

Planning Committee Dated: 4th January 2023

Summary List of Detailed Plans and Applications

Item:	1	Recommendation: Approved with Conditions
Application No:	DM/0205/22/FUL	
Application Type:	Full Application	
Application Site:	(A4e Action For Employment) 260 Macaulay Street Grimsby North East Lincolnshire	
Proposal:	Demolish existing buildings and erection of 23 dwellings with parking, alteration to existing access and associated works	
Applicant:	Mr Stephen Cope	
Case Officer:	Owen Toop	

Item:	2	Recommendation: Approved with Conditions
Application No:	DM/1027/22/FULA	
Application Type:	Accredit Agnt - Hseholder application	
Application Site:	18 Stallingborough Road Healing North East Lincolnshire DN41 7QN	
Proposal:	Demolish existing detached garage, erect detached garage with storage at first floor with roof lights and associated works.	
Applicant:	Dr S Gupta	
Case Officer:	Becca Soulsby	

	Recommendation: Approved with Conditions
Item:	3
Application No:	DM/1002/22/FUL
Application Type:	Full Application
Application Site:	1, 3, 4, 5, 6 And 7 Anita Grove (former Tynedale, Cheapside) Waltham North East Lincolnshire DN37 0BW
Proposal:	Variation of Condition 1 (Approved Plans) as granted on DM/0857/21/FUL for revision to the approved boundary treatments to plots 1,3, 4, 5, 6 and 7 (Re-submission of DM/0208/22/FUL)
Applicant:	Mr Paul Glover
Case Officer:	Bethany Loring

	Recommendation: Approved Limited Period
Item:	4
Application No:	DM/0777/22/FUL
Application Type:	Full Application
Application Site:	Waltham Windmill Golf Club Cheapside Waltham North East Lincolnshire
Proposal:	Erect a temporary 6.5 metre tall by 10 metre wide golf ball impact net, with additional landscaping adjacent to men's first tee
Applicant:	Mr Strawson
Case Officer:	Richard Limmer

	Recommendation: Approved with Conditions
Item:	5
Application No:	DM/0797/22/FUL
Application Type:	Full Application
Application Site:	10 Forest Way Humberston North East Lincolnshire DN36 4HQ
Proposal:	Retrospective application for the erection of boundary wall and partial change of use of land to domestic curtilage - amended plans received November 2022
Applicant:	Mr Mark Teanby
Case Officer:	Becca Soulsby

	Recommendation: Approved with Conditions
Item:	6
Application No:	DM/0720/22/FUL
Application Type:	Full Application
Application Site:	Land Grimsby Road (Phase 3) Waltham North East Lincolnshire
Proposal:	Retrospective application to retain raised ground levels with site reclaimed soil
Applicant:	Mr Peter Strawson
Case Officer:	Richard Limmer

	Recommendation: Approved with Conditions
Item:	7
Application No:	DM/0812/22/FUL
Application Type:	Full Application
Application Site:	Grimsby Lawn Tennis Club College Street Grimsby North East Lincolnshire
Proposal:	Variation of condition 2 (Approved Plans) pursuant to DM/0251/20/FUL - plots 9 to 14 amendments to house type 4, now detached, integral garages omitted and changed to living space, rear french doors and roof lights omitted and rear ground floor window added. Private road alignment adjusted
Applicant:	Mr Stephen McIllduff
Case Officer:	Richard Limmer

	Recommendation: Approved with Conditions
Item:	8
Application No:	DM/0942/22/FUL
Application Type:	Full Application
Application Site:	166 North Sea Lane Humberston North East Lincolnshire DN36 4XB
Proposal:	Alterations to boundary treatments and erect brick wall to side and front
Applicant:	Mrs Stephanie Capindale
Case Officer:	Becca Soulsby

	Recommendation: Approved with Conditions
Item:	9
Application No:	DM/0835/22/FUL
Application Type:	Full Application
Application Site:	Land Adjacent To Fenby House Post Office Lane Ashby Cum Fenby North East Lincolnshire
Proposal:	Erect one dwelling with detached outbuilding and basement
Applicant:	Mr Ashley Lidgard
Case Officer:	Owen Toop

	Recommendation: Approved with Conditions
Item:	10
Application No:	DM/0937/22/FULA
Application Type:	Accredit Agnt - Hseholder application
Application Site:	36 Cumberland Avenue Grimsby North East Lincolnshire DN32 0BT
Proposal:	Erect single storey rear extension with associated alterations - amended plans and description December 2022
Applicant:	Miss Lily Harrison Freat
Case Officer:	Becca Soulsby

PLANNING COMMITTEE - 4th January 2023

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

APPLICATION No: DM/0205/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: (A4e Action For Employment), 260 Macaulay Street, Grimsby, North East Lincolnshire, DN31 2EY

PROPOSAL: Demolish existing buildings and erection of 23 dwellings with parking, alteration to existing access and associated works

APPLICANT:

Mr Stephen Cope
Anston Homes
C/O Agent
Unit 2 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
DN36 4AS

AGENT:

Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 2 Cleethorpes Business Centre
Jackson Place
Wilton Road
Humberston
Grimsby
DN36 4AS

DEPOSITED: 9th March 2022

ACCEPTED: 6th April 2022

TARGET DATE: 6th July 2022

PUBLICITY EXPIRY: 25th November 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 30th April 2022

CASE OFFICER: Owen Toop

PROPOSAL

This proposal relates to the demolition of an existing building, previously used as an employment training centre, and the erection of 23 dwellings with associated infrastructure, raising of ground levels, parking, landscaping and drainage.

The application is brought to the attention of planning committee due to the number of objections received.

SITE

The site was formerly an employment training centre, used by Action for Employment, and is approximately 0.52 Ha. The existing building and the associated site is accessed from both Macaulay Street and Lister Street. No longer in use, the existing building is approximately 1600 sq metres, and is proposed to be demolished. The existing site also includes a large amount of hardstanding previously used for parking for the training centre, and two smaller buildings to the north boundary.

To the south of the site is the Macaulay Academy, located at Macaulay Street. To the north and north west is the Gleeson Homes housing development currently undergoing construction. To the east are existing residential properties at Lister Street and Macaulay Street.

Access for the proposal is to be from the east at Lister Street.

RELEVANT PLANNING HISTORY

DM/0766/16/FUL - Erection of 224 houses with garages and/or parking spaces together with associated roads and infrastructure - approved 24th November 2017 on the adjacent site.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF5 - Delivering a sufficient supply of homes
- NPPF11 - Making effective use of land

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

- PO3 - Settlement hierarchy
- PO4 - Distribution of housing growth
- PO5 - Development boundaries
- PO6 - Infrastructure
- PO15 - Housing mix
- PO17 - Housing density
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO34 - Water management
- PO36 - Promoting sustainable transport
- PO38 - Parking
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Environment Agency - No objections following amended Flood Risk Assessment. Mitigation measures should be conditioned.

Highways - No objections to the proposal, subject to conditions. CMP acceptable.

Police Crime Reduction Officer - No objections following amended plans. The development must also contain planning conditions on security lighting to provide surveillance in relation to windows and doors of the development.

Environmental Health - Recommends conditions for hours of construction, construction methods, demolition methods, electric vehicle charging points and conditions for a full contaminated land survey, remediation measures and verification report. Informatives are also recommended.

Heritage - No input required.

Drainage - Recommends conditions for surface water drainage. The maximum discharge rate is acceptable, as is the use of storage crates and permeable paving.

Anglian Water - No objections. Confirms that the wastewater capacity is sufficient at this location. Anglian Water has also provided informative advice in relation to permits and licenses that the developer will need to consider.

Trees and Woodlands - Recommends conditions for landscaping.

Cadent Gas - No objections, informative required.

Ecologist - Recommends a nesting bird and bat survey before demolition, this should detail any mitigation requirements.

Humberside Fire and Rescue - Provides standard informative comments.

Education Officer - Confirms no requirement for education contributions.

Fulcrum - Advice note on best practises in relation to their assets.

Neighbour and Public Consultation

In some cases, multiple letters from the same address have been provided from the commenters. Letters of objection have been received from the following addresses:

11 Boulevard Avenue
77 Lister Street
250 Macaulay Street
254 Macaulay Street
258 Macaulay Street
Salamander Close (Unknown Number)
Lister Street (Unknown Number)

Broadly on the grounds of:

- Access from Lister Street
- Existing parking, traffic and congestion issues at peak times
- Surface water drainage and sewerage concerns
- Construction, demolition and asbestos concerns
- Safety concerns

APPRAISAL

The material considerations in this case are:

1. Principle of Development
2. Flood Risk
3. Impacts on Neighbours
4. Highways, Safety and Traffic
5. Layout and Design
6. Landscaping
7. Drainage
8. S.106 Matters
9. Land Contamination
10. Ecology

1. Principle of Development

The site is located within the main urban area for Grimsby close to Grimsby Town Centre. The site is unallocated and so is classed as 'white land'. The site is also within flood zone 3 on the Environment Agency Flood Maps and at flood risk within the Councils Strategic Flood Risk Assessment.

In regard to the location of the site within the main urban area of the town and close to the town centre, it is inherently in a sustainable location. The site has good access to public transport and local services on Boulevard Avenue.

Policy 4 (Housing distribution) of the NELLP seeks to deliver the majority of new housing within the Grimsby and Cleethorpes Urban Area, although this site is not allocated for housing it would deliver 23 new homes in the heart of the urban area and so follows the principles of Policy 4.

Policy 5 of the NELLP seeks to ensure proposals for new development are acceptable in regard to, amongst other things, their location. It does not preclude development for new housing on unallocated sites within the defined settlement boundaries.

It is also acknowledged that the Council cannot demonstrate a 5 year supply of deliverable housing at this time. The development would, if granted permission, assist in small way to the delivery of housing in the borough.

It is therefore considered that in principle the site is in a sustainable location and accords with the principles of Policies 4 and 5 of the NELLP. However, as the site is located within a flood zone it must first pass the Flood Risk Sequential and Exceptions Tests as set out in Policy 33 of the NELLP and section 14 of the NPPF. This will be discussed in section 2 of this report below.

2. Flood Risk

The site is located within a flood zone on both the Environment Agency Flood Maps and the SFRA and in accordance with Policy 33 of the NELLP and section 14 of the NPPF it must first pass the Sequential Test and then the Exceptions Test before it can be considered acceptable. The Sequential Test seeks to ensure that the development is located in a location at the lowest risk of flooding possible and then the Exceptions Test seeks to firstly ensure it delivers wider community benefits that outweigh flood risk and secondly ensure that the design of the development would make it safe throughout its lifetime.

The applicant has supplied a detailed Flood Risk Assessment, following extended consultation with the Environment Agency, which includes the Sequential and Exceptions Tests. The Sequential Test has been updated following detailed discussions with Officers.

In regard to the Sequential Test the site is located within the main urban area of Grimsby, close to the defined town centre area in the NELLP. The site presents the opportunity to deliver quality family housing on a brownfield site. Opportunities for such development close to the town centre are limited.

The Council have a Memorandum of Understanding with the Environment Agency in regard to development in flood zones and applying the sequential test. This allows for the

Council to consider, in exceptional circumstances, residential development in flood zones in the urban area where it is a regeneration scheme. Furthermore, this understanding specifically favours brownfield sites in the most deprived areas of the Borough. The site is currently not in use and has been vacant for a number of years.

There are clear opportunities for the site to connect to the town centre and provide positive enhancements though the demolition of the existing building and fundamentally such developments could not be located elsewhere in the Borough and still have the same regeneration impacts. Being close to the town centre, it is also considered sustainable in its location. On the basis of the positive benefits that developing this site could bring it is considered to be a regeneration site where the benefits delivered could not be achieved elsewhere. It is therefore recommended that the material planning considerations are such that the Sequential Test is passed, and it now moves on to consider the Exceptions Test.

The first part of the Exceptions Test is to determine whether the community benefits delivered outweigh the risk of flooding. The proposed development would deliver the standard requirements for residential development within the borough such as adding to the mix of housing and surface water drainage improvements within the site. In addition to this the site plan includes a pedestrian linkage to Macaulay Street which allows for added permeability to a site which is currently fenced off from public use. This should increase the confidence of the community to use the path, especially given the added designing out crime measures that have been designed into the site and agreed through ongoing discussions with the Police. When considering these factors, which would be secured through conditions, alongside the very fact that the site itself would be significantly improved visually and the opportunity for crime and anti-social behaviour reduced, it is considered that the proposed development would result in wider community benefit that outweighs the risk of flooding. This is in addition to the wider benefits stated above in meeting the sequential test.

The second part of the Exceptions Test is to ensure that the development is safe throughout its lifetime and for its users and does not increase the risk of flooding elsewhere and where possible reduces the overall risk of flooding. This is primarily where the applicants work with the Environment Agency comes in. The development platform, where the dwellings would be built upon, must be raised to 3.5m AOD and the finished floor levels must be 4.1m AOD. This means a significant increase in the levels on the site of up to 1.3m for the development platform with finished floor levels required to be up to circa 1.1m above existing ground levels. The consequences of this will be discussed in the report below but in flood risk terms would make the site safe. Additionally, there will be no sleeping accommodation at ground floor. The Environment Agency have reviewed the proposal and concur that the proposed measures set out in the Flood Risk Assessment are acceptable and would make the development safe whilst not increasing the risk of flooding elsewhere. The proposal is therefore considered to pass the Exceptions Test, subject to a condition securing the measures set out in the Flood Risk Assessment as advised by the Environment Agency.

It is therefore considered that the proposed development does constitute a regeneration opportunity that would bring about benefits that could not be achieved by locating the development elsewhere in the Borough. The development has been designed to be safe in a flood event and would not increase the risk of flooding elsewhere and also delivers wider community benefits. It is therefore considered that both the Sequential and Exceptions Tests are passed, and the proposal accords with Policies 5 and 33 of the NELLP and section 14 of the NPPF.

3. Impact on Neighbours

Policy 5 of the NELLP seeks to protect neighbouring land uses from undue impacts caused by new development. In this instance the proposed development would see a significant change to the site with the raising of the ground levels across the site and building of houses with significantly higher finished floor levels than the site as it sits today. Site Sections and existing and proposed levels have been confirmed across the site.

The residential neighbours are focused to the east, at Macaulay Street and Lister Street, and to the west as part of the Gleeson Homes development, currently undergoing construction. The proposed scheme has been drawn up with these neighbours in mind and the proposed dwellings positioned so they are set away from the boundaries with these neighbours. Due to this and in regards to massing overshadowing and overlooking, there are no detrimental impacts. In a dense part of the town, such relationships between buildings are not uncommon.

No neighbour comments received relate to dominance or overlooking. Much of the neighbours concerns that have been received relate to other matters such as highways, parking, traffic and drainage and these will be considered separately in the remaining sections of this report.

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

4. Highways, Safety and Traffic

Policy 5 of the NELLP seeks to ensure that new development proposals do not cause undue impact to highway safety and amenity due to their design or traffic generation. It is noted that many of the neighbour comments received raise concerns over the proposed development and the impact upon highway safety and amenity. The proposal has been considered by the council's Highways Team and full regard has been given to the highway considerations alongside the representations made. Particular efforts have been made to ensure that no demolition or construction traffic would use Macaulay Street, where there is an existing school and so a larger probability for conflict in terms of highway and pedestrian safety. The application therefore includes a detailed Construction Traffic Management Plan which has been considered acceptable on this basis.

It is proposed to use an existing access into the site from Lister Street to the east, this

provides the necessary visibility splays. The proposed development may generate more traffic than the site did historically however, the overall traffic generation for 23 dwellings, including demolition and construction works, would not be at a level that would cause a severe impact on the highway network given its location. No off-site improvement works are required as a result of the development.

In regards to parking, at least 1 space per dwelling has been provided which is considered suitable given the site's position.

It is also noted that the site is located in a sustainable location with good access to bus routes on Boulevard Avenue. It is also within reasonable walking distances to services on Cromwell Road and the town centre. The reliance upon the motor car for everyday journeys is therefore less than more sub-urban locations.

It is therefore considered that the proposed development would not have a severe impact on either highway safety or amenity in accordance with Policies 5, 22, 36 and 38 of the NELLP.

5. Layout and Design

Policies 5 and 22 of the NELLP and the National Design Guide seek to protect the visual character of the area and reinforce good design in new development. The site as it stands adds little to the character and quality of place in the immediate area. The site is located within the main urban area of the Borough and to the north, east and further to the west is typically urban in character and appearance. There is a range of housing types, sizes and designs which includes detached and semi-detached properties, but predominantly there are terraced properties in the immediate surrounding area. As noted the Macaulay Academy is located opposite. The proposed development responds to this with a similar housing mix of terraced townhouse properties and semi-detached properties. The properties include features such as bay windows, projecting gables, and garden areas akin to plots within the surrounding area at Lister Street and Macaulay Street. The scheme also includes landscaping around the site boundaries and along the main street with street trees.

In terms of layout the development is well arranged with dwellings providing natural surveillance onto one another. The pedestrian walkway has been designed to ensure that it does not attract crime; surveillance has been incorporated into the layout with bay windows on side elevations, and a scheme for lighting will be considered by condition. Amendments have taken place in response to feedback received from the police who are now content with the proposal.

Whilst the proposed development will cause a change to the visual appearance of the area it is considered to be a positive change resulting in good design that will deliver quality family housing akin to the surrounding area. The site layout and house designs respond to the wider character and the appearance of the area. It is therefore considered that the proposed development accords with Policies 5 and 22 of the NELLP and the

National Design Guide.

6. Landscaping

Policy 42 seeks new landscaping in new developments. The site itself is brownfield with no existing landscaping on site and so this application presents an opportunity to provide new planting. The landscaping scheme provided is indicative at this stage with final details to be supplied by condition, including details of management and maintenance of all private areas.

It is therefore considered that the proposed landscaping in principle accords with policies 5 and 42 of the NELLP.

7. Drainage

Policies 33 and 34 of the NELLP and section 14 of the NPPF seek to ensure that new development does not increase the risk of flooding and manages surface water drainage in a sustainable manner. Given the requirements of the Flood Risk Assessment and the requirements of the development to respond to its location within flood zone 3, the surface water drainage scheme is equally important. Moreover it is acknowledged that some neighbour comments make reference to existing drainage issues. The application has been submitted with a full surface water drainage scheme which includes sustainable features such as permeable paving. The Drainage Team have considered the proposal and whilst they consider it acceptable, they have requested more permeability through the use of water butts etc. They have however agreed the maximum discharge rate. The final details of the surface water drainage arrangements can be secured through condition, this will include the need to extend a French drain in response to changes in land levels. The proposal therefore accords with Policies 33 and 34 of the NELLP.

Comments from neighbours regarding the existing drainage issues are noted. With regards to this development however, Anglian Water have been consulted and have stated that the existing systems have the capacity at this location for the development.

8. S.106 Matters

The site is located in a low value area in the Housing Market Value Areas map in the NELLP and as such Policy 18 does not require any affordable housing to be provided on the site.

The site is in the main urban area for Grimsby and would attract additional families requiring schools. Policy 6 requires financial contributions towards both primary and secondary education, where applicable. In this case the Education Officer has been consulted and confirms there is no requirement for an educational contribution.

9. Land Contamination

The site is a redundant piece of land with previous commercial use and will involve demolition and groundworks. The NPPF states that one of the core planning principles is to encourage the effective use of land by re-using land that has been previously developed, providing that it is not of high environmental value, in order to support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. It is also acknowledged that some of the neighbour comments pertain to concerns over land contamination and construction. The Environmental Health Officer has considered the application in full alongside the submitted Ground Investigation Report. They have recommended conditions to minimise land contamination risks and control demolition methods which the applicant has agreed. Moreover, construction management will be controlled through condition and the standard hours of construction and demolition condition will need to be applied.

Having considered the above the proposal accords with Policy 5 of the NELLP.

10. Ecology

Given the existing building has been redundant for some time, the Ecologist has recommended survey work be undertaken before demolition occurs. These are recommended by condition.

With a condition securing the appropriate survey work and any mitigation measures, the proposal accords with Policy 41 of the NELLP.

CONCLUSION

The proposed development has been assessed against the requirements of the NELLP and the NPPF.

The development would not cause undue impacts on residential amenity, highway safety and amenity, flood risk and drainage, or the character and the appearance of the area. It would also comply the requirements of Policy 5 of the NELLP with regards to land contamination. No consultees have objected to the proposal.

It is therefore considered that the proposal accords with Policies 3, 4, 5, 6, 15, 17, 22, 33, 34, 36, 38, 41 and 42 of the NELLP and the NPPF and is recommended for approval with conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - 1365/0001

Proposed Block Plan - 1365/0002 B

Amended Site Plan - 1365/0003 F

Semi Type 1 - 1365/0004 B

Semi Type 2 - 1365/0005 B

Semi Type 3 - 1365/0006 B

Semi Type 4 - 1365/0010 B

Semi Type 5 - 1365/0011 B

Semi Type 6 - 1365/0016

3 Unit Terrace Type 1 - 1365/0007 D

4 Unit Terrace Type 2 - 1365/0009 E

Site Sections - 1365/0012 B

Reason

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

(3) Condition

Construction of the dwellings shall not begin until details of all external materials to be used in construction of the buildings and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

No construction shall commence until details of the final scheme for the provision of surface water drainage and a scheme for implementation has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented in accordance with the approved details.

Reason

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

(5) Condition

The development shall be carried out in accordance with the Construction Traffic Management Plan 1365/0013 throughout the entirety of the demolition and construction period and no demolition or construction traffic associated with the development shall use Macaulay Street throughout the entirety of the demolition and construction period.

Reason

In the interests of highway safety and amenity and to protect neighbours to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

Prior to any demolition or construction works commencing, a Demolition and Construction Management Plan (inclusive of noise, vibration and dust mitigation measures both during demolition and construction) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason

In the interests of highway safety and to protect the residential amenities of the neighbouring properties in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

No construction works shall commence until a scheme of landscaping showing the final details of the number, species, sizes, planting positions and maintenance schedules of all trees and shrubs to be planted have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with the approved details within 12 months of the date of commencement of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all loses in that period replaced with the same plant and standard.

Reason

To ensure a satisfactory appearance and setting for the development in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

Prior to any construction works commencing on site a detailed scheme for the importation of all material in connection with the raising of ground levels shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- The amount of material;
- The type of material;
- Confirmation that it is clean and safe to be used;

The development shall then only be carried out in accordance with the approved details, including the approved Construction Traffic Management Plan 1365/0013.

Reason

To prevent contamination, to preserve amenity and safety and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

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

Reason

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

(10) Condition

Unless otherwise agreed by the Local Planning Authority, no construction works must commence until conditions 11 to 13 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 14 has been complied with in relation to that contamination.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord to Policy

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

(11) Condition

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(12) Condition

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(13) Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the construction of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(14) Condition

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 11, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 12, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 13.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(15) Condition

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

(i) Detailed plans to a scale of at least 1/500 showing:-

- (a) the proposed layout of the carriageways and footways on the development;
- (b) the wearing course materials proposed for the carriageways and footways;
- (c) cross sections;
- (d) the highway drainage system;
- (e) the proposed locations of street lighting columns, all services and ducts for services, within the carriageways and footways;
- (f) management arrangements for any carriageways, footways and/or landscaped areas not to be adopted by the local authority;

The development shall then proceed in strict accordance with the approved details.

Reason

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

(16) Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment ref 18/07/22/RLC/0914/FRA+OSDS01/Roy Lobley Consulting) and the following mitigation measures detailed within the Flood Risk Assessment:

- Finished floor levels to be set no lower than 4.1m above Ordnance Datum(AOD)
- The development to have at least two storeys with no sleeping accommodation permitted at ground floor

The mitigation measures shall be fully implemented prior to any occupation and shall subsequently remain in place.

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(17) Condition

Prior any construction commencing, a final scheme for security measures including any external lighting shall be submitted to and improved in writing by the Local Planning Authority. Once approved the scheme shall be implemented prior to any occupation or within a longer timeframe to be agreed in writing by the Local Planning Authority.

Reason

In the interest of designing out crime and providing an acceptable level of security for the site in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-

2032 (adopted 2018).

(18) Condition

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

Reason

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

(19) Condition

Prior to construction works commencing, a scheme for the provision of electric vehicle charging infrastructure shall be submitted to and agreed in writing with the Local Planning Authority. Once approved, the scheme shall be implemented prior to each dwelling being occupied and then retained throughout the lifetime of the development.

Reason

In the interests of air quality to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(20) Condition

Before any dwelling hereby approved is occupied, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, occupation shall adhere at all times to the Plan.

Reason

In the interests of safety and flood risk and to accord with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(21) Condition

Before any demolition or construction commences a nesting bird survey and a bat survey shall be carried out with the findings and any mitigation submitted to and approved in writing by the Local Planning Authority. This shall include an implementation plan for any mitigation measures. Once approved, demolition and construction shall proceed in strict accordance with the approved details.

Reason

In the interests of ecology and to accord with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(22) Condition

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extensions to provide additional sleeping accommodation at ground floor level shall be erected.

Reason

To reduce the risk and impact of flooding and to accord with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 3, 4, 5, 6, 15, 17, 22, 33, 34, 36, 38, 41 and 42.

2 Added Value Statement

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

In accordance with the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by addressing flood risk, seeking a revised layout with indicative landscaping and surface water drainage, designing out crime, and agreeing conditions for amenity.

3 Informative

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

4 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

5 Informative

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Fulcrum have provided informative advice on working near their assets which can be viewed on the Council website. The applicant is advised to consider any best practice that might apply.

6 Informative

The applicant's attention is drawn to the comments made by Anglian Water. Permits and Notices may be required from Anglian Water if connecting into their assets.

7 Informative

The suggestion in the FRA that future occupants sign up to Floodline Warnings Direct to receive advance warning of flooding is supported. This can be done online at <https://www.gov.uk/sign-up-for-flood-warnings> or by phoning Floodline Warnings Direct on 0345 988 1188.

8 Informative

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

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

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

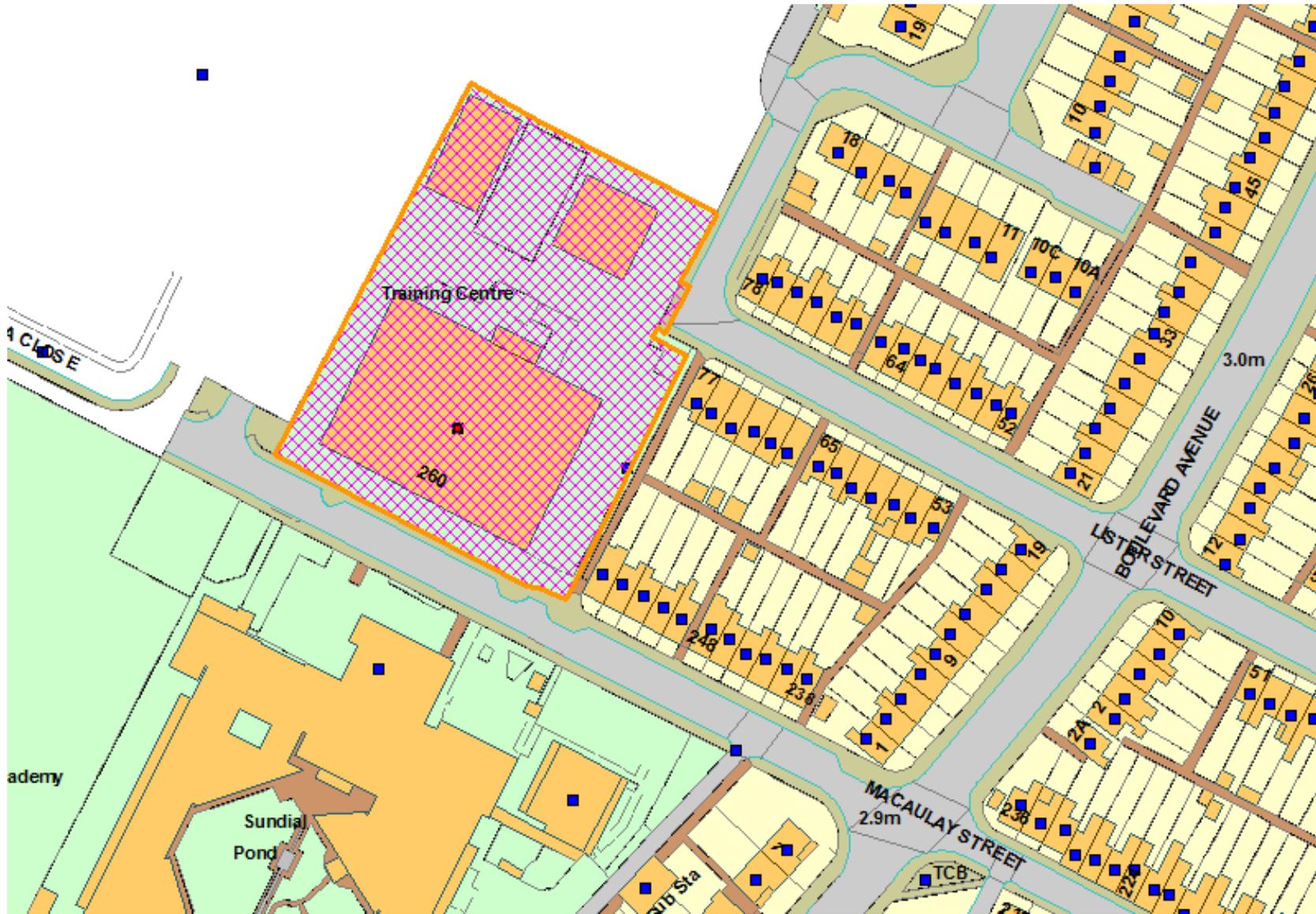
9 Informative

Adequate provision of water supplies for fire fighting appropriate to the proposed risk should be considered. If the public supplies are inadequate it may be necessary to augment them by the provision of on-site facilities. Under normal circumstances hydrants for industrial unit and high risk areas should be located at 90m intervals. Where a building, which has a compartment of 280m² or more in the area is being, erected more than 100m from an existing fire hydrant, hydrants should be provided within 90m of an entry point to the building and not more than 90m apart. Hydrants for low risk and residential areas should be located at intervals of 240m.

The developer should contact the Fire Safety Inspector for further information if required:
John Wallis 0844 3715537

DM/0205/22/FUL – (A4E ACTION FOR EMPLOYMENT)

260 MACAULAY STREET, GRIMSBY



PLANNING COMMITTEE - 4th January 2023

ITEM: 2 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/1027/22/FULA

APPLICATION TYPE: Accredited Agent - Homeholder application

APPLICATION SITE: 18 Stallingborough Road, Healing, North East Lincolnshire, DN41 7QN

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

APPLICANT:

Dr S Gupta
18 Stallingborough Road
Healing
North East Lincolnshire
DN41 7QN

AGENT:

Mr Byron Smith
By Design
47 The Avenue
Healing
North East Lincolnshire
Grimsby
N E Lincolnshire
DN41 7NA

DEPOSITED: 21st November 2022

ACCEPTED: 21st November 2022

TARGET DATE: 16th January 2023

PUBLICITY EXPIRY: 25th December 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 16th December 2022

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is to demolish the existing detached garage, erect a detached garage with storage at first floor with roof lights and associated works. The application is brought to committee due to the number of objections received as well as being called in for committee determination by Councillor Hasthorpe.

SITE

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

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

RELEVANT PLANNING HISTORY

DM/0707/22/FULA - Demolish existing detached garage, erect detached garage with storage at first floor with roof lights and associated works - Refused at Planning Committee on 2nd November 2022.

The proposal would be detrimental to the residential amenities of 16 Stallingborough Road by virtue of massing and dominance due to its size, height and proximity to the boundary contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO34 - Water management

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

REPRESENTATIONS RECEIVED

Highways - Approval no conditions.

Drainage - No objections.

Heritage - No heritage input.

Trees - No comment.

Healing Parish Council - No objections and although the Parish Council noted objections on the portal it felt these were not relevant as they are not from neighbouring properties and are not affected by the proposal. The Council is in favour of this application being granted.

Call in from Councillor Hasthorpe with reference to the previous refusal and that subsequently there have been negotiations on it. The location of a number of objectors is also noted. It is considered that the application should be determined by Committee.

Neighbours

7 Stallingborough Road, Healing - No objections to the proposal.

5 Stallingborough Road, Healing - No objections to the proposal.

16 Stallingborough Road, Healing- Objection on overshadowing, overbearing, overlooking, massing, dominance, oppressive, impact to privacy, noise from use of garage and impact to light.

91 Nelson Way, Grimsby - Objection on impact to neighbour, overshadowing and dominance.

6 The Avenue, Healing - Objection on overshadowing, massing and impact to neighbours.

28 Sidney Road, Grimsby - Objection on loss of light and not in keeping with surrounding area.

56 Radcliffe Road, Healing - Objection on loss of light and privacy.

55 Radcliffe Road< Healing- Objection on privacy, loss of light and impact to neighbours.

25 Poplar Road, Healing - Objection on overlooking and privacy.

APPRAISAL

Principle of Development

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

Design

The existing garage is set back within the site and forms part of the boundary with the neighbouring property at 16 Stallingborough Road. The proposal is a resubmission of a previous application, DM/0707/22/FULA, which as detailed above was refused permission. The new scheme has an amendment to the orientation of the roof and a slight reduction in overall height to 5.2m. The proposed garage is to be situated in the same location as the existing, sharing the same boundary. There are no windows proposed on the elevation on the boundary with the neighbour. There will be limited views of the garage from the street scene, limiting any visual impacts. The design is in keeping with the host property and the materials proposed are to match that of the existing dwelling ensuring a satisfactory finish. The garage would not harm the street scene or wider character of the area given its scale and position and is considered in accordance with Policies 5 and 22 of the NELLP 2018.

Neighbouring Amenity

The host dwelling adjoins 16 and 18a Stallingborough Road to the side, 52 and 54 Wisteria Drive to the rear, and 5a and 7 Stallingborough Road to the front.

A total of eight neighbour objections have been received in relation to the proposal, as well as two neighbour comments in support of the proposal. The objection received from the adjoining neighbour at 16 Stallingborough Road has raised concerns on the basis of overshadowing, overlooking, massing, dominance, impacts to privacy, impact to light and noise from the use of the garage resulting in a detrimental impact to their amenity. In relation to 16 Stallingborough Road, it is accepted that the garage proposed would be higher than the existing garage given the first-floor element. That being said, both properties have substantial rear gardens along with screening forming the dividing boundary. It is not considered that there will be any adverse massing, dominance, adverse loss of light or overlooking. The amendments to the scheme since the recent refusal are also acknowledged. In relation to the concern of the use of the garage and potential noise impacts, the use of the proposed garage is for domestic purposes and ancillary to the use of the host dwelling. The issue raised in relation to surface water drainage has been addressed as the proposal includes the provision of water butts. Therefore, whilst there would be an impact from the physical presence of the development, it would not be unduly detrimental due to its overall size, position and height. In relation to issues of design, these issues have been addressed above.

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

The comments in support of the application are acknowledged.

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

Other Considerations

The council's Highways, Drainage, Heritage and Tree Officers have raised no concerns in relation to this application. Healing Parish Council have raised no objections in relation to the application.

CONCLUSION

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

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

3626.01A - Site Location Plan and Block Plan

3626.02B - Existing and Proposed Plans and Elevations

Reason

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

(3) Condition

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

Reason

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

(4) Condition

Surface water drainage shall be via the water butt shown on plan 3626.02B which shall be installed before the garage is brought into use and shall thereafter be so retained unless an alternative is submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of flood risk and drainage and to accord with Policy 34 of the North East Lincolnshire Local Plan.

(5) Condition

The garage shall be used only for private and domestic purposes incidental to the use of the dwelling and not for any commercial, industrial or business purposes whatsoever.

Reason

To ensure the use is suitable for and in character with the existing residential area and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

Informatives

1 Reason for Approval

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

2 Added Value Statement

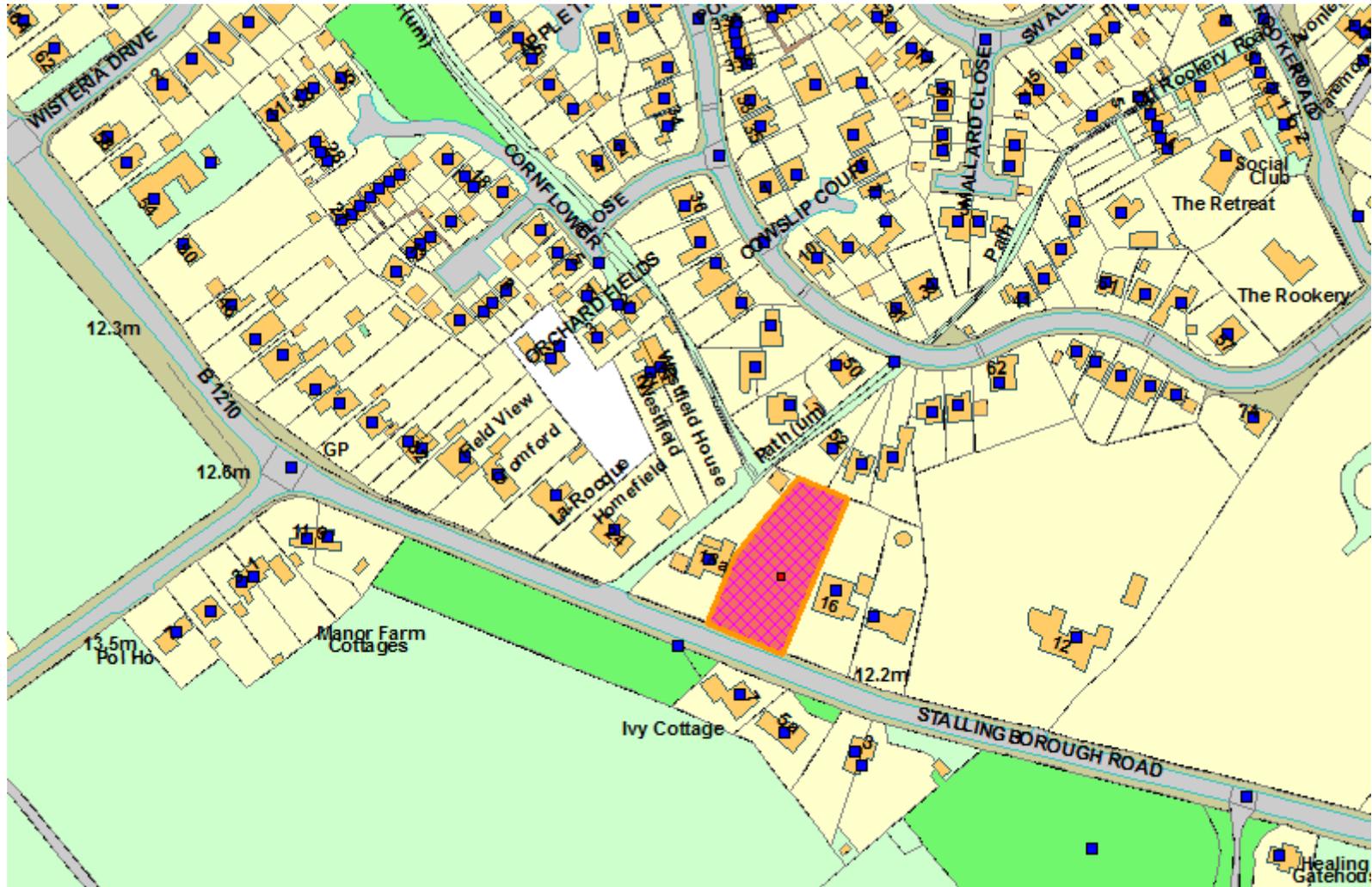
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by adding conditions to protect neighbouring amenity.

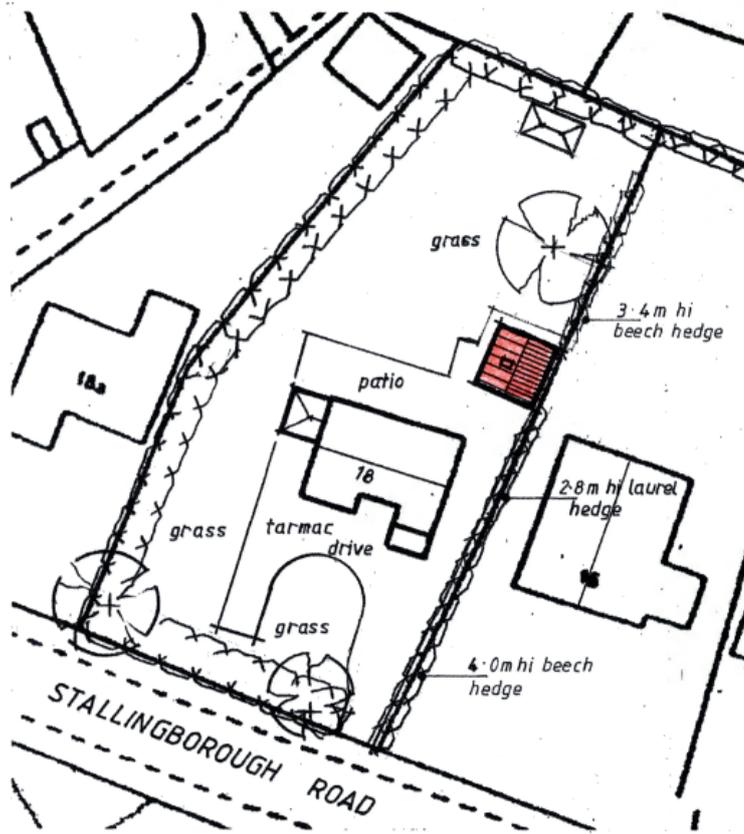
3 Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 325959).

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

DM/1027/22/FULA – 18 STALLINGBOROUGH ROAD, HEALING



DM/1027/22/FULA – 18 STALLINGBOROUGH ROAD, HEALING



PLANNING COMMITTEE - 4th January 2023

ITEM: 3 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/1002/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 1, 3, 4, 5, 6 And 7 Anita Grove (former Tynedale, Cheapside), Waltham, North East Lincolnshire, DN37 0BW

PROPOSAL: Variation of Condition 1 (Approved Plans) as granted on DM/0857/21/FUL for revision to the approved boundary treatments to plots 1,3, 4, 5, 6 and 7 (Re-submission of DM/0208/22/FUL)

APPLICANT:
Mr Paul Glover
Tynedale
Cheapside
Waltham
North East Lincolnshire
DN37 0HU

AGENT:
Miss Zoe Coyne
CDC Architecture Ltd
35 Louth Road
Grimsby
North East Lincolnshire
DN33 2HP

DEPOSITED: 9th November 2022

ACCEPTED: 10th November 2022

TARGET DATE: 5th January 2023

PUBLICITY EXPIRY: 11th December 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 5th December 2022

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to vary condition 1 (approved plans) pursuant to DM/0857/21/FUL, which was a variation of an earlier approval following the original approval for the demolition of an existing dwelling and erection of 5 detached houses and one pair of semi-detached houses to include garaging, landscaping and access. This amendment relates to the revision of the approved boundary treatments to plots 1, 3, 4, 5, 6 and 7. This is resubmission of the previously refused application under reference DM/0208/22/FUL.

The application is brought to planning committee following an objection from Waltham

Parish Council.

SITE

The site is located off Cheapside in Waltham. The site was formerly a single bungalow with large grounds. Following the approval of planning permission in 2016 the bungalow was demolished and the site is now being redeveloped. The majority of the plots have now been built and occupied.

RELEVANT PLANNING HISTORY

DM/0420/16/FUL - Demolish the existing bungalow and erect 7 dwellings - Approved with Conditions

DM/0235/17/CND - discharge of conditions attached to DM/0420/16/FUL - Conditions Complied With

DM/0308/20/FUL - Variation of condition 2 (Approved Plans) following DM/0420/16/FUL (Demolish existing dwelling and erect 5 detached houses and one pair of semi-detached houses to include garaging, landscaping & access) to amend site layout, the design of plots 4, 5 and 6 including dormer windows and rooflights (amended roof designs on plots 4 and 6 - September 2020) - Approved with Conditions

DM/0857/21/FUL - Variation of Condition 1 (Approved Plans) as granted on DM/0308/20/FUL to amend layout, scale and appearance of plot 5 (Amended Plan to show removal and replacement of tree) - Approved with Conditions

DM/0208/22/FUL - Variation of Condition 1 (Approved Plans) as granted on DM/0857/21/FUL to revise approved boundary treatments to plots 1,3, 4, 5, 6 and 7 - Refused

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to

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

REPRESENTATIONS RECEIVED

Drainage Team - Supports application due to ditch maintenance arrangements.

Heritage Officer - No heritage input required.

Trees and Woodlands Officer - No objection.

Waltham Parish Council - Recommends refusal on the grounds that it represents a departure from the original application and the original planned fence would provide security to a neighbouring property.

Highways Team - Approval no conditions.

Environment Team - No comment.

Last Mile - Plans provided of assets. Not considered to be affected by the works.

Neighbour Representations

6 Anita Grove (x3) - Supports application. Enclosure would prevent ditch maintenance.

7 Anita Grove - Supports application and considers this to be in-keeping. Enclosure would prevent ditch maintenance.

29 Peaks Lane - Supports application to allow for ditch maintenance, natural surveillance provided and management responsibility.

The Old Nurseries, Cheapside - Objects based on concerns relating to security and privacy, non compliance with previously approved plans and health and safety concerns with children being able to access the ditch.

APPRAISAL

Material Planning Considerations

1. Principle and planning history

2. Nature of the change

3. Design

4. Amenity and drainage

1. Principle of Development

The application seeks to vary condition 1 (approved plans) of an earlier approval to allow for amendments to the boundary treatments at Plots 1, 3, 4, 5, 6 and 7. The principle of the development has already been established under the original permission and the considerations of this application are merely those relating to the impacts arising from the proposed amendments to the boundary treatments.

The application is effectively a resubmission of DM/0208/22/FUL (Variation of Condition 1 (Approved Plans) as granted on DM/0857/21/FUL to revise approved boundary treatments to plots 1,3, 4, 5, 6 and 7) which was refused at Planning Committee on 15th June 2022 for the following reasons;

'The development by virtue of the omission of the proposed close boarded fence along the north west boundary with the open land beyond would be detrimental to the amenity and security of the adjacent land owner contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032.'

2. Revisions

The amendments to the boundary treatments are as follows;

Plot 1 approved as a 1.8-metre-high brick wall however the revision seeks to retain the 1.8-metre-high close boarded fence.

Plot 3 approved as a 1.8-metre-high close boarded fence however the revision seeks to retain the 1.8-metre-high brick wall, along the frontage of the access road, also with a revision to the positioning to be along the side elevation and the street scene.

Plot 4 approved as a 1.8-metre-high brick wall, between Plots 4 and 5 and adjoining a fence, however the revision seeks to retain the 1.8-metre-high close boarded fence also with a revision to the positioning to align along the side elevation on a revised position. A small section, between the dwelling and garage, was approved as a 1.8-metre-high brick wall and this seeks to retain the removal of this.

Plot 5 approved as a 0.9-metre-high brick wall, to the front of the garage, and a 1.8-metre-high brick wall, to the side boundary along access road, however the revision seeks to retain the 1.8-metre-high close boarded fence to the entire side boundary. This would also adjoin the side boundary of Plot 6 however would divert.

Plot 6 approved as 1.8-metre-high brick wall, to side, however the revision seeks to retain 1.8-metre-high close boarded fence. The approved 1.8-metre-high wall to the front, adjoining the side, seeks to retain the removal of this.

Plot 7 approved as 1.8-metre-high wall, between dwelling and garage, and 1.8-metre-high close boarded fence to the side and front boundaries with a 1.2 metre high close boarded fence with 0.6 metre high trellising to the rear, however the revision seeks to retain 1.8-metre-high close boarded fence, between dwelling and garage, and to the front with a Lincolnshire post and rail fence to the side and rear boundaries.

The expanse of the northwest boundary is approved as a 1.8-metre-high close boarded fence, from the side of Plot 7 to the rear of Mount Royal, however the revision seeks to leave this open.

3. Design

Visually, the proposal would not substantially alter the design concept. Although the changes would alter the visual appearance with the development site, this is not considered to be significantly different to what was approved. The treatments are considered typical of a residential environment consisting of close boarded fences, post and rail fencing and walling. Indeed the omission of the 1.8 metre fence along the length of the boundary from Plot 7 to the rear of Mount Royal could be considered a visual enhancement. There are no issues with regard to protected trees.

4. Impact to Neighbours and drainage

The amended boundary treatments are not considered to present additional impact in relation to the neighbours especially as these are mostly contained within the site. The scheme was originally approved and deemed acceptable. The amendment is considered to be typical of a residential development. The overall works are not considered to present any additional impact to the area or neighbours.

It is noted that there have been two objections relating to security and privacy, planning obligations/control and ditch maintenance, specifically to the adjacent neighbour at The Old Nurseries. This includes an objection from the Old Nurseries.

The original approval included a 1.8-metre-high close boarded fence along the northwest boundary covering an expanse of 103.5 metres. The amendment would see this remaining open beyond the side boundary of 7 Anita Grove. The adjacent land is open grassland and undeveloped, and a dyke runs along this boundary. It is felt that leaving this boundary line open is more visually pleasing to both occupiers on the site and to those seeing the development. In relation to security and privacy, the boundary is not adjacent to garden land and therefore would not result in overlooking or inappropriate access to private residential curtilage. Indeed it is considered that it would be more the usual occurrence that the boundary is left open as opposed to being enclosed with a close boarded fence.

In addition, an enclosure could prevent maintenance of the dyke for residents at Anita Grove which could have flooding implications. The Drainage Officer has visited the site in relation to this resubmitted application and has confirmed that it would be more appropriate for the boundary to remain open to allow for sufficient maintenance of the ditch in order to prevent any issues relating to flooding. It has been concluded that access from Anita Grove is easily available and access from the other side is more difficult due to the mature trees and wire fencing present. It is a common theme for requests relating to poorly maintained ditches to be referred to the Drainage Team which is usually as a result of difficult access. The amendment would see that this does not cause an obstruction in relation to future maintenance and furthermore help prevent any future issues relating to flooding if blocked.

Having regard to the above it is not considered that the omission of the main boundary fence along the access road from Plot 7 to the rear of Mount Royal would result in any amenity issues in relation to neighbouring land, that it would enhance the visual amenity of the locality and would help to secure future maintenance of existing ditch to help prevent future flooding issues. It is therefore considered that the amendment is acceptable under policies 5, 22 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

CONCLUSION

This application seeks to modify an earlier approval, which sought to demolish an existing dwelling and erect 5 detached houses and one pair of semi-detached houses to include garaging, landscaping and access. The development has been completed. The modifications proposed in this application are considered to be of a minor scale and nature and do not fundamentally alter the original design concept or create any significant additional impacts to the character of the area or to neighbours. It is acknowledged that the revision proposed was refused by Planning Committee in June 2022 but it is considered that this resubmission is acceptable on amenity grounds. It is recommended that planning permission be granted.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Proposed Boundary Treatments - 16-500-101 Rev D

The following plans approved under DM/0857/21/FUL;

Site Location Plan and Block Plan - 16-500-100L
Proposed Plans and Elevations for Plot 5 - 16-500-203H

The following plans approved under DM/0406/21/FUL;

Proposed Plans and Elevations for Plot 7 - 16-500-205F

The following plans approved under DM/0308/20/FUL;

Proposed Plans and Elevations for Plot 4 - 16-500-202D
Proposed Plans and Elevations for Plot 6 - 16-500-204H

The following plans approved under DM/0420/16/FUL;

1567/001

Proposed Drainage Plan - EWE/1987/01 Rev A
Proposed Plans and Elevations for Plots 1 and 2 - 16-500-200 Rev A
Proposed Plans and Elevations for Plot 3 - 16-500-201 Rev A
Proposed Plans and Elevations for Garages - 16-500-206 Rev A

Reason

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

(2) Condition

The development shall be built out in accordance with the surface water drainage details approved under DM/0235/17/CND.

Reason

In the interests of sustainable drainage and flood risk in accordance with Policy 33 of the North East Lincolnshire Local Plan 2013-2032.

(3) Condition

The development shall be built out in accordance with the highway construction details approved under DM/0235/17/CND.

Reason

In the interests of sustainable drainage and flood risk in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(4) Condition

The development shall be built out in accordance with the Construction Management

Plan approved under DM/0235/17/CND.

Reason

In the interests of sustainable drainage and flood risk in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(5) Condition

The development shall be built out in accordance with the external construction materials approved under DM/0235/17/CND.

Reason

In the interests of sustainable drainage and flood risk in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

(6) Condition

The development shall proceed in accordance with the details and recommendations set out in the Arboricultural Report dated April 2016 as supplied in DM/0420/16/FUL.

Reason

In the interests of tree protection and landscape importance in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032.

(7) Condition

The development shall be built out in accordance with the landscaping scheme approved under DM/0235/17/CND.

Reason

To protect the character and appearance of the area in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032.

(8) Condition

The scheme of landscaping and tree planting required through condition 7 of this approval shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policy 42 of the North East Lincolnshire Local Plan 2013-2032.

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33 and 34.

2 Informative

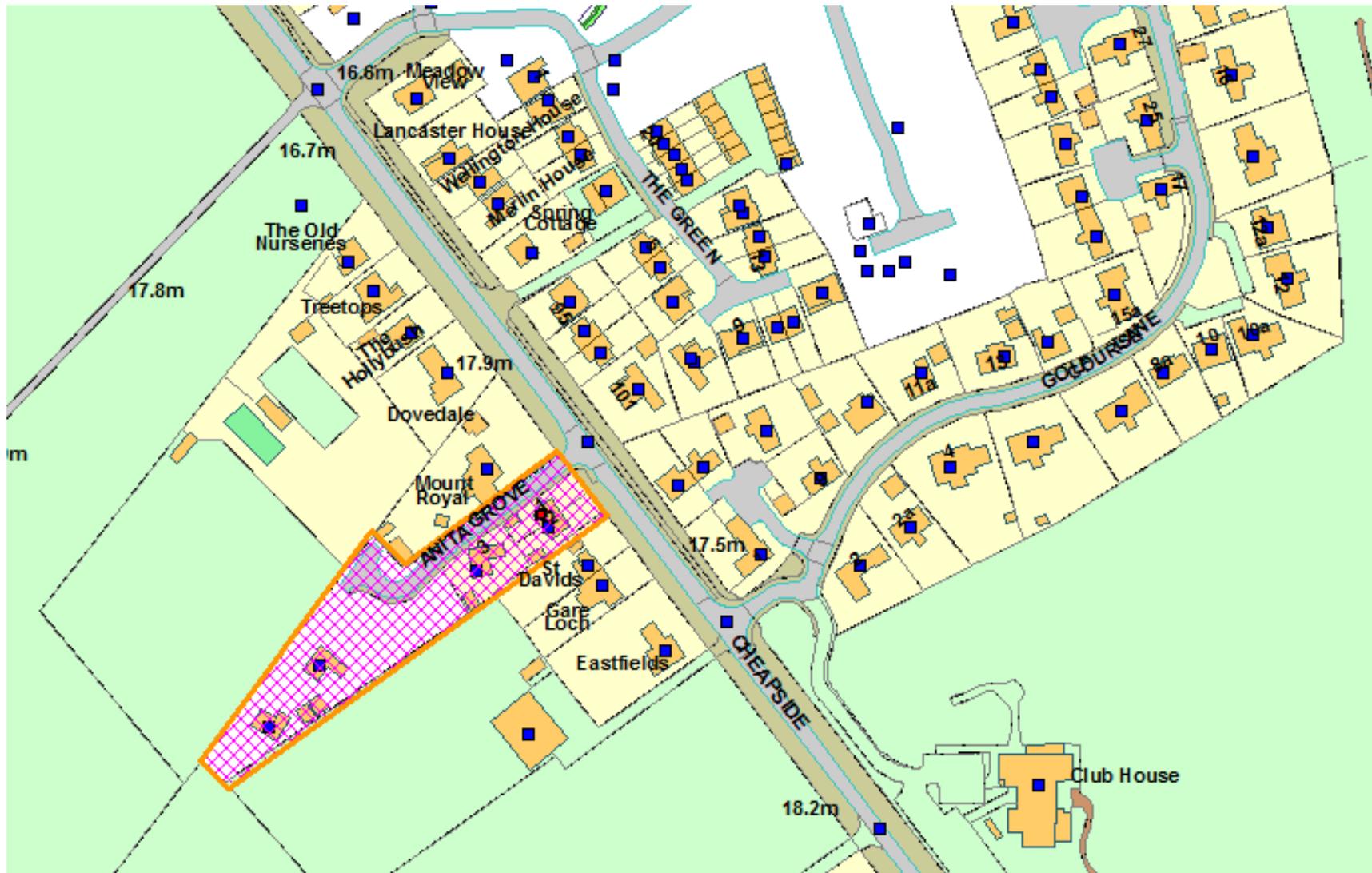
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner by determining the application in a timely manner.

3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

DM/1002/22/FUL - 1, 3, 4, 5, 6, 7 ANITA GROVE (FORMER TYNE DALE, CHEAPSIDE) WALTHAM



DM/1002/22/FUL - 1, 3, 4, 5, 6, 7 ANITA GROVE
(FORMER TYNEDALE, CHEAPSIDE) WALTHAM



PLANNING COMMITTEE - 4th January 2023

ITEM: 4 **RECOMMENDATION: Approved Limited Period**

APPLICATION No: DM/0777/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Waltham Windmill Golf Club , Cheapside, Waltham, North East Lincolnshire, DN37 0HT

PROPOSAL: Erect a temporary 6.5 metre tall by 10 metre wide golf ball impact net, with additional landscaping adjacent to men's first tee

APPLICANT:

Mr Strawson
Waltham Windmill Golf Club
Cheapside
Waltham
North East Lincolnshire
DN37 0HT

AGENT:

Miss Georgina Walker
Hodson Architects
The Old Post Office
Yarra Road
Cleethorpes
North East Lincolnshire
DN35 8LS

DEPOSITED: 26th August 2022

ACCEPTED: 1st September 2022

TARGET DATE: 27th October 2022

PUBLICITY EXPIRY: 1st October 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 25th September 2022

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is to erect a safety net measuring 6.5m high and 10m wide adjacent to the first tee box on the Waltham Windmill Golf Club. The proposal includes the planting of trees behind the net.

The application is brought to committee due to the number of objections received.

SITE

The proposed netting is to be positioned adjacent to the first tee box on the Waltham

Windmill Golf Course. The location is a functional part of the golf course and maintained as such. To the north, east and south of the site is the golf course and to the west are neighbouring properties on Golf Course Lane.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

NPPF15 - Conserv. & enhance the natural environ.

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

PO41 - Biodiversity and Geodiversity

PO42 - Landscape

PO43 - Green space and recreation

PO5 - Development boundaries

PO22 - Good design in new developments

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

REPRESENTATIONS RECEIVED

Environmental Health - support the proposed fence and have been working with neighbours and the golf club to come to a solution over stray golf balls which pose a health and safety issue for residents.

Heritage - no heritage input required.

Highways - no objections.

Trees - comments on the tree planting scheme.

Ecology - confirm no ecological issues.

Waltham Parish Council - support the proposed development but would like to see an improved landscaping scheme.

Neighbours

In support of the application:

10 Golf Course Lane
10A Golf Course Lane
2 Hangar Lane

Support the application due to the existing health and safety concerns of stray golf balls causing damage to property and risking human health.

In objection to the application:

2 Golf Course Lane
2A Golf Course Lane
8 Golf Course Lane
9 Golf Course Lane
14 Golf Course Lane
44 Swiftsure Crescent
33 Peterson Drive

Object to the application with concerns broadly over the following matters:

- The appearance of the netting;
- Impact on their view;
- Noise;
- Impact on ecology in particular birds and bats;
- The proposal would act as a trampoline and bounce balls to different locations and just relocate the problem.

APPRAISAL

Material Planning Considerations

1) Principle of Development

The site is located within the main golf course site which is allocated for sport and recreation on the NELLP. The proposal is to support the existing golf course and address an issue associated with the course. It is therefore considered to be in accordance with Policies 5 and 43 of the NELLP and acceptable in principle. It is noted that the proposal is for the netting to be temporary whilst the landscaping grows and then forms the barrier for golf balls. The application does not propose a specific time period but it is considered that 5 years is a reasonable time. Conditions will be required to secure the landscaping to be completed and ensure that the netting is removed. The landscaping includes 7 trees and the species detailed are Black Pines and White Poplar, this combination will provide height and depth and form a good screen in time.

2) Visual Impact

It is noted that neighbours have objected to the proposal due to its visual impact. The proposed netting would be 6.5m high and 10m wide. It would be visible to neighbours who back onto the golf course, in particular nos. 2, 2A, 4 and 6 Golf Course Lane.

However, whilst visible to the neighbours it would be set off the boundary by 7m, would be green in colour and would not be dominant or overbearing. It is also noted that these neighbours all have strong boundary treatments. It is therefore considered that the proposed netting would not have an unduly detrimental impact on the visual character of the area or the visual amenity of the neighbours in accordance with Policy 5 of the NELLP.

3) Impact on Neighbours

It is noted that neighbours have objected to the proposed development. In regard to the impacts on neighbours amenities it is considered that, due to the size, type and position of the proposed netting, it would not have an unduly detrimental impact on the neighbours residential amenities.

Comments have been made in regard to the proposed netting displacing stray golf balls by acting as a trampoline. The details supplied for the netting demonstrate that it would be slack and so would absorb the power from the ball and make it drop to the base of the net.

It is also noted that the NELC Environmental Health team have been involved with the golf club and neighbours to resolve health and safety complaints due to the stray golf balls. The Environmental Health team have reviewed the application and support the proposed net to address the concerns raised to them. The support from the immediate neighbours is also noted.

4) Ecology

Concerns have been raised in regard to the potential impact on ecology due to the net catching birds and bats. The application has been considered by the Council Ecologist and no objections have been raised on the basis the proposal would not cause ecological issues. The proposed netting is a temporary measure and of a modest scale. It is positioned in an open area away from flight paths for birds and bats. It is therefore considered that it would accord with Policy 41 of the NELLP.

CONCLUSION

In conclusion, it is considered that the proposed netting would not cause undue harm to the visual character of the area, neighbours amenities or ecology. It is a temporary measure to resolve a health and safety issue. It is considered to accord with Policies 5, 22, 41 and 43 of the NELLP and is recommended for approval subject to conditions.

RECOMMENDATION

Approved Limited Period

(1) Condition

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

Reason

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

(2) Condition

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

2508.E000 - Site location plan

2508.P001 - Block Plan

2508.P002 - Netting detail

2508.P003 - Contextual elevation

Reason

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

(3) Condition

The net shall be removed and the land reinstated to its former condition within 5 years of installation (with the date of installation confirmed to the Local Planning Authority in writing when it occurs) unless, before that date, an extension of the period has been granted on a further application by the Local Planning Authority.

Reason

It is considered that the netting is not suitable for a permanent permission due to its construction and visual impact in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The scheme of landscaping and tree planting shown on drawing P001 shall be completed within a period of 3 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development in the interests of local amenity in accordance with Policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

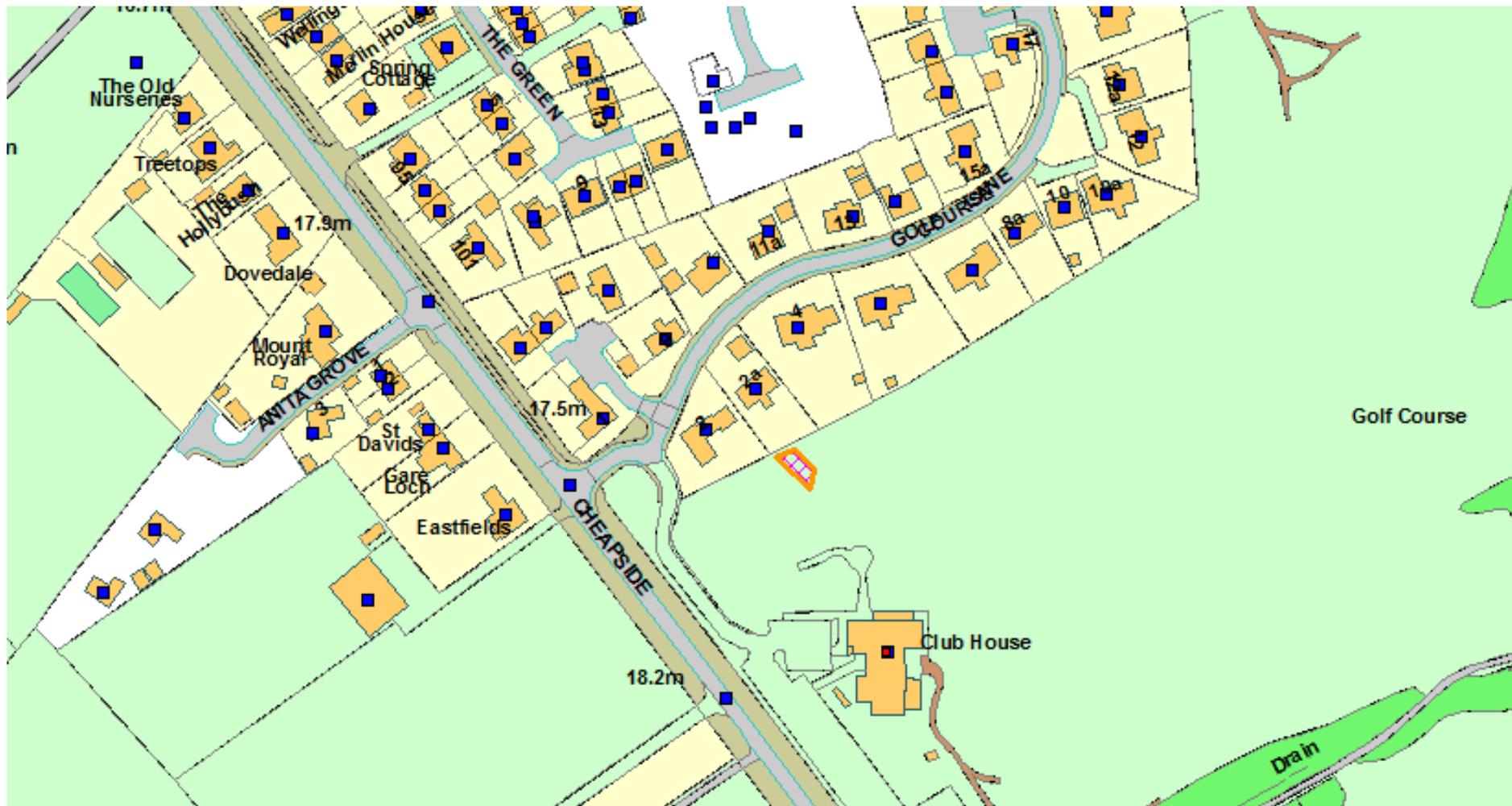
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 41 and 43.

2 Added Value Statement

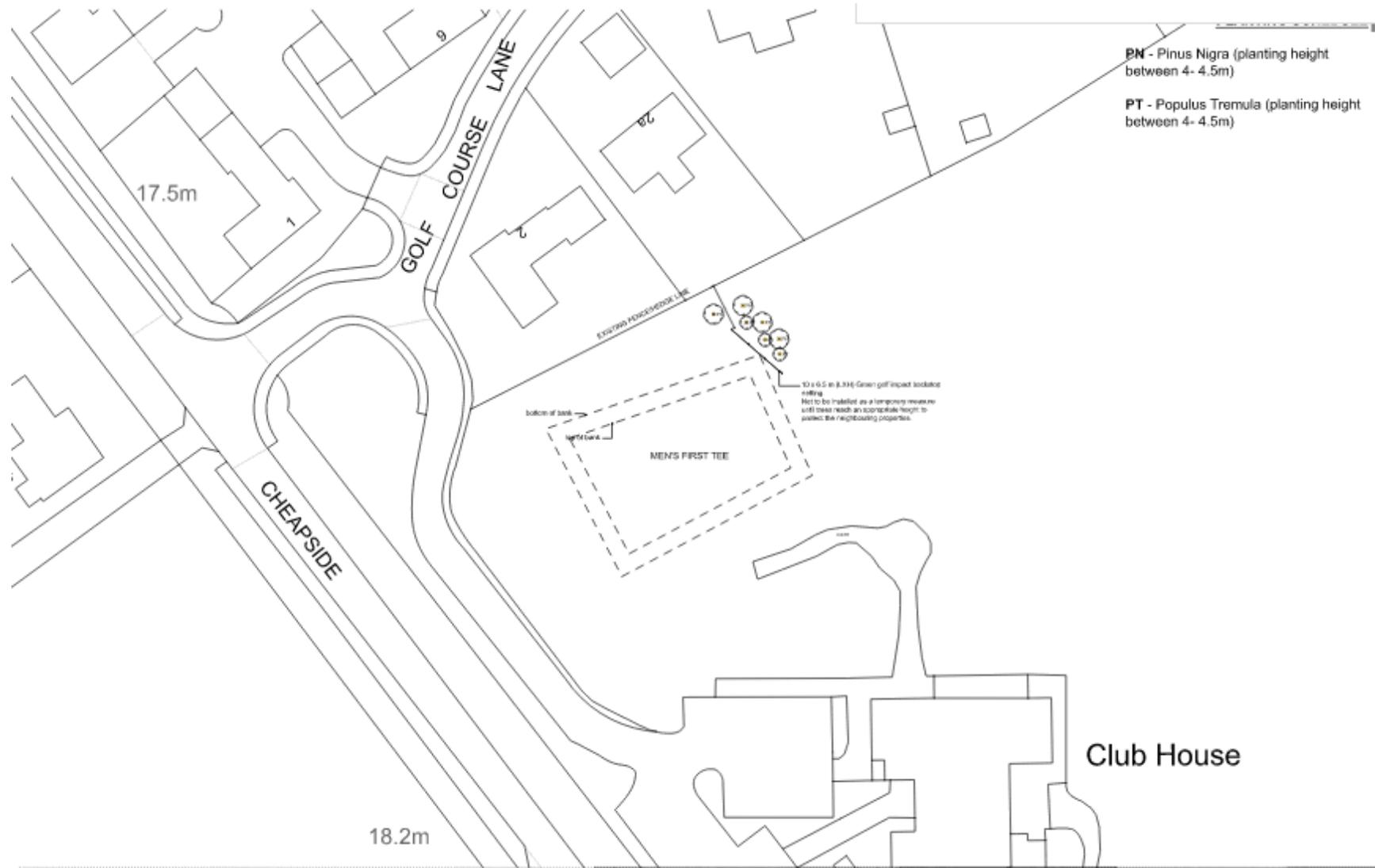
Article 31(1)(cc) Statement - Positive and Proactive Approach

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

DM/0777/22/FUL – WALTHAM WINDMILL GOLF CLUB, CHEAPSIDE, WALTHAM



DM/0777/22/FUL – WALTHAM WINDMILL GOLF CLUB, CHEAPSIDE, WALTHAM



PLANNING COMMITTEE - 4th January 2023

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

APPLICATION No: DM/0797/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 10 Forest Way, Humberston, North East Lincolnshire, DN36 4HQ

PROPOSAL: Retrospective application for the erection of boundary wall and partial change of use of land to domestic curtilage - amended plans received November 2022

APPLICANT:
Mr Mark Teanby
10 Forest Way
Humberston
North East Lincolnshire
DN36 4HQ

AGENT:
Mr Rick Bass
RPB Design and Build Limited
6 Rosemary Avenue
Grimsby
North East Lincolnshire
DN34 4NL

DEPOSITED: 5th September 2022

ACCEPTED: 20th September 2022

TARGET DATE: 15th November 2022

PUBLICITY EXPIRY: 12th December 2022

AGREED EXTENSION OF TIME DATE: 6th January 2023

CONSULTATION EXPIRY: 13th November 2022

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is a retrospective application for the erection of a boundary wall, to include the partial change of use of the land to domestic curtilage.

The application is brought to committee due to the number of objections to the proposal and due to a call in request from Councillor Dawkins.

SITE

10 Forest Way is a detached property located to the south side of the road. The area

surrounding the property is residential in nature, with detached bungalows to the north and west, and a combination of detached dormer bungalows and detached two storey houses to the south and east.

RELEVANT PLANNING HISTORY

DM/0798/22/FUL - Variation of Condition 2 (Approved Plans) and Condition 3 (Materials), following DM/0479/19/FUL - Approved with Conditions.

DM/0479/19/FUL - Demolish two existing single garages and erect new double garage with roof lights - Approved with Conditions.

DC/148/99/HUM - Erect single storey side extension to form study - Approved with Conditions.

Note - in terms of the shed, this does not form part of this application and will be constructed under permitted development in the event of an approval of this permission.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

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

REPRESENTATIONS RECEIVED

Consultations

Heritage Officer - No heritage input required.

Drainage Officer - Rainwater harvesting proposal acceptable.

Highways - Approval no conditions. Note the changes through the amended plans.

Humberston Parish Council - Objection received in relation to initial scheme. Objection

withdrawn to the amended scheme.
Trees and Woodlands Officer - No comment.

Neighbours

14 Forest Way, 17 Forest Way, 19 Forest Way, 21 Forest Way, 21C Forest Way, 29 Forest Way and one unknown number on Forest Way - objections on highway and pedestrian safety grounds.

19 Forest Way also raised an issue in respect of the associated garage not being used for domestic purposes.

APPRAISAL

Material Considerations

Principle of Development

The site is located within the development boundary of Humberston, therefore Part 1 of Policy 5 of the NELLP 2018 applies. Policy 5 does not preclude works of this nature in principle within the defined development boundaries. The principle of development is therefore acceptable provided that the proposal does not present any detrimental impacts in relation to its design, to residential amenity or to highway/public safety.

Design

The boundary wall is approximately 2m high, with brick pillars and timber fence panel inserts. The wall is sited to the northern boundary of the host property, continuing around the western boundary with 8 Forest Way. The wall to part of the northern boundary, following around to the eastern boundary of the property is approximately 1m high. The wall has been finished in red facing brickwork, to match the existing wall at the front of the property. The design of the wall is in keeping with boundary treatments shown within the wider surrounding area.

The land to the north has been included within the domestic curtilage of the host property. The change of use to form an extended garden for the host property does not unduly affect the general character of the area. This is a common feature in residential developments and is not considered to be at odds with the neighbourhood.

As a result of the points above, there is no harm to the character of the area in accordance with Policies 5 and 22 of the NELLP 2018.

Neighbouring Amenity

The host dwelling immediately adjoins 8 Forest Way to the west, and 12 Forest Way to the south side. It sits across the road from 15 Forest Way to the east and 13, 14 and 15 Newlands Park to the north. The wall and parcel of land subject to the change of use sits adjacent to the road and the boundary with 8 Forest Way.

There have been a number of objections raised in relation to this application. Neighbours

at 14, 17, 19, 21, 21C and 29 Forest Way raised objections to the initial proposal on highways safety grounds primarily. The proposal has been amended to reduce the extent of 2m high wall to alleviate the concerns in respect of visibility, with an amended proposal coming forward to remove the front two fence panels and pillars. No further objections have been raised in relation to the amended plans received.

19 Forest Way also raised an issue in respect of the associated garage not being used for domestic purposes. This is noted and has been addressed through a separate planning application referenced DM/0798/22/FUL.

In relation to highway/public safety this will be discussed within the remainder of this report. In relation to mass, dominance and overall impacts on neighbours, it is not considered that the proposal is detrimental in these respects in accordance with Policy 5 of the NELLP 2018.

Other Considerations

The Council's Heritage, Drainage and Tree Officers raised no concerns in relation to the application. Humberston Parish Council raised objections to the initial proposal on highways safety grounds, however this has since been rescinded in light of the amended scheme with no objections raised.

The Highways team have acknowledged in response to the neighbour objections received that the "introduction of a boundary wall in this location does reduce the previous achievable forward visibility, the land in question does not and previously has not, formed part of the adopted highway and therefore there is no requirement for forward visibility across the land". Highway Officers do however note the benefits as a result of the amended plans. On the basis of the amended plans, no objections were raised by the Highways team on the grounds of safety.

CONCLUSION

It is considered that the wall and extension of domestic garden do not unduly harm the amenity of the neighbouring properties, the character and appearance of the area or highway/public safety. The application is therefore considered to be in accordance with Policies 5 and 22 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

The development shall be completed in accordance with the following plans:

Site Location Plan - received 5th September 2022
Proposed Block Plan - received 20th October 2022
Proposed Wall Plan - received 18th November 2022
Proposed Front Elevation - received 18th November 2022
Proposed Side Elevations - received 18th November 2022

Reason

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

(2) Condition

The proposal shall be completed using materials specified within the application form received 5th September 2022 and as shown on the submitted plans unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(3) Condition

Within three months from the date of this permission, the two front fence panels shall be removed, as shown on the drawings referenced below. It shall be retained as approved thereafter.

Proposed Block Plan - received 20th October 2022
Proposed Wall Plan - received 18th November 2022
Proposed Front Elevation - received 18th November 2022
Proposed Side Elevations - received 18th November 2022

Reason

In the interests of highways safety and amenity, to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal as amended does not

harm the area character or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5 and 22.

2 Added Value Statement

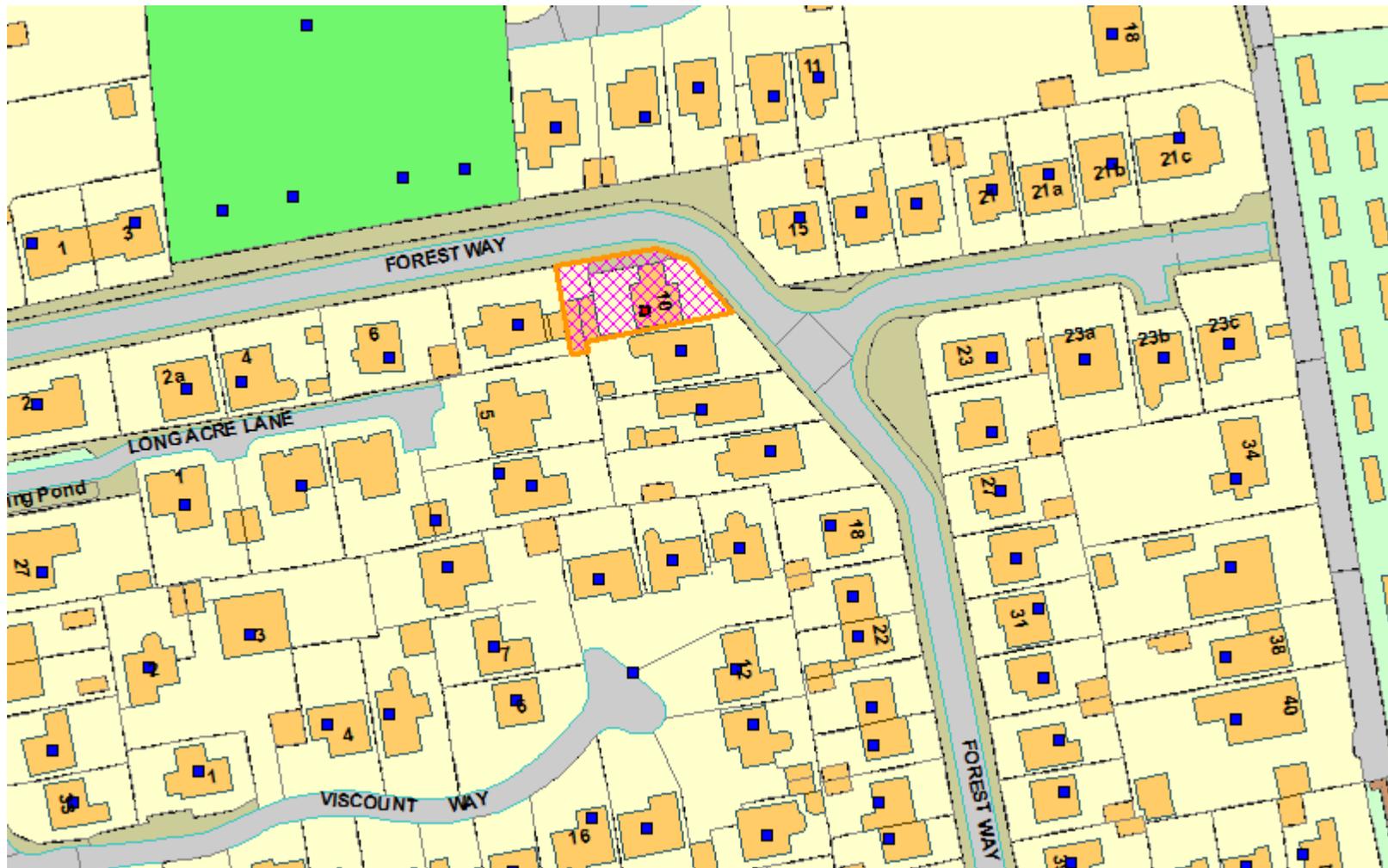
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing amended details to alleviate a concern.

3 Informative

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

DM/0797/22/FUL- 10 FOREST WAY, HUMBERSTON



DM/0797/22/FUL- 10 FOREST WAY, HUMBERSTON



PLANNING COMMITTEE - 4th January 2023

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

APPLICATION No: DM/0720/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land Grimsby Road (Phase 3), Waltham, North East Lincolnshire,

PROPOSAL: Retrospective application to retain raised ground levels with site reclaimed soil

APPLICANT:

Mr Peter Strawson
Idyllic Estates
East Ravendale Farm
East Ravendale
DN37 0RX

AGENT:

Mr Matt Deakins
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

DEPOSITED: 9th August 2022

ACCEPTED: 9th August 2022

TARGET DATE: 8th November 2022

PUBLICITY EXPIRY: 16th October 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 9th September 2022

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is a retrospective application to retain raised ground levels with site reclaimed soil from the adjacent development site. The site has been levelled which has resulted in levels being raised by up to 1m in places. There is also a mound on soil remaining on the site.

The application has been brought to Planning Committee due to an objection from Waltham Parish Council.

SITE

The site is located to the west of Grimsby Road in Waltham opposite the junction with Fairway. The site is currently an agricultural field with open boundaries to the north and south, new landscaping to the east and a large hedge to the west adjacent to Grimsby Road. To the south of the site is Woodlands Way, a residential development of 16 dwellings. The dwellings have been constructed and occupied.

RELEVANT PLANNING HISTORY

On this site

DM/1160/17/OUT - Residential development - withdrawn

DM/0521/18/OUT - outline for 16 dwellings - Refused - dismissed at appeal

DM/0955/20/OUT - outline for 17 dwellings - Refused - dismissed at appeal

DM/0719/22/FUL - full application for 16 dwellings - under consideration

Adjacent site to the south

DM/0579/16/OUT - Residential development - refused - allowed at appeal

DM/0285/18/REM - reserved matters for residential development - approved

Various amendments to DM/0285/18/REM

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries

PO33 - Flood risk

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

REPRESENTATIONS RECEIVED

Environmental Health - no comments

Environment Agency - no comments

Trees Officer- no objections

Fire Brigade - no objections
Anglian Water - no comments
Heritage Officer - no comments
Highways Officer - no objections
Drainage Officer - no objections

Waltham Parish Council - object to the development due to risk of flooding, dust and visual impact of the mound of soil.

No.8 and 9 Woodlands Way have commented in support of the application. However, concerns raised at the soil heap with regards to anti social behaviour and environmental issues of dust and also with reference to matters that need to be finished in terms of the main development.

67 Grimsby Road has objected due to dust and the impact on the drainage network increasing the risk of flooding.

No.1 and 2 Woodlands Way and 59 Grimsby Road have commented on the application neither objecting or supporting the scheme. They have made comments on the potential for impact on the drainage system and amenities from the soil. The soil heap in particular has attracted anti social behaviour from people playing on it which is to the detriment of the neighbours' amenities. In the summer months there were issues with dust blowing from the soil heap. The removal of the soil heap is supported.

APPRAISAL

The key considerations in this application are:

1) Principle of Development

The proposed development relates to topsoil that was removed from the adjacent development site and spread around the application with a remaining mound of soil on the site. The works have resulted in the land levels having been raised by up to 1 m in the south west corner of the site adjacent to Woodlands Way. Prior to the works taking place the land generally fell from east to west and that remains the case but with a shallower gradient and a more pronounced drop adjacent to the western boundary. The soil has been tested to ensure that it is suitable to be used in this manner, the Environmental Health team have reviewed this information and have no concerns to raise.

In regard to the principle of the development the work was undertaken to use the soil adjacent to where it came from rather than transport it from the site to landfill. Policy 5 of the NELLP does not specifically preclude such development but seeks to ensure that the visual character of the area is not harmed. Whilst there have been various planning applications on the site for development these have not been approved and the authorised use for the site is for agricultural use, these works do not stop it being used as

such. It is therefore considered that the principle of the development is acceptable subject to the matters considered in the report below.

2) Drainage

The comments from neighbours in regard to drainage implications have been noted and proposal has been considered by the Drainage Officer with no objections having been raised. The works do not change the direction of over land flows or increase the risk of flooding either on or off the site. It is therefore considered that the proposal is in accordance with Policy 33 of the NELLP.

3) Visual Impact

The works have raised the level of the site but in terms of the visual appearance of the site they have made little change. The site has been made to be more level with Woodlands Way which makes it slightly more visually attractive. The land will also green up in time and could return to an arable crop rotation and so its visual appearance will not fundamentally change. The proposal therefore accords with Policy 5 of the NELLP.

4) The Remaining Soil Heap

The remaining heap of soil has caused problems for the neighbours due to anti social behaviour from children playing on it and dust. The proposal includes the removal of this soil to landfill and the land to be made good. It is critical that this happens in a timely manner. It is therefore proposed that a condition is included that requires it to be removed and the site made good within 3 months of the date of this permission, the applicant is agreeable to this requirement.

CONCLUSION

In conclusion, it is considered that the proposed works are acceptable and do not cause an undue impact on flood risk, drainage and general amenities in accordance with Policies 5 and 33 of the NELLP. The application is therefore recommended for approval subject to conditions for the removal of the remaining heap of soil.

RECOMMENDATION

Approved with Conditions

(1) Condition

The approved plans are as follows:

RD4036 - 03A site location plan
RD4036 - 04C site prior to work
RD4036 - 04B site with altered levels

Reason

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

(2) Condition

Within 3 months of the date of this planning permission the soil heap shall be removed and the site shall be cleared and finished as per plan ref:RD4036-20.

Reason

In the interests of visual amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The soil removal shall be undertaken in accordance with the Management Plan Ref: RD4036la14-12-22.

Reason

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

Informatives

1 Reason for Approval

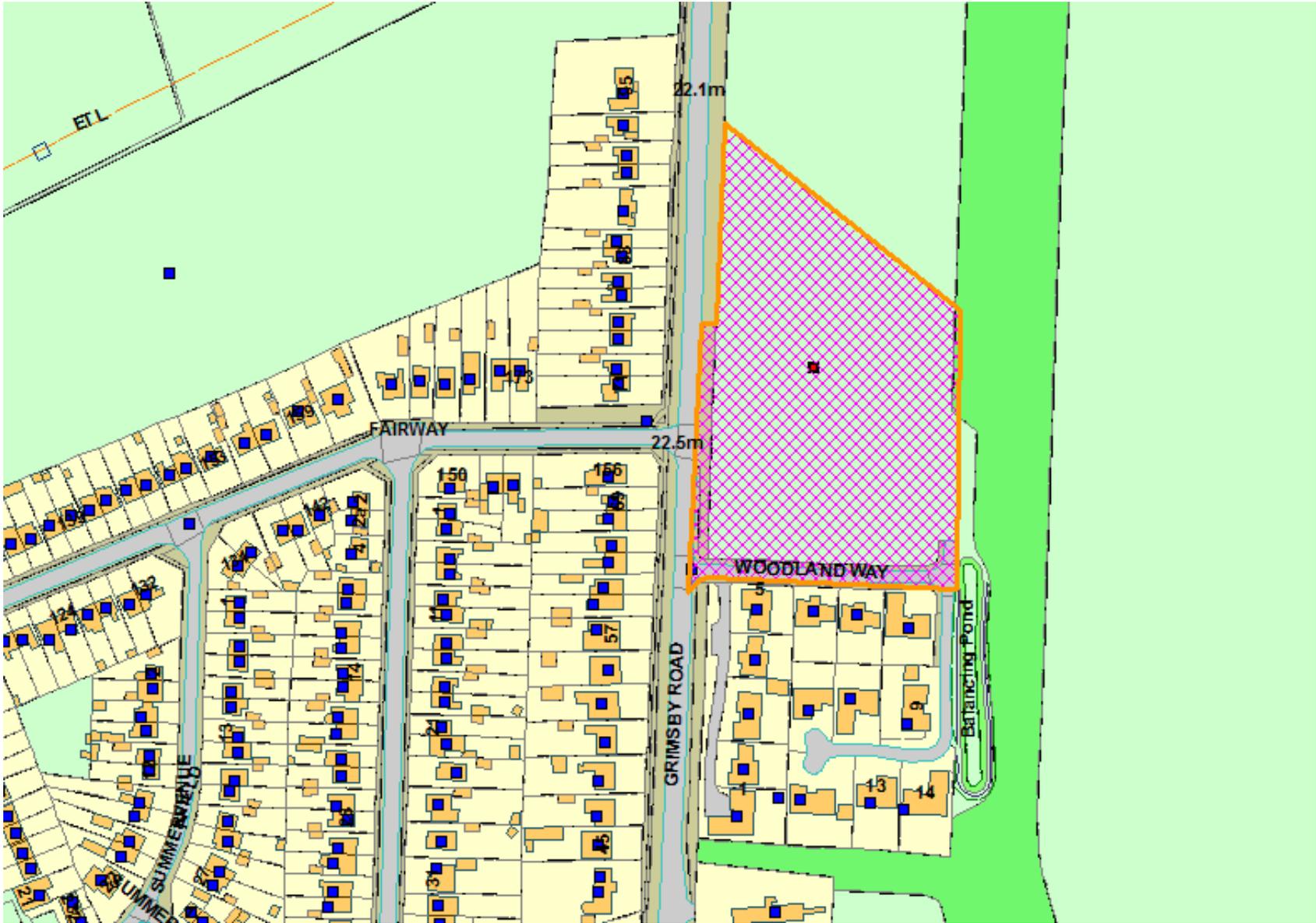
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5 and 33.

2 Added Value Statement

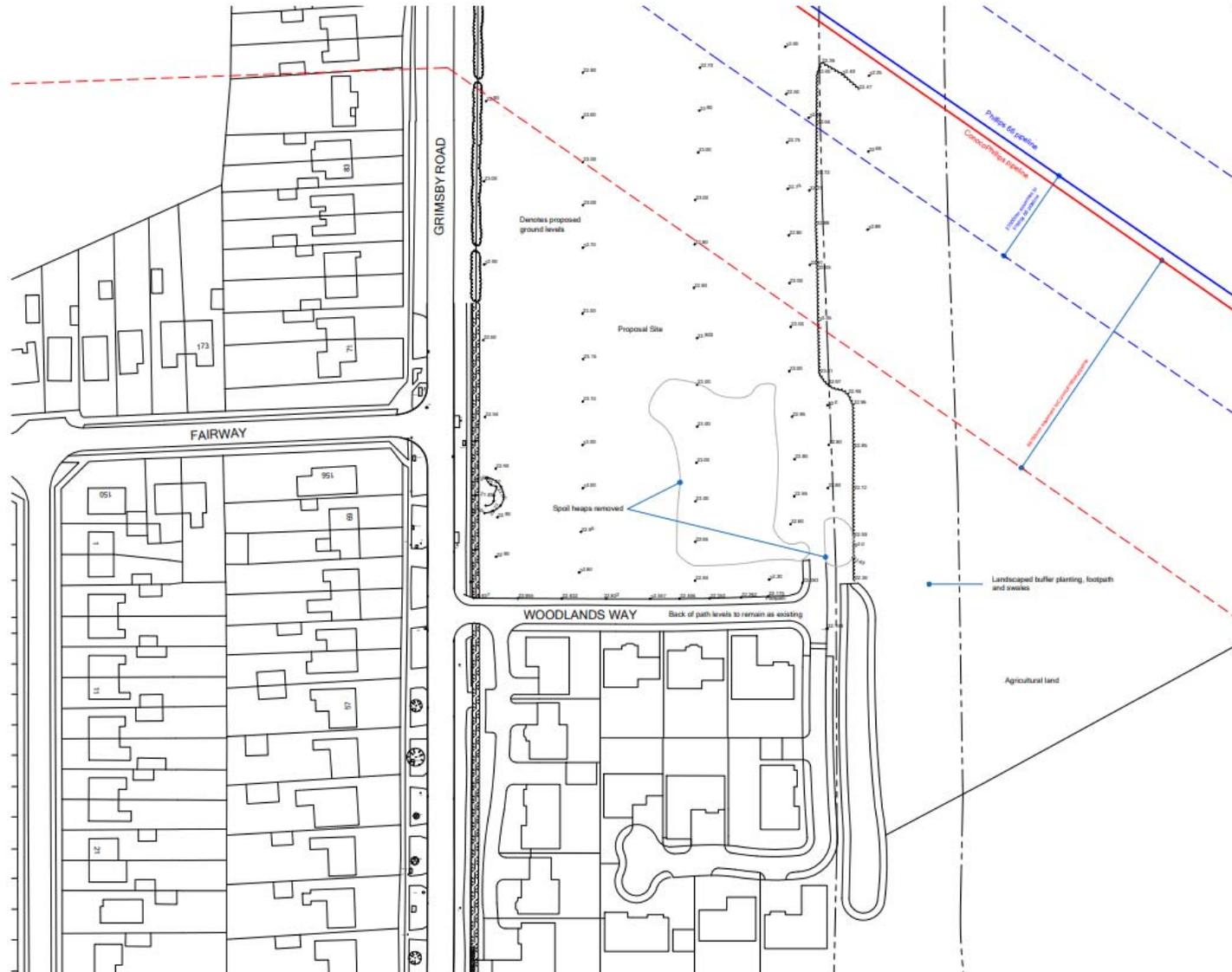
Article 31(1)(cc) Statement - Positive and Proactive Approach

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by using conditions to protect amenity.

DM/0720/22/FUL – LAND GRIMSBY ROAD (PHASE 3), WALTHAM



DM/0720/22/FUL – GRIMSBY ROAD (PHASE 3), WALTHAM



Revision	
1	Issue for Approval
2	Issue for Approval
3	Issue for Approval
4	Issue for Approval
5	Issue for Approval
6	Issue for Approval
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Ross Davy Associ
 100 Woodlands Way
 Waltham, North East Lincolnshire, DN22 2JG
 Tel: 01472 243438
 Email: ross.davy@rossdavy.co.uk
 Web: www.rossdavy.co.uk

Project	Proposed Development at Land off Grimsby Road, Waltham, North East Lincolnshire		
Drawing Title	Proposed Site Levels Plan Phase Three		
Client	MD	Scale	1:50
Date	Dec 22	Sheet	A1

APPROVAL

PLANNING COMMITTEE - 4th January 2023

ITEM: 7 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0812/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Grimsby Lawn Tennis Club, College Street, Grimsby, North East Lincolnshire,

PROPOSAL: Variation of condition 2 (Approved Plans) pursuant to DM/0251/20/FUL - plots 9 to 14 amendments to house type 4, now detached, integral garages omitted and changed to living space, rear french doors and roof lights omitted and rear ground floor window added. Private road alignment adjusted.

APPLICANT:

Mr Stephen McIllduff
Seven Developments Grimsby Ltd
35 Higher Polsue
Tresillian
Truro
TR2 4BG

DEPOSITED: 7th September 2022

AGENT:

Mr Jonathan Thorns
21 Yarnsworth Road
Newark
NG24 3WL

ACCEPTED: 2nd November 2022

TARGET DATE: 1st February 2023

PUBLICITY EXPIRY: 11th December 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 4th December 2022

CASE OFFICER: Richard Limmer

PROPOSAL

The proposal is to vary condition 2 (Approved Plans) pursuant to DM/0251/20/FUL - specifically plots 9 to 14. The amendments include separating the dwellings so that they are now detached, omitting the integral garages to change them to living space, rear French doors and roof lights omitted, and rear ground floor window enlarged. The amendments also include changing the alignment of the internal private road.

This application has been brought to Planning Committee due to the number of objections received.

SITE

The site is located towards the eastern end of College Street with St James School to the east. To the west, north and south are residential properties. A particular feature are the properties along College Street that date from the 1930's set back from the highway with relatively short front gardens. A number of trees on and around the site are afforded protection by a Tree Preservation Order and the site lies within the Wellow Conservation Area.

RELEVANT PLANNING HISTORY

DM/0936/15/FUL - Erect 13 dwellings with associated infrastructure - Approved.

DM/0251/20/FUL - Erection of 14 detached dwellings with associated garages - Approved.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

- NPPF16 - Conserv. & enhance the historic environ.
- NPPF5 - Delivering a sufficient supply of homes
- NPPF12 - Achieving well designed places
- NPPF14 - Climate, flooding & coastal change
- NPPF15 - Conserv. & enhance the natural environ.

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

- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape
- PO5 - Development boundaries
- PO22 - Good design in new developments
- PO33 - Flood risk
- PO34 - Water management
- PO36 - Promoting sustainable transport
- PO39 - Conserve and enhance historic environ

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

REPRESENTATIONS RECEIVED

Drainage - no objections.
Env. Health - no comments.
Env. Agency - no objections.
Heritage - no objections.
Trees - no comments.
Anglian Water - no comments to make.
Highways - no objections.
Cadent Gas - Informative advice provided.
Civic Society - object due to the loss of parking.

Neighbours

31 College Street
33 College Street
37 College Street

The above neighbours have objected due to the loss of parking and the impact on increased on-street parking.

APPRAISAL

The main issues are considered below:

1. Principle of Development

The proposed development is for residential development on a site located well within the settlement boundary for Grimsby and indeed only a short distance from Grimsby Town Centre. Policy 5 of the NELLP does not preclude residential development within the defined settlement boundaries.

The site is allocated for residential development on the NELLP under Policy 13 as site HOU144 with an indicative capacity of 13 dwellings. The site also benefits from planning permission for 14 dwellings under DM/0251/20/FUL. This permission has been implemented and a number of the dwellings are well under construction.

The proposed amendments to the approved scheme do not affect the principle of development.

2. Impact on Neighbours Amenities

The proposed changes will not increase the impact on the neighbouring properties residential amenities. The dwellings do not increase their overall mass, they do not get closer to the site boundaries and there are no additional windows to the first floor. It is therefore considered that the proposal is acceptable in regard to neighbours' amenities in

accordance with Policy 5 of the NELLP.

3. Impact on the Character of the Area and Heritage

The proposed amendments relate to plots 9-14 which are located to the rear of the site and are not in a direct view of College Street. The amendments would not significantly change the general design or appearance of the dwellings. The Heritage Officer has confirmed that they have no objections to the proposed changes and it is therefore considered that the proposals would not harm the visual character of the immediate and wider conservation area in accordance with Policies 5 and 39 of the NELLP.

4. Highway Safety and Amenity

The proposal includes a minor realignment of the internal access road and changes the integral garages of plots 9 to 14. The Highways team have reviewed the application and have no objections to make. The access road was proposed to be private and this remains the case. The realignment of the access road does not restrict access and remains acceptable. It is noted that neighbours have objected to the proposal mainly due to the loss of parking provision as the integral garages for plots 9-14 have been removed. However, each of the plots still retain 2 off street parking spaces and the site is located close to the town centre and the associated public transport routes. It is therefore considered that the proposed amendments and parking provision in particular are acceptable and in accordance with Policy 5 of the NELLP.

CONCLUSION

The proposed development would not lead to undue impacts on the neighbours' residential amenities, the character and appearance of the area or highway safety and amenity. The proposal therefore accords with Policies 5, 22, 33, 34, 36, 38 and 39 of the NELLP and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

1923-JTA-ST-OO-DR-A-1005 Rev P01 - Block Plan
1923-JTA-Z4-ZZ-DR-A-1411 Rev P01 - House type 4
1923-JTA-Z4-ZZ-DR-A-1410 Rev P01 - House type 4
1923-JTA-Z4-ZZ-DR-A-1416 Rev P01 - House type 4
1923-JTA-Z4-ZZ-DR-A-1415 Rev P01 - house type 4

and the following plans approved under DM/0251/20/FUL:

1923-JTA-Z1-EL-DR-A-0112 REV P03	Proposed Elevations - House Type 1A
1923-JTA-Z1-EL-DR-A-0115 REV P02	Proposed Elevations - House Type 1B
1923-JTA-Z1-SE-DR-A-0111 REV P03	Proposed Sections - House Type 1A
1923-JTA-Z1-SE-DR-A-0114 REV P02	Proposed Sections - House Type 1B
1923-JTA-Z1-SE-DR-A-0117 REV P01	Proposed Sections- House Type 1C
1923-JTA-Z1-SE-DR-A-0118 REV P01	Proposed Sections - House Type 1C
1923-JTA-Z1-ZZ-DR-A-0110 REV P03	Proposed Floor Plans - House Type 1A
1923-JTA-Z1-ZZ-DR-A-0113 REV P02	Proposed Floor Plans - House Type 1B
1923-JTA-Z1-ZZ-DR-A-0116 REV P01	Proposed Floor Plans - House Type 1C
1923-JTA-Z2-EL-DR-A-0122 REV P03	Proposed Elevations -House Type 2A
1923-JTA-Z2-EL-DR-A-0125 REV P02	Proposed Elevations- House Type 2B
1923-JTA-Z2-EL-DR-A-0128 REV P02	Proposed Elevations- House Type 2C
1923-JTA-Z2-SE-DR-A-0121 REV P03	Proposed Sections - House Type 2A
1923-JTA-Z2-ZZ-DR-A-0123 REV P02	Proposed Floor Plans - House Type 2B
1923-JTA-Z2-ZZ-DR-A-0126 REV P02	Proposed Floor Plans - House Type 2C
1923-JTA-Z3-EL-DR-A-0132 REV P02	Proposed Elevations - House Type 3A
1923-JTA-Z3-EL-DR-A-0137 REV P02	Proposed Elevations- House Type 3B
1923-JTA-Z3-SE-DR-A-0131 REV P02	Proposed Sections - House Type 3A
1923-JTA-Z3-SE-DR-A-0136 REV P02	Proposed Sections - House Type 3B
1923-JTA-Z3-ZZ-DR-A-0130 REV P02	Proposed Floor Plans - House Type 3A
1923-JTA-Z3-ZZ-DR-A-0135 REV P02	Proposed Floor Plans - House Type 3B

LS_03_080920 Rev No.2 Landscape Scheme

Reason

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

(2) Condition

The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy document dated 2nd August 2020 reference 08-0055 under DM/0251/20/FUL. Specifically, finished floor levels shall be set no lower than 300mm above existing ground level. The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason

To reduce the risk and impact of flooding to the development and future occupants in accordance with Policy 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

The development shall be built out in strict accordance with the Construction Management Plan approved under DM/0167/21/CND.

Reason

To protect amenities in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The development shall be built out using the materials specified and agreed in DM/0167/21/CND unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development to accord to Policy 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

The development shall be built out in accordance with the surface and foul water drainage details approved under DM/0167/21/CND. The surface water system shall be implemented, operated and maintained as approved and prior to occupation of any dwelling. It shall thereafter be retained at such unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of reducing flood risk in accordance with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

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

Reason

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

(7) Condition

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

Reason

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

(8) Condition

The development shall be built out in accordance with the Electric Vehicle Charging details approved under DM/0167/21/CND. The approved electric recharge points shall be provided prior to the occupation of the dwelling to which they relate and shall be retained thereafter.

Reason

In the interests of promoting sustainable transport in accordance with Policy 36 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

The development shall be built out in accordance with the highway construction details approved under DM/0167/21/CND unless otherwise approved in writing by the Local Planning Authority. The access and drives shall be constructed and retained in accordance with the details approved and within the defined visibility splays nothing shall at any time be erected or allowed to grow over 1.05 metres in height above the carriageway level of the adjoining highway.

Reason

In the interests of highway safety and amenity to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

The scheme of landscaping, hedge and tree planting shown on drawing LS_03_080920 Rev No.2 'Landscape Scheme' and as agreed through condition 9 of this permission shall be completed within a period of 12 months, beginning with the date on which the development is commenced or such longer time as agreed in writing by the Local Planning Authority. The scheme of landscaping shall include the retention of hedge and trees as detailed on drawing LS_03_080920 Rev No.2 'Landscape Scheme' and plan 1923-JTA-ST-00-DR-A-0102 REV P05 'Proposed Site Plan' and all planting shall be adequately maintained for 10 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(11) Condition

Prior to the occupation of any dwelling on the site details of the construction and management arrangements for the carriageways and footways, drainage systems and

communal landscape and open space areas not to be adopted by the local authority shall be submitted to and approved in writing by the Local Planning Authority. The carriageways, footways, drainage systems and communal landscape and open space areas shall be completed and managed in accordance with the approved details thereafter.

Reason

In the interests of the residential amenity of future occupiers and the satisfactory appearance of the development to accord to Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(12) Condition

The development shall be constructed in accordance with the Arboricultural Method Statement Version No: 2 (29/07/2020), approved under DM/0251/20/FUL with all tree and landscape protection measures provided on site and retained as such for the whole of the construction period.

Reason

In order to protect existing landscaping in the interests of the amenity of the area to accord to Policies 5, 22 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(13) Condition

The development shall be built out in accordance with the Archaeological Scheme of Investigation approved under DM/0167/21/CND.

Reason

The site may contain a Historic Environment Asset which requires recording in accordance with Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(14) Condition

The development shall be built out in accordance with the boundary treatments plan approved under DM/0167/21/CND unless otherwise approved in writing by the Local Planning Authority. The boundary treatments shall be implemented in accordance with the approved details before the occupation of the dwelling to which the treatments relate.

Reason

In the interests of visual and residential amenity to accord to Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(15) Condition

The first floor bathroom, en suite and bedroom 3 windows in the rear elevations for plot 4 and 6 (elevation C) shall be glazed with obscure glazing only at an obscurity level of 3 or above as measured on the Pilkington Scale and shall be retained at this level of obscurity thereafter.

Reason

In the interests of residential amenity to accord to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(16) Condition

Construction works shall accord with the protection measures set out in the submitted Ecology Impact Assessment under DM/0167/21/CND. Prior to any dwelling being occupied on site final details of the Ecological Improvement works are to be submitted to and agreed in writing by the Local Planning Authority. The approved Ecological Improvement works shall then be fully implemented within 12 months of the first occupation of any dwelling on the site.

Reason

In the interests of ecology and to accord to Policy 41 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

Informatives

1 Reason for Approval

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

2 Added Value Statement

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

No problems have arisen during consideration of this application that have required working directly with the applicant to seek solutions.

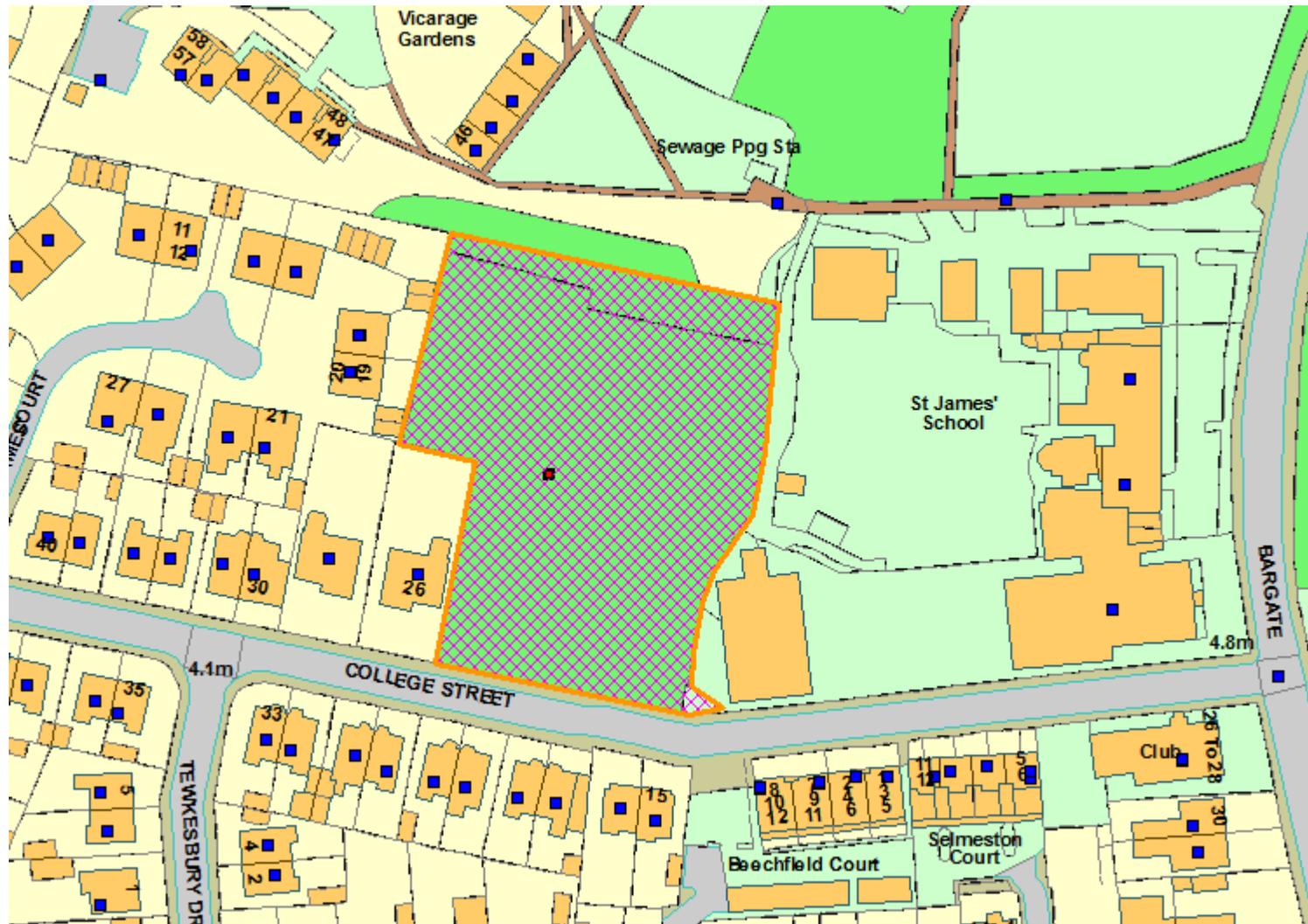
3 Informative

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

4 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

DM/0812/22/FUL – GRIMSBY LAWN TENNIS CLUB, COLLEGE STREET, GRIMSBY



PLANNING COMMITTEE - 4th January 2023

ITEM: 8 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0942/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 166 North Sea Lane, Humberston, North East Lincolnshire, DN36 4XB

PROPOSAL: Alterations to boundary treatments and erect brick wall to side and front

APPLICANT:

Mrs Stephanie Capindale
166 North Sea Lane
Humberston
North East Lincolnshire
DN36 4XB

AGENT:

RPB Design And Build Limited
6 Rosemary Avenue
Grimsby
North East Lincolnshire
DN34 4NL

DEPOSITED: 20th October 2022

ACCEPTED: 21st October 2022

TARGET DATE: 16th December 2022

PUBLICITY EXPIRY: 5th December 2022

**AGREED EXTENSION OF TIME DATE: 6th
January 2023**

**CONSULTATION EXPIRY: 5th December
2022**

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is for the alterations to boundary treatments and erection of brick wall to side and front boundaries. The application is brought before committee for determination due to receiving an objection from Humberston Village Council.

SITE

166 North Sea Lane is a detached property located to the south side of the road. The area surrounding the property is predominantly residential in nature, comprising of mainly detached bungalows and dormer bungalows with varying boundary treatments.

RELEVANT PLANNING HISTORY

DM/0841/18/FUL - Erect single storey detached garage complex to rear of garden (amended plans showing access, reduced eaves and ridge heights, incorporation of a pitched roof at rear and south boundary) - Approved with Conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

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

REPRESENTATIONS RECEIVED

Consultees

Heritage Officer - no input required.

Drainage Officer - consultation with Anglian Water required.

Highways - Approval no conditions.

Trees and Woodlands Officer - Would prefer to see the hedge retained, no principled objections.

Humberston Village Council - objection in relation to removal of the hedgerow.

Anglian Water - no assets within proposed site.

Neighbours

164 North Sea Lane - objection in relation to potential increase of vehicular movement.

APPRAISAL

Principle of Development

The site is located within the development boundary of Humberston, therefore Part 1 of Policy 5 of the NELLP 2018 applies. Policy 5 does not preclude works of this nature in

principle within the defined development boundaries. It is therefore considered in principle that the proposed development is acceptable subject to the site-specific impacts discussed below.

Design

The wall is proposed to be 1.95m high and is intended to replace the existing low wall and hedgerow. The wall is proposed to be built in buff brick with red brick detailing. There are varying degrees of boundary treatments within the immediate surrounding area including high brick walls. The wall would be visible within the street scene; however, this would not be deemed to be prominent due to the variation of boundary treatments along North Sea Lane. In terms of visual amenity the proposal accords with Policy 5 and 22 of the NELLP 2018. The loss of the hedge is noted and has been discussed with the applicant. Whilst to a degree this is regrettable it must be acknowledged that the removal of it cannot be controlled and as noted the replacement with a wall is considered acceptable in amenity terms.

Neighbouring Amenity

The host dwelling adjoins 164 and 168 North Sea Lane to the sides, 156 North Sea Lane, 16a, 17a and 19a Newlands Park to the rear, with 187 and 189 Station Road to the front. The proposed wall sits predominantly along the front boundary with North Sea Lane, with a smaller section of wall proposed along the boundary with 168 North Sea Lane. An objection has been received from the neighbour at 164 North Sea Lane in relation to a potential increase in vehicle movements. Whilst the objection has been acknowledged, the proposal itself would not result in an increase in the movement of vehicles along the boundary with 164 North Sea Lane. The position and scale of the proposed wall ensures no adverse massing, overshadowing or loss of privacy issues in accordance with Policy 5 of the NELLP 2018.

Other Matters

The Council's Highways and Heritage Officers has raised no concerns in relation to the scheme. The Council's Drainage Officer has advised consultation with Anglian Water due to assets being within the vicinity of the proposed wall, however Anglian Water has confirmed that there are no assets affected within the proposed site.

CONCLUSION

The proposed wall is of a reasonable size, scale and appearance. It is considered that the development would not unduly harm the amenity of the neighbouring properties or the character and appearance of the area. The application is therefore considered to be in accordance with Policies 5 and 22 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - received 20th October 2022

Block Plan - received 20th October 2022

Existing Garden Plan - received 20th October 2022

Existing Front Elevation - received 21st October 2022

Existing Side Elevations - received 20th October 2022

Proposed Garden Plan - received 20th October 2022

Proposed Side Elevations - received 20th October 2022

Proposed Front Elevation - received 20th October 2022

Reason

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

(3) Condition

The proposed development shall be constructed in accordance with the materials specified in the email received from Rick Bass on 16th December 2022 and on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

Informatives

1 Reason for Approval

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

2 Added Value Statement

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

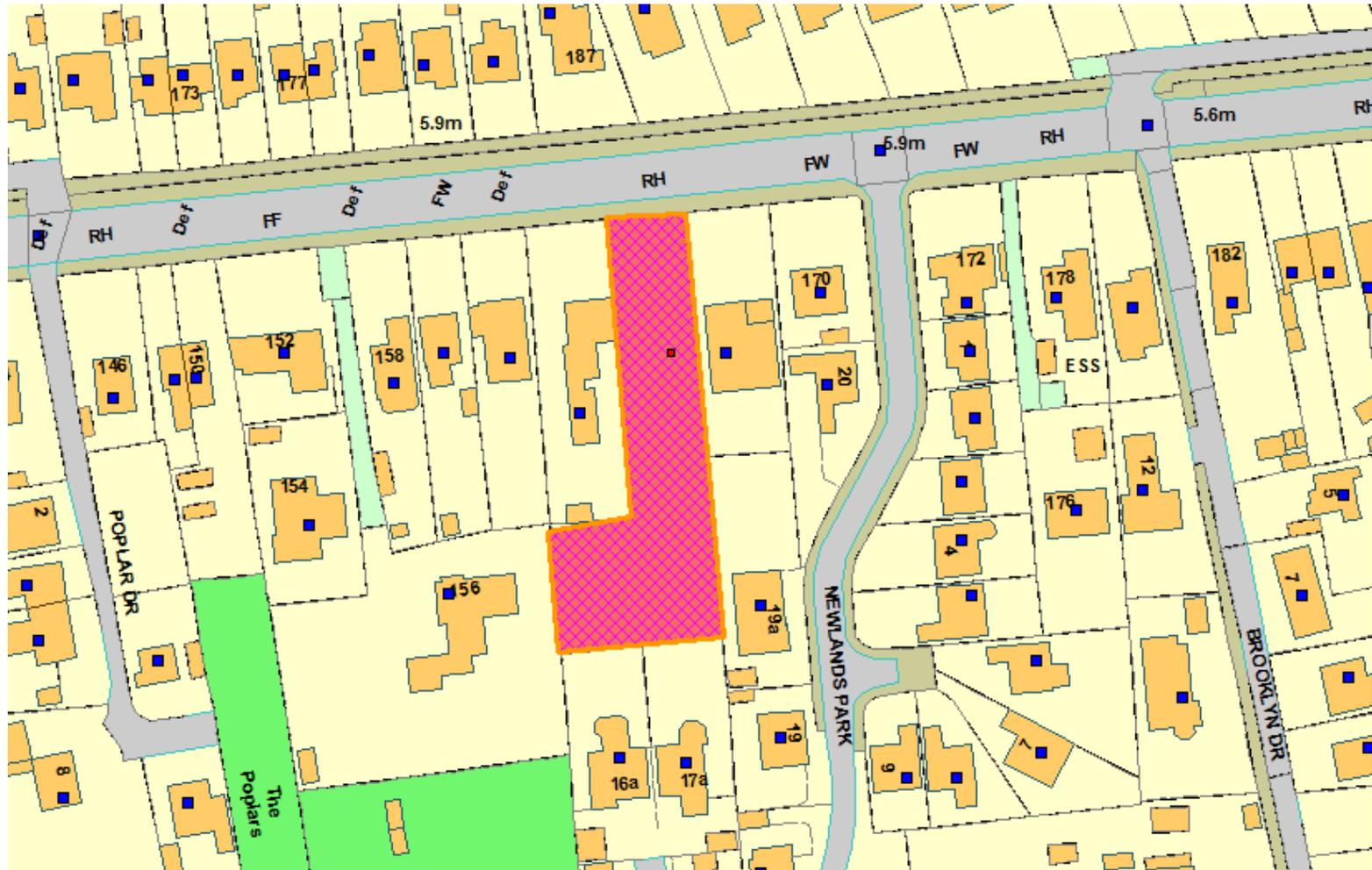
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by adding conditions to protect neighbouring amenity.

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

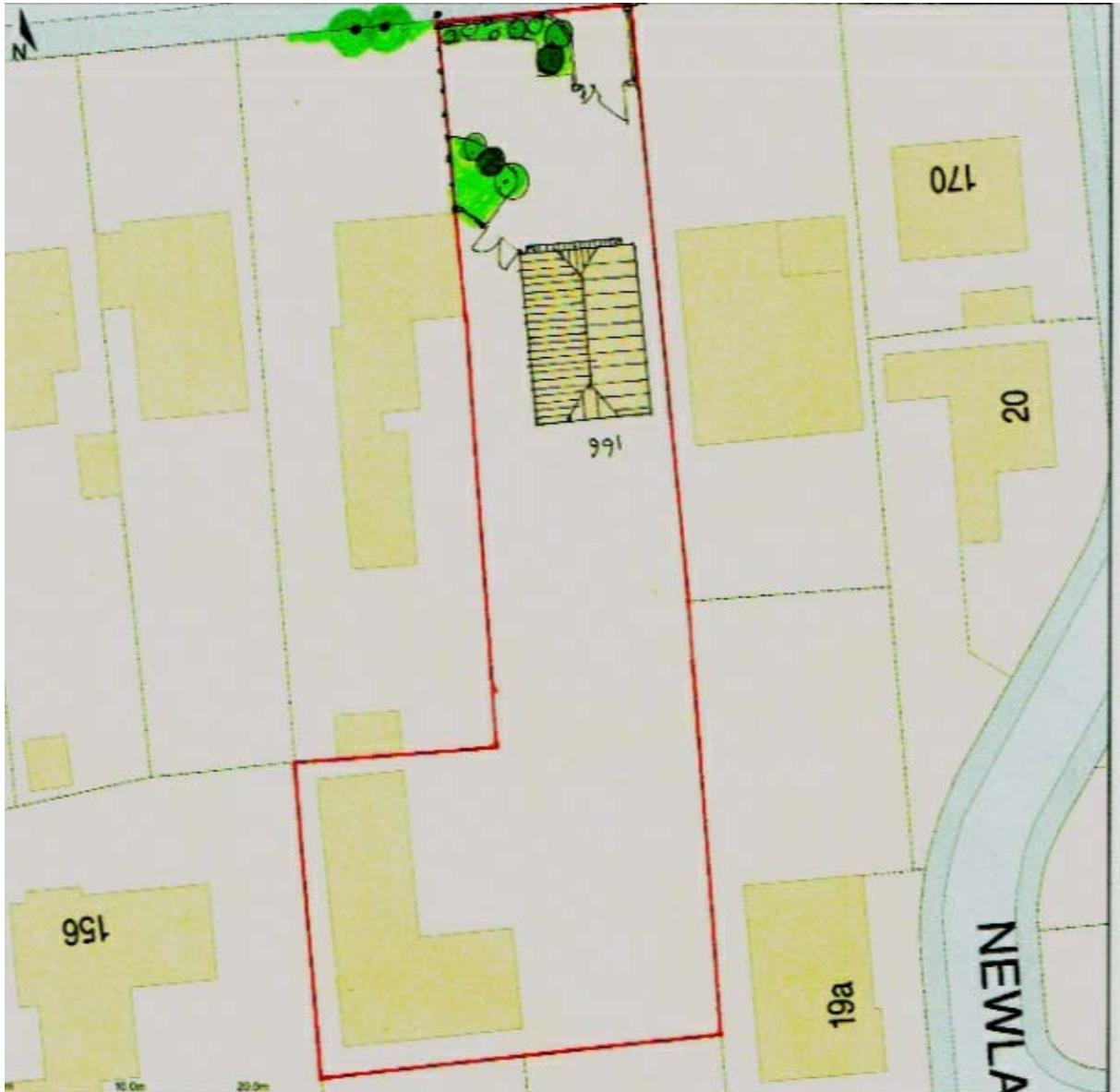
4 The applicant's attention is drawn to the fact that the requirements of the Party Wall Act may apply and you should seek advice from your agent or suitably qualified person.

5 The applicant's attention is drawn to the comments received by Anglian Water on 5th November in respect of checking for any privately owned assets.

DM/0942/22/FUL – 166 NORTH SEA LANE, HUMBERSTON



DM/0942/22/FUL – 166 NORTH SEA LANE, HUMBERSTON



PLANNING COMMITTEE - 4th January 2023

ITEM: 9 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0835/22/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land Adjacent To Fenby House, Post Office Lane, Ashby Cum Fenby, North East Lincolnshire, DN37 0QS

PROPOSAL: Erect one dwelling with detached outbuilding and basement

APPLICANT:

Mr Ashley Lidgard
C/O Lincs Design Consultancy
12 Vickers Lane
Louth
Lincolnshire
LN11 9PJ

AGENT:

Lincs Design Consultancy Ltd
Mr Daniel Sharp
12 Vickers Lane
Louth
LN11 9PJ

DEPOSITED: 13th September 2022

ACCEPTED: 21st November 2022

TARGET DATE: 16th January 2023

PUBLICITY EXPIRY: 14th November 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 23rd October 2022 **CASE OFFICER: Owen Toop**

PROPOSAL

This proposal relates to the erection of one dwelling with a detached outbuilding and basement.

This application is brought to the attention of planning committee as Ashby Cum Fenby Parish Council has objected to the development.

SITE

The site formed part of the garden space of Fenby House off Post Office Lane in Ashby Cum Fenby. Since the approval of the original planning permission, boundary fencing and planting has been installed to establish the new plot on the eastern boundary. A trench

has been dug at the north section of the plot, and although this has since become overgrown, the site has permission for the erection of a dwelling and garage under planning reference: DM/0499/20/REM which can be built out if so the developer wishes in line with the terms of that approval.

The site for the dwelling and associated garage measures approximately 40m by 70m. It benefits from mature landscaping to the northern and southern boundaries in the form of hedges and trees but the western boundary is open. To the north is open countryside, to the east is Fenby House, to the south are paddocks in connection with other properties within the village and to the west is further open countryside. There is a public footpath to the south west of the site

Access to the site is gained from the existing access from Post Office Lane for Fenby House which is also shared by Little Fenby.

RELEVANT PLANNING HISTORY

DM/0214/16/OUT - Outline application for the erection of a detached dwelling and residential annexe with all matters reserved - Refused and allowed on appeal (18th October 2016).

DM/0857/19/REM - Reserved matters application for the erection of one dwelling and annexe to consider access, scale layout and appearance following DM/0214/16/OUT - approved 20th November 2019.

DM/0499/20/REM - Variation of Condition 1 (Approved Plans) and removal of Conditions 2 (Bin Store), 3 (Materials), 4 (Foul Water Drainage) and 5 (Landscaping) following DM/0857/19/REM (Reserved matters application for the erection of one dwelling and annexe to consider access, scale layout and appearance following DM/0214/16/OUT - approved 4th November 2019.

DM/1053/21/CEA - Certificate of Lawfulness to establish a material start in relation to DM/0499/20/REM - approved 10th January 2022.

DM/0321/22/REM - Variation of Condition 1 (Approved Plans) as granted on application DM/0857/19/REM to increase the size and amend design of dwelling and associated garage - Withdrawn May 2022.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF2 - Achieving sustainable development

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.

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

PO2 - The housing requirement
PO3 - Settlement hierarchy
PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO41 - Biodiversity and Geodiversity
PO42 - Landscape

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

REPRESENTATIONS RECEIVED

Heritage - No input required.

Drainage - Recommends condition for management of surface water drainage and that no ground levels are raised.

Highways - Recommends condition for construction traffic management.

Environmental Health - Recommends condition for construction hours and informative for compliance with building regulations in relation to electrical vehicle charging points.

Trees - Recommends condition for provision of landscaping scheme.

Ecology - Reminds the requirements for a license from Natural England following on from previous ecological investigations at this site.

Ashby Parish Council - Objections in relation to design and impact on neighbouring properties, and in relation to construction traffic management issues.

Neighbour Representations

Fenby House - Objections in relation to scale, use and construction traffic management. The neighbour also notes ownership details.

APPRAISAL

The material considerations are:

- 1) Principle of Development
- 2) Impact on Neighbours
- 3) Impact on the Character of the Area
- 4) Highways and Construction Traffic Management
- 5) Landscaping and Ecology
- 6) Drainage
- 7) Archaeology

- 1) Principle of Development

The proposed development is for a single dwelling and ancillary outbuilding and the site is outside of the development boundary of Ashby Cum Fenby. However importantly the principle of the sites residential development has been established through permission DM/0499/20/REM which has been established as an extant permission under the certificate of lawfulness approval DM/1053/21/CEA. Having regard to the extant permission it is not considered that the development conflicts with the principles of the Local Plan.

- 2) Impact on Neighbours

The application site is large and benefits from strong boundary treatments to the north and south boundaries. The site has two key neighbours that could be affected by the proposed dwelling itself - Little Fenby and Fenby House. However, Little Fenby is well separated from the site and screened by the boundary hedge and trees.

It is acknowledged that one neighbour letter objecting to the proposal has been received from Fenby House. The key concerns raised pertain to the size and scale of the dwelling, its impact on the character of the area, construction traffic management and the use of the dwelling part as a business. It is also acknowledged that the Ashby Cum Fenby Parish Council has objected to the proposal in relation to construction traffic and proximity of the access to neighbouring properties. These matters will be considered in section 4) Highways and Construction Traffic, of this recommendation.

Policy 5 of the NELLP requires that assessment given to the impact of development on neighbouring land uses, and for this particular development, the material planning considerations relate to issues of overlooking, massing and dominance onto neighbours, as well as potential noise and disturbance both through construction and the end use. As

highlighted, Fenby House has raised concerns with the size and scale of the dwelling and its impact on their property and the character of the area, as well as disturbance from construction and the end use.

With regards to overlooking from the proposed development, it should be noted that all first floors window would be over 22 metres from the boundary of the site and the neighbouring property. The neighbouring building itself is further away and so is an acceptable distance for there to be no overlooking issues. The closest element of the works to the boundary is the single storey garage and adjoining office, but again these are separated from the neighbouring dwelling and so do not create any overlooking issues. The single storey nature of the garage and office building also means that there are no massing issues to Fenby House.

With regard to the comments made regarding the potential for business use occurring, and increased noise and disturbance as a result, these are noted. However it is not uncommon for residential properties to include home office arrangements. Furthermore domestic car storage is also not uncommon. The garage, basement and office area are considered ancillary to the residential use. Therefore it is considered there would not be a detrimental impact as a result of noise and disturbance.

No other neighbouring representations have been received.

3) Impact on the Character of the Area

The site is located outside of the development boundary but adjacent to the settlement edge. In this case it is considered important to protect the rural character of the area as much as possible through the design. As such the design has responded to reduce the mass when viewed from the surrounding countryside, using stepped facades and a combination of materials. The design itself is well proportioned, and combines traditional elements with a contemporary twist, which would be complementary to the character of the area.

It is acknowledged that comments from neighbours and the parish object to the scale of the proposal. However, the dwelling follows on from a planning history which approved a dwelling of a smaller, but similar size in terms of footprint above ground. With the current proposal, it should be noted that it includes a large basement area. Incorporating this design has meant that the scale fo the dwelling that would be visible to neighbours and seen from the surrounding countryside is acceptable. It should also be noted that properties in Ashby Cum Fenby are a wide variety of scales and size. Having considered the above, the particular design is not considered to cause any detrimental impacts to visual amenity and so accords with policies 5, 22 and 42.

4) Highways and Construction Traffic Management

The application site has previous approval for a dwelling. The proposal will utilise an existing vehicular access from Post Office Lane, with the access abutting the highway

being wide enough for 2 vehicles to pass. In addition, there are existing passing places located along the shared driveway. It is noted objections have been received in relation to the access and indeed construction traffic. A condition is therefore recommended to secure construction traffic management details in the event this application is approved.

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

5) Landscaping and Ecology

Policies 5 and 42 seek landscaping in new residential developments. In this case the tree officer has no objections to a condition for landscaping. Moreover, the proposal would not impact any protected trees. The proposal therefore accords with policies 5 and 42.

The Ecology Team have been consulted as part of this application. There are no objections to the scheme, and as there is an extant permission a new ecological survey is not required. The recommendations of the previous ecological assessment apply including that a Natural England Licence will be required before any works can take place. An informative is therefore recommended. The proposal therefore accords with policies 5 and 41.

6) Drainage

Policies 5 and 33 allow for an assessment into the surface water drainage of residential developments. The drainage team have concluded that a sustainable surface water drainage condition is required. With this in place the proposal accords with policies 5 and 33 of the NELLP.

7) Archaeology

The heritage officer has confirmed through discussions that no archaeology conditions are required given the previous planning history and extant permission. The proposal therefore accords with policy 39 of the NELLP.

CONCLUSION

This proposal relates to the erection of one dwelling with a detached outbuilding and basement at Ashby Cum Fenby. Having considered the planning history the amended scheme, the proposal would not cause any detrimental impacts with regards to neighbouring amenity, design, or character. With planning conditions the proposal is acceptable and in accordance with policies 3, 5, 22, 33, 34, 39, 41 and 42 of the NELLP and so it is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - LDC3703-PL-01_C
Proposed Site Plan - LDC3703-PL-02-B
Proposed Block Plan - LDC3703-PL-06-C
Proposed Elevations - LDC3703-PL-04B
Proposed Elevations - LDC3703_A-PL-05C
Proposed Floor Plans - LDC3703-PL-03B

Reason

For the avoidance of doubt and in the interests of proper planning in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032.

(3) Condition

No development shall commence until a scheme for the provision of sustainable surface water drainage has been submitted and approved in writing by the Local Planning Authority. Once approved the development shall be completed in accordance with all the details of the sustainable surface water drainage scheme prior to the occupation of the dwelling and retained throughout the lifetime of the development.

Reason

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

(4) Condition

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

1. Contact details of the person with responsibility for the implementation of the CMP;
2. The expected number, types and size of vehicles during the entire construction period;

3. The proposed daily hours of operation during the construction period;
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials, if required;
6. Details of expected delivery schedules and how this will be managed to eliminate waiting on the public highway (i.e. call ahead or pre-booking scheduling system), if required; and
7. Details of wheel washing facilities (locations, types).
8. Measures to prevent nuisance by reason of dust and noise.

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

Reason

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

(5) Condition

Prior to any construction commencing, final details of all materials and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall be constructed using materials specified on the approved plans unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(6) Condition

No development shall commence until a scheme of landscaping showing the details of the number, species, sizes, planting positions and maintenance schedules of all trees and shrubs to be planted have been submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with the approved details within 12 months of the date of commencement of the development or within such longer time as agreed in writing with the Local Planning Authority and all planting shall thereafter be maintained for a period of 5 years with all losses in that period replaced with the same plant and standard.

Reason

To ensure a satisfactory appearance and setting for the development and protection of existing features in the interests of local amenity in accordance with policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(7) Condition

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

Reason

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

(8) Condition

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

Reason

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 41 and 42.

2 Added Value Statement

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

In accordance with the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by agreeing to conditions in the interest of protecting residential amenity and seeking solutions to protect biodiversity.

3 Informative

Please note that you may also require Building Regulations. You are advised to contact them in advance of work on site commencing (Tel: 01472 326289 - Option 2).

4 Informative

Please note that a licence from Natural England is likely to be required if great crested newts are found to be present. The recommendations on earlier ecological reports should be adhered to. Please do not hesitate to contact the Planning Department should you require any advice on this matter.

5 Informative

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

DM/0835/22/FUL – LAND ADJACENT TO FENBY HOUSE, POST OFFICE LANE, ASHBY CUM FENBY



PLANNING COMMITTEE - 4th January 2023

ITEM: 10 **RECOMMENDATION: Approved with Conditions**

APPLICATION No: DM/0937/22/FULA

APPLICATION TYPE: Accredited Agent - Homeholder application

APPLICATION SITE: 36 Cumberland Avenue, Grimsby, North East Lincolnshire, DN32 0BT

PROPOSAL: Erect single storey rear extension with associated alterations - amended plans and description December 2022

APPLICANT:

Miss Lily Harrison Freaan
36 Cumberland Avenue
Grimsby
North East Lincolnshire
DN32 0BT

AGENT:

Mr Harry Snowden
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
North East Lincolnshire
DN32 0QH

DEPOSITED: 18th October 2022

ACCEPTED: 19th October 2022

TARGET DATE: 14th December 2022

PUBLICITY EXPIRY: 26th December 2022

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 12th November 2022

CASE OFFICER: Becca Soulsby

PROPOSAL

The proposal is to erect a single storey rear extension with associated alterations.

The application is brought to committee due to the number of neighbour objections received.

SITE

36 Cumberland Avenue is a semi-detached property located to the west side of the road. The area surrounding the property is residential in nature, with semi-detached properties

to the north, east, south and west.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2021)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

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

REPRESENTATIONS RECEIVED

Consultations

Heritage Officer - No heritage input required.

Drainage Officer - Informative RE sustainable drainage.

Highways - Approval no conditions.

Neighbours

13 Rudham Avenue - Objection in respect of light and massing.

29 Cumberland Avenue - Objection in respect of light and privacy concerns for neighbour.

31 Cumberland Avenue - Objection in respect of overdevelopment, impact on character and street, overlooking and overshadowing.

37 Cumberland Avenue - Objection in respect of being intrusive and impact to light / privacy.

38 Cumberland Avenue - Objection in respect of detrimental impact on amenity, massing, loss of light and visual intrusion.

39 Cumberland Avenue - Objection in respect of impact to light.
39/3 East Trinity Road, Edinburgh - Objection in respect of massing and impact to light.
42 Park Avenue - Objection in respect of overshadowing and loss of light and impact on neighbouring amenity.
56 Midlands Estate, Southampton - Objection in respect of dominance and massing.
8 Lansdowne Avenue - Objection in respect of impact on privacy for neighbour.

APPRAISAL

Material Considerations

Principle of Development

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

Design

The proposed single storey extension will be situated to the rear of the property and relates to the existing residential use of the site. The design is in keeping with the host property with materials proposed to match that of the existing dwelling. The plot is capable of accommodating an extension of this scale without becoming overdeveloped. No adverse impacts are expected.

As a result, there would be no harm to the character of the area in accordance with Policies 5 and 22 of the NELLP 2018.

Neighbouring Amenity

The host dwelling immediately adjoins 34 and 38 Cumberland Avenue to the sides as well as 37 and 39 Connaught Avenue to the rear. The property faces 31, 33 and 35 Cumberland Avenue to the front. The proposed single storey rear extension will sit closest with the boundary at 38 Cumberland Avenue.

There have been 10 objections raised in relation to this application. The main points covered within the objection received from 38 Cumberland Avenue was on the basis of a detrimental impact on amenity, massing, loss of light and visual intrusion. The rest of the objections received broadly covered impacts relating to light, privacy, dominance, massing, overshadowing and overdevelopment. It is important to note that the objections were received in response to the original scheme which proposed a two storey rear extension. The proposal has since been amended at officer's request in response to the objections received, and no further comments have been received thus far in respect of the amended plans.

Being single storey in scale and of limited projection, it is now therefore considered that the proposal in relation to neighbours ensures no adverse massing, overshadowing or

loss of privacy issues in accordance with Policy 5 of the NELLP 2018.

Other Considerations

The Council's Heritage and Highways officers raised no concerns in relation to the application. The Drainage Officer has requested an informative be attached to the permission in respect of sustainable drainage.

CONCLUSION

It is considered that the proposed single storey rear extension does not unduly harm the amenity of the neighbouring properties or the character and appearance of the area. The application is therefore considered to be in accordance with Policies 5 and 22 of the NELLP 2018 and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

RD5267-02-REV-0 - Site Location Plan

RD5267-03-REV C - Proposed Plans and Elevations - As Amended

RD5267-05-REV C - Proposed Block Plans - As Amended

Reason

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

(3) Condition

The proposal shall be constructed using materials specified within the application form received 18th October 2022 unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

Informatives

1 Reason for Approval

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

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by securing amended details to alleviate concern.

3 Informative

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

4 Informative

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

5 Informative

The use of water butts or similar sustainable surface water drainage arrangements such as a soakaway are encouraged on a proposal of this nature.

DM/0937/22/FULA – 36 CUMBERLAND AVENUE, GRIMSBY

