



To be submitted to the Council at its meeting on 16th March 2023

PLANNING COMMITTEE

1st February 2023 at 9.30 a.m.

Present:

Councillor Pettigrew (in the Chair)
Councillors Batson, Beasant, Croft, Dawkins, Hasthorpe, Hudson, Lindley, Patrick (substitute for Mickleburgh) and Shutt (substitute for Goodwin).

Officers in attendance:

- Martin Dixon (Head of Development Services)
- Lara Hattle (Senior Highway Development Control Officer)
- Cheryl Jarvis (Development Manager)
- Sophie Pickerden (Committee Support Officer)
- Keith Thompson (Specialist Property Lawyer)

Others in attendance:

There were 26 members of the public present and one member of the press.

P.64 APOLOGIES FOR ABSENCE

Apologies for absence for this meeting were received from Councillors Goodwin and Mickleburgh.

P.65 DECLARATIONS OF INTEREST

Councillor Pettigrew declared a personal interest in Item 5 of p.66 DM/1005/22/FUL as he was a member of the North East Lindsey Internal Drainage Board.

Councillor Batson declared a personal interest in Item 5 of p.66 DM/1005/22/FUL as he was a member of the North East Lindsey Internal Drainage Board.

Councillor Parkinson declared a personal interest in Item 5 of p.66 DM/1005/22/FUL as he was a member of the North East Lindsey Internal Drainage Board.

Councillor Lindley declared a personal interest in Item 5 of p.66 DM/1005/22/FUL as he was a member of the North East Lindsey Internal Drainage Board.

Councillor Hasthorpe declared a prejudicial interest in Item 6 of p.66 DM/1043/22/OUT as he knew the applicant.

P.66 DEPOSITED PLANS AND APPLICATIONS

Item 1 - DM/1002/22/FUL - 1, 3, 4, 5, 6 and 7 Anita Grove (Former Tynedale, Cheapside), Waltham

Mr Dixon introduced the application and explained that it sought a 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). Mr Dixon stated that the application was back at committee following it being deferred for a site visit at the previous meeting. He said that the site visit had since taken place. Mr Dixon stated that the main issue raised by committee members at the last meeting was regarding the northwest boundary. He said that the previously approved application included the erection of a fence along the boundary whereas now the application was asking to not put that fence in place. Mr Dixon stated that there had been objections raised by Waltham Parish Council and the occupiers of the Old Nurseries. Mr Dixon said during the site visit, members did look at the ditch from both sides. Mr Dixon stated that the drainage officer supported the amendment to leave the boundary open to allow for maintenance of the ditch to take place and to avoid issues relating to flooding. Mr Dixon stated that the application was recommended for approval with conditions.

Mr Rands spoke in objection to the application. He said that committee members should now have a clearer view of what the issues were following the site visit. He said that at the previous meeting he had presented evidence of an existing hedge which was removed prior to the application being submitted. He said that it was previously approved that a fence would be put in and a comprehensive plan to maintain the ditch had also been submitted. Mr Rands said that his main concern was that of privacy. He said that some people had objected to the fence due to the rural view being ruined but he commented that when those people bought the properties, it was during a time in which the fence had been agreed to be put up. Mr Rands asked the committee to refuse the application and enforce that the fence be put up as previously agreed. He said that the committee in June 2021 had refused the change to the boundary and that nothing had changed since then.

Mr Lennie spoke in support of the application. He said that he hoped committee members now had a better understanding of the issues. Mr Lennie asked committee members to not underestimate the maintenance

that was required for the ditch. He said that only three weeks ago, the ditch had been close to overflowing. Mr Lennie said that the problem would be exasperated by a fence. He commented that a fence was designed into the plans previously without the knowledge of what the ditch was like and the maintenance that would be needed. Mr Lennie said that he thought he was being a good neighbour and that he had been thanked by his neighbours for the work he had done, but that he would not in future carry out further work if a fence was put up. Mr Lennie explained that this would be due to safety reasons and physical limitations. Mr Lennie concluded that a fence would stop him and would be a flood risk.

Councillor Hudson said that he remembered the application from six months prior and that his views on the application had not changed. He said that permission had been granted for a fence to be put up as it mitigated the effects of the development for Mr Rands. Councillor Hudson stated that the committee should have insisted the fence went up before the development started. He said that a plan was submitted regarding the maintenance of the ditch in 2016.

Councillor Hasthorpe said that he agreed with Councillor Hudson.

Councillor Parkinson said that it was a difficult application and that he understood the two different points of view. He commented that he thought it would look better without the fence, but that he did agree with Councillor Hudson and Councillor Hasthorpe.

Councillor Hudson said that he agreed with Councillor Parkinson about the area looking better without the fence but that was not the main issue.

Councillor Shutt queried why there was not a time limit on the fence being put up. He said he found it difficult to understand why the fence was agreed in 2016 and that it had not been done.

Mr Dixon stated that committee members must base any decision making on the application in front of them and not on what had happened before.

Councillor Parkinson queried whether the committee could enforce the fence be put up within a time limit.

Mr Dixon said that completion notices could be issued but that would be an enforcement issue.

Councillor Hasthorpe proposed that the variations be approved but that the fence needed to be built.

Mr Dixon stated that the committee could not vote to approve some of the changes and vote to refuse other changes. He said that the committee had the power to either vote to approve the application in its entirety or vote to refuse.

Councillor Hasthorpe proposed that the application be refused.

Councillor Hudson seconded the motion to refuse the application.

Councillor Patrick said that he disagreed with Mr Dixon and that the history of a planning application should be considered. Councillor Patrick queried whether if the application was approved, could the committee not add in a condition that a fence be put up.

Mr Dixon clarified that there had been a motion put forward to refuse the item and that the committee could not refuse an application and then add conditions to the application.

Councillor Patrick stated that he understood the proposal and would be voting against the refusal of the application. He said he would propose a deferral of the application to give the applicant more time to determine if they would add in a fence to the plans.

The Chair informed Councillor Patrick that the application had previously been deferred.

RESOLVED – That the application be refused.

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

Item 2 – DM/0979/22/FUL - Freshney Place, Friargate, Freshney Place Shopping Centre Grimsby

Ms Jarvis introduced the application and explained that it was a Regulation 3 application which sought to partially demolish and redevelop the western element of Freshney Place shopping centre to create a new market and food hall, new commercial units, construction of a cinema and a leisure use building and improvements to the public realm space with associated highways and landscaping works. Ms Jarvis said that the application was before the committee due to a call in from Councillor Holland. Ms Jarvis stated that there had been no principal objections from any consultee. She said that the site was within the development boundary. Ms Jarvis stated that the site was within the main town centre location for North East Lincolnshire and that town centres had changed over the years and that Freshney Place needed diversity. She said that the application would have a positive impact on the evening economy of the area. Ms Jarvis said that the applicant had worked hard on the design concept and that it was a well thought out design that was fitting for the location. Ms Jarvis stated that the heritage officer was supportive of the application and that the scale would not compete with other buildings. Ms Jarvis stated that the main issues regarding the application would be the construction, but that there had been conditions recommended to mitigate the impact. Ms Jarvis said that a noise impact assessment had been submitted. She informed

committee members that the access to the site from Victoria Street would not be impacted by the works proposed. Ms Jarvis stated that the site was acceptable regarding flood risk and that no objections had been raised by Anglian Water or the Environment Agency. Ms Jarvis said that there had been lots of discussions regarding security and how to tackle anti-social behaviour. Ms Jarvis stated that there had been no objections to the proposed plans from the ecology officer. Ms Jarvis said that a ground investigation report had been submitted as well as an air quality report. Ms Jarvis stated that the development was of high quality and would benefit the existing businesses and improve the area overall. Ms Jarvis stated that the application was recommended for approval with conditions.

Mr Wallace spoke in support of the application. He commended planning officers on their detailed report. Mr Wallace stated that the proposals were entirely compliant. He said that there had been no statutory objections. Mr Wallace stated that the proposal offered a significant investment to the area. Mr Wallace said that he hoped committee members would support the application.

Councillor Holland provided a statement to be read out by Democratic Services.

Ms Pickerden read out the statement. The statement read that Councillor Holland had called in the application as he believed it was imperative that high profile planning applications such as this were discussed and decided in full view of the public. The statement listed concerns Councillor Holland had about the application. The statement read that he did not accept the assertion in the planning statement that the proposals fulfilled the National Planning Policy Framework's required social objective which was to support strong, vibrant and healthy communities. The statement read that we were facing a growing obesity and tooth decay crisis and a rapidly decreasing 'years of healthy life' metric and using public money to fund further opportunity to consume sugar laden drinks and snacks, over-processed fast food and also alcohol seemed to be the antithesis of creating healthy communities. The statement read that there was little empirical evidence to support the statement that 'the proposed land uses will be compatible with, and contribute positively to, the remaining retail offering in the surrounding area'. The statement read that building of a cinema as a leisure anchor unit in the town centre was a long-held ambition going back many years. Councillor Holland said in the statement that technology was, however, quickly changing with the rapid emergence of streaming entertainment, virtual and augmented reality and immersive journalism and documentaries as examples. The statement read that local public opinion seemed to be firmly set against the use of millions of pounds to build a cinema. Leisure activities yes, but cinema no. The statement read that Councillor Holland had concerns over costings for the scheme. It had been stated that the cinema would not compete with the one at Cleethorpes and the new Top Town market, currently running at 50% occupancy would not compete with Freeman Street Market. Councillor Holland stated that there was no hard evidence

provided for either of these statements and as a regular user of both markets he wrote that he was sure there would be competition and he pointed out the crucial importance of Freeman Street Market to the vibrancy and economy of the area in which it sat. The statement read that there did not appear to be any clarity in the application itself or in any of the any attached documents as to the likely net carbon impact of the asset or the intended strategy to reduce that impact to zero. The statement read that the planning statement clearly mentioned the provision of a bowling alley. He said that the fact that this appeared to have been subsequently withdrawn from the plan indicated a project built on speculation rather than on sound economics.

Councillor Hudson said that he was disappointed with the statement that Councillor Holland had provided. He said that the area needed reinvestment. Councillor Hudson said that Parkway Cinemas want to run the cinema. He moved for the application to be approved.

Councillor Dawkins said that if people want to buy sugary drinks, then they are going to. He said that Parkway Cinemas must have assessed costings and were wanting to run the cinema. He seconded the motion to approve the application.

Councillor Lindley said that Freshney Place needed to be brought into the 21st Century. He said that Freshney Place needed the development. Councillor Lindley was astounded that Councillor Holland was concerned about the cinema. He said that Parkway Cinemas would have done their market research and would not set up a new cinema to compete with themselves. Councillor Lindley stated that we cannot tell retailers what to sell, and that whilst that might not fit into the healthy lives agenda, it was about freedom of choice. Councillor Lindley stated that he would be supporting the application.

Councillor Beasant said that Freeman Street Market was unique and had a different style to Top Town Market and it ran very well. Councillor Beasant stated that he agreed with Councillor Holland regarding the impact of food outlets that sell unhealthy items but that these types of outlets were located throughout the borough and would not just be at Freshney Place. Councillor Beasant commented that he liked that arch windows had been included in the design and said that he would not want to see shutters on them. He stated that he would vote in favour of the application.

Councillor Patrick said that he had shared the concerns that Councillor Holland had. He stated that he was concerned about the funding and how much of a success it would be. Councillor Patrick stated that he had concerns around thinking that a cinema was going to act as an anchor and said that he thought that was a bit of an old hat. Councillor Patrick stated that he liked the architecture shown in the plans. He said that his concerns were not planning concerns and based on that he was not sure how the application could be objected to. Councillor Patrick

concluded by saying that he did not want his support for the planning application to be misinterpreted as support for the whole scheme.

Councillor Parkinson said that he thought the development would be an improvement and would make the area more attractive. He stated that he did share some of Councillor Holland's concerns and was surprised that Parkway Cinemas want to have another cinema. Councillor Parkinson said that he agreed with Councillor Holland regarding his concerns about health, but that we can advise people, and not tell them what to eat or drink. Councillor Parkinson said that he thought it was a good scheme and that he hoped it would be successful.

Ms Jarvis reiterated Councillor Patrick's point that the funding of a development was not a planning consideration. She said that she understood the concerns about the shutters and commented that officers would not want to see shutters on the windows either. Ms Jarvis informed committee members that there would be three food and beverage units and that they were not takeaways.

Councillor Shutt stated that he took on board the comments by Councillor Holland. He said that the consumption of sugary snacks and drinks was a national issue. Councillor Shutt said that it was important to move forward. He concluded he had concerns about the finance for the development.

The Chair thanked planning officers for their hard work and said that he thought the development would enhance the local area.

Councillor Hasthorpe stated that the area needed the development, and that people should be excited by it.

Councillor Lindley said that the development would support the night time economy.

RESOLVED – That the application be approved with conditions.

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

Item 3 - DM/0824/22/FUL – 40 - 42 High Street, Cleethorpes

Mr Dixon introduced the application and explained it sought a change to the use of ground floor from a bank to a restaurant and takeaway and installation of flues with associated internal alterations. Mr Dixon stated that the application was before the committee due to a call in from Councillor Farren. He said that there had been an objection from the resident at the flat above. He said that the change of use of the building to be a restaurant and takeaway was considered acceptable as the building was located within the town centre. Mr Dixon stated that the application would bring back into use a building which had been vacant for many years and commented that this would be a positive for the Cleethorpes area. Mr Dixon stated that the change to the use of the building would not affect the comings and goings and that it was located in a busy area. Mr Dixon referred committee members to condition five in the report and stated that the Environmental Protection Officer was happy with the plans regarding odour control. Mr Dixon stated that the proposal was in accordance with policies 5, 22 and 23 of the North East Lincolnshire Local Plan 2018 and was recommended for approval with conditions. Mr Dixon further stated that if the committee approved the application, and there were no further material planning considerations received, then the application be delegated back to the Assistant Director for Housing, Highways and Infrastructure to allow for a decision to be issued. Mr Dixon explained this was due to the publicity of the application not expiring until 6th February 2023.

Mr Saxby spoke in objection to the application. He said he lived in the flat above the building and had bought the property when the ground floor was originally Barclays Bank. Mr Saxby said that he had concerns over noise, odour, and waste management. He said that condition five and six in the report seemed to address the issues of odour and waste management, but he was unsure whether condition two provided for sound proofing to the ground floor ceiling. Mr Saxby asked planning officers to explain the condition regarding sound proofing. Mr Saxby stated that he was unsure which was the final plan as a few had been published.

Mr Dixon referred Mr Saxby to the supplementary planning agenda which outlined that a condition had been added to the application regarding the installation of soundproofing.

Councillor Farren spoke as Ward Councillor for the Sidney Sussex Ward. She said that she understood the site was located within a seaside town and understood the importance of the seaside economy and night time economy but that residents had to live in their properties all year round. Councillor Farren stated that she had concerns over the noise and commented that she had found the paperwork and online application to be confusing. She said that herself and the resident needed assurance that sound proofing would be compliant with a BS4142 Noise Assessment. She said that by having soundproofing in place, it would protect all parties and protect the authority from potential statutory

nuisance costs. Councillor Farren said that she had seen within the officers report that they did not think there was a cluster of takeaways in that particular area, she commented that there were lots of takeaways in that area.

The Chair reiterated to Councillor Farren and Mr Saxby that there was a condition for sound proofing which had been added to the application. He said that it was included in the supplementary planning agenda.

Councillor Dawkins said that whilst he welcomed a vacant building being brought back into use, he did not think it was the correct use. He said that he thought that bringing the night time economy into residential areas was not a good idea. Councillor Dawkins said that he thought there would be a lot of noise.

Councillor Lindley said that his view had changed regarding the application. He commented that he thought the resident had made some valid points. Councillor Lindley stated that committee members could not turn down the application solely because there were other takeaways close by. He said that High Street was a significant part of the night time economy. Councillor Lindley said that there was mitigation with the conditions added but that noise would need to be controlled. Councillor Lindley said that it was important that the resident was not ignored and that he was undecided as to whether he would support the approval of the application.

Councillor Hudson said that he was happy when vacant buildings that have been empty for some time, come back into use. He said that his main concern with the application was the impact on the resident, but the conditions outlined would mitigate that impact and the additional condition of sound proofing would help with the noise. Councillor Hudson moved for the approval of the application.

Councillor Patrick said that he would like to see the ground floor be brought back into use, but he understood the concerns raised by the resident. He said that he felt if there was more time for the applicant and officers to communicate with Mr Saxby then he would potentially be reassured. Councillor Patrick said that he could not support the application until the resident was given that reassurance. Councillor Patrick stated that the issue of mixing residential areas with the night time economy could be a consideration with the local plan.

Councillor Beasant said that he shared the concerns of Councillor Farren regarding takeaway establishments being congested. He said that he did not see any planning considerations as reasons to object to the application.

Mr Dixon informed committee members that there was a planning policy which referred to the number of takeaways in an area, so the issue could be considered.

Councillor Shutt stated that he would be concerned if he had bought a flat above a bank and it was now becoming a takeaway. He said he was pleased to see conditions added and asked officers if we could ensure the noise levels were compliant with a BS4142 Noise Assessment. Councillor Shutt said he was concerned that whilst the hours were limited now, it could be asked further down the line to extend them. Councillor Shutt queried what would happen if the resident felt the sound proofing was not enough.

The Chair informed Councillor Shutt that the Environmental Health Officer would check that the sound proofing was up to standard.

Mr Dixon stated that the Environmental Health Officer would assess the noise and if there was a problem, it could lead to a statutory nuisance.

Councillor Dawkins said that it needed to be emphasised that Mr Saxby owned the flat above and that the change of use could affect the property price.

Councillor Lindley said that he did not agree with the proposal in principle and did not want the committee to rush into making a decision. He said that there were concerns and that he agreed with Councillor Patrick that the committee and Mr Saxby need assurances. Councillor Lindley said that he did not want to rule out the application all together but at this moment, he could not support the application.

Councillor Parkinson said that a restaurant and takeaway might be the lesser of two evils, and that it was not a bar. He said that the sound proofing was critical but it could take a long time to be installed. Councillor Parkinson said that he believed it would be noisy and that the flue at the back of the building was quite close. Councillor Parkinson said that it was important to get the application right.

Councillor Hudson said that Mr Saxby's concerns had been addressed. He said that a condition for sound proofing had been included in the application.

Councillor Croft said that it was nice to see a vacant building being brought back into use and that it was going to be a restaurant. She queried whether the entrance for the takeaway would be different to that of the restaurant.

Mr Dixon stated that the entrance was the same.

Councillor Shutt said that he understood Councillor Hudson's point of view and if the applicant was here and agreed to the conditions, then we would have a solution.

Councillor Patrick said the committee did not know that Mr Saxby was satisfied with the conditions. He said that residents should be able to engage with the application. Councillor Patrick commented that he was

not sure that neighbours were reassured by the conditions. Councillor Patrick said he was not comfortable supporting the application.

Councillor Batson seconded the motion to approve the application.

The committee voted 3 for and 8 against approving the application.

Councillor Patrick proposed that the application be deferred to allow for more time for all parties to be assured and for more information on soundproofing, opening hours and disposal of waste to be gathered.

Councillor Hudson seconded the motion to defer the application.

RESOLVED – That the application be deferred.

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

Item 4 – DM/0950/22/FUL - Unit B1, Goldbank Business Park, Wilton Road, Humberston

Mr Dixon introduced the application and explained it sought a change of use from a pet supplies warehouse to administrative offices to first floor and ground floor studio, stock room, click and collect counter for online business with ancillary facilities to include storage and distribution with various internal and external alterations. Mr Dixon said that the alterations would be minor and that there would be a new window put in and an existing one removed. He said that the central roller shutter would be removed to include doors and windows in the existing opening. Mr Dixon said that the materials used would retain the industrial design and would not negatively impact the character of the area. Mr Dixon stated that the highways officer was happy with the application. Mr Dixon said that initially there were concerns over what the business was going to be. He said that a site visit took place to address the concerns. Mr Dixon stated that the proposed development would facilitate the expansion of an existing local business. Mr Dixon stated that the application was in accordance with policies 5, 8, 22, 33, 34 and 38 of the North East Lincolnshire Local Plan 2018 and sections 1, 12 and 14 of the National Planning Policy Framework and was therefore recommended for approval with conditions.

Councillor Hasthorpe said that it was fantastic to see the business expand further and moved for the approval of the application.

Councillor Dawkins said it would be an improvement, he seconded the motion to approve the application.

Councillor Croft commented that she thought it was a great application and would improve the scene. She stated that she would vote for approval of the application.

Councillor Hudson said that he agreed with his fellow Councillors.

Councillor Parkinson said that he was pleased to see the business doing well.

RESOLVED – That the application be approved.

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

Item 5 - DM/1005/22/FUL - Land Off Habrough Road, Immingham

Mr Dixon introduced the application and explained that it sought to erect 5 detached bungalows and 4 semi-detached dormer bungalows with garages to include access, landscaping, an attenuation pond and various associated works. Mr Dixon said that the design was different from what had been built in Immingham recently. Mr Dixon stated that the proposed site was located outside of the development boundary but that due to the council not being able to demonstrate a five-year supply of deliverable houses, the application could be considered if it was in a sustainable location and satisfied other policies within the local plan. Mr Dixon said that the site was located in close proximity to schools, shops and transport and was considered to be a sustainable location. Mr Dixon said that the trees along the front of the site had been proposed to be removed and replaced with new ones. Mr Dixon stated that there were no concerns over the neighbouring amenity as the site was well separated from existing residential areas. Mr Dixon said that the highways officer had recommended conditions which had been included in the reports. Mr Dixon stated that a lot of work had been undertaken regarding drainage on the site and that the North East Lindsey Internal Drainage Board had recommended conditions which had been included in the reports. Mr Dixon stated that the application was in accordance with policies 3, 5, 17, 22, 33, 36, 38 and 41 of the North East Lincolnshire Local Plan 2018 and was therefore recommended for approval with conditions.

Mr Snowden spoke as the agent for the application. He said the application was for a residential development of nine bungalows. Mr Snowden said that the dwellings would be single storey so not to affect the surrounding area. Mr Snowden stated that he had worked with planning officers and that modifications to the original plans had occurred. He said that the tree officer supported the application. Mr Snowden said that the request for a public footpath to be added to the plans had been done. Mr Snowden said that the highways officer supported the application. He stated that the drainage officer had said he was happy with the strategy. Mr Snowden said that the ecology report had recommended things to enhance the development and these had been put into the plans. Mr Snowden concluded that the development would provide more housing in the area.

Councillor Hasthorpe commended those who had worked on the drainage for the application. He said he thought it was an excellent development. Councillor Hasthorpe moved for the application to be approved.

Councillor Lindley said he thought it was a good development but was outside of the local plan. He stated that he would normally not support any application outside of the local plan but that he thought it was a good development. Councillor Lindley stated that he did not want to refuse the application for it to then go to appeal. Councillor Lindley seconded the motion to approve the application.

Councillor Hudson said that the committee had recently voted to refuse a development in Scartho due to it being outside the local plan, as well as one in Waltham. Councillor Hudson said that he was undecided as the committee should be consistent.

Councillor Shutt queried whether a pedestrian crossing would be added.

The Chair stated that there would be a crossing point.

Councillor Shutt said that it would be busy and he said that concerned him.

Ms Hattle stated that the highways team was happy with the development.

Mr Dixon stated that committee members must look at applications on their individual merit.

Councillor Parkinson said that he thought it was a spacious and pleasant plan. He commented that he would be happy to support the plan.

Councillor Lindley said that he had changed his mind. He commented that he was not sure that it was grounds for approval just because the area was quieter. He said he did not think the development should go ahead and that he was going to stick with his principles. Councillor Lindley stated that the council plan was the plan, and that the committee should be consistent. He said he would not be supporting the application and said that he no longer wanted to second the motion of approval.

Councillor Parkinson seconded the motion to approve the application.

Mr Dixon stated that the committee had approved developments before which had been outside of the local plan. He reiterated that committee members should look at each application on its own merit.

Councillor Patrick stated that he agreed with Councillor Lindley. He said that he thought the development ticked a lot of boxes in planning terms but that the approval of the application would undermine the local plan.

Councillor Patrick stated that in defence of the local plan and consistency, he would not be supporting the approval of the application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 6 for and 5 against for the application to be approved.)

Councillor Hasthorpe left the meeting at this point.

Item 6 – DM/1043/22/OUT - Yarborough Farm, 16 Great Coates Road, Healing

Ms Jarvis introduced the application and explained it sought outline permission to erect a detached dormer bungalow with associated works with all matters reserved. Ms Jarvis said that the application had been brought before committee due to a call in from Councillor Hasthorpe. She said that the proposed site was located outside of the development boundary but that due to the Council not being able to demonstrate a five-year supply of deliverable houses, the application could be considered if it was in a sustainable location and satisfied other policies within the local plan. Ms Jarvis stated that the primary issue with the application was one of highway safety. She explained that the access road was too narrow going onto Great Coates Road. Ms Jarvis stated that the highways officer had objected to the application being approved. Ms Jarvis stated that there were concerns regarding emergency vehicles being able to use the access road as the width of the road would not be able to facilitate these types of vehicles. Ms Jarvis stated that the application was not in accordance with policy 5 of the North East Lincolnshire Local Plan 2018 and was recommended for refusal with the recommendation that the application be delegated back to the Assistant Director for Housing, Highways and Infrastructure to allow the decision to be issued.

Mr Deakins spoke as the agent for the application. He said regarding the highways issue, it was an existing access that had been there for a long time. Mr Deakins stated that the farm had been in operation for a long time and tractors had used the access. He said that the size of the dwelling was fairly average. Mr Deakins stated that he had not seen any accident data that suggested the area was a problem. Mr Deakins said that fire vehicles can get down the access and this had happened recently. Mr Deakins stated that there had been recently approved applications in the area with no objections raised by the highways team. He said that the applicant did want to formalise the turning area. Mr Deakins stated that the road outside did get busy but said that he had given thought to the construction period and how this would be managed around school drop off times. Mr Deakins asked committee members to take the points he had raised on board.

Councillor Hudson said that he thought the application was interesting. He said he noted that Healing Parish Council had not objected to the

application. Councillor Hudson said that he thought the site seemed big enough. He said he was concerned about approving an application which was a safety concern. Councillor Hudson stated that we had heard from officers that fire vehicles can't access the site, but we had heard from the agent that they can.

Councillor Shutt said he didn't see how the committee could approve an application which had a highway safety concern. He asked officers if there had been nearby applications approved as stated by the agent for the application.

Mr Dixon said that he couldn't comment but that certainly no recent applications had been approved in the area. He clarified that officers use the building regulation standard to determine whether emergency vehicles can access a site. He said that, just because an access did not reach that standard, it did not necessarily mean that they won't be able to access the site.

Councillor Shutt said he thought the agent for the application needed to get some clarity as to how nearby applications had been approved.

Ms Hattle stated that the highways issue had been discussed with the applicant and she had explained to him that there would need to be a five metre width at the top of the access and there was only three and a half metres.

Councillor Dawkins moved for the refusal of the application.

Councillor Lindley seconded the motion to refuse the application.

RESOLVED – That the application be refused.

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

Councillor Hasthorpe returned to the meeting at this point.

Item 7 - DM/0365/22/OUT - Grove Farmhouse, Station Road, Waltham

Mr Dixon introduced the application and explained it was an outline application to erect 8 detached dwellings and associated garages with all matters reserved with the demolition of the existing garage to allow for access. Mr Dixon said that amended plans and archaeological information was submitted during the application process to address issues raised. Mr Dixon stated that the application had been brought before the committee due to an objection from Waltham Parish Council citing concerns regarding the development not being within the boundary as well as the potential impact on highway safety. Mr Dixon said that the proposed site was outside of the development boundary but that due to the Council not being able to demonstrate a five-year supply of deliverable houses, the application could

be considered if it was in a sustainable location and satisfied other policies within the local plan. Mr Dixon stated that the proposed site was located in a sustainable location. Mr Dixon said that the development would not have a detrimental impact to neighbouring properties residential amenities. Mr Dixon said that the highways team had been consulted regarding the application and had determined that sight lines could be achieved and had raised no objections to the application. Mr Dixon stated that the application was in accordance with policies 2, 5, 15, 17, 22, 33, 34, 40, 41 and 42 of the North East Lincolnshire Local Plan 2018 and sections 5, 11, 12 and 15 of the National Planning Policy Framework and was therefore recommended for approval with conditions.

Mr Nelson spoke as the agent for the application. He commended officers on their detailed report. Mr Nelson stated that there had only been one objection received from a resident and an objection from the parish council. He said that there had been no objections to the application from any statutory consultees. Mr Nelson explained that the design of the development had changed from a modern design to a more farmhouse style. He said that an ecology and tree survey had been submitted and that some trees would be kept, and some removed due to poor quality. Mr Nelson stated that the tree officer was satisfied with the plans. Mr Nelson stated that the site was a natural infill development. He concluded by saying that he had worked with the highways team to ensure sight lines were achieved.

Councillor Hudson queried whether eight dwellings would make a difference to the area or is the strategic gap getting closer and closer. He said he noted that Waltham Parish Council had objected to the application but that he saw the development as a natural infill development. Councillor Hudson commented that he would listen to the debate.

Councillor Parkinson queried whether if the committee turned down the application, would it go to appeal and be approved similar to the larger development.

Councillor Lindley said that the strategic gap between Scartho and Waltham was getting slimmer. He said that whilst the application was only asking for eight dwellings, another application could be submitted asking for more. Councillor Lindley said that if the development was located within his ward, he would not support it. He said that he would be consistent.

Councillor Croft stated that she agreed with Councillor Lindley. She said that four hundred homes were being built close by and she had concerns about the road.

Councillor Hasthorpe said that he was concerned about the road safety and was unsure whether he would support the application.

The Chair said that he thought the application was a tricky one as the site was located outside the development boundary. He said he considered the strategic gap to be the opposite side and further away.

Councillor Hudson agreed with the Chair and said that if the development was on the other side, he would not support the application. However, he

said that as the application was located where it was, he would support the application. Councillor Hudson moved for the application to be approved.

Councillor Parkinson seconded the motion to approve the application.

Councillor Shutt said that he noted that the developer had decided to change the design and he commented that the design looked better with the change. Councillor Shutt said he had concerns about the road, but that he didn't think a further eight dwellings would make it significantly worse.

Councillor Hudson said that when the full plans came before the committee, if they didn't like them, they could always vote to refuse the application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 7 for and 4 against the application to be approved.)

Item 8 - DM/0897/22/FUL - 23 Sterling Crescent, Waltham

Ms Jarvis introduced the application and explained it sought to demolish an existing conservatory and detached garage, erect a single storey rear extension, raise roof height, erect a two-storey side extension to include garage at ground floor and front and rear dormers at first floor, install roof light, install Juliet balcony at first floor and various associated internal and external works. Ms Jarvis explained that the application was one that had previously been approved but now had modified changes. She said that an objection had been received from Waltham Parish Council citing concerns of the scheme being an overdevelopment and impact on neighbouring amenity. She said that there had also been objections from neighbours. Ms Jarvis stated that the application was acceptable in principle as the proposed site was located within the development boundary. She commented that it was not unusual to see extensions of this type in the area. Ms Jarvis said that the application was now for a lesser scheme than what was previously approved. Ms Jarvis stated that there would be a separation of distance from the neighbours and said that the development would not harm neighbouring amenities. Ms Jarvis stated that the application was in accordance with policies 5, 22, 33 and 34 of the North East Lincolnshire Local Plan 2018 and was recommended for approval with conditions.

Councillor Hasthorpe said that on the grounds that it was a lesser development, he was happy to move for approval of the application.

Councillor Lindley said that the first scheme had already been approved and this application was for a lesser development and had been significantly reduced. Councillor Lindley seconded the motion to approve the application.

Councillor Hudson commented that he thought it was shame to have a large house as he thought the bungalow had looked nice.

Councillor Shutt stated that he agreed with his fellow Councillors.

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

RESOLVED – That the application be approved with conditions.

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

P.67 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Executive Director of Environment, Economy and Resources under delegated powers during the period 16th December – 18th January 2023.

RESOLVED – That the report be noted.

P.68 PLANNING APPEALS

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

RESOLVED – That the report be noted.

P.69 EXCLUSION OF PRESS AND PUBLIC

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

P.70 ENFORCEMENT ISSUES

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

RESOLVED – That the report be noted.

There being no further business, the Chair closed the meeting at 1.05 p.m.