0765/22/FUL - Paddock, South West of Goshen, Post Office Lane, Ashby Cum Fenby**

Mr Dixon introduced the application and explained that it sought to erect a timber horse shelter with associated works. Mr Dixon said that the application had been brought before the committee due to an objection from Ashby Cum Fenby Parish Council. Mr Dixon said that the site was outside of the development boundary of Ashby Cum Fenby but the site had been given planning permission under DM/0270/21/FUL for equine use. Mr Dixon said that the application was for a horse shelter and was therefore related to the existing lane use. Mr Dixon stated that the application was acceptable in principle. Mr Dixon said that the design of the shelter was standard for the open countryside and would not be out of character for the area. The heritage officer's recommendation for a condition to allow for archaeological work to be undertaken had been removed due to the change in location of the shelter. Mr Dixon said that the heritage officer had raised no further concerns. Mr Dixon stated that that due to the separation between the proposed shelter and neighbouring properties, there would be no adverse impacts in terms of massing and overshadowing. Mr Dixon said that there had been concerns raised regarding ecology but the ecology officer had raised no objections as long as conditions were adhered to. Mr Dixon said that the highways officer had raised no objection to the application. The Rights of Way officer had determined that the proposal would not affect the public

right of way but had said that construction vehicles should not drive over the right of way and it should not be obstructed at any time. Mr Dixon stated that the application was in accordance with policies 5, 22, 34 and 41 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Ms Hawkins spoke as the applicant for the application. She said that she was the land owner. Ms Hawkins said that the paddock was 4 acres and that the proposed shelter would be 7 metres. She said that the shelter would be used for private use only and also for others to rent but would not be open to the public. Ms Hawkins said that the shelter was required for the horses welfare. She said that the shelter would be timber framed and she had agreed to the conditions around driving and storage.

Councillor Hasthorpe queried whether it could be a condition that the shelter not be used for business purposes. He said the use of the shelter for businesses purposes could be a highways concern.

Councillor Lindley could not understand why the application had been brought before the committee. He said that he thought it was only natural for a horse shelter to be there and that the type of structure was a common sight in the countryside. Councillor Lindley said that he did not understand the concern raised by Ashby Cum Fenby Parish Council and he proposed that the application be approved.

Councillor Dawkins seconded the proposal to approve the application. He said that the application was not intrusive and that he was happy to support the application.

Councillor Croft said that she agreed with Councillor Lindley and Councillor Dawkins. She had no issue with the application.

Councillor Hudson agreed with Councillor Hasthorpe. He noted that the applicant had said the shelter could be rented out and he thought that was what Ashby Cum Fenby Parish Council had objected to. He queried where all the equipment would go.

Mr Dixon said that the issue of use, depended on how you defined commercial use. He said that a condition could be added to not allow for a riding school and also to limit horses.

Councillor Mickleburgh said that the conditions could be added but that other than that he was happy with the application.

Councillor Parkinson said he did not think it was necessary to add conditions.

The Chair said that it was important to consider the access.

Councillor Dawkins did not view the renting out of the stables to be commercial use. He said that he did not see that as an issue.

Mr Thompson queried whether any additional conditions were to be added to the application.

Councillor Lindley did not think it necessary to add additional conditions. He stated that he thought the application was a straightforward application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 8 for and 1 against with 1 abstention for the application to be approved.)

### **Item 9 - DM/0334/22/FUL - Grimsby Golf Club, Little Coates Road, Grimsby**

Mr Limmer introduced the application and explained that it sought to erect 5 detached dwellings with garages to include new access point, landscaping and boundary treatments - amended plans and ball strike information November 2022. Mr Limmer said that the application was the same as the previous application under DM/1032/22/FUL except for the 5<sup>th</sup> tee on the golf course which had been moved. Mr Limmer said that application DM/1032/22FUL had been refused at a previous planning committee meeting but allowed on appeal. He said that the principle of development had been established. Mr Limmer said that the proposed new location for the 5<sup>th</sup> tee was considered acceptable. He said that a Ball Strike Assessment had been submitted and netting and the planting of a hedge had been proposed as mitigation. Mr Limmer said that the Ball Strike Assessment had found that with the proposed position of the 5<sup>th</sup> tee and the mitigation, any stray balls would be reduced. Mr Limmer said that there had been lots of detailed comments submitted by neighbours. Mr Limmer said that there would be further investigation into ecology on the proposed site. Mr Limmer stated that the application was in accordance with policies 5, 22, 33, 39, 41, 42 and 43 of the North East Lincolnshire Local Plan and the National Planning Policy Framework and was therefore recommended for approval with conditions and the signing of a section 106 agreement.

Mrs Henderson spoke in objection to the application. She said that the committee had originally rejected the application but that the application had been allowed at appeal. She said that since then more changes had occurred. Mrs Henderson said that she had previously raised concerns about Great Crested Newts on the site but had not yet been able to view an ecology report. Mrs Henderson said that the Section 106 agreement was not clear in the application, and she would have expected it to be more informative and that planning officers would know whether the golf club needed it or not. Mrs Henderson said that if the golf club members were not happy then the golf club would fail. She said the previous manager had left the role prior to a meeting with golf club members. Mrs Henderson said that she would like to read a statement from another neighbour. She read that the neighbour had, had golf balls in her garden

and that the golf balls had missed her by a few feet. Mrs Henderson read that ball strike assessments had been carried out but only on paper and no site visits had occurred. Great Coates Road was a main road in the area and there were concerns for road users. Mrs Henderson added that the proposed site was outside of the local plan and that the neighbours car window screen had been smashed by a golf ball.

Mr Snowden spoke as the agent for the application. He said that the principle of the development had been established. He said that there had been no changes made to the drainage or landscaping. Mr Snowden stated that the 5<sup>th</sup> tee had been moved but would still be further away from residents. He said that a ball strike assessment had been carried out and that it had been determined that as long as netting was put up and also hedges were put out to help with screening, then the moving of the 5<sup>th</sup> tee was acceptable. Mr Snowden said that the proposed netting was not uncommon and that the netting would be screened by natural features and would not cause harm to the character of the area.

Miss Pickerden read out a statement on behalf of Councillor Sandford.

Councillor Sandford objected to the site being developed. He reported that the traffic on Great Coates Road had been high and having five more houses leading off from Great Coates Road would increase the amount of traffic on the road, as most houses had two or more cars per household. He wrote that this would mean a potential of ten more vehicles coming in and out of the new development on to an already busy road, which in turn would increase the pollution in the air. He was concerned that the newly designated local nature reserve across the road from the site would be impacted. He wrote that some or most of the wildlife that went to the nature reserve actually roosted in the golf club itself. This had been witnessed by many golfers in the past including himself. Councillor Sandford wrote that five houses would have a big impact on the wildlife that habitats the golf course and to the near local nature reserve, with noise pollution which would also have an impact on their habitat. Councillor Sandford wrote that to his knowledge there had been no archaeological dig to make sure houses could be built on there and the planning officers had said this would be done prior to the development being started. He felt that this needed to be explored more. Councillor Sandford wrote that he thought having five houses on the site would ruin the character of the course in itself by the appearance of it. He wrote that members and visitors of the golf club would see a big change and, as the golf club stated, it would reduce the yardage of the course, even though it wouldn't make too much of a difference. Councillor Sandford wrote that the repositioning of the 5<sup>th</sup> tee would not really make any difference to the ball strikes of the houses at the bottom of the 8<sup>th</sup> green. He wrote that there was the risk of golf balls hitting the houses. Councillor Sandford wrote that even though the new plans had netting next to the 5<sup>th</sup> tee box, if someone did connect the ball, you would have to think about which way the wind would be blowing on any given day. He wrote that the wind blowing from left to right the ball would travel to the 8<sup>th</sup> green or even the 8<sup>th</sup> fairway which would increase the playing

time of the round due to waiting for other golfers to play their shot from the 8th to the 5th fairways.

Councillor Mickleburgh left the meeting at this point.

Councillor Hasthorpe queried whether there had been any official ball strike assessments.

Mr Limmer confirmed that there had been.

Councillor Hasthorpe said that he found it difficult to disapprove of the plans. He said that golf balls can go anywhere, and you can only mitigate so much. He proposed that the application be approved.

Councillor Lindley said that he was sad to see we were at this stage and he did not like to see decisions overturned by the committee. Councillor Lindley said that he thought the 5<sup>th</sup> tee would not be as challenging and the Golf Club could lose membership due to this. He said that the committee had previously approved the netting for the Waltham Windmill Golf Club and he said he thought that it was a sensible option. Councillor Lindley said that golfers did slice the ball and he found it sad to see the golf course carved up. He said that he took on board the comments from residents but it was difficult to find anything to go against as the application had already been approved. He said that he would listen to the rest of the debate.

Councillor Dawkins said that he didn't think the moving of the 5<sup>th</sup> tee would make a massive difference. He seconded the proposal to approve the application.

Councillor Hudson stated that he was happy to support the application.

RESOLVED – That the application be approved with conditions and the signing of a Section 106 agreement and consultation on the ecological report with the decision delegated to the Director of Economy, Environment and Infrastructure.

(Note - the committee voted 8 for with 1 abstention for the application to be approved.)

## **P.82 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The committee received plans and applications determined by the Director of Economy, Environment and Infrastructure under delegated powers during the period 17th February – 16<sup>th</sup> March 2023

RESOLVED – That the report be noted.

**P.83 PLANNING APPEALS**

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

RESOLVED – That the report be noted.

**P.84 EXCLUSION OF PRESS AND PUBLIC**

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

**P.85 ENFORCEMENT ISSUES**

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

RESOLVED – That the report be noted.

There being no further business, the Chair closed the meeting at 1.40 p.m.