

Planning Committee Dated: 12th June 2024

Summary List of Detailed Plans and Applications

Recommendation: Approved with Conditions	
Item:	1
Application No:	DM/1019/23/REM
Application Type:	Reserved Matters
Application Site:	Highfield House Stallingborough Road Immingham North East Lincolnshire
Proposal:	Reserved matters application following DM/0728/18/OUT to erect 525 dwellings to include public space and associated works with appearance, landscape, layout and scale to be considered
Applicant:	Beal Developments Limited
Case Officer:	Richard Limmer
Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/0362/24/FUL
Application Type:	Full Application
Application Site:	7 Beck Farm Mews Barnoldby Le Beck North East Lincolnshire DN37 0BH
Proposal:	Change of use from dwellinghouse (C3) to children's care home (C2) - Amended Block Plan Received on 13.5.2024 confirming parking arrangements
Applicant:	Maria Williamson
Case Officer:	Owen Toop

Recommendation: Approved with Conditions	
Item:	3
Application No:	DM/0005/24/FUL
Application Type:	Council Regulation 3
Application Site:	Land Off Station Road New Waltham North East Lincolnshire
Proposal:	Regulation 3 application for the creation of new car park and drop off area to include lighting columns, landscaping and boundary treatments (Amended Description and Plans received 13th May 2024 to include amended red edge, ownership certificate, landscaping, management details and confirmation of lighting columns)
Applicant:	North East Lincolnshire Council
Case Officer:	Bethany Loring

Recommendation: Conditions Complied With	
Item:	4
Application No:	DM/0099/24/CND
Application Type:	Discharge Condition
Application Site:	Ash Holt Waithe Lane Brigsley North East Lincolnshire
Proposal:	Details in Discharge of Condition 6 (Construction Traffic Management Plan) pursuant to DM/0447/23/FUL (Amended Plans and Documents received 8th May 2024 to include revised CTMP, contractor route and site details, signage locations and escort vehicle details)
Applicant:	Mrs Lara Edwards
Case Officer:	Bethany Loring

Recommendation: Refused	
Item:	5
Application No:	DM/0166/24/FULA
Application Type:	Accredit Agnt - Hseholder application
Application Site:	Keepers Cottage Walk Lane Irby Upon Humber North East Lincolnshire
Proposal:	Demolish existing conservatory and erect single storey extensions to front and side with associated works (Amended Plans Received 16th April 2024)
Applicant:	Mrs A Tamas
Case Officer:	Owen Toop

Recommendation: Refused	
Item:	6
Application No:	DM/1199/23/FUL
Application Type:	Full Application
Application Site:	157 Station Road Stallingborough North East Lincolnshire DN41 8AL
Proposal:	Erect one dwelling with integral garage
Applicant:	Mr Oliver Kauss
Case Officer:	Emily Davidson
Recommendation: Approved with Conditions	
Item:	7
Application No:	DM/0332/24/OUT
Application Type:	Outline Application
Application Site:	Land Adjacent To 74 Bluestone Lane Immingham North East Lincolnshire DN40 2EJ
Proposal:	Outline application to erect dormer bungalow with access to be considered
Applicant:	Mrs Hanslip
Case Officer:	Lauren Birkwood
Recommendation: Approved with Conditions	
Item:	8
Application No:	DM/1074/23/FUL
Application Type:	Full Application
Application Site:	Land Off Pasture Street Grimsby North East Lincolnshire
Proposal:	Erection of 8 new dwellings with photovoltaics, erection of 2 commercial units and a store with 4 flats above with photovoltaics. Alteration to existing vehicular access, creation of car parking spaces, landscaping and associated works
Applicant:	Mr Zak Hussain
Case Officer:	Bethany Loring

Recommendation: Refused	
Item:	9
Application No:	DM/0185/23/CEU
Application Type:	Cert of Lawful Use/Operation - Existing
Application Site:	34 Heneage Road Grimsby North East Lincolnshire DN32 9ES
Proposal:	Certificate of Lawfulness for existing use as a 7 bedroom (person) House in Multiple Occupation (HMO)
Applicant:	Mr Oliver Reid
Case Officer:	Jonathan Cadd
Recommendation: Approved with Conditions	
Item:	10
Application No:	DM/0263/22/FUL
Application Type:	Full Application
Application Site:	205 Humberston Fitties Humberston North East Lincolnshire DN36 4HD
Proposal:	Erect single storey extension and covered decked area with various alterations to existing chalet, changes to windows and doors, and replacement of existing cladding (Clarification plans showing side elevation facing 207 Humberston Fitties received 3rd April 2024)
Applicant:	Mr Smith
Case Officer:	Owen Toop

PLANNING COMMITTEE - 12th June 2024

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

APPLICATION No: DM/1019/23/REM

APPLICATION TYPE: Reserved Matters

APPLICATION SITE: Highfield House, Stallingborough Road, Immingham, North East Lincolnshire, DN40 1SW

PROPOSAL: Reserved matters application following DM/0728/18/OUT to erect 525 dwellings to include public space and associated works with appearance, landscape, layout and scale to be considered

APPLICANT:

Beal Developments Limited
C/o Agent

AGENT:

Gareth Pritchard
Stantec UK limited
50/60 Station Road
Cambridge
CB1 2JH

DEPOSITED: 16th October 2023

ACCEPTED: 6th November 2023

TARGET DATE: 5th February 2024

PUBLICITY EXPIRY: 3rd June 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 30th November 2023

CASE OFFICER: Richard Limmer

PROPOSAL

The application is a reserved matters application for 525 dwellings, consisting of 170 two bedroom houses, 304 three bedroom houses and 51 four bedroom houses, with associated infrastructure including garages, parking areas, roads, open space, drainage works and landscaping. This application follows on from the approval of the outline planning permission DM/0728/18/OUT which was approved, subject to a legal agreement, in 2019.

This application has been brought to Planning Committee for consideration due to the number of objections from neighbouring properties that have been received.

SITE

The site is located to the south west of Immingham to the east of Stallingborough Road. To the north of the site are the residential streets of Kinloch Way, Perth Way, Tummel Court and Oban Court. These properties are typically detached and semi-detached houses.

To the north west corner of the site is Immingham Motors, a petrol filling station with a small convenience store and garage. Adjacent to this are bus stops on either side of Stallingborough Road. A public bridleway runs all the way along the site boundary separating the site from the neighbouring properties. The existing Highfield House dwelling and farm buildings are also located within but adjacent to this boundary.

To the east of the site are the residential streets of Jasmine Way, Guernsey Grove, Alderney Way, Anglesey Drive, Mull Way and Lundy Court. Eastfield primary school is also located just beyond the north east corner of the site. A public footpath runs the majority of the way along this boundary which connects into the public bridleway which runs along the northern boundary and then travels north to Blossom Way and Pelham Road.

The existing southern boundary of the site is only defined by an agricultural access track and beyond this is open arable land. The A180 is located beyond the southern boundary of the site. In this area the A180 has a tarmac surface.

The western boundary of the site is adjacent to Stallingborough Road, there are residential properties on the far side of Stallingborough Road opposite the site, these are two detached bungalows and 4 dwellings in a converted farm building development.

The site itself is square in shape and is relatively flat with a slight fall from west to east. The site is all currently agricultural land. There is existing landscaping to the northern, eastern and western boundaries but the central portion of the site remains open. There are some small drainage ditches running across the site providing land drainage.

RELEVANT PLANNING HISTORY

DM/0850/17/SCR - EIA Screening for residential development and associated infrastructure - EIA Negative

DM/0728/18/OUT - outline permission for up to 525 dwellings, 80 bed care home and associated infrastructure - approved

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF5 - Delivering a sufficient supply of homes

NPPF9 - Promoting sustainable transport
NPPF12 - Achieving well designed places
NPPF13 - Protecting green belt land
NPPF16 - Conserv. & enhance the historic environ.

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

PO5 - Development boundaries
PO6 - Infrastructure
PO13 - Housing allocations
PO15 - Housing mix
PO17 - Housing density
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ
PO40 - Developing green infrastructure network
PO41 - Biodiversity and Geodiversity
PO42 - Landscape
PO43 - Green space and recreation

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 Officer - no objections, proposed conditions for details.

Drainage Board - no objections.

Drainage Officer - no objections, condition for final surface water drainage scheme.

Police - no objections, condition for final designing out crime details.

Natural England - no objections.

Sport England - no objections.

Environmental Health Officer- no objections, recommend assessment in relation to noise impacts and air quality and reference to conditions required.

Anglian Water - no objections.

Environment Agency - no objections.

Heritage Officer- no objections.

HSE - no objections.

Humberside Fire and Rescue - no objections.

Civic Society - object due to lack of infrastructure in the town.

Immingham Town Council - no objection in principle, comments regarding position of the extended 30mph zone.

Public Rights of Way - no objections

Neighbour Representations

58 Talbot Road

2 Pilgrims Way

18 Mull Way

13 Paddock Court

3 Tummel Court

9, 21, 30 Jasmine Way

7 Holbeck Place

6 Princess Street

49 Bluestone Lane

23 Spinney Close

13 Mayflower

39 Thornton Place

93 Stallingborough Road

2 Lundy Court

The Limes Boston - specific comments on swifts

58 Margaret Street

The above neighbours have objected on the following grounds:

- Lack of infrastructure in Immingham to accommodate the proposed housing, including dentists, doctors etc..;
- Traffic generation and highway safety;
- Impact on drainage and flood risk;
- Impact on ecology;
- Impact on public rights of way;
- Impact on the overall character of Immingham.

APPRAISAL

Material Planning Considerations

1. Principle of Development
2. Impact on Neighbours
3. Impact on Character of the Area and Provision of Services
4. Provision of Services
5. Highways
6. Drainage and flooding
7. Amenity Issues
8. Conditions and Section 106 Legal Agreement Matters

1. Principle of Development

The principle of residential development on this site has been established through the granting of the outline planning permission under DM/0728/18/OUT and the sites allocation on the North East Lincolnshire Local Plan 2018 (NELLP) for residential development.

This application is for the detailed particulars of the development as required through condition 2 of the outline permission. Information has also been provided to address other conditions attached to the outline permission and these will be considered through this report.

Conditions 3 and 4 of the outline permission requires the reserved matters applications to follow the principles set out in the plans and documents submitted as part of the outline application. The information submitted for this reserved matters application has been reviewed and it is considered that it complies with these conditions.

It is therefore considered that the proposed development remains acceptable in principle and accords with Policies 2, 5 and 13 of the NELLP. It then falls to judge the detailed specifics of the development.

2. Layout. Design and Impact on the Character of the Area.

Policies 5, 22 and 42 require development proposals to consider and react to the existing character and appearance of the area and respect the wider landscape character. The principle of the site being developed has been established through the outline planning permission and NELLP allocation which, in principle, accepts the loss of the agricultural land and the change in the visual appearance of the site.

Two of the site boundaries currently present a built edge to the open countryside. This is however softened by the landscaping along the boundaries and the public rights of way.

The proposed development would maintain these corridors which would maintain the character for the existing neighbours but also the established character of the area. The proposed development then expands on this theme by providing green space around the site and designated walking routes through these spaces. The proposed relocation of the public footpath to the western boundary reflects the route that is actually walked on site now and so maintains this character.

The proposed development includes a mixture of 2, 3 and 4 bedroom houses with a range of house types and designs included. The site layout creates different character areas which include areas of detached and semi-detached houses and then areas of terrace housing which create rear courtyard parking areas. On the whole the layout has been designed so that properties front onto public open space areas, this creates attractive frontages and also natural surveillance for the public areas. The overall design and layout of the site is attractive and embraces the principles of good design. Street trees are provided throughout in accordance with NPPF advice and the National Design Guide.

Condition 11 of the outline permission required 8.5ha of public open space to be provided unless otherwise agreed in writing by the Local Planning Authority. This reserved matters application now details that there would be 7.95ha of public open space which includes two equipped children's play areas. This is less than the original 8.5ha due to the more detailed plans providing the sustainable drainage scheme and overhead power lines redirected underground. Policy 43 of the NELLP require developments of this scale to provide open space based on 1ha per 1000 population. Working on an average of 2.4 people per dwelling across the application equates to 1260 people on site, the Policy would therefore require a minimum of 1.26ha. The proposal would deliver 7.95ha well in excess of the Policy requirement, thus whilst less than the original provision of 8.5ha it is considered to be acceptable and in accordance with Policy 43 of the NELLP. This provision ensures that there is suitable green space in and around the site to provide a spacious open feel to the development and gives residents opportunity to enjoy recreation locally.

In relation to the wider character of the area the scale the proposed development presents an obvious extension to Immingham with two sides of the square already developed and a third side defined by Stallingborough Road, this has already been accepted in principle. The proposed site layout. design of the public open spaces and landscaping ensure green edges to the development are created. It is therefore considered that this proposal is acceptable and accords with Policies 5, 22, 42 and 43 of the NELLP.

3. Impact on Neighbours

Policy 5 of the NELLP 2018 requires development proposals to have due regard to the potential impacts on the neighbouring land uses. In this instance there are a large number of neighbouring properties to the site.

To the north of the site the neighbouring properties on Kinloch Way, Perth Way, Tummel Court and Oban Court are all two storey dwellings. These dwellings typically back on to the site, separated by the public bridleway and are screened by boundary landscaping. There is also a detached bungalow accessed off Stallingborough Road; Ashlea but this is set back from the site boundary by approximately 24m. The proposed layout affords these neighbours a good level of separation and existing landscaping provides screening.

The neighbouring properties to the eastern boundary are a mixture of bungalows and houses. The dwellings in Guernsey Grove, Alderney Way and Anglesey Drive are separated again by the public footpath running along the site boundary and back onto the site. The properties in Mull Way and Lundy Court present side elevations to the site but have limited screening and separation to the site. The site plan for the proposed development highlight the area adjacent to these properties as open space and would accommodate the surface water drainage basins thus providing extensive separation from the built form.

The neighbouring properties to the west on Stallingborough Road would be separated by Stallingborough Road and the site plan details a strip of open space and landscaping all the way along this boundary, which helps buffer the development from these neighbours but also the development from Stallingborough Road.

The scheme has taken into account the potential impacts to the neighbouring properties and demonstrated that it made it would not unduly harm the residential amenities of the neighbouring properties in accordance with Policy 5 of the NELLP 2018.

4. Provision of Services

It is noted that several objections have been received from the community with particular regard to the impact of the proposed development on services within Immingham. This is with particular regard to health care, leisure and education. These are matters of principle and were considered through the outline planning permission. The Section 106 legal agreement attached to the outline secures the provision of financial contributions towards education and sport.

It is therefore considered that the proposed development is acceptable in relation to community infrastructure under Policy 5 and 6 of the NELLP.

5. Highways

The principle of development was established through the granting of the outline planning permission which included the access to the site. The outline approval details two access points for the development off Stallingborough Road. These access points and the impact of the development on the wider highway network have been agreed, this includes mitigation and provision for improvements secured through the Section 106 legal agreement. It is not appropriate to revisit these matters now. Therefore, the Highway

considerations for this application are around the internal site layout.

The Highways Officer has reviewed the proposed site layout and following negotiations and amendments to some of the details it has been confirmed that they have no objections to the proposed development. Condition 5 attached to the outline permission requires the final highway construction detail remain in place and those final details will have to be agreed at a later date through the discharge of conditions process. The proposal is therefore considered to accord with Policy 5 of the NELLP.

6. Drainage

Policies 5 and 33 of the NELLP 2018 require development proposals to consider the impacts on the development from flood risk and how the proposed development will deal with surface water drainage to ensure that it does not increase the risk of flooding away from the site. It is noted that the Environment Agency have no objections to the proposed development.

The application has been submitted with a detailed drainage strategy which details how surface water will be dealt with. This includes the use of SUDS to reduce the runoff rate from the site and to improve water quality.

The NELC Drainage Engineer and the Drainage Board Officer have both considered the proposed drainage strategy in detail and raise no objections in principle but advise conditions for the final detailed surface water drainage scheme to be secured and delivered.

In regard to foul water drainage Anglian Water have been consulted as part of this application process and have confirmed that they have no objections to the proposed foul water drainage scheme.

In terms of drainage the proposal is considered to accord with Policies 5 and 33 of the NELLP 2018.

7. Amenity of future occupiers

The proposed development is located close to the A180 at the south of the site. This presents concerns over the impact of the noise from the road being over and above what would be expected for a new dwelling to endure. The outline permission included a condition for a Noise Assessment to be provided and the necessary mitigation measures included in the scheme. The mitigation includes acoustic boundary treatments and insulating measures to specific properties. This has been considered in detail by the Environmental Health Officer and subject to a final condition for the final details mitigation measures are accepted. These measures can be suitably secured through a condition. This is in accordance with Policy 5 of the NELLP 2018.

8. Conditions and Section 106 Matters

It is noted that the Environmental Health Officer in initial representations referenced an Air Quality Assessment to be submitted. However, it is acknowledged that one was provided and considered as part of the outline application, with no concerns raised, and as such it is not a matter to be revisited at the reserved matters stage.

It should be noted that whilst there are only a limited number of conditions proposed to be included in this reserved matters application there are conditions from the outline application that are still relevant and will need to be discharged in due course, these include the following:

Condition 5 - Highway construction details
Condition 7 - Residential travel plan
Condition 8 - Temporary access details
Condition 9 - Construction Management Plan
Condition 10 - Openspace and play equipment details and management plan
Condition 12 - Landscape habitat management plan
Condition 14 - Piling details
Condition 15 - Public Right of Way improvement details
Condition 16 - Archaeological investigation
Conditions 17 to 20 - Contamination
Condition 22 - Water use
Condition 23 - Electric vehicle charging points

The detail for the above conditions will be required to be submitted to and approved by the Local Planning Authority.

The outline permission includes a Section 106 legal agreement. This legal agreement remains in place for this reserved matters application and secures the following matters:

- Education Contribution.
- A financial contribution towards sport provision.
- Open space management and maintenance. The site includes pockets of open space and a larger areas of open space around the drainage lagoons and these areas need to be properly maintained. It is proposed that a private management company is set up that the future residents pay into to collectively pay for the upkeep of these areas.

Highway works including:

- Contribution towards the phone and ride service.
- Bridleway improvement works.
- Improvement to existing bus stops
- Provision of new bus stops

- Pedestrian crossing
- Street lighting on Stallingborough Road
- Funding towards a Traffic Regulation Order to move the 30mph zone

CONCLUSION

The proposal is a reserved matters application for 525 dwellings with associated infrastructure on a site that is allocated in the NELLP 2018 for residential development and has outline planning permission.

The proposal is acceptable in terms of neighbours amenities, impact on the visual character of the area, drainage and flood risk, future occupiers amenities, highway safety and amenity and ecology and would provide significantly to NEL's housing supply. It is considered that the proposed development would accord with Policies 5, 6, 13, 15, 17, 18, 22, 33, 39, 40, 41, 42 and 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the core principles of the National Planning Policy Framework 2019 including sections 5, 9, 12, 14, 15 and 16. It is recommended that the application is approved.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Site Location Plan J2147 00101 Rev A
 Proposed Masterplan J2147 00115 Rev D
 Proposed Site Layout, Sheet 1 J2147 00104 Rev L
 Proposed Site Layout, Sheet 2 J2147 00105 Rev I
 Proposed Site Layout, Sheet 3 J2147 00113 Rev E
 Proposed Site Layout, Sheet 4 J2147 00114 Rev E
 Proposed Levels Sheet 1 of 4 22340-DR-C-0802-1 P02
 Proposed Levels Sheet 2 of 4 22340-DR-C-0802-2 P02
 Proposed Levels Sheet 3 of 4 22340-DR-C-0802-3 P02
 Proposed Levels Sheet 4 of 4 22340-DR-C-0802-4 P02
 Proposed Street Scene 1 of 2 J2147 00111 Rev A
 Proposed Street Scene 2 of 2 J2147 00112 Rev A
 Existing Site Plan J2147 00102 Rev A
 Topographical Survey 27538_T 0
 Existing Site Section A-A J2147 00118 Rev A
 Proposed Site Section A-A J2147 00119 Rev A
 Vehicle Tracking (Bus Sheet 1 of 3) DR-C-0808-1 P1

Vehicle Tracking (Bus Sheet 2 of 3) DR-C-0808-2 P1
Vehicle Tracking (Bus Sheet 3 of 3) DR-C-0808-3 P1
Vehicle Tracking (Refuse Vehicle Sheet 1 of 4) DR-C-0808-4 P1
Vehicle Tracking (Refuse Vehicle Sheet 2 of 4) DR-C-0808-5 P1
Vehicle Tracking (Refuse Vehicle Sheet 3 of 4) DR-C-0808-6 P1
Vehicle Tracking (Refuse Vehicle Sheet 4 of 4) DR-C-0808-7 P1
House Type - 2.5 AS OP J2147 00200 Rev B
House Type - 2.5 AS OP AS OP J2147 00201 Rev C
House Type - Gramercy, Dalby J2147 00202 Rev C
House Type - Tribeca, Roxby J2147 00203 Rev B
House Type - Appleby AS J2147 00204 Rev A
House Type - Appleby AS OP J2147 00205 Rev A
House Type - Butterwick AS OP J2147 00206 Rev A
House Type - Castleton AS J2147 00207 Rev A
House Type - Castleton OP J2147 00208 Rev A
House Type - Dalby AS Gramercy AS J2147 00209 Rev A
House Type - Dalby AS Gramercy AS (Render) J2147 002010 Rev A
House Type - Dalby AS, Gramercy AS OP J2147 00211 Rev B
House Type - Dalby AS Gramercy AS OP (Render) J2147 00212 Rev B
House Type - Dalby AS Gramercy AS Dalby OP J2147 00213 Rev A
House Type - Dalby AS Gramercy AS OP Dalby OP(Render) J2147 00214 Rev B
House Type - Dalby AS Gramercy AS Roxby AS OP (Render) J2147 00215 Rev B
House Type - Dalby, Gramercy, Tribeca J2147 00216 Rev B
House Type - Dalby, Gramercy, Dalby (Render) J2147 00217 Rev C
House Type - Dalton AS OP J2147 00218 Rev B
House Type - Dalton AS OP AS J2147 00219 Rev B
House Type - Dalton AS OP Gramercy OP J2147 00220 Rev B
House Type - Gramercy OP Dalby OP J2147 00221 Rev A
House Type - Gramercy OP Dalby OP (Render) J2147 00222 Rev A
House Type - Gramercy J2147 00223 Rev B
House Type - Gramercy, Dalton, Gramercy J2147 00224 Rev B
House Type - Gramercy J2147 00225 Rev B
House Type - Gramercy, Dalby J2147 00226 Rev B
House Type - Gramercy, Dalby (Render) J2147 00227 Rev B
House Type - Gramercy J2147 00228 Rev B
House Type - Gramercy, Roxby J2147 00229 Rev B
House Type - Gramercy, Tribeca, Gramercy J2147 00230 Rev B
House Type - Gramercy, Gramercy J2147 00231 Rev C
House Type - Hackness AS J2147 00232 Rev A
House Type - Hackness OP J2147 00233 Rev A
House Type - Haxby AS J2147 00234 Rev A
House Type - Haxby OP J2147 00235 Rev A
House Type - Levisham AS J2147 00236 Rev A
House Type - Levisham OP J2147 00237 Rev A
House Type - Ripley AS J2147 00238 Rev A
House Type - Ripley OP J2147 00239 Rev A

House Type - Roxby J2147 00240 Rev B
House Type - Roxby, Gramercy, Dalby J2147 00241 Rev B
House Type - Roxby, Gramercy, J2147 00242 Rev B
House Type - Swainby AS J2147 00243 Rev A
House Type - Swainby OP J2147 00244 Rev A
House Type - Thronton AS J2147 00245 Rev A
House Type - Thornton OP J2147 00246 Rev A
House Type - Tribeca AS OP J2147 00247 Rev B
House Type - Tribeca AS OP AS J2147 00248 Rev B
House Type - Tribeca AS OP AS OP J2147 00249 Rev B
House Type - Tribeca, Gramercy J2147 00250 Rev B
House Type - Tribeca, Gramercy, Dalby J2147 00251 Rev C
Single Garage LHD J2147 00255 Rev B
Single Garage RHD J2147 00256 Rev B
Double Garage PW J2147 00257 Rev A

Reason

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

(2) Condition

The development shall be built out in accordance with the drainage plans refs:

Drainage Layout DR-C-0100-1P4
Drainage Layout - System 1 DR-C-0100-2P4
Drainage Layout - System 2 DR-C-0100-3P4
Drainage Layout - System 3, Sheet 1 DR-C-0100-4P3
Drainage Layout - System 3, Sheet 2 DR-C-0100-5P3
Drainage Details DR-C-0101 P1
Catchment Area Plan System 1 & 2 DR-C-0102 P2
Catchment Area Plan System 3 DR-C-0103 P2
Overland Flood Route System 1 DR-C-0104 P1
Overland Flood Route System 2 DR-C-0105 P2
Overland Flood Route System 3 DR-C-0106 P2

unless otherwise approved in writing by the local planning authority.

Reason

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

(3) Condition

Prior to development commencing final details of a scheme for designing out crime shall

be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

In the interest of the future occupiers amenities in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

Prior to the development commencing final details of noise mitigation, based on the Noise Impact Assessment ref: 4439-7126-TD-02, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved mitigation measures, unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interest of future occupiers amenities in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

The development shall be built out in accordance with the Landscaping plans ref: SL0488/01 rev C, SL0488/02 rev C, SL0488/03 rev C, SL0488/04 rev A and the Landscape Planting Schedule dated October 2023. The approved landscaping scheme shall be planted out and maintained in accordance with the approved details of Condition 12 of outline permission DM/0728/18/OUT.

Reason

In the interest of amenity and biodiversity in accordance with Policies 5, 41, 42 and 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

No construction work shall be carried out or deliveries to the site made 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).

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, 6, 13, 15, 16, 17, 22, 33, 34, 39, 40, 41, 42, 43.

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 working with the applicant to address those issues raised.

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.

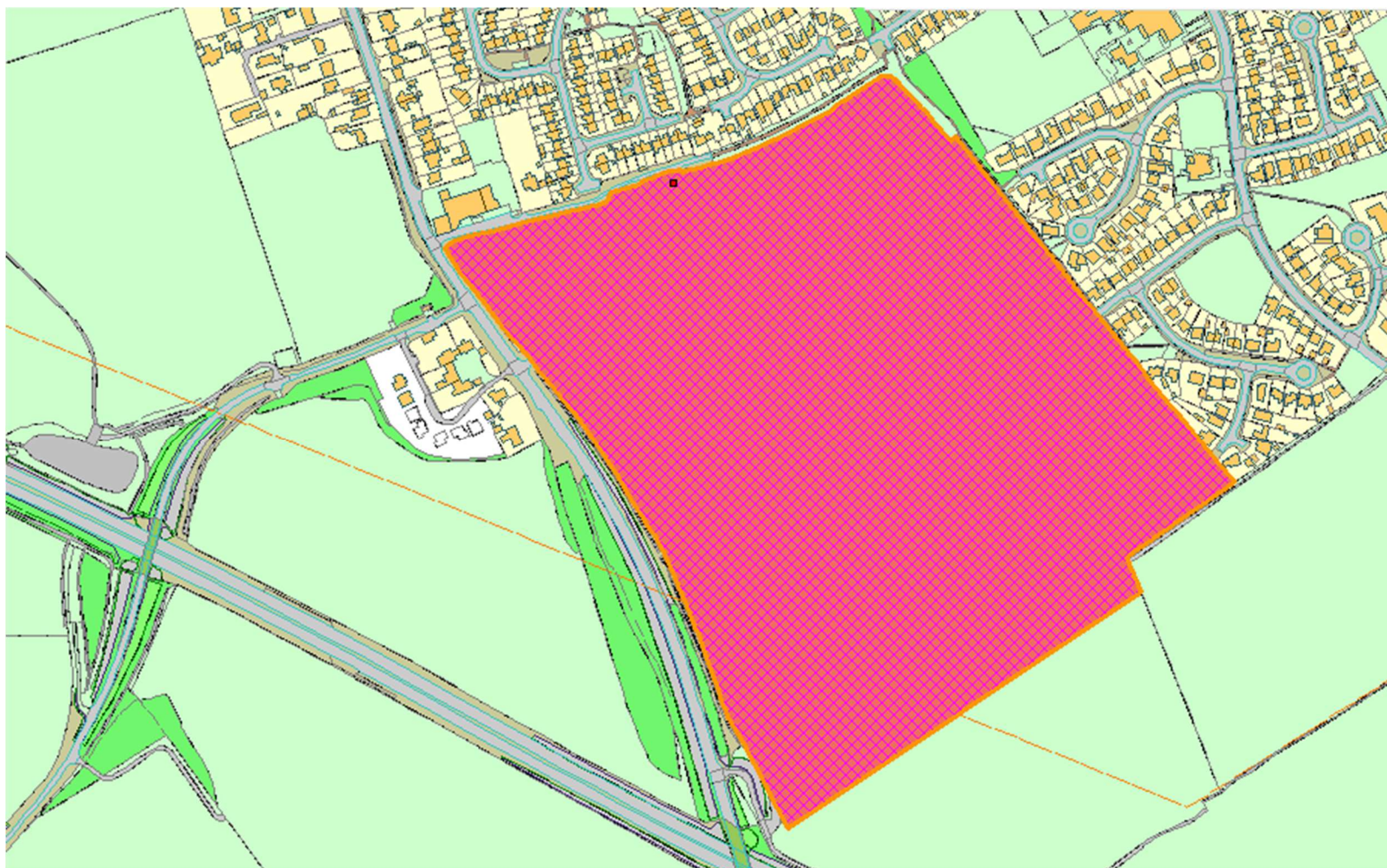
4 Informative

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

The applicant should be aware of the conditions on the outline permission which are still relevant and require discharging prior to development commencing.

DM/1019/23/REM – HIGHFIELD HOUSE, STALLINGBOROUGH ROAD, IMMINGHAM



DM/1019/23/REM – HIGHFIELD HOUSE, STALLINGBOROUGH ROAD, IMMINGHAM



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DM/1019/23/REM – HIGHFIELD HOUSE, STALLINGBOROUGH ROAD, IMMINGHAM



PLANNING COMMITTEE - 12th June 2024

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

APPLICATION No: DM/0362/24/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: 7 Beck Farm Mews, Barnoldby Le Beck, North East
Lincolnshire, DN37 0BH**

**PROPOSAL: Change of use from dwellinghouse (C3) to children's care home (C2) -
Amended Block Plan Received on 13.5.2024 confirming parking arrangements**

APPLICANT:

Maria Williamson
Gravity Red Inspires
10 Africa House
Grimsby
North East Lincolnshire
DN34 5QP

AGENT:

Mr Tim Perkins
TMP Planning Ltd
GLfifty
The Limes
Bayshill Road
Cheltenham
GL50 3AW

DEPOSITED: 10th April 2024

ACCEPTED: 12th April 2024

TARGET DATE: 7th June 2024

PUBLICITY EXPIRY: 8th June 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 8th June 2024

CASE OFFICER: Owen Toop

PROPOSAL

This proposal seeks planning permission for a change of use from a dwellinghouse (C3) to a children's care home (C2). No external alterations to the dwellinghouse are included in this application. The children's home would be delivered by Gravity Red Inspires, a residential children's home provider in North East Lincolnshire.

The application is brought to the attention of planning committee due to an objection from Barnoldby Le Beck Parish Council. Additionally a number of neighbour objections have been received.

SITE

The site is an existing 5 bedroom house located at Beck Farm Mews, a residential street in the village of Barnoldby-le-Beck.

RELEVANT PLANNING HISTORY

DM/1163/23/CEA - Proposed use of the existing dwelling as a residential children's care home, for a maximum of 3 resident children receiving care aged 10-17, with 2 non-resident care staff support falling within Use Class C2 - Certificate of Lawfulness refused on 29th February 2024.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF8 - Promoting healthy and safe communities

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO38 - Parking

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

Crime Reduction Officer - No objections to the use and its location.

Highways - No objections on the grounds of access, parking, traffic or safety.

Environment Team - No comments to make.

Drainage - No drainage comments.

Heritage Officer - No input required.

Barnoldby-le-Beck Parish Council - Objects to the application on the following grounds:

- lack of clarity on parking
- highway safety concerns due to increased traffic on narrow streets
- anti-social behaviour as a result of insufficient staffing provision and lack of recreational activities
- legal covenant restricting use to dwellinghouse

Neighbours and Public Consultation

In some cases multiple letters from the same address have been provided. Objections received from the following addresses:

1 Beck Farm Mews
1a Beck Farm Mews
2 Beck Farm Mews
3 Beck Farm Mews
5 Beck Farm Mews
6 Beck Farm Mews
8 Beck Farm Mews
Rivendell
The Nook, Church Lane

Broadly on the grounds of:

- parking, traffic and highway safety concerns
- overdevelopment of Beck Farm Mews
- impact on children's safety
- site and surrounding area is not suitable or sustainable for a children's home of this nature
- objections to submitted travel plan and block plans in relation to parking and carers and visitors vehicle movements
- reference to legal covenant
- fear of crime including anti-social behaviour
- does not comply with local and national planning policy
- noise

One letter of support received from Woodlands 70 St Marys Lane

- letter from owner of 7 Beck Farm Mews presents a response to the public representations received.

Please note consultation on the amended plan with Barnoldby-Le-Beck Parish Council expires on the 8th June 2024. Any subsequent comments will be forwarded to members ahead of the planning meeting.

APPRAISAL

The material planning considerations are:

1. Principle of Development
2. Impact on the Character of the Area
3. Impact to Neighbours
4. Highways and Parking
5. Crime and Anti-Social Behaviour

1. Principle of Development

The proposal is to change the use of the existing dwelling in Barnoldby-le-Beck into a children's care home, this is a change from Use Class C3 to Use Class C2.

The information supplied with the application (5.3 in the submitted Planning Statement) states that up to 3 children (between the ages of 10 and 17 years) would live at the property with 2 members of staff (minimum) providing care in the day and 1 member of staff during the night (minimum). This would be the children's permanent home. The care that would be provided would be acting in a parenting role and the concept is to provide a family home. The proposed use of the house is still residential in principle and would provide a home for children to be managed by the company Gravity Red Inspires. The Head of Commissioning Services has confirmed that they have no in principle concerns over this operator and indeed welcome the provision of further accommodation which supports local need for this type of accommodation.

The site is located within an established residential area. Though this area of the borough is less urban in nature and so does not directly benefit from the usual services expected in a locality, including primary and secondary schools, local centres, public transport and recreation areas, it is located within the defined settlement boundary for Barnoldby-le-Beck in the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) [NELLP]. This is a level 4 settlement (Policy 3 - Settlement Hierarchy). Re-use or repurposing of existing buildings is acceptable in such areas. The proposal in any event involves the conversion of an existing dwellinghouse into a children's home that would remain in a form of residential use and so is acceptable in principle.

It then falls to judge the proposal on the site-specific material planning issues as required by Policy 5 of the NELLP 2018.

2. Impact on the Character of the Area

The proposed change of use would not result in any external changes to the existing dwelling. Thus, the visual character of the area would not be adversely affected by the proposed development. The proposed use whilst falling within Class C2 of the Use Classes Order is still residential in nature. Currently the existing house has 5 bedrooms, and the only internal change would be to use one of the bedrooms as a staff bedroom,

with the other 3 being for the children. The final bedroom at ground floor would be converted into a staff office.

The proposal is therefore considered to accord with Policy 5 of the NELLP in relation to the impacts to the character of the area.

3. Impact to Neighbours

The objections received from local residents are acknowledged. The proposed development would not see any physical changes to the existing property externally as mentioned and so there would therefore not be any physical impacts from development on the neighbouring properties residential amenities in relation to massing, overshadowing or overlooking. The potential impacts to the neighbours therefore arise from the proposed use of the property.

The proposed use would see the existing 5 bedroom dwelling used in a very similar way to its current use as a dwelling house other than the minor internal changes aforementioned. It is perfectly reasonable, in planning terms, to expect a 5 bedroom house to be occupied by the number of children and adults specified in this application. There would be a material difference to the existing situation as the adults would not be residents and would change on a shift pattern (Section 5.3 states the times that these would occur), however, these comings and goings are unlikely to be significant and not materially different to those expected at any typical residential property in relation to the usual daily routine of school runs, sports clubs and trips to shops etc. which would take place. This is also considered to apply to use of the garden space by the children in that it would be no different from a family unit using their garden and as such this would not pose any additional impact on the residential amenities of the neighbouring properties.

A number of comments refer to legal covenants. It is confirmed that such matters fall outside of the planning considerations.

The proposal is therefore considered to accord with Policy 5 of the NELLP in relation to the impacts to neighbours.

4. Highways and Parking

It is noted that objections highlight highway safety, amenity, traffic and parking as serious concerns.

The existing site is a 5 bedroom property which will remain residential in its nature. The property benefits from an existing access point that will remain unaltered. The existing property benefits from a driveway which allows 1 car to be parked on the drive and there is existing off-street parking opposite.

It is therefore considered that the proposed development would not have a detrimental impact on highway amenity as a result of insufficient parking provision on the site.

Additionally, the traffic movements associated to the use are not expected to be significantly more than that for a single dwelling. It is not unreasonable due to the size of the property, to expect the existing dwelling to be potentially wholly occupied by adults and therefore have the potential to generate trip numbers far more than what is being proposed. The young people living in the home will not be car drivers themselves and therefore trip generation will be on par with standard family operation.

Highway safety is a material consideration. There are no on street parking restrictions in the area. As discussed above the proposed development would not place any additional pressure on on-street parking in the area than that which would occur at a dwelling. One main issue highlighted is the impact in terms of the safety of the children and them being able to access local amenities. A Travel Plan has been submitted which provides an indication of how the children's home would operate. There are bus routes within the village of Waltham, which is 1-mile away. It is acknowledged that the lack of a bus services in Barnoldby-le-Beck would potentially mean that car travel needs to be relied upon.

The Highways Officer has considered the proposed development in detail with specific regard to highway safety, traffic, parking and amenity and raises no objections to the proposed development.

Having regard to highway considerations, it is therefore considered that the proposal accords with Policies 5 and 38 of the NELLP.

5. Crime and Anti-Social Behaviour

Some of the neighbour comments and the comment from Barnoldby-le-Beck Parish Council refer to the potential for anti-social behaviour and increased crime. The property will be staffed 24 hours a day. The home is not intended to operate any different from that of a normal dwellinghouse and indeed, the number of children to be housed does not exceed what could typically be expected for a 5 bed house. There has been engagement with Humberside Police in response to the application and in particular whether the site is suitable for a small care home in this location. The Crime Reduction Officer raises no objections with regards to the proposed use and its location.

The management of the home would fall under the responsibility of Gravity Red Inspires in the first instance. It is in their interests to aspire to the highest standards and to operate effectively given that the registration of all residential homes are overseen by Ofsted who also maintain rigorous inspections and assessments throughout the operation of the home. The applicant is clearly experienced in managing such facilities. Irrespective of planning permission such registration provides additional controls over the site's management and its operating processes and procedures, giving an additional layer of protection in respect of those children occupying the property.

Having regard to the above, the proposal is considered to accord with Policies 5 and 22

of the NELLP.

CONCLUSION

The proposed development seeks to provide accommodation in the form of a small children's home which is to be delivered by Gravity Red Inspires. The proposal would maintain a residential use in a residential area albeit of a different use class. The overall intensity of the use of the site would not significantly change to what may reasonably be expected at a dwelling house. It is not considered that there would be any significant impacts on the neighbouring properties residential amenities or additional harm to highway safety, amenity or crime. The general appearance of the property would not be altered and so the visual character of the area would not be harmed. Finally the safety of the children has been considered acceptable by the police. It is therefore considered that the proposed development would comply with Policies 5, 22 and 38 of the NELLP 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 - PP-12924174v1

Site Plan - TI-GRI001.002 rev b

Proposed Layouts - TI-GRI001.004

Reason

For the avoidance of doubt and in the interests of proper planning and to accord with Policies 5, 22 and 38 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The development shall be operated and managed in accordance with the Planning Statement (Uploaded 10th April 2024) in so far as the number of children are concerned.

Reason

To clarify the permission and to protect residential 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, 22 and 38.

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 seeking clarification on plans.

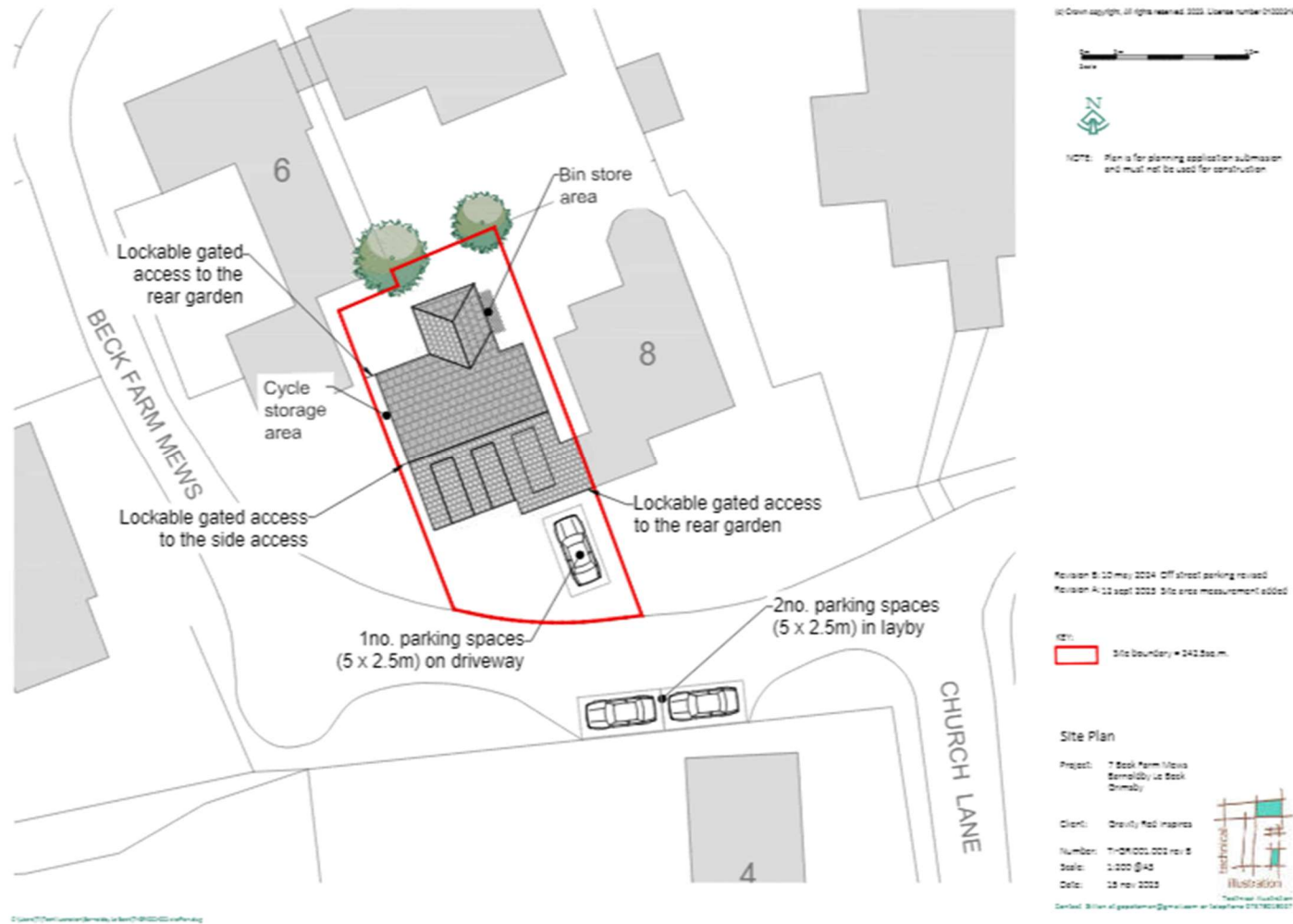
3 Informative

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/0362/24/FUL – 7 BECK FARM MEWS, BARNOLDBY LE BECK



DM/0362/24/FUL – 7 BECK FARM MEWS, BARNOLDBY LE BECK



PLANNING COMMITTEE - 12th June 2024

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

APPLICATION No: DM/0005/24/FUL

APPLICATION TYPE: Council Regulation 3

**APPLICATION SITE: Land Off, Station Road, New Waltham, North East
Lincolnshire,**

PROPOSAL: Regulation 3 application for the creation of new car park and drop off area to include lighting columns, landscaping and boundary treatments (Amended Description and Plans received 13th May 2024 to include amended red edge, ownership certificate, landscaping, management details and confirmation of lighting columns)

APPLICANT:

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

AGENT:

Mr Zac Nearney
Equans
New Oxford House
2 George Street
Grimsby
North East Lincolnshire
DN31 1HB

DEPOSITED: 3rd January 2024

ACCEPTED: 13th May 2024

TARGET DATE: 8th July 2024

PUBLICITY EXPIRY: 6th June 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 6th June 2024

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to create a new car park and drop off area to include lighting columns, landscaping and boundary treatments. 54 spaces are proposed along with a dedicated drop off zone.

The provision for the delivery of the proposal was secured through a S106 Agreement for the sites overall residential development under planning DM/1144/19/OUT. This

agreement sought a financial contribution to the Council with the Council then responsible for its provision.

The application is brought to Planning Committee following objections from neighbours.

SITE

The site is located along Station Road close to Toll Bar roundabout and Louth Road (A16). The site itself sits to the frontage of dwellings constructed on the new build estate known as 'Wigmore Park'. The estate itself is well advanced under Phase 1 with works currently taking place under Phase 2. Opposite the site is Toll Bar Academy. The site is mainly open rough scrub with existing access and exit points and a hedge to part of its frontage.

RELEVANT PLANNING HISTORY

DM/0118/15/OUT - Outline application with access to be considered for residential development (of up to 400 dwellings) including the provision of a small corner shop, open space and associated infrastructure - Refused and Allowed on Appeal

DM/1144/19/OUT - Variation application for Condition 3 (Accordance with Design and Access Statement), 4 (Tollbar Roundabout Works), 6 (Offsite Highway Works) and 13 (Approved Plans) and removal of Condition 5 (School Car Park) pursuant to DM/0118/15/OUT (Outline application with access to be considered for residential development (of up to 400 dwellings) including the provision of a small corner shop, open space and associated infrastructure). Approved with Conditions

DM/0212/20/REM - Reserved matters application following DM/1144/19/OUT (Variation application for Condition 3 (Accordance with Design and Access Statement), 4 (Tollbar Roundabout Works), 6 (Offsite Highway Works) and 13 (Approved Plans) and removal of Condition 5 (School Car Park) pursuant to DM/0118/15/OUT (Outline application with access to be considered for residential development (of up to 400 dwellings) including the provision of a small corner shop, open space and associated infrastructure) in accordance with highway works clarification plans received by the Local Planning Authority on 17th January 2020) to erect 239 dwellings with associated works - Approved with Conditions

DM/1240/21/FUL - Erection of 227 dwellings, garaging, creation of new vehicular access on Louth Road, landscaping and associated works - Approved with Conditions

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF6 - Building a strong, competitive economy
NPPF11 - Making effective use of land
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)

PO5 - Development boundaries
PO13 - Housing allocations
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
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

Highways Team - Approval with road safety audit, height restrictor, safety barriers and bollards and CMP conditions.

Heritage Officer - No input required.

Environment Team - Anticipates that a CMP will be adhered to.

Drainage Officer - Drainage proposals satisfactory.

Trees and Woodlands Officer - Landscaping details received and deemed acceptable.

NELDB - No comment.

New Waltham Parish Council - No major objections. Questions relating to management and ongoing parking issues within the area.

Ecology Officer - Satisfied with Landscaping Plan.

Neighbour Representations

Objections have been received from the following addresses broadly on the grounds of management and responsibility, anti-social behaviour, BNG requirements, increased traffic congestion, proposal being beyond a drop off area, safety of residents, noise and disturbance, environmental impacts, size of land available, property value, ownership and pollution.

9, 11, 15, 16 Binbrook Drive, New Waltham
9 Janton Court, New Waltham
8 Vickers Road, New Waltham
9 Vickers Road, New Waltham

A neutral comment has been made in relation to landscaping and biodiversity.

27A Parker Street, Cleethorpes

APPRAISAL

Principle of Development

The provision of a car park/drop off area was established by the original planning permission for the sites wider residential development. Outline planning permission DM/1144/19/OUT included a Section 106 Legal Agreement requiring a financial highways contribution part of which was for the parking area. The parking was also included on the approved plans under permission DM/1144/19/OUT. This financial contribution has been paid and the provision of the car park sits with the Council. It is therefore considered that the planning history establishes the principle of the development and it then falls to judge the site specifics under policies 5, 22, 33, 38, 41 and 42 of the North East Lincolnshire Local Plan 2018.

Design, Landscaping and Visual Impact

The design of the car park would be fit for purpose made up of a porous asphalt material with 54 formalised parking bays and concrete for the motorcycle bay. The provision would also include disabled parking bays and EV charging. Internal footpaths would be provided to the north to run alongside the dedicated drop off zone to allow for pedestrian movements within the car park itself. To this boundary, a post and rail fence and hedging would be installed to demarcate the site to the footway along Station Road.

A hedge would be replaced to the frontage, along Station Road. Around the hardstanding would be a landscaping, made up of a grass wildflower mix, with hedge planting to the south and west boundaries to soften the visual impacts. To the south and west, new tree planting would also be included. The Trees and Woodlands Officer and Ecology Officer consider the landscaping to be acceptable.

The car park is located in the proposed position as detailed on the planning permission for the sites wider development and follows the layout principles established at that time. It relates well to the housing now built and accessed as envisaged. Landscaping and boundary treatments will support this assimilation into the area. It is therefore considered that in design and layout terms the car park is acceptable under policies 5, 22, 41 and 42 of the North East Lincolnshire Local Plan 2018.

Residential and Local Amenity

The site is located opposite Tollbar Academy positioned along Station Road and then adjacent to residential neighbours to the south and east on the new residential development. The neighbours to the east would be sufficiently separated at over 22 metres. To the south, the side elevations, which include windows, would be adjacent to the rear of the car park area made up of parking spaces and landscaping features. The introduction of the car parking in this area would see the physical landscape change in order to provide this provision. Furthermore, lighting columns would be installed with some of these towards the south of the site. The lighting is considered to be necessary for usability and security of the facility.

Objections from neighbours have been received broadly on the grounds of management and responsibility, potential anti-social behaviour, biodiversity requirements, increased traffic congestion, proposal being beyond a drop off area as originally envisaged, safety of residents, noise and disturbance, environmental impacts, size of land available, property value and pollution.

The concerns raised have been fully taken into account and have informed actions and consideration of the proposal. As stated the development has long been envisaged and required by the original approvals and there has therefore been focus on the management and operation of the car park. To this end it has been confirmed that the car park would proposed to be managed and maintained by NELC including cleansing, monitoring and inspection. A management plan has been submitted to this affect and it states that the hours of operation would be from 07:00hrs to 18:00hrs which would prevent longer stays especially overnight. Moreover, the drop off area would be restricted and only used between 08:00hrs to 09:00hrs and pick up between 15:00hrs to 16:00hrs. These restrictions would be managed by Civil Enforcement Officers. The area would be restricted for use after the closing time by means of restrictive safety barriers at the access points to prevent unauthorised use, potential anti-social behaviour and resultant noise and disturbance. The final details of the barriers, pay and display machines and height restrictors are to be provided prior to installation. A condition is recommended to address this. Lighting is also proposed and detailed which will help to secure the safe use of the car park but it is acknowledged that the illumination will need to ensure no adverse impact from light spread. A condition is recommended.

In relation to the ecological issues raised it is considered that the development is acceptable. Reference is made to biodiversity net gain (BNG) but this was made mandatory for major applications in February 2024 and for all other developments, unless

exempt, in April 2024. This application was submitted in January 2024 and therefore does not require the BNG.

It is therefore considered that with the management and mitigation proposed the development is acceptable and it would not cause detrimental harm to amenity in this instance given the details provided and safeguarding conditions included.

It is therefore considered to be in accordance with policy 5 of the North East Lincolnshire Local Plan 2018.

Highway Safety

In regard to traffic congestion and safety as raised in objections it is reiterated that the provision of the car park and associated drop off zone was established through the original planning application for the housing development as highway mitigation. Access and exit points have already been provided along with the main signalised junction. It is considered that this arrangement would ensure that the traffic is managed appropriately specifically given the directional arrangements within the car park which would direct parking cars and drop off cars in differing directions. This would ensure that continuous traffic flow can be achieved thus ensuring resident and public safety. Once the car park is implemented it is intended by the Council that the on-street parking along Station Road could be controlled through a Traffic Regulation Order. However this process would sit outside this application.

The Highways Officer has reviewed the details and confirmed that the proposal is acceptable however conditions relating to securing a Road Safety Audit (RSA), height restrictor, safety barriers and bollards and a Construction Management Plan are required. These conditions are recommended.

Subject to the mentioned conditions, the proposal is considered acceptable in terms of highway safety and amenity in accordance with policy 5 of the North East Lincolnshire Local Plan 2018.

Flood Risk

The development site is not located within an area identified as having high flood risk by either the Environment Agency's flood maps (Flood Zone 1) or the Council's Strategic Flood Risk Assessment 2011 (not in any hazard area). The proposed development does not involve additional impermeable surfaces and would all be permeable. The Council's Drainage Team confirms that the details are acceptable.

The proposal is therefore considered acceptable in terms of flood risk in accordance with policy 33 of the North East Lincolnshire Local Plan 2018 and section 14 of the NPPF.

CONCLUSION

The proposal would fulfil the requirements of the wider sites residential development as secured through a financial contribution of a Section 106 Legal Agreement. The principle of the proposal has been established through the planning history of the site and it is indeed a requirement of the sites wider residential development. In terms of site specifics the for layout and design is considered to be acceptable under policies 5, 22, 33, 34, 38, 41 and 42 of the North East Lincolnshire Local Plan 2018. The development is therefore 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 - HD-041-21-101A

Proposed Site Plan - HD041-21-103

Proposed Highway, Footpath and Access Construction Details - HD-041-21-201

Proposed Lighting, Ducting and EV Charging Plan - HD041-21-500

Proposed Lighting Plan - HD-041-21-1301

Reason

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

(3) Condition

The car park, access and associated works shall be constructed in accordance with the materials as shown on drawing no. HD041-21-103 unless otherwise approved in writing with the Local Planning Authority.

Reason

For the avoidance of doubt and in the interests of proper planning and to accord with

policies 5, 22 and 33 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 etc.).
8. Working hours
9. Means to control noise and dust during the construction period.

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

Reason

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

(5) Condition

Prior to the use of the car park and drop off area a Road Safety Audit (RSA) must be submitted to and approved in writing by the Local Planning Authority. The RSA should take into consideration the entry and exit points of the car park, and Station Road within the vicinity of the car park entry to Toll bar roundabout. The Road Safety Audit must be undertaken by a fully qualified independent Road Safety Auditor and the approved details shall be implemented in accordance with the details approved prior to the use of the car park and drop off area.

Reason

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

(6) Condition

Prior to the use of the car park and drop off area final details of the design, materials and finish of the following;

- Pay and Display Machines
- Safety Barriers
- Height Restrictor
- Bollards for drop off area

shall be submitted to and approved in writing by the Local Planning Authority. All works shall be implemented in accordance with the details approved with the safety barriers, height restrictor and bollards for the drop off area installed prior to the use of the car park and drop off area.

Reason

In the interest of highways safety and amenity and to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(7) Condition

The development shall be carried out in accordance with the Proposed Drainage Plan (drawing no. HD041-21-501). All drainage to be installed in accordance with the agreed details before the car park/drop off becomes operational, unless otherwise submitted to and agreed in writing by the Local Planning Authority.

Reason

In the interests of a satisfactory means of surface water disposal and flood risk and to accord with Policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(8) Condition

All new planting as identified on the Proposed Landscaping Plan (drawing no. LP01_030524_AH) shall be carried out 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. All losses within the first 5 years shall be replaced with the same plant and standard in the next available planting season. Unless otherwise agreed in writing by the Local Planning Authority.

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).

(9) Condition

Notwithstanding the details shown on drawing no. HD-041-21-1301, full details and specifications of the proposed lighting and associated illumination shall be submitted to and approved in writing by the Local Planning Authority before they are installed. Once

approved the lighting shall be installed in strict accordance with the approved details and retained thereafter.

Reason

In the interests of security and amenity in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

The development hereby approved shall be carried out and thereafter operated and maintained in accordance with the Car Park Management Plan (V6 - dated 8th May 2024) unless otherwise approved by the Local Planning Authority.

Reason

In the interest of highways safety, amenity and neighbouring amenity and to accord with Policy 5 and 22 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, 13, 22, 33, 34, 38, 41 and 42.

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 securing additional information.

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

As works are required within the existing highway to enable the development to take place, please contact Highways Management Team on 01472-324431 well before works begin.

DM/0005/23/FUL – LAND OFF STATION ROAD, NEW WALTHAM



DM/0005/23/FUL – LAND OFF STATION ROAD, NEW WALTHAM



3PLANNING COMMITTEE - 12th June 2024

ITEM: 4 **RECOMMENDATION: Conditions Complied With**

APPLICATION No: DM/0099/24/CND

APPLICATION TYPE: Discharge Condition

APPLICATION SITE: Ash Holt , Waithe Lane, Brigsley, North East Lincolnshire, DN37 0RJ

PROPOSAL: Details in Discharge of Condition 6 (Construction Traffic Management Plan) pursuant to DM/0447/23/FUL (Amended Plans and Documents received 8th May 2024 to include revised CTMP, contractor route and site details, signage locations and escort vehicle details)

APPLICANT:

Mrs Lara Edwards
C/O Agent
KWA Architects
Chalk Farm
Cambridge
CB22 3AG

AGENT:

Mrs Meghan Bonner
KWA Architects (Cambridge) Ltd
Chalk Farm
High Street
Babraham
Cambridge
CB22 3AG

DEPOSITED: 25th January 2024

ACCEPTED: 25th January 2024

TARGET DATE: 21st March 2024

PUBLICITY EXPIRY: 1st June 2024

AGREED EXTENSION OF TIME DATE: 28th March 2024

CONSULTATION EXPIRY: 1st June 2024

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to discharge of condition 6 (Construction Traffic Management Plan) pursuant to DM/0447/23/FUL.

The original application was approved at Planning Committee and this application seeks to provide the technical detail required under condition 6 which specifically requires details relating to the construction traffic management plan associated with the overall approval.

The application was referred to Planning Committee, 27th March 2024, due to the objections received and was subsequently deferred for amendments relating to the CTMP.

SITE

The site relates to a parcel of land to the south of Waithe Lane. It forms part of the wider ownership of the 'Ash Holt' site which includes a large, detached dwelling with extensive grounds located on the edge of the main village of Brigsley. Some of the wider site is already used for equine purposes with stables and horse grazing. This site is generally well landscaped with a mixture of trees, hedging and grassland.

The site is located outside of the main village of Brigsley, this is reflected on the NELLP as the site is outside of the settlement boundary and within the open countryside. The closest residential properties are Maple Grove, Southlands and Wheatlands to the west of the site whilst to the north, east and south is agricultural land.

RELEVANT PLANNING HISTORY

08/89/0073 - Erect stable block - Approved with Conditions.

08/94/0212 - Erect stable block for private use - Approved with Conditions.

DM/1041/19/FUL - Erect private equine facility including the erection of single storey stable building, a covered horse walker, construct a horse arena, parking area, create a new access and change of use of land for equine purposes and associated works - Approved with Conditions.

DM/1108/22/CEA - Certificate of lawfulness for proposed oak-framed home gym/home office outbuilding - Approved.

DM/0447/23/FUL - Change of use of land from agricultural to equestrian use, erect detached indoor manège to include attenuation pond, tree screening and associated works - Approved with Conditions

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

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

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 Officer - CTMP acceptable and condition can be discharged. Additional information relating to routing and site signage have also been provided.

Trees and Woodlands Officer - No comment.

Environment Team - Dust and noise measures sufficient to discharge the condition.

Cllr Jackson Ward Councillor - Objects in agreement with residents issues relating to traffic, access, damage to verges and inappropriate development.

Drainage Officer - No concerns about the traffic loading detailed below using Waithe Lane.

Neighbour Representations

Objections have been received from the following addresses broadly on the grounds of traffic, access, damage to cables, verges, trees and hedges, CTMP not yet approved, use of HGV's on an unsuitable lane, volume and weight of construction traffic, structural integrity of bridges on route, previous issues following initial application. It is also noted that a vehicle has already got stuck delivering to the site and that this action was in breach of the planning permission granted. Reference to development as approved also made.

Ktima, Briglsey Road
Maple Lane, Waithe Lane
Walnut House, Waithe Lane (x3)
Wheatlands, Waithe Lane
Maple Grove, Waithe Lane

APPRAISAL

The application seeks to discharge of condition 6 (Construction Traffic Management Plan) pursuant to DM/0447/23/FUL.

Condition 6 - CTMP

A Construction Traffic Management Plan had previously been provided. This has now

been updated to include further details relating to the bridge weighting capacity and additional measures for the protection of the route. The CTMP includes the details required as requested in the original condition.

It is noted that there have been some objections from neighbours however it is important to note that the principle of the development has already been established under the original approval and this application seeks to discharge the technical detail only. This specifically relates to the construction traffic management however does include some detail relating to the materials compound and impacts to trees as well as dust and noise suppression.

The number and types of vehicles are considered to be as expected for a development of this nature and is specific to the construction required. The hours of deliveries are also considered acceptable which would attempt to avoid periods which are typically busy, including that of typical rush hour(s), and, where possible, to avoid refuse collection days which is welcomed. In addition, pre-arranged deliveries would be managed where there would be multiple deliveries on one day to ensure that these do not create scenarios where vehicles are required to wait on the highway. On site provision for parking and storage has been provided that ensure these would be well contained within the site boundaries. Furthermore, wheel washing and dust and noise suppression methods have also been provided.

The document includes the method of escorting to be utilised, coupled with temporary road closures, to ensure that contact between two vehicles would not take place during delivery. This would be used for the larger delivery vehicles, specifically 10m rigid axle lorries, which would utilise registered traffic management operatives. The frequency of such deliveries has been reduced overall by spreading these out over longer periods to reduce the impacts of construction.

In addition to the requirements, the document includes details of the traffic routing for associated construction vehicles as well as site signage for directional instructions to these vehicles. It is intended that all HGV traffic would be routed from the A16 on to Thoroughfare and Waithe Lane with no vehicles directed through the village.

Further details relating to Traffic Regulation Orders have been provided and conclude that there are no TRO'S that restrict HGV traffic for the intended route. This route would require vehicles to cross three bridge structures. Further details have been provided to demonstrate that the capacity of these bridges would not be exceeded, due to the size and weight of the intended vehicles used, in conjunction with the weight capacity allowed. One of the bridge structures, Waithe Lane Bridge, is on the boundary with East Lindsey District and therefore under Lincolnshire County Council's jurisdiction who have been consulted.

This has been reviewed and agreed with the Highways Team, Drainage Officer, Trees and Woodlands Officer and Environment Team and is sufficient to formally discharge the condition.

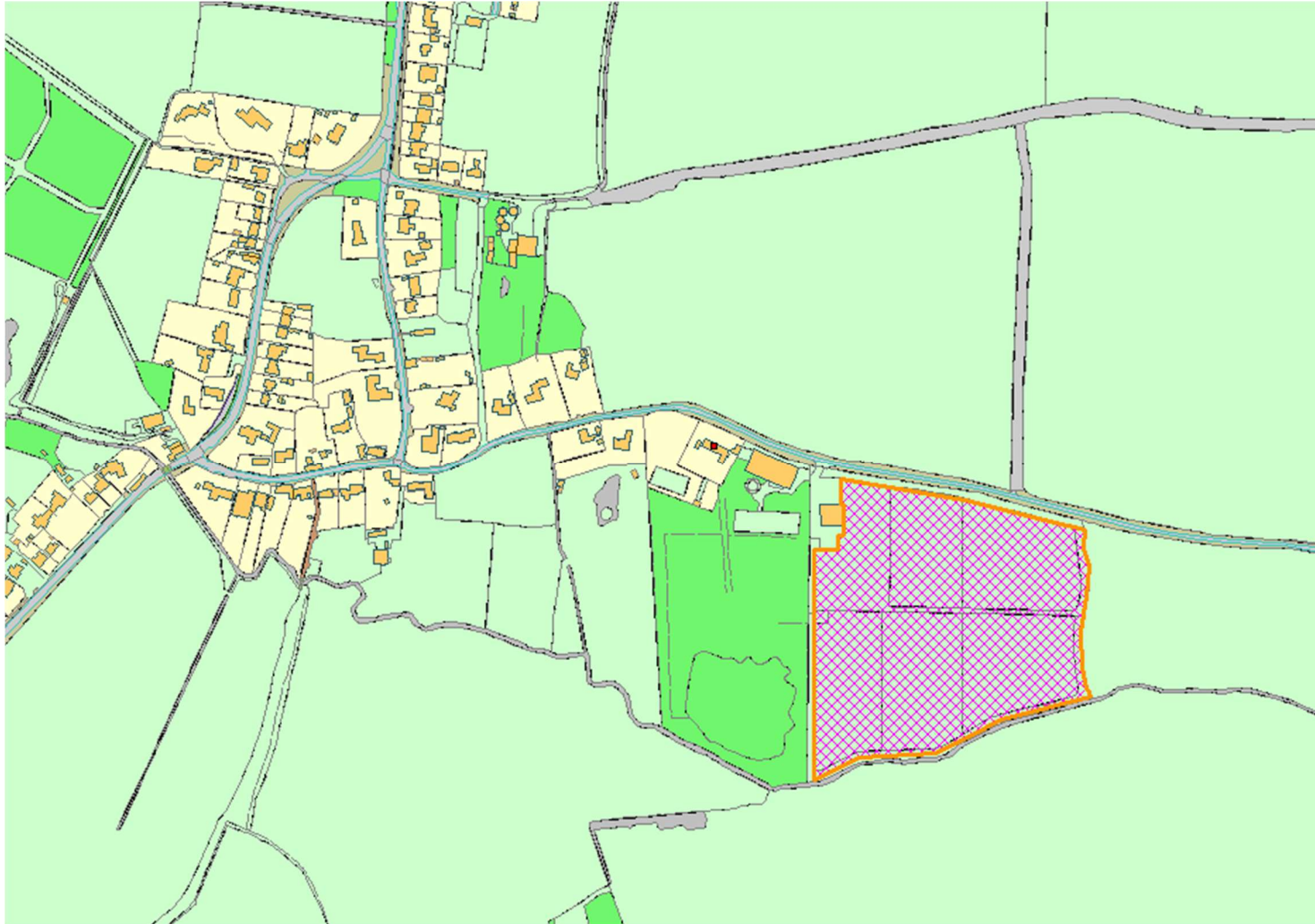
CONCLUSION

The details received are acceptable to allow the discharge of condition 6 (CTMP) of DM/0447/23/FUL.

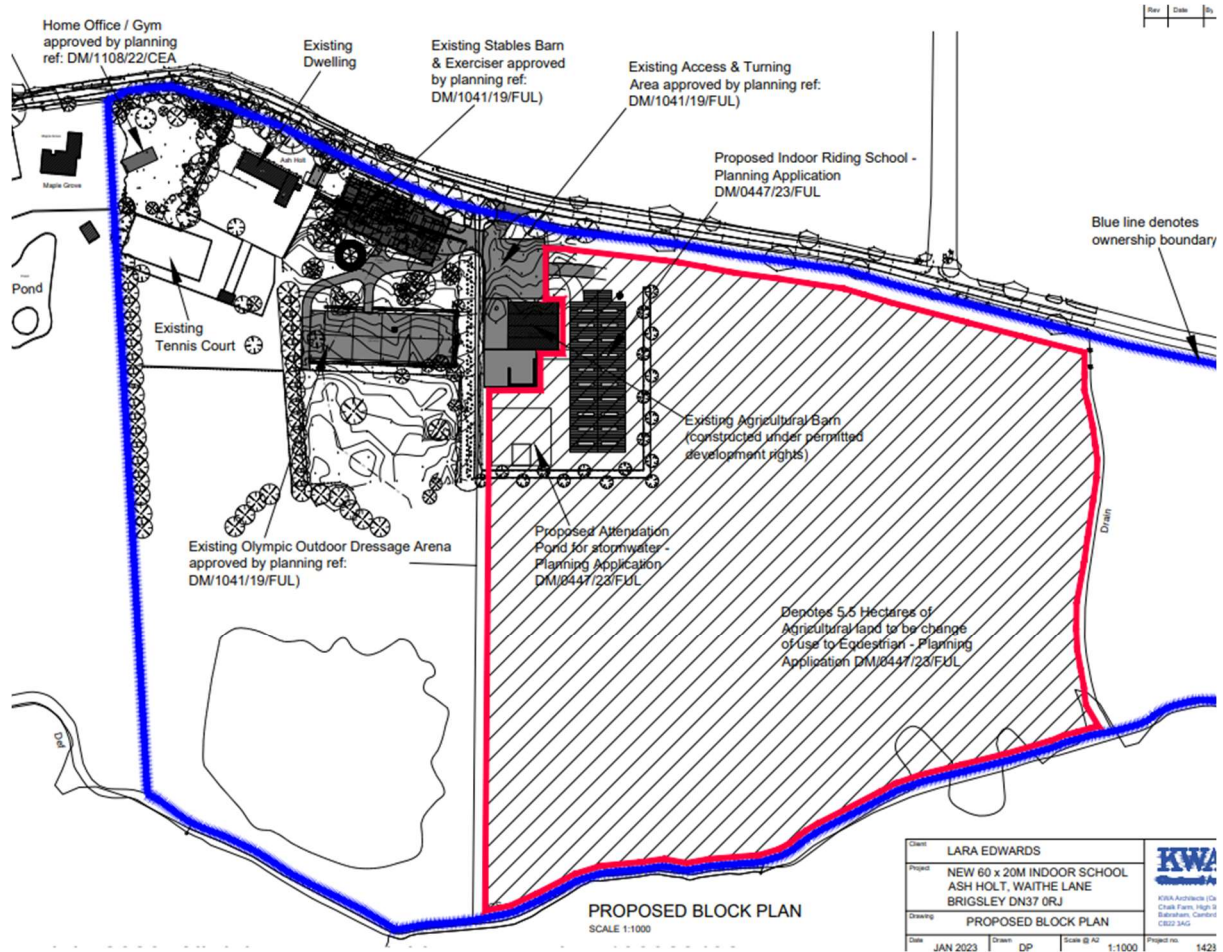
RECOMMENDATION

Conditions Complied With

DM/0099/24/CND – ASH HOLT, WAITHE LANE, BRIGSLEY



ASH HOLT, WAITHE LANE, BRIGSLEY, DN37 0RJ



PLANNING COMMITTEE - 12th June 2024

ITEM: 5 **RECOMMENDATION: Refused**

APPLICATION No: DM/0166/24/FULA

APPLICATION TYPE: Accredited Agent - Household application

APPLICATION SITE: Keepers Cottage, Walk Lane, Irby Upon Humber, North East Lincolnshire, DN37 7LA

PROPOSAL: Demolish existing conservatory and erect single storey extensions to front and side with associated works (Amended Plans received 16th April 2024).

APPLICANT:

Mrs A Tamas
Keepers Cottage
Walk Lane
Irby Upon Humber
North East Lincolnshire
DN37 7LA

AGENT:

Mr Daniel Snowden
Ross Davy Associates
Pelham House
1 Grosvenor Street
Grimsby
DN32 0QH

DEPOSITED: 13th February 2024

ACCEPTED: 14th February 2024

TARGET DATE: 10th April 2024

PUBLICITY EXPIRY: 7th May 2024

AGREED EXTENSION OF TIME DATE: 17th June 2024

CONSULTATION EXPIRY:

CASE OFFICER: Owen Toop

PROPOSAL

This proposal seeks planning permission for the demolition of an existing conservatory and the erection of two single storey extensions. One of the extensions would be in place of the conservatory to the front of the property, the second would be positioned to the side.

This application is brought to the attention of planning committee due to it being called in by Councillor Hudson.

SITE

Keepers Cottage is a detached residential property located at Walk Lane in Irby upon Humber, an established rural village set within the Lincolnshire Wolds AONB (Area of Outstanding Natural Beauty). Situated on the north side of the lane, this cottage borders the eastern boundary of the village. The cottage is also located within the Irby upon Humber Conservation Area.

The cottage itself is a Victorian cottage of two storeys with painted brickwork to the ground floor and first floor. The property has been extended significantly during the mid 90's but retains historic features including slate roofed bays and main roof tiles. Some historic timber sash windows have been replaced with upvc and the front facade of the property includes a single storey upvc conservatory projection. Whilst there is a large mature hedge at the front boundary, the property is visible from Walk Lane given that it borders the eastern boundary of the village, and is the last residential property to do so.

The Irby upon Humber conservation area was declared in 2009 and covers the core of the village. The village has a good mixture of dwelling types and also includes good quality agricultural buildings within the village. Irby has a large amount of open space which contains good archaeological records, including the remains of the medieval village. The area also includes numerous trees and hedges.

RELEVANT PLANNING HISTORY

DC/863/97/WOL - Erect ground floor extension to form dining room - approved 20th November 1997.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF4 - Decision-making
NPPF12 - Achieving well designed places
NPPF14 - Climate, flooding & coastal change
NPPF15 - Conserv. & enhance the natural environ.
NPPF16 - Conserv. & enhance the historic environ.

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

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

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 - The council's heritage officer objects to the works to the front elevation and recommends refusal on heritage grounds.

Grimsby, Cleethorpes and District Civic Society - Objections raised to front extension due to impact on conservation area.

Drainage - Recommends standard sustainable drainage informative for surface water disposal.

Ecology - Provides standing advice for nesting birds and roosting bats, for the attention of the applicant during demolition and construction works.

Trees - No objections.

Cadent Gas - No objections.

Environmental Health - No comments.

Highways - No objections.

Irby Upon Humber Village Council - No response received.

Public Consultation - No representations received.

APPRAISAL

The material considerations are:

- 1) Principle of Development
- 2) Design, Conservation and Heritage
- 3) Impact on Neighbouring Properties
- 4) Other Matters

1) Principle of Development

The application site is inside the development area boundary of Irby upon Humber as defined within Policy 5 of the North East and Lincolnshire Local Plan 2013-2032 (adopted 2018) [NELLP]. The application seeks planning permission for works at an existing detached dwellinghouse, including the demolition of an existing conservatory, the erection of a single storey front extension in its place, and the erection of a single storey side extension with associated alterations.

The principle of development is therefore acceptable provided that the proposal does not give rise to adverse issues in terms of the site specific material considerations. Where there are no undue issues the proposal will accord with the NELLP and NPPF. In this case, the relevant policies are considered to be design, conservation and heritage (Policies 5, 22 and 39 of the NELLP and Sections 12 and 16 of the NPPF) and the impact on neighbouring residential amenity (Policy 5 of the NELLP and Section 12 of the NPPF) given the location and nature of the development and these are discussed as follows:

2) Design, Conservation and Heritage

Policy 39 of the NELLP states that proposals will be permitted where they would sustain the cultural distinctiveness and significance of the North East Lincolnshire's historic, urban, rural and coastal environment by preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings.

The NPPF calls for consideration of the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, for example. Any harm to, or loss to, the significance of a heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

In addition, Section 72 of the Listed building and Conservation Areas Act (1990) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. In this context, the object of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

The proposal includes a replacement single storey front extension projecting forward 3.5 metres. The extension incorporates off-white brickwork, a slate roof and sage green upvc windows and doors. The side extension would form a lobby that would be set back and would project 3 metres off the side wall. A new front window that extends vertically across the ground and first floors is also included on the scheme.

The site is located within the Lincolnshire Wolds AONB and is domestic in nature and so given the single storey nature of the works, they would not undermine the landscape character of the area.

Notwithstanding the above, the Heritage Officer has reviewed the application, including the Heritage Assessment provided. It should be noted that amended plans have also been submitted under this application in an attempt to address concerns raised and these form the basis of this recommendation. The Heritage Officer has also reviewed these. Fundamentally the officer has raised objections to the single storey front extension. The introduction of the replacement extension will not only remove the visibility of the original line of the building but also physically remove it, completely altering the plan form and relocating the main original entrance to the side. This is considered to degrade the character of the building by depleting its historic fabric and causing substantial harm as a result. It would not meet the basic test of preservation. This would also then degrade its contribution to the conservation area.

The existing conservatory is noted. However, this is a more lightweight structure which has been in situ for a number of years and at least retains the original entrance behind it, so its original form can still be read and experienced. The proposal would create a more permanent and formalised structure which as stated, loses the original entrance.

The side extension has been improved through the process of securing amended plans to a more appropriate design but given the concerns with the front extension, the proposal in its form does not accord with Policies 5, 22, 39 of the NELLP, Sections 12 and 16 of the NPPF and Section 72 of the Listed building and Conservation Areas Act (1990).

3) Impact on Neighbouring Properties

The proposal is located within an established residential area. There are neighbouring properties to north and west, who are also detached in nature. The works are all of single storey, with the exception of the window to the front which does not face onto residential properties (faces south).

There would be no adverse impacts to residential amenity as a result of this proposal, given the above. There have been no neighbour representations received nor comments received from Irby upon Humber Village Council.

The proposal is therefore considered to accord with Policy 5 of the NELLP and Section 12 of the NPPF in this regard.

4) Other Matters

The proposal is located nearby to protected trees and so Policy 42 of the NELLP applies. However the Trees and Woodlands Officer has been consulted and has confirmed that there would be no impact in this regard. The proposal is also close to assets owned by Cadent Gas who have also been consulted (Policies 5 and 6). They have confirmed no objections.

The proposal therefore accords with Policies 5, 6 and 42 of the NELLP in this regard.

CONCLUSION

The proposal would have a detrimental impact by creating an uncharacteristic appearance to the property and the conservation area, detracting from their significance.

The proposal would therefore be contrary to Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018) and sections 12 and 16 of the NPPF and it is recommended for refusal.

RECOMMENDATION

Refused

(1) The proposal would result in irreversible harm to the existing dwelling and Irby upon Humber Conservation Area due to the eradication of the existing historical architectural features and aesthetic of the dwelling's frontage. The design of the front extension fails to sustain the cultural distinctiveness and significance of the local historic environment and fails to enhance the character, appearance, significance and historic value of designated and non-designated heritage assets. It is therefore contrary to Section 72 of the Listed Building and Conservation Areas Act, Policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Sections 12 and 16 of the NPPF.

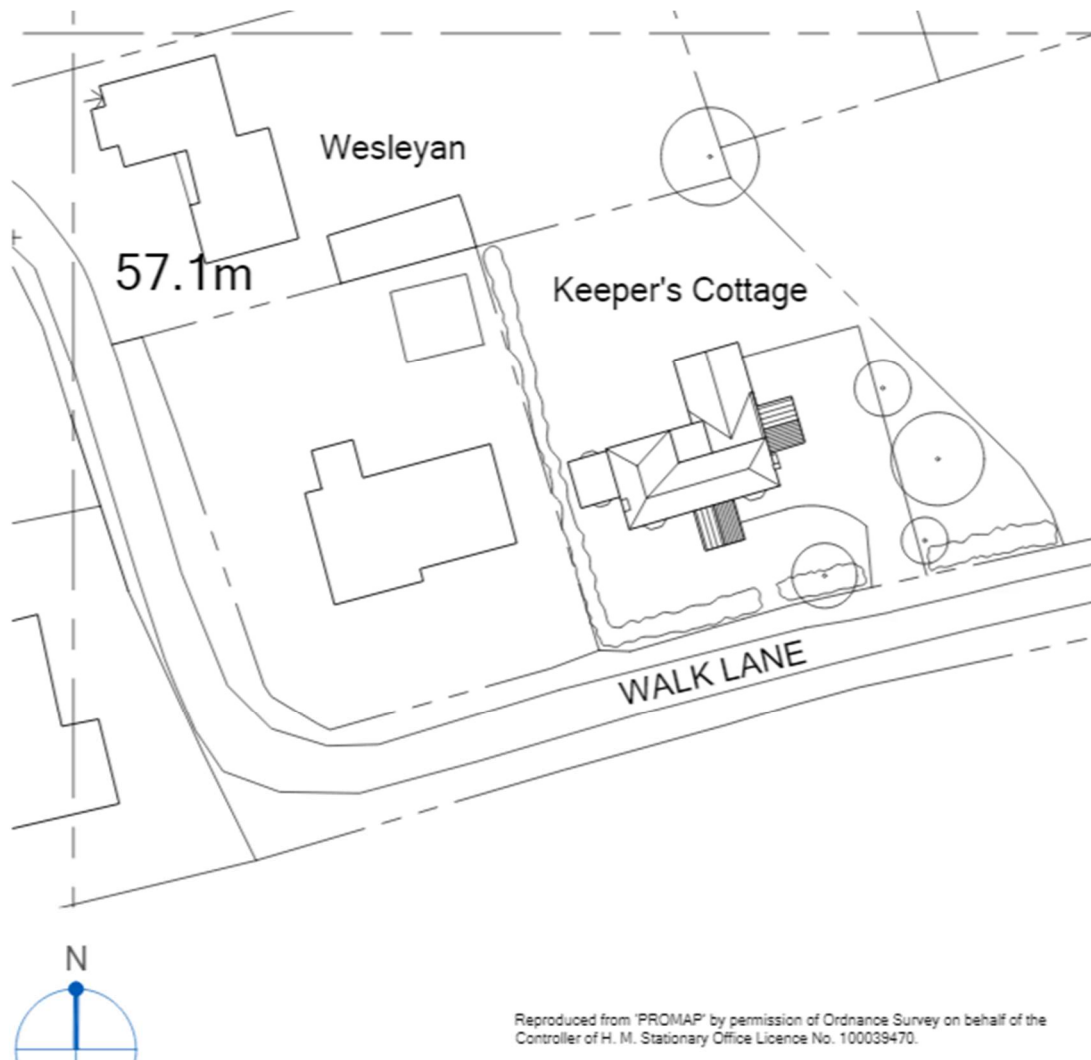
Informative

1 Informative

The following plans have been considered in recommending refusal of the application:

- Site Location Plan: RD:5523 - 01
- Block Plan: RD:5523 - 04
- Proposed Plans and Elevations: RD:5523 - 03 E

DM/0166/24/FULA – KEEPERS COTTAGE, WALK LANE, IRBY UPON HUMBER



PLANNING COMMITTEE - 12th June 2024

ITEM: 6 **RECOMMENDATION: Refused**

APPLICATION No: DM/1199/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 157 Station Road, Stallingborough, North East Lincolnshire, DN41 8AL

PROPOSAL: Erect one dwelling with integral garage

APPLICANT:

Mr Oliver Kauss
157 Station Road
Stallingborough
North East Lincolnshire
DN41 8AL

AGENT:

John Derbyshire Design Limited
6A St Mary's Lane
Louth
Lincolnshire
LN11 0DT

DEPOSITED: 7th December 2023

ACCEPTED: 12th December 2023

TARGET DATE: 6th February 2024

PUBLICITY EXPIRY: 13th May 2024

AGREED EXTENSION OF TIME DATE: 1st March 2024

CONSULTATION EXPIRY: 6th January 2024

CASE OFFICER: Emily Davidson

PROPOSAL

The proposal is to erect one dwelling with an integral garage. The dwelling would be finished with brick walls with concrete tiles and aluminium windows and wooden doors.

The application is presented to Planning Committee due to a call in request from Councillor Swinburn.

SITE

The site is located within the grounds of 157 Station Road which is a detached, two storey dwelling. The area is mostly residential in nature in a village location with the rear of the property backing onto open countryside. The properties in the area are of varying character and are a mix of two storey properties and bungalows. The host site's

boundaries are marked with post and rail style fencing as well as shrubbery.

RELEVANT PLANNING HISTORY

No relevant planning history.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places

NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

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

Highways Officer - No objections subject to conditions.

Drainage Officer - The use of a water tank is acceptable. Ground levels shall not be raised and no water shall be discharged into the highway.

North East Lindsey Drainage Board - No comments.

Heritage Officer - Recommends a scheme of investigation condition.

Environmental Protection Officer - The development must adhere to the method statement submitted.

Stallingborough Parish Council - No objections.

Environment Agency - No objections subject to conditions.

Councillor Swinburn - Call in to Committee to allow for an open discussion on flood risk issues.

Neighbour Representations

Support comments received by No.2 South Marsh Road but noting some additional comments in relation to construction vehicles parking outside of the property and causing a hazard and parking on grassed areas, noting that the site is stated not to be in a flood risk however the adjacent site is and notes the applicant's responsibility for the trees and waterway.

Comments were received from The Limes, Boston neither objecting or supporting the proposal but noting the importance of the protection of swifts.

APPRAISAL

Principle of Development and Flood Risk

The site is located within the development boundary of Stallingborough, therefore Policy 5 of the North East Lincolnshire Local Plan (NELLP) 2018 applies. Policy 5 does not preclude works of this nature in principle within the defined development boundaries subject to site specific considerations one of which is flood risk.

The site falls within a flood risk area and therefore Policy 33 notes the need for a sequential test to be carried out. This requirement accords to advice in the National Planning Policy Framework (NPPF). A flood risk assessment has been received with the application which notes the site is within a flood risk area. It notes that the sequential test has not been carried out. The aim of the sequential test is to steer development to areas at lower risk of flooding with the National Planning Policy Framework (NPPF) setting out that sites must not be allowed should there be reasonably available sites elsewhere for development at lower risk of flooding. The NELLP provides allocations at a number of locations across the borough which are suitable for housing and no justification has been supplied as to why such areas cannot be utilised in this instance or why this site should be developed. There are no grounds to justify this one dwelling when weighed against the flood risk.

It is noted that the Environment Agency (EA) raise no objection to the development now that an adequate flood risk assessment has been received in terms of physical mitigation but this does not address the sequential test as outlined above.

Therefore, it is considered that the proposal fails the sequential test and is unacceptable in policy terms and is contrary to the NPPF and Policy 33 of the NELLP 2018.

Design

The proposal is to erect a single, two-storey dwelling. When considering design, the area is residential in nature and the addition of a dwelling would not in principle harm the area character. The area demonstrates a variety of spacing's between dwellings as well as various sizes and styles of dwellings and the host property would sit in the street scene acceptably in this regard. The design of the dwelling itself is acceptable, albeit that balconies to the front of dwellings are somewhat uncommon. The material palette is acceptable.

As addressed above, the application is located in a flood risk area and it should be noted that the proposal does involve the raising of the floor level by just under one metre in height from ground levels. This would be different to its neighbours in design terms though having regard to how the proposed position of the dwelling and the variety of dwellings in the immediate area it is not considered that this would be adverse to justify a refusal on design grounds. In relation to design, the proposal is considered in accordance with Policy 5 and 22 of the NELLP 2018.

Neighbouring Amenity

The proposed site borders No.157 itself and No.153 to the sides with open countryside to the rear. No.'s 136, 138 and No.2 South Marsh Road sit opposite. Comments were received in support however some issues are raised. These comments will be addressed in the relevant sections of this report. Stallingborough Parish Council raise no objection to the proposal. Comments in relation to land ownership and responsibility are in this instance not considered to be matters to weigh against the proposal.

The dwelling would be located closest to the boundary of No.153. This property enjoys a large amount of amenity space, and the proposal would be located close to an outbuilding which is situated along the boundary. It is considered that there would be no undue impacts in terms of massing and overshadowing. There would be windows facing towards this property. The ground floor windows would not cause concern with boundary treatments and the outbuilding mitigating their impact. There would be one additional window at first floor which would serve a bathroom. A condition is recommended for this window to be obscured to secure the neighbours privacy.

The proposal would be set forward of the host dwelling. There would be no first-floor windows facing this property with only ground floor windows which would again be mitigated by boundary treatments. The forward position would aid in limiting some of the effects from massing and overshadowing. Relationships like this are not uncommon in village locations such as this and this relationship is considered acceptable.

The properties opposite enjoy enough separation to ensure there would be no negative impacts in terms of massing, overlooking and overshadowing. It is noted that there is a balcony to the front of the property, however, it is considered that the impact of this is no more than a window would be in this instance.

The Council's Environmental Protection Officer recommends that construction management could be addressed through a condition.

All considered, the proposal is in accordance with Policy 5 of the NELLP 2018 in this regard.

Highways

The Council's Highways Officer has noted that as the access would serve both the existing dwelling and the proposed, that improvement works would need to be carried out to the access including ensuring the access is at least 5m wide for the first 6m back from the edge of the highway. For betterment, it is advised that a turning area within the site is provided. Details of the access have now been provided meeting this specification and the application is considered in accordance with Policy 5 of the NELLP 2018 in this regard.

Other Considerations

The Council's Drainage Officer is content with the details provided in relation to sustainable drainage and a condition would secure this approach. The North East Lindsey Drainage Board raises no issues in relation to the proposal. The Council's Heritage Officer recommends a condition for a scheme of investigation in relation to archaeology would be required if approved. The application is therefore considered in accordance with Policy 39 of the NELLP 2018.

CONCLUSION

The application fails the sequential test in relation to flood risk and is therefore unacceptable in principle. The sites residential development does not justify the risk from flooding. The application is therefore contrary to Policy 5 and 33 of the NELLP 2018 and advice in the National Planning Policy Framework and is recommended for refusal.

RECOMMENDATION

Refused

(1) The proposal is contrary to policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and the National Planning Policy Framework in that the proposed development is located within a high risk flood zone as identified in the Environment Agency Flood Risk Maps and in the Strategic Flood Risk Assessment and the scheme fails to pass the sequential and exception tests for development. In the

absence of a sequential test being passed, it is not considered to be sustainable development. It cannot be justified on flood risk grounds.

Informatives

1 Informative

This decision relates to the following plans:

- Site Location Plan
- Block Plan, Proposed Plans and Elevations

2 Added Value Statement

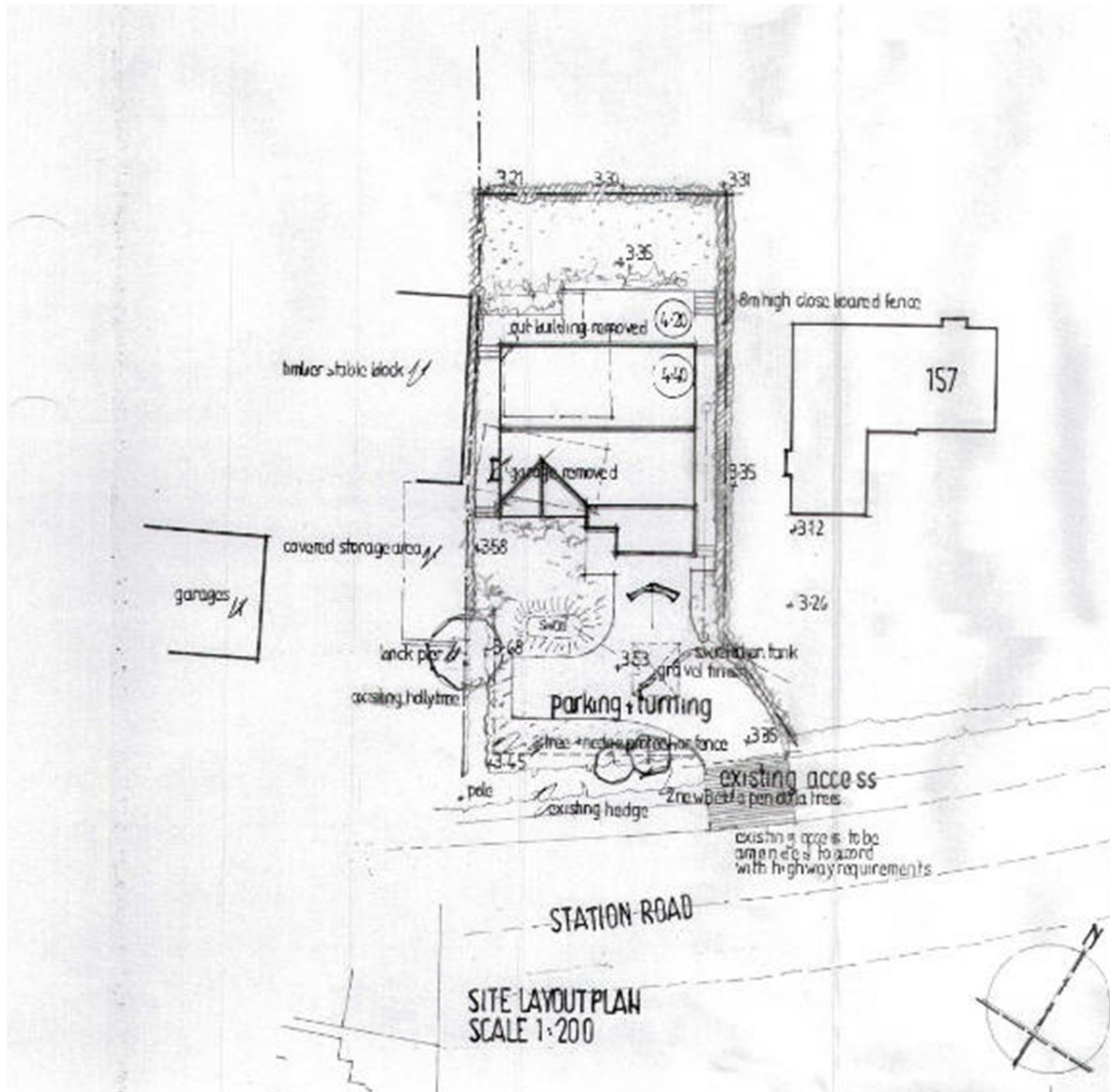
Article 31(1)(cc) Statement - Positive and Proactive Approach

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 address concerns raised.

DM/1199/23/FUL – 157 STATION ROAD, STALLINGBOROUGH



DM/1199/23/FUL – 157 STATION ROAD, STALLINGBOROUGH



PLANNING COMMITTEE - 12th June 2024

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

APPLICATION No: DM/0332/24/OUT

APPLICATION TYPE: Outline Application

APPLICATION SITE: Land Adjacent To 74 Bluestone Lane, Immingham, North East Lincolnshire, DN40 2EJ

PROPOSAL: Outline application to erect dormer bungalow with access to be considered - amended plan 29-04-2024

APPLICANT:

Mrs Hanslip
74 Bluestone Lane
Immingham
DN40 2EJ

AGENT:

Mr Richie Tutill
RT Architects
4 Hurricane Close
Holton Le Clay
DN36 5FN

DEPOSITED: 28th March 2024

ACCEPTED: 10th April 2024

TARGET DATE: 5th June 2024

PUBLICITY EXPIRY: 13th May 2024

AGREED EXTENSION OF TIME DATE: 14th June 2024

CONSULTATION EXPIRY:

CASE OFFICER: Lauren Birkwood

PROPOSAL

This application seeks outline planning permission for the erection of one dormer bungalow with access to be considered on land adjacent to 74 Bluestone Lane in Immingham.

The application is brought to Planning Committee following an objection from the Immingham Town Council and neighbouring properties.

SITE

The site is located and accessed from Bluestone Lane in Immingham. The site was previously used in conjunction with the former Tea Rooms at 74 Bluestone Lane and

used as a car park and seating area. The wider area is residential in character with dwellings of different ages, design and appearances. The existing dwellings adjoining the site to the north are of an older age than others nearby, are of two storey with traditional features including a central chimney.

RELEVANT PLANNING HISTORY

DM/1087/14/OUT - Outline application for the erection of one dwelling - Approved with Conditions.

DM/0422/15/OUT - Outline application to erect two dwellings & retain existing dwelling with alterations - Approved with Conditions.

DM/0053/16/FUL - Change of use of former dental surgery to tearoom - Approved with Conditions.

DM/0681/16/FUL - Variation of Condition 4 (Outdoor Seating) attached to planning application DM/0053/16/FUL (Change of use of former dental surgery to tearoom) to allow outdoor seating - Approved with Conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

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)

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO42 - Landscape
PO41 - Biodiversity and Geodiversity

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

Council's Environmental Health Officer - No objection. Condition recommended.

Council's Highways Officer - No objections. Informatives recommended.

Council's Drainage Officer - No objections. Condition recommended.

North East Lindsey Drainage Board - No objections.

Council's Heritage Officer - No comments.

Council's Tree Officer - No objections.

Council's Ecology Officer - No objections.

Grimsby, Cleethorpes & District Civic Society - A legal right of way would have to be moved to accommodate this development, which would destroy natural wildlife habitats, and nesting sites. On that basis oppose this application.

Immingham Town Council - Objects to the development with concerns regarding over intensification of the site, it would be overbearing and have an oppressive impact on the nearby properties.

Neighbour Representations

The following neighbours object to the proposal:

69, 70, 71 and 76 Bluestone Lane, Immingham

Object on the following grounds:

- Impact wildlife and landscaping
- Impact on outlook
- Overshadowing issues
- Privacy Issues
- Noise concerns
- Highways and traffic concerns
- Right of way and access issues
- Increase electricity usage, environmental impact and costs

APPRAISAL

The key planning material considerations are:

- Principle of Development
- Visual Amenity and Layout
- Residential Amenity
- Highways and Parking
- Drainage and Flood Risk
- Landscaping and Ecology

Principle of Development

The site is within Immingham's urban area. Policy 5 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018) does not prohibit such development in this area in principle, subject to an assessment of the site specific impacts. The area is predominately residential in nature and the increase in one residential unit on this site would continue to be reflective of the area character. As such, it would not be out of keeping. The proposal would provide additional residential units which would contribute to the need, range and quality of accommodation in this part of Immingham.

This application is made in outline form with access to be considered, with further matters of appearance, landscaping, layout and scale being held for a further reserved matters submission. As such, the consideration for this submission is in relation to the principle of residential development and the provision of an access at the site. The indicative details show how a property could be accommodated within the site.

Having regard to this policy and location, the principle of development is therefore acceptable and is subject to the site-specific assessment below.

Visual Amenity and Layout

The proposal is for outline permission for one dwelling. The principle of one detached property on this plot would not be seen as out of character in this context as Bluestone Lane is considerably diverse in density, design and appearance. The site was originally used as a car parking and seating area for the Tea Rooms at 74 Bluestone Lane and is reasonable in size. The proposal for one dwelling would not appear cramped and overdeveloped. Design, appearance and scale are also reserved for future approval.

Therefore, it is considered a dwelling can be achieved on the site without detriment to the visual character of the area in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 and of the NPPF.

Residential Amenity

It is noted that objections have been received from neighbouring properties with concerns regarding privacy, overshadowing and noise.

The indicative layout provides appropriate separation distances between the proposed dwelling, the host property and the immediate neighbours including 70 Bluestone Lane

(to the south) and 72 Bluestone Lane (to the east). Particularly, a single storey garage would be adjacent to number 70 ensuring issues in terms of privacy and overshadowing would be minimal.

The access, amenity and property orientations are such that general disturbance issues to neighbours would be limited. However, layout and scale are both matters reserved for subsequent approval and will determine the acceptability of this impact at a future, detailed stage.

Impacts are more likely to neighbours during construction. These can be adequately mitigated through conditions, as requested by the Council's Environmental Health Officer, and this are reflected in this recommendation.

It is noted that comments have been received from neighbours regarding the relocation of the right of way access for properties 72, 74 and 76 Bluestone Lane. In amenity terms the scheme does allow for a retention of access through to the properties at the rear. Moreover this will also be a private legal issue between the respective parties.

In regards to residential amenity, the proposal is acceptable and accords with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Highways and Parking

The proposed development is for one dwelling with access arrangements to be considered. Details at this stage need to demonstrate that the access can be achieved and that the adjacent highway network is able to accommodate the increase in vehicular movements which would arise from this proposal.

The Council's Highways Officers considers that the access details provided are acceptable, including the relocation of the existing access onto Bluestone Lane. Also, they consider that the increase of vehicular movements in this location onto the highway network would not impact the congestion or safety of the network in any adverse way.

As such the proposal accords with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Drainage and Flood Risk

The site is not within an area identified as having high flood risk either by the Environment Agency's flood maps or the Council's Strategic Flood Risk Assessment 2011. Both Policy 22 and Section 14 of the National Planning Policy Framework take a sequential approach to the location of new development and seek to direct them into areas at lower risk from flooding. The Council's Drainage Officer have raised no objections and recommend a condition securing drainage arrangements.

Therefore, in regards to drainage and flood risk, the proposal therefore accords with

policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Landscaping and Ecology

There is hedging and planting within the site. The details provided show that existing hedging within the site would be retained, however part of the hedge would be removed to provide an access. It is noted that comments have been received from neighbours with concerns regarding impact on wildlife. However, the Council's Tree Officer and Ecology Officer has reviewed the details and confirmed they have no objections. The proposed therefore accords with policies 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

CONCLUSION

The proposal for one dwelling on this development site is acceptable in this residential area. It is considered it can be achieved without harm to the character of the area and street scene and it would not give rise to adverse impacts in terms of residential amenity. Subject to conditions, it is therefore recommended for approval in accordance with saved policies 5, 22, 33, 34, 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and sections 5, 12, 14 and 15 of the NPPF 2023, subject to a number of safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

Applications for approval of the matters referred to in Condition 2 (known as reserved matters) shall be made within three years of the date of this permission and the development to which it relates shall begin no later than whichever is the later of the following dates:

- (a) three years from the date of the grant of outline planning permission
- (b) two years from the final approval of the reserved matters, or in the case of approval on different dates, final approval of the last such matter to be approved.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(2) Condition

This permission hereby granted is in outline form only and no development shall begin

until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- (a) the layout, scale and appearance of the development including proposed levels;
- (b) a landscaping scheme for the site including details of existing trees, hedges and planting to be retained and any to be removed as well as an up-to-date tree protection plan and an arboricultural method statement.

Reason

This permission is in outline only and the information is necessary for consideration of the detailed proposal as required by S.92 of the Town and Country Planning Act 1990.

(3) Condition

The development is approved in accordance with the following plans:

Site Location Plan, Existing and Proposed Site Plan - BL_A0.0_02

Reason

For the avoidance of doubt and in the interests of proper planning and to accord with policies 5, 22, 33, 34 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

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

(5) Condition

No development shall commence until a final scheme for the sustainable provision of surface water drainage and a scheme for foul drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and the drainage implemented prior to any occupation.

Reason

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

(6) Condition

The dwelling shall not be occupied until a scheme for water re-use to achieve an efficiency standard of 110 litres per person per day has been submitted to and approved in writing by the Local Planning Authority. Once approved, the dwellings shall be occupied in strict accordance with the agreed details.

Reason

In the interests of efficient water management and to accord 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 and 42.

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 requesting additional highways information.

3 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.

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

Please note that at least three months in advance of work commencing on site you are required to contact the Highway Management Team with respect to the formation of a

vehicular access within the existing highway. This will enable a S184 licence to be granted within appropriate timescales. No works should commence within the highway boundary until such licence is obtained. (Tel: 01472 325734)

6 Informative

As works are required within the existing Highway, you are required to contact the Highways Management Team at least three months in advance of the commencement of works (Tel: 01472 324431).

[illegible]

PLANNING COMMITTEE - 12th June 2024

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

APPLICATION No: DM/1074/23/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Land Off, Pasture Street, Grimsby, North East Lincolnshire,

PROPOSAL: Erection of 8 new dwellings with photovoltaics, erection of 2 commercial units and a store with 4 flats above with photovoltaics. Alteration to existing vehicular access, creation of car parking spaces, landscaping and associated works

APPLICANT:

Mr Zak Hussain
Belmont Property Developments Ltd
21-27 Albion Road
Luton
LU2 0DS

AGENT:

Mr Sisir Debnath
Hodson Architects
The Old Post Office
Yarra Road
Cleethorpes
North East Lincolnshire
DN35 8LS

DEPOSITED: 2nd November 2023

ACCEPTED: 6th February 2024

TARGET DATE: 7th May 2024

PUBLICITY EXPIRY: 29th March 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 3rd March 2024

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to erect 8 new dwellings with photovoltaics, erection of 2 commercial units and a store with 4 flats above with photovoltaics to include alterations to the existing vehicular access, creation of car parking spaces, landscaping and associated works.

The application is brought to Planning Committee due to the number of objections received from neighbours.

SITE

The site is located on the north side of Pasture Street in Grimsby. The site adjoins Pasture Street and Wragby Street. The development would front both of these streets with the dwellings to front along Wragby Street and the commercial units, and associated car park, fronting Pasture Street. The site is currently vacant land, and has been for a number of years, however, was historically used for a commercial operation as a motor garage and associated workshops. To the north and west are residential properties and to the east and south are a mix of commercial and residential uses. The site benefits from existing vehicle access points to the north and south.

RELEVANT PLANNING HISTORY

DC/115/09/EMA - Outline application for mews type residential development following removal of existing garage and workshops - Approved with Conditions.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

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

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
PO32 - Energy and low carbon living
PO33 - Flood risk
PO34 - Water management
PO38 - Parking
PO39 - Conserve and enhance historic environ
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

Education Officer - No contributions required.

Environment Team - Hours of construction, CMP, extraction/ventilation and external manufacturing, hours of operation and use, contamination and piling conditions. Soundproofing and EV charging informatives.

Drainage Team - Sustainable drainage condition.

Heritage Officer - No input required.

Highways Officer - Approval with access and CTMP conditions. Informative advice for redundant access and highways license.

Humberside Fire and Rescue - Access and water supply informative.

Anglian Water - Surface water drainage condition. Foul water capacity confirmed to be acceptable.

Trees and Woodlands - Landscaping condition.

Civic Society - Supports application.

Ecology Officer - Landscape and management plan required.

Environment Agency - Previously objected. Revised FRA submitted and now deemed acceptable. Conditions relating to flood risk mitigation, contamination and piling required. Informatives for flood warning and evacuation, risk management and good practice and piling.

Cadent Gas - Informative advice.

Neighbour Representations

Objections have been received from the following addresses broadly on the grounds of the number of properties proposed, traffic, small size of land to be developed, access, parking and accessibility for vehicles i.e. refuse.

6 Cavendish Way
40 Fraser Street
46 Fraser Street
65 Fraser Street

APPRAISAL

The material planning considerations are;

1. Principle of Development
2. Flood Risk and Drainage
3. Visual Amenity, Character, Density, Scale and Layout
4. Impact on Neighbouring Properties
5. Highways, Traffic and Accessibility
6. Landscaping and Ecology
7. Other Matters

1. Principle of Development

The site is located within the main urban area for Grimsby close to Grimsby Town Centre area. The site is white land without any specific allocation. 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 Ladysmith Road. It is also a close distance to the main Grimsby town centre area.

Policy 3 requires the locations and scale of development to be commensurate to the scale, services and facilities within existing settlements (development area) and connections to the wider area. The settlement of Grimsby (Policy 3 - Level 1 settlement) is a urban area settlement which offers the greatest accessibility to key services and amenities which has historically delivered the greatest number of new homes. Policy 3 notes that future development should involve brownfield and greenfield sites with development regarded as sustainable where access to services and amenities is good or can be provided.

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 a total of 12 new homes 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 and does not preclude development for new housing on unallocated sites within the defined settlement boundaries.

The National Planning Policy Framework (NPPF) under Section 5 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly. It requires that support be given to 'the benefits of using suitable sites within existing settlements for homes'.

It is therefore considered that in principle the site is in a sustainable location and accords with the principles of Policies 3, 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 and Drainage

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 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 outweighs the flood risk and secondly to ensure that the design of the development would make it safe in a flood event.

The applicant has supplied a detailed Flood Risk Assessment, following extended consultation with the Environment Agency, and detailed Sequential and Exceptions Tests.

In regard to the Sequential Test the site is located within the main urban area of Grimsby and close to the defined town centre area in the NELLP. The site presents the opportunity to deliver a mixed-use development comprising of housing and commercial in an area that has been devoid of new development for many years. 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 where it is regeneration scheme. This specifically favours brownfield sites in the 20% most deprived areas of the Borough of which this site is included.

The site is in a poor state and has been left to overgrow for some time since the commercial use ceased and the associated buildings were demolished. There is also evidence that the site has suffered from fly-tipping with various debris present on the land.

There are clear opportunities for the site to connect to the town centre and provide much needed footfall. This site is roughly 750m from the edge of the main town centre area

which is a reasonable walking distance. 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 onto consider the Exceptions Test.

The first part of the Exceptions Test is to determine whether the community benefit to be delivered outweighs the risk of flooding. The proposed development would deliver the standard requirements for residential development within the borough and would see a mixed-use development introduced within this area. The development would result in better natural surveillance to the existing footway along the western elevation due to the presence of active development. This should increase the confidence of the community to use the path without fear of crime. Furthermore, the site is within an area of deprivation which, as a result, has historically had limited regeneration. This development could have a positive impact to the wider community by providing much needed residential accommodation and small-scale retail provisions. When considering these factors, which would be secured through conditions, alongside the very fact that the site itself would be significantly improved, and the opportunity for anti-social behaviour and fly-tipping to be reduced, it is considered that the proposed development would result in wider community benefits that outweigh 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, 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 finished floor levels must be 3.6m AOD for the residential houses known as Block 1 and 2. The consequences of this will be discussed in the report below but in flood risk terms would make the site safe. 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, on a brownfield site within an area of deprivation, 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. Visual Amenity, Character, Density, Scale and Layout

Policy 5 of the North East Lincolnshire Local Plan requires an assessment on the impact to the character of the area and visual amenity with Policy 22 setting out the requirements

for 'good design'. The NPPF 2023 states that a high standard of design should always be secured with a good level of amenity for existing and future occupiers of land and buildings. The site as it stands adds little to the character of the area and quality of place in the immediate area given the vacant and disused nature of the site.

The site is located within the main urban area of the Borough with the surrounding area typically urban in character and appearance. There are a diverse range of uses including commercial and residential with mostly terraced style housing to the immediate adjoining areas. The proposed development responds to this with a similar housing mix of terraced housing. In view of the prevailing character and urban location of the site, the proposal represents a similar and appropriate density to the surrounding area.

The proposed dwellings, and commercial units, would be of a more contemporary design and include features of interest such as coloured brick courses, black framed openings, dormers with headers and cills. Materials include red brickwork with some sections in black and white, some render, grey slate tiles, with a mix of black timber and aluminium windows and doors. This approach is characteristic of the wider area, which ensures an acceptable character and appearance to the development.

The dwellings would be of a three-storey nature, given the rooms in the roof space at second floor, and would sit slightly higher than that of the existing properties in this area which are of two storey height. The commercial units would include the retail floor space at ground floor with the residential elements situated to the first and second floors. Solar panels would be installed to the rear roof slope of each block which would face on to each other and within the development site. Given the positioning of the units, on vacant land between Pasture Street and Wragby Street, it is considered that the size, scale and layout of the properties is sympathetic to the area. Separation and positioning on the site limit the impacts to the neighbouring properties and in the context of the wider area, it is not considered to be unduly harmful.

The boundary treatments, landscaping and tree planting would soften the impact of the built development, as would the scale and appearance of the dwellings. The immediate site and area have no particular character, however there are some similarities which can be seen across the site as a whole, and in this regard, the proposal and the approach taken would not be at odds with existing character.

In terms of layout the development is well arranged with the sole dwellings fronting an existing residential street, Wragby Street, presenting an infill style development with the commercial units to front Pasture Street which is typically mixed use in nature specifically within this immediate locality.

Whilst the proposed development would cause a change to the visual appearance of the area it is considered to be of a 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.

4. Impact on Neighbouring Properties

Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) requires an assessment on the impact on neighbouring land properties and users. It is noted that some concerns have been raised by local residents.

It is considered there will be a change in the character of the area as the open land will be developed. In terms of impact on individual neighbours the separation distances are considered typical of an urban area with the design sympathetically finished, in terms of blank elevations (in some cases) and finishes, to prevent any negative harm to neighbours. The properties are positioned around the land, with the dwellings positioned to the north, along an existing residential street, and the commercial units positioned within an area adjacent to existing commercial use. It is acknowledged that the finished floor levels would sit higher than the neighbours, specifically towards the rear, however given the relationship with the adjoining neighbours, in terms of openings and amenity space layouts, it is not considered that this would negatively affect their amenity in this instance. Whilst the development would be visible, it is not expected to create significant dominance or massing issues given the layout, and separation between residential and commercial operators, coupled with the betterment in design features. For this reason, it is considered that overlooking will not be of a level to present a negative harm to neighbours.

The proposal incorporates external amenity space for future residents to include garden areas and parking areas. These would be positioned to the front and rear of each plot. This ensures that some private spaces would be provided. These measures would ensure that the proposal provides adequate amenity space for future residents as required by the NPPF. Natural surveillance is provided by the orientation of the buildings, the number of openings and landscaping.

There have been objections from some local residents relating to number of properties proposed, traffic, small size of land to be developed, access, parking and accessibility for vehicles i.e. refuse. These aspects are explored within the context of the report, specifically the next section which discusses highways and parking. The plan demonstrates an acceptable layout which fits within the wider context.

Therefore, in layout and amenity terms, the development is considered acceptable under Policy 5 of the NELLP.

5. Highways, Traffic and Accessibility

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 site benefits from some existing access arrangements however these would require amending to allow for utilisation. This would see each plot, to the north, benefitting from at least 1 parking space each, with 12 provided in total, to allow for off-street parking provision for the residential units. To the south, four parking spaces are proposed to serve the commercial units.

Whilst Policy 38 of the Local Plan does not specify how many spaces are required it does require consideration be given to the accessibility of the development, the type of development, the availability of public transport and car ownership levels. Justification for the level of parking is provided within the supporting documentation, the Design and Access Statement, which also includes details relating to EV charging points and cycle storage. This site has several bus stops and local services within walking distance which reduce the need to travel by car. Due to these factors, the level of parking is considered to be appropriate and is justified.

The number of trips to be created by this additional development are not expected to be significant, particularly so in this part of the urban area.

The Highways Officer has reviewed the details and requested further information relating to swept paths, for the Pasture Street access, which have now been provided. Following this, it has been confirmed that the development is acceptable in highways safety and amenity terms with the inclusion of safeguarding conditions.

With regards to highways and parking, the development can be achieved without detriment to the highway network, safety or capacity and provides adequate levels of parking to serve the proposed use, in line with Policies 5 and 38 of the NELLP.

6. Landscaping and Ecology

Policies 41 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) require development proposals to consider the existing landscaping and biodiversity on the site.

The proposal includes the planting of trees and hedges on the site shown on the indicative Landscaping Plan. The Tree Officer has considered the proposed development and has deemed this acceptable with the inclusion of conditions to secure final landscaping proposals. The Ecology Officer has also confirmed this and included a requirement for management also.

The proposed development therefore presents the opportunity to deliver new tree and hedge planting across the site. The proposed plans set out where this landscaping could be positioned within the site. A condition is proposed to ensure that the landscaping would be properly maintained. The proposal would therefore comply with Policy 41 and 42 of the NELLP.

7. Other Matters

The site is located within a low value area, as shown in the Housing Market Value Areas map of the NELLP and as such Policy 18 does not require any affordable housing to be provided on the site. Furthermore, the Education Officer has confirmed that there are no contributions for education required.

Therefore, the application is not subject to a S106 Agreement in this instance. The proposal accords with Policy 6 of the NELLP in this regard.

CONCLUSION

The proposed development has been assessed against the requirements of the NELLP and the NPPF with particular reference to flood risk and sustainability. The sequential and exceptions tests are considered to have been passed and there are no objections from key consultees such as the Environment Agency. The proposal also offers wider community benefits that can be secured through conditions. The development would not cause any undue impacts on residential amenity, highway safety and amenity, the character and appearance of the area or biodiversity. It is therefore considered that the proposal accords with Policies 5, 6, 22, 32, 33, 34, 38, 39, 41 and 42 of the NELLP and the NPPF 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 and documents:

Site Location Plan - A729.E001 A

Proposed Site Plan - A729.P001B

Proposed Floor Plans and Roof Plan for Block 1 - A729.P100 B

Proposed Floor Plans and Roof Plan for Block 2 - A729-P200 B

Proposed Floor Plans and Roof Plan for Block 3 - A729-P300 B

Proposed Elevations for Block 1 - A729-P101 B
Proposed Elevations for Block 2 - A729-P201 B
Proposed Elevations for Block 3 - A729-P301 B
Proposed Site Sections and Elevations - A729.P401 B

Reason

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

(3) Condition

The proposed development shall be erected in strict accordance with the materials as shown on drawing nos. A729-P101B, A729-P201B and A729-P301B unless otherwise approved in writing by the Local Planning Authority. Final details of the parking and terrace areas shall be submitted to and approved in writing by the Local Planning Authority before they are installed. Once approved, these areas shall be completed in accordance with the agreed details.

Reason

To maintain the character of the area and in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and the provisions of the National Planning Policy Framework (2023).

(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 (No construction work should 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);
4. Details of on-site parking provision for construction related vehicles;
5. Details of on-site storage areas for materials and any construction compound;
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;
7. Details of wheel washing facilities (locations, types etc.); and
8. Means of suppressing dust and noise.

There shall be no burning of materials on site.

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 residential amenity and to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

No development shall commence until a final scheme for the provision of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details and the drainage implemented prior to any occupation and shall thereafter be so retained unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

(6) Condition

Prior to any occupation of any of the dwellings or flats, 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

Before any of the commercial uses commence, details shall be submitted to and approved in writing by the Local Planning Authority of all external ventilation and extraction equipment to include noise and odour control, where necessary. The approved scheme shall be completed, prior to the use commencing to which it relates, in accordance with the approved plans and shall thereafter be so retained.

Reason

To ensure satisfactory ventilation/extraction systems are provided to protect surrounding residents from the adverse effects from cooking smells, noise and vibration in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(8) Condition

For the commercial uses, at the ground floor of Block 3, there shall be no external manufacturing or industrial activity outside of the building at any time.

Reason

To protect the amenities of existing nearby residents and future occupiers and to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

No activities shall take place at the commercial premises' outside of the hours specified below:

Monday to Friday - 09:00hrs to 18:00hrs

Saturdays - 09:00hrs to 14:00hrs

and at no time on Sundays, Public and Bank Holidays unless otherwise approved by the Local Planning Authority.

Reason

To protect the amenities of existing nearby residents and future occupiers and to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(10) Condition

No deliveries must take place at the commercial premises' outside of the hours specified below:

Monday to Friday - 07:00hrs to 19:00hrs

Saturdays - 08:30hrs to 18:00hrs

Sundays and Bank Holidays - 10:00hrs to 16:00hrs

Reason

To protect the amenities of existing nearby residents and future occupiers and to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(11) Condition

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 12 to 14 have been complied with. If other contamination is found after development has begun, the Local Planning Authority must be informed and work must stop, on that part of the site affected by the unexpected contamination, to the extent specified by the Local Planning Authority in writing until condition 15 has been complied with in relation to that contamination.

Reason

To ensure risks from land contamination to 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 with policy 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and advice in the National Planning Policy Framework.

(12) 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 prior approval in writing of the Local Planning Authority. 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 and 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 and 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 "Model Procedures for the Management of Land Contamination, CLR 11".

Reason

To ensure risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with policy 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and advice in the National Planning Policy Framework.

(13) 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 historic environment, must be prepared and is subject to approval in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and criteria, timetable of works and site management procedures. The scheme must ensure 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 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 with policy 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and advice in the National Planning Policy Framework.

(14) Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise first agreed in writing by the Local Planning Authority who must also be given 2 weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report to demonstrate the effectiveness of the remediation carried out must be produced and is subject to approval in writing of the Local Planning Authority.

Reason

To ensure 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 with policy 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and advice in the National Planning Policy Framework.

(15) Condition

If 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 12 and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 13 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in such 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 14.

Reason

To ensure 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 with policy 5 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and advice in the National Planning Policy Framework.

(16) Condition

Before any piling commences, detailed specifications of the type of piling/foundations to be used to support the building/structures shall be submitted to the Local Planning Authority for written approval. Included in the submission shall be a scheme to mitigate the effects of the piling with particular regard to noise and vibration to surrounding properties and pollution of the underlying chalk aquifer. The piling/foundations shall be carried out/constructed in accordance with the approved details, unless variations are first approved in writing by the Local Planning Authority.

Reason

To protect the amenities of nearby residents and to ensure the integrity of the underlying aquifer is not compromised in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(17) Condition

Development shall not begin until details showing the location, layout, design and method of construction of the altered vehicular accesses, driveways, parking and manoeuvring spaces, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority. Also included shall be details of the removal of redundant accesses and reinstatement of the footways to provide full height kerbs. Before any of the development hereby permitted is brought into use the vehicular accesses, driveways, parking and manoeuvring spaces shall be constructed in accordance with those approved details and shall thereafter be so retained. The reinstatement works identified above shall be undertaken within 28 days of the new accesses being brought into use.

Reason

To ensure adequate parking and turning facilities are provided within the site and for highway safety reasons in accordance with policies 5 and 38 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(18) 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 in the interests of local amenity in accordance with policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(19) Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref: RLC/1371/FRA01) undertaken Roy Lobley Consulting and the following mitigation measures as detailed within the FRA:

- Finished floor levels of the residential blocks 01 & 02 shall be set no lower than 3.60 metres above Ordnance Datum (AOD)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

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

Reason

To reduce the risk of flooding to the proposed development and future occupants and in accordance policies 5, 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(20) Condition

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any statutory amendment thereto), no development under Schedule 2 Part 1, Class A, B, E and F shall be permitted within the curtilage of the dwellings.

Reason

To protect residential amenity to accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(21) Condition

Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 the commercial development hereby permitted shall be used solely as those uses stated

under Class E(a)(b)(c)(d)(e) and (g) - (i and ii), including all sub categories unless stated, and for no other purpose as stated in The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 unless a planning application is submitted and determined for such an alternative use.

Reason

In the interests of local and highway amenity and to protect existing and future occupiers to accord to policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(22) Condition

Prior to occupation of any part of the development, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be occupied in accordance with the approved Plan.

Reason

In the interests of flood risk and safety 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, residential amenity or neighbouring businesses 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, 18, 22, 33, 34, 36, 38, 39, 41 and 42.

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 securing additional information.

3 Informative

The applicant's attention is drawn to the comments made by Humberside Fire and Rescue, received 13th February 2024, regarding access and water supplies.

4 Informative

As works are required within the existing Highway, you are required to contact the Highways Management Team at least six months in advance of the commencement of works (Tel: 01472 324431).

5 Informative

The applicant's attention is drawn to the comments made by the Environment Agency, received 27th March 2024, relating to flood warning and evacuation, waste, risk management and piling.

6 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).

7 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.

8 Informative

The soundproofing shall be installed in line with the requirements under Building Regulations.

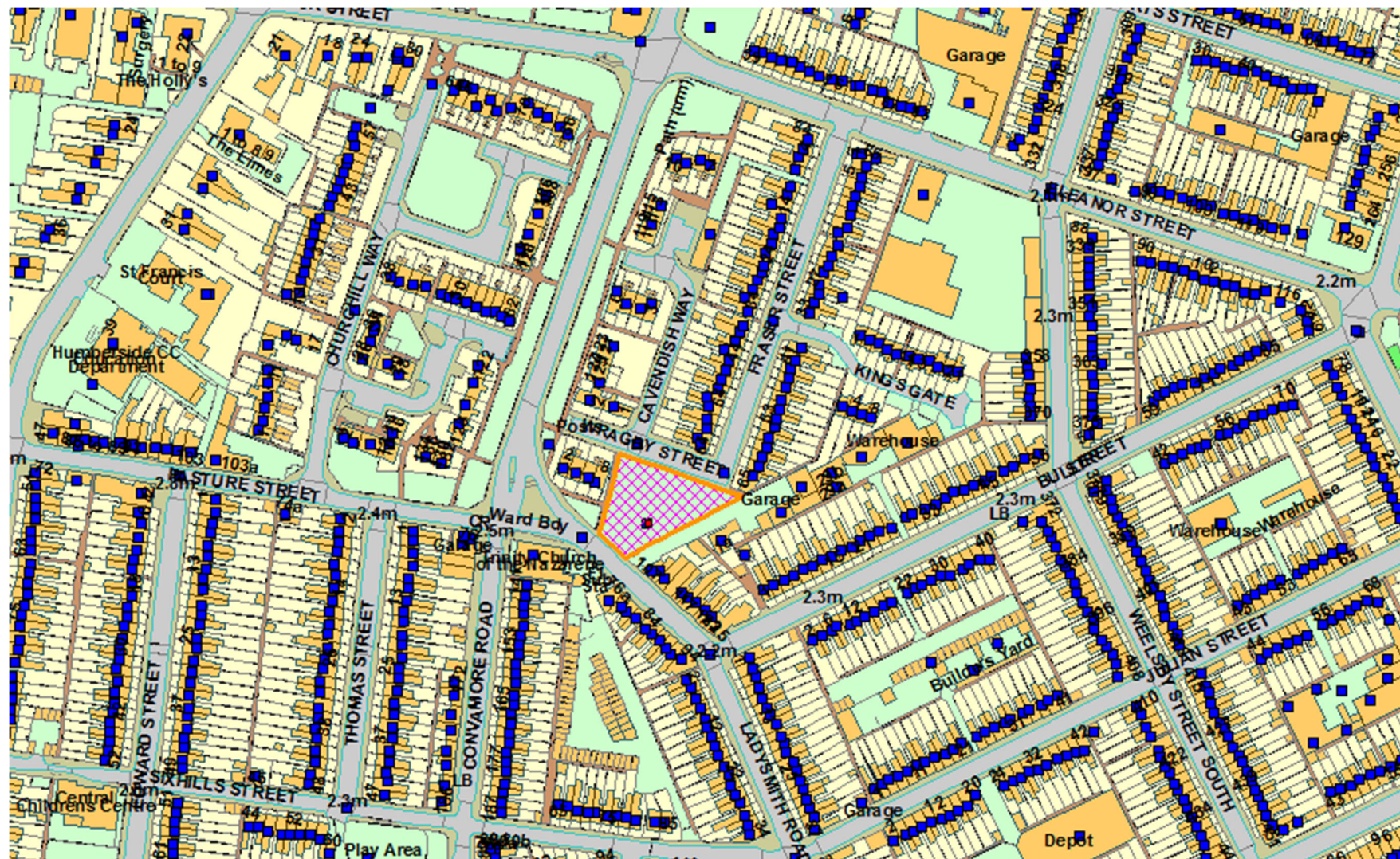
9 Informative

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.

10 Informative

Please note the detailed informative advice from Anglian Water.

DM/1074/23/FUL – LAND OFF PASTURE STREET, GRIMSBY



DM/1074/23/FUL – LAND OFF PASTURE STREET, GRIMSBY



PLANNING COMMITTEE - 12th June 2024

ITEM: 9 **RECOMMENDATION: Refused**

APPLICATION No: DM/0185/23/CEU

APPLICATION TYPE: Cert of Lawful Use/Operation - Existing

APPLICATION SITE: 34 Heneage Road, Grimsby, North East Lincolnshire, DN32 9ES

PROPOSAL: Certificate of Lawfulness for existing use as a 7 bedroom (person) House in Multiple Occupation (HMO)

APPLICANT:

Mr Oliver Reid
25 Manthorpe Lodge
Grantham
NG31 8XL

AGENT:

Mr Simon Webb
Building Development Service
9 Southwell Close
Grantham
NG31 8PL

DEPOSITED: 2nd March 2023

ACCEPTED: 2nd March 2023

TARGET DATE: 27th April 2023

PUBLICITY EXPIRY: 26th March 2023

AGREED EXTENSION OF TIME DATE: 29th June 2023

CONSULTATION EXPIRY: 26th March 2023

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application seeks a certificate of lawfulness to confirm that the lawful use of the property is as a 7-bed (person) HMO (house in multiple occupation). This is based on the use described existing uninterrupted for ten years prior to the date of submission.

It is noted that the applicant seeks to use the property as an 8-bedroom (person) HMO in the future but this will need to be assessed under a separate application and does not form part of this submission.

This application is presented to the Planning Committee at the request of the Ward Councillor Steve Beasant.

SITE

The application site is 34 Heneage Road, a large Victorian semi-detached villa over two floors. Heavily modified the property is rendered with access to the rear garden via a driveway to the southern side of the property.

The site is within central Grimsby and is surrounded, on most sides, by other residential properties, although diagonally opposite, across Heneage Road, is the Rock Foundation, a non-residential institution for those with mental and physical disabilities.

The site is within flood zone 3.

RELEVANT PLANNING HISTORY

There is no relevant planning history to the site.

Extensive proposals to erect detached flat buildings to the backland area behind frontage properties, including no. 34 have no relevance to the current application.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

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

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

Legal: Recommends refusal on the basis that the use is not lawful.

APPRAISAL

The main issues in this application are:

- 1) Does the use meet the tests for establishing a lawful use?
- 2) Other matters

Appraisal

1) Does the use meet the tests for establishing a lawful use?

This application seeks a certificate of lawful use for 34 Heneage Road as a 7-bed (person) house in multiple occupation (HMO). Under section 191 of the Town and Country Planning Act 1990, a certificate may be submitted to the local planning authority seeking formal confirmation that a use has been undertaken for 10 years uninterrupted prior to the application submitted and without planning permission or enforcement action being undertaken. If the local planning authority are provided with information satisfying them of the lawfulness, at the time of the application, that the use as described had been completed and maintained uninterrupted for a period of 10 years, then a certificate to that effect may be granted. It is clear that the onus of proof of such a use over that period falls to the applicant to provide.

In this instance, the applicant is the new owner of the property and only a limited amount of information is available or has been provided by the previous owner who now, we understand, resides in a care home. The information provided includes a 2009 letter from the NELC Building Control section indicating a site visit would be undertaken for the use of the property as a HMO, confirmation of a HMO licence, details of more recent occupiers and emails received from a previous occupier of the premises over several years, including the early years of the use.

On investigating the application, officers have obtained a number of supporting but also contradictory pieces of information. Based on council tax evidence but also information from NELC Building Control it is clear that the property has been used as a house in multiple occupation since at least 2012 and possibly earlier. What is not clear is whether this use was for a seven bed (person) HMO or six. No relevant planning applications were sought during the required period but Building Regulation documents do show a HMO layout. Although the layout provided with the current certificate application concurs, for the most part, in physical layout terms with that submitted for the 2009 Building Regulations application, it is clear that the room identified as bedroom 7 on the current certificate application plan was shown as an office in 2009, so only a 6 bed (person) HMO was identified at that time. This contradicts with the certificate application sought for seven bedrooms (person).

Since 2009, and despite the comments of the applicant, the housing enforcement team can only confirm that in 2020 it issued a licence for a 7 bed/ person HMO at 34 Heneage Road and not before, as this was when the current licensing scheme commenced. However, the applicant has provided a further email from a former tenant of the property for a substantial, but only part of the ten-year period required (2009/10 and then 2014 - 2022), who states that he resided in bedroom 7 of the property for that time. This is supported by a tenancy document (signed in 2022) but which notes that the tenancy commenced in June 2014. Other tenancy agreements are also provided from the 2021 - 2022 period only.

The required 10 year period submitted runs from 2nd March 2013 to 2nd March 2023 and whilst much of this time evidence suggests the potential use of a 7 person HMO there remains a lack of evidence that for a short period from March 2013 to June 2014 to show that anyone occupied the room known as room 7, thereby breaking the evidence of a continuous use as a residential room for the required 10 years. Indeed it could have reverted to a HMO office, as shown on the Building Regulations plan in 2009. Equally, again whilst it can be surmised that each room was let of a single occupancy no evidence has been supplied to confirm this.

As such whilst sufficient evidence to confirm a 6 bed (person) HMO for the required period has been provided, and in any case no planning permission is required to change the use of a house to a 6 person HMO, there is a break in evidence which fails to show a continuous use of the premise for a 7 bed (person) HMO.

2) Other matters

It is noted that the application has been called into the planning committee due to concerns raised over potential nuisance and anti-social behaviour for the community. Whilst these concerns are noted, in the case of a certificate of lawful use application these are not material as the only issue that can be considered is whether the evidence supplied is sufficient to prove the use as described has existed for the required 10 year period uninterrupted. As such concerns over the conduct of occupiers in the narrow constraints of this certificate of lawful use application, are not relevant and cannot be considered. Equally it is again noted that the use of the property for a 6 person HMO could take place without the need for planning permission and could generate similar concerns.

CONCLUSION

In this instance, despite acceptance that a HMO use has been established at this site for more than 10 years, and that planning permission would not be required to operate a 6 person HMO there is insufficient evidence to prove that a 7 person HMO has existed, uninterrupted for the required 10 year period from 2nd March 2013 to the 2nd March 2023. As such it is recommended that the Certificate of Lawful Use application for a 7 bed (person) HMO is not lawful.

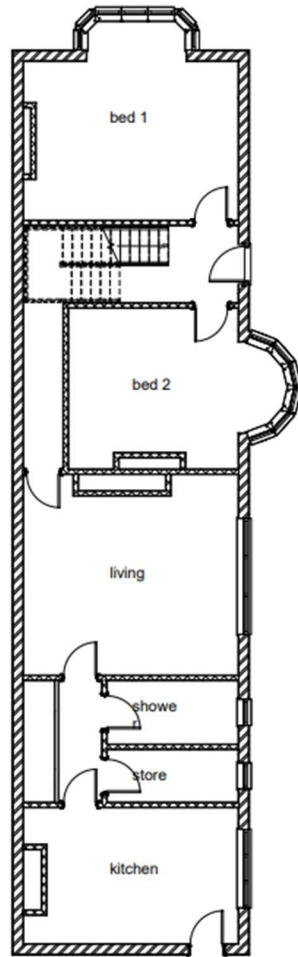
RECOMMENDATION

Refused

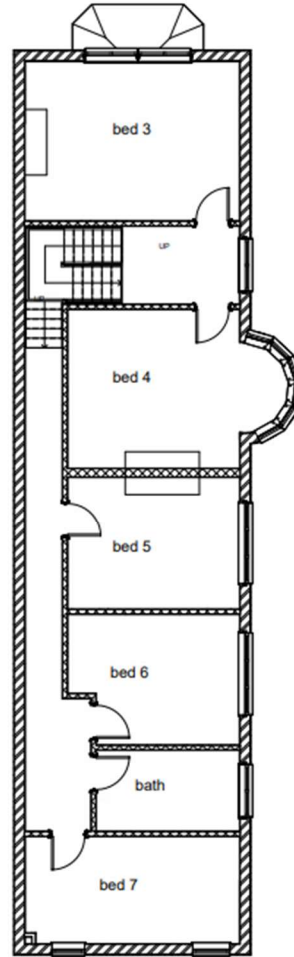
DM/0185/23/CEU – 34 HENEAGE ROAD, GRIMSBY



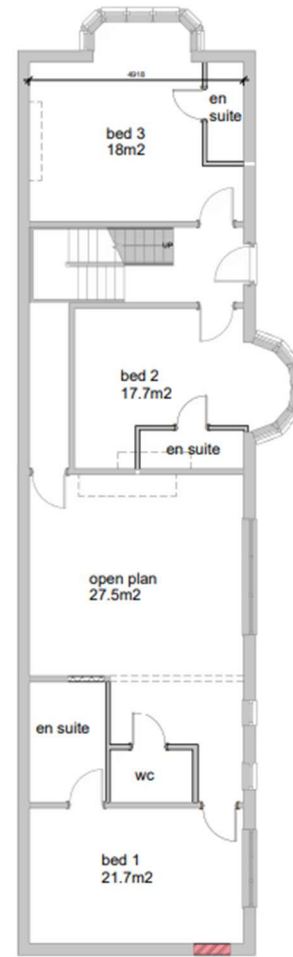
DM/0185/23/CEU – 34 HENEAGE ROAD, GRIMSBY



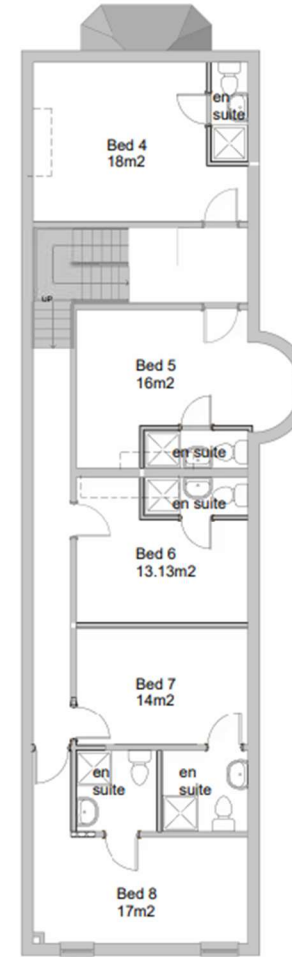
① Existing Ground Floor Plan
1 : 50



② Existing First Floor Plan
1 : 50



③ Proposed Ground Floor Plan
1 : 50



④ Proposed First Floor Plan
1 : 50

PLANNING COMMITTEE - 12th June 2024

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

APPLICATION No: DM/0263/22/FUL

APPLICATION TYPE: Full Application

**APPLICATION SITE: 205 Humberston Fitties, Humberston, North East
Lincolnshire, DN36 4HD**

PROPOSAL: Erect single storey extension and covered decked area with various alterations to existing chalet, changes to windows and doors, and replacement of existing cladding (Clarification plans showing side elevation facing 207 Humberston Fitties received 3rd April 2024)

APPLICANT:

Mr Smith
205 Humberston Fitties
Humberston
North East Lincolnshire
DN36 4HD

AGENT:

Mr Gavin Farrand
G F Design Services Ltd
Meteor House
Manby Park
Manby
Louth
LN11 8UT

DEPOSITED: 24th March 2022

ACCEPTED: 14th April 2022

TARGET DATE: 9th June 2022

PUBLICITY EXPIRY: 28th April 2024

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 14th May 2022

CASE OFFICER: Owen Toop

PROPOSAL

This proposal relates to alterations and an extension to an existing holiday chalet, 205 Humberston Fitties.

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

SITE

205 Humberston Fitties is an existing holiday chalet that is located at 6th Avenue which is situated to the east of 1st Main Road. 6th Avenue comprises of 6 chalets and 205 Humberston Fitties is 1 of 3 chalets situated on the north side of the avenue.

The site sits within the Humberston Fitties chalet park, which is a designated a Conservation Area, and one that is also covered by an Article 4(2) direction. The adjoining sand dunes which are part of the sea defence along the coastal side of the park are part of a Site of Special Scientific Interest (SSSI).

The chalet is a single storey gable ended chalet which has been altered and adapted visually through the provision of white UPVC windows and doors along with light blue composite cladding. The chalet incorporates a low pitched felted roof, a timber frame construction and the curtilage around the chalet includes a block paved patio area and grassed area that are enclosed by timber picket fencing much like many of its neighbours. A gated vehicular access exists to the south western corner, with a pedestrian access located on the southern boundary immediately from 6th Avenue. There was also a timber outbuilding present in the north western corner, however this has been removed.

RELEVANT PLANNING HISTORY

None relevant.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (2023)

NPPF16 - Conserv. & enhance the historic environ.
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)

PO5 - Development boundaries
PO22 - Good design in new developments
PO33 - Flood risk
PO34 - Water management
PO39 - Conserve and enhance historic environ
PO12 - Tourism and visitor economy

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 - Following receipt of amended plans, no objections in heritage terms.

Highways - No objections.

Environment Agency - No comments.

Drainage - Advocates sustainable drainage condition.

Ecology - Recommends standard advice for nesting birds and roosting bats informative.

Humberston Village Council - No objections, supports the view of the heritage officer.

Public Representations

In some cases multiple letters of representation from the same address have been received. Objections received from the following addresses:

9 Spall Close
145 Fifth Avenue Humberston Fitties
148 First Main Road Humberston Fitties
203 Humberston Fitties
206 Fifth Avenue Humberston Fitties
207 Fifth Avenue Humberston Fitties
10 Rymer Place

broadly on the following grounds:

- parking concerns along 6th Avenue.
- visual design concerns.
- negative impact on conservation area.
- negative impact on holiday amenity of neighbouring chalets.
- plans showing north elevation are not correct (this has been addressed in the latest amended plans submitted).

APPRAISAL

The material considerations are:

- 1) Principle of Development
- 2) Design and Heritage
- 3) Impact on Amenity
- 4) Other Matters

1) Principle of Development

The application site is outside of the development boundary (Policy 5) but within the resort area (Policy 12) and Humberston Fitties Conservation Area (Policy 39). The principle of development is acceptable provided that the proposal does not give rise to detrimental impacts relating to design (Policies 5 and 22), heritage (Policy 39) and holiday amenity of neighbouring chalets (Policy 5).

2) Design and Heritage

One of the main concerns raised as part of the public objection received is in relation to the impact of the works in visual design terms and on the Humberston Fitties Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. In this context, the object of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

Policy 39 of the North East Lincolnshire Local Plan 2013 to 2032 (Conserving and enhancing the historic environment) states that proposals will be permitted where they would sustain the cultural distinctiveness and significance of the North East Lincolnshire's historic, urban, rural and coastal environment by preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings.

Initially the original planning application posed visual and heritage concerns to which the applicant has sought to address by providing an amended scheme. This scheme has reduced the height of the extension, maintaining the roof height of the existing chalet. There will still be an increase in the amount of glazing however the use of glazing bars will reduce the impacts. The removal of plastic windows, doors and faux timber cement cladding will provide significant betterment. The application has been considered by the council's heritage officer who has no objections to raise and recommends that final details of the cladding material be secured through planning condition.

The comments from objectors regarding the extension blocking the east elevation and causing a visual impact from the perspective of looking from the dunes is noted. There would be an impact and the test is whether this is harmful, and indeed if it is, what level of harm is there to the heritage asset and its setting. It is the case for every extension that to a greater or lesser extent development of this nature will obscure at least some of the original chalet. And in this case the extension would indeed reduce the green space and project towards the dunes. At the same time, there is a case that the materials involved in

the development would visually improve the chalet, removing harmful plastic fenestration. The scheme has been reviewed by the heritage officer who accepts that the extension is appropriate in both design and scale. In terms of making this assessment, the Humberston Fitties Design Guide stipulates that development should be set back from the rear and side boundaries by a minimum of 2 metres, not exceed more than a third of the total plot area, and any extension should not be more than 50% of the original footprint. The proposal would adhere to these principles with the Design Guide. In addition, due to the orientation of the plot, the frontage is considered to face onto 6th Avenue. The extension includes a verandah which is consistent with the principles within the design guide that recommends porches and verandahs be situated at front elevations.

On the balance of considerations the proposal is not considered to have a harmful impact on the chalet or the Humberston Fitties Conservation Area.

The proposal therefore accords with Policies 5, 22 and 39 of the NELLP in this regard.

3) Impact on Amenity

The proposal is located in close proximity to existing chalets, the closest of which is 207 Humberston Fitties who is located to the north and adjacent at 5th Avenue. Comments have been received from the public in objection to the proposal, including from 207 Humberston Fitties and 9 Spall Close. The concerns pertain to the size of the extension, its height, impact on the view from the dunes, and impact of the view looking towards the dunes from neighbouring chalets. In terms of assessing the acceptability of the scheme, the planning consideration is whether or not the proposal causes significant detrimental impacts to the holiday amenity to 207 Humberston Fitties. The proposed extension is the closest element of the proposal to this neighbour. The extension would not be any higher than the existing roof, and it is noted that the ground slopes down eastward. Taking this into due consideration and that the extension projects approximately 4.9 metres from the existing east elevation towards the dunes, this results in there being a larger structure along the boundary than is at present but not one that is considered to cause adverse harm to neighbouring holiday amenity given its overall scale and position. The neighbour also notes the chalet would remove their view of the dunes and it is noted that they have a verandah on the south elevation. The extension would cause an impact in this regard, however this is not considered it would cause a significant adverse impact to their amenity. Loss of a view in itself is not a material planning consideration.

Comments have also been raised from 203 Humberston Fitties, noting that the verandah on the south elevation would face onto their chalet. Given the open nature of plots at this location with low height picket fencing, inherently there is an open feel to the site in terms of the relationships between existing chalets as a result of the boundary treatments. As such the proposal includes a verandah facing in this direction, it is noted there would be an impact of overlooking given this but at a level that would be expected within a holiday park. There are no restrictions with how chalets and their respective plots can be used for holiday amenity, and whilst it is noted there would a change as a result of the

verandah, the proposal is not considered to have a detrimental impact. The neighbour also notes the chalet would remove their view of the dunes. Again this would cause an impact, however it is not considered it would cause adverse impact to their amenity. As stated above, loss of a view in itself is not a material planning consideration.

Other matters raised are concerns pertaining to parking. At present Tingdene have a policy that 6th Avenue cannot be parked down. Parking concerns have been raised in relation to the proposal as the extension would result in some grassed area being lost. The existing chalet is a 3 bedroom chalet and the proposal reduces this to a 2 bedroom chalet, thereby reducing the number of bedrooms by 1 and reducing the capacity of the chalet. The applicant has confirmed that parking provision at the site is for at least 3 vehicles which is not anticipated to change as a result of the works, noting that cars could park on the south side of the chalet. In terms of highways matters raised, it should be noted that the highways authority have no objections to the scheme. With regards to concerns of parking on 6th Avenue, this would be a matter for Tingdene to monitor. Considering the above, there are no adverse impacts with this scheme with regard to holiday amenity.

4) Other Matters

The drainage officer has recommended a drainage scheme via conditions. This forms part of this recommendation.

The site is within a flood risk area and a flood risk assessment has been provided. It confirms that levels will match the existing, which is an acceptable approach for this type of development.

CONCLUSION

This proposal relates to alterations and an extension to an existing holiday chalet, 205 Humberston Fitties. The application is brought to the attention of planning committee due to the number of public objections received. Having considered the proposal, there would be no detrimental impacts in terms of visual design, heritage and upon the neighbouring holiday amenity of chalets. The proposal is therefore recommended for approval with conditions in accordance with Policies 5, 12, 22, 33, 34 and 39 of the NELLP and Sections 12, 14 and 16 of the NPPF.

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:

GF/PS21/002B REV B April 2024 - Proposed Layouts, Elevations and Block Plan
GF/PS21001 - Site Location Plan

Reason

For the avoidance of doubt in the interests of proper planning and in accordance with policies 5, 12, 22, 33, 34 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(3) Condition

Other than the cladding to be used, the development shall be carried out in accordance with the materials listed in the drawing: GF/PS21/002B REV B April 2024 - Proposed Layouts, Elevations and Block Plan. Final details of the new cladding shall be submitted to and approved in writing by the local planning authority before it is installed. Once approved the development shall only be constructed in the approved materials and shall be retained thereafter.

Reason

This condition is imposed in the interests of good design and heritage and to accord with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

Prior to any construction works commencing, details of a sustainable surface water drainage scheme for the development shall be submitted to and approved in writing by the local planning authority. Once approved, the development shall be carried out in accordance with the approved sustainable surface water drainage scheme and implemented in its entirety prior to any use of the extension approved, and the sustainable surface water drainage scheme shall then be retained and maintained for the lifetime of the development.

Reason

In the interest of sustainable water management and to accord with policies 5, 33 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 holiday 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, 12, 22, 33, 34 and 39.

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 seeking amended schemes to negotiate on refusals and by applying conditions in the interest of amenity and flood risk.

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

The applicant's attention is drawn to the comments made by the Ecology Officer on this application.

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