

## Planning Committee Dated: 10th July 2024

### Summary List of Detailed Plans and Applications

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<b>Recommendation: Refused</b>	
<b>Item:</b>	<b>1</b>
<b>Application No:</b>	DM/1127/23/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Caravan At The Shepherds Purse Bradley Road Bradley North East Lincolnshire
<b>Proposal:</b>	Removal of condition 1 attached to DM/0881/20/FUL (Continued siting of static caravan accommodation on site for a further temporary period of three years to provide living accommodation 'Amended plans December 2020') to allow permanent occupancy of both caravans and replace one caravan (Amended Plans received May 2024)
<b>Applicant:</b>	Mr Ron Shepherd
<b>Case Officer:</b>	Richard Limmer

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>2</b>
<b>Application No:</b>	DM/1047/23/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	The Paddocks Main Road Brigsley North East Lincolnshire
<b>Proposal:</b>	Retrospective application for the erection of fencing to front and side boundaries at 1.8m in height (amended plans and description May 2024 to include additional areas of fencing and reduce height)
<b>Applicant:</b>	Mr Nicky White
<b>Case Officer:</b>	Becca Soulsby

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>3</b>
<b>Application No:</b>	DM/0790/23/REM
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Land Rear Of 32 - 64 Humberston Avenue Humberston North East Lincolnshire
<b>Proposal:</b>	Variation application of condition 10 (Approved Plans) as granted on DM/0851/15/REM to relocation of LEAP (Locally Equipped Area of Play), amended landscaping and position of footpath (Amended playground detail and landscaping) (Amended Plans - June 2024)
<b>Applicant:</b>	Bethany Yeadon
<b>Case Officer:</b>	Jonathan Cadd
<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>4</b>
<b>Application No:</b>	DM/0113/24/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	9 St Lukes Grove Humberston North East Lincolnshire DN36 4DU
<b>Proposal:</b>	Retrospective application for the removal of hedge on front boundary and erect 1.3 metre high fencing to front boundary (amended plans to reduce fence height from 1.8 metres and amended description June 2024)
<b>Applicant:</b>	Mrs S Haith
<b>Case Officer:</b>	Becca Soulsby

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>5</b>
<b>Application No:</b>	DM/0179/24/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	19 Sidney Road Grimsby North East Lincolnshire DN34 4AU
<b>Proposal:</b>	Erect single storey flat roof rear extension, erect single storey front extension to create porch and canopy and various associated works (amended plans May 2024 to remove condenser unit)
<b>Applicant:</b>	Mr Ireneusz Trzcinski
<b>Case Officer:</b>	Becca Soulsby

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<b>Recommendation: Approved with Conditions</b>	
<b>Item:</b>	<b>6</b>
<b>Application No:</b>	DM/0206/24/FUL
<b>Application Type:</b>	Full Application
<b>Application Site:</b>	Weelsby View 155 Weelsby Road Grimsby North East Lincolnshire
<b>Proposal:</b>	Change of use from a Children Homes (C2 Use) to five apartments (C3 Use) including alterations, formations of dormer windows and the formation of a car park area - Flood Risk information received 23-05-24
<b>Applicant:</b>	Mr Craig Simpson
<b>Case Officer:</b>	Lauren Birkwood

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**PLANNING COMMITTEE - 10th July 2024**

**ITEM: 1**                      **RECOMMENDATION: Refused**

**APPLICATION No: DM/1127/23/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Caravan At The Shepherds Purse, Bradley Road, Bradley, North East Lincolnshire, DN37 0AL**

**PROPOSAL: Removal of condition 1 attached to DM/0881/20/FUL (Continued siting of static caravan accommodation on site for a further temporary period of three years to provide living accommodation 'Amended plans December 2020') to allow permanent occupancy of both caravans and replace one caravan (Amended Plans received May 2024)**

**APPLICANT:**

Mr Ron Shepherd  
C/o Dieter Nelson Planning Consultancy  
Unit 2, Cleethorpes Business Centre  
Jackson Place  
Wilton Road  
Humberston  
Grimsby  
DN36 4AS

**AGENT:**

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

**DEPOSITED: 21st November 2023**

**ACCEPTED: 21st November 2023**

**TARGET DATE: 16th January 2024**

**PUBLICITY EXPIRY: 14th June 2024**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 16th December 2023**

**CASE OFFICER: Richard Limmer**

**PROPOSAL**

Removal of condition 1 attached to DM/0881/20/FUL (Continued siting of static caravan accommodation on site for a further temporary period of three years to provide living accommodation 'Amended plans December 2020') to allow permanent siting and occupancy of two caravans. It is also proposed that the existing second smaller caravan

is replaced with a larger one.

The application has been brought to Planning Committee because the applicant is an Elected Member of the Council; Councillor Ron Shepherd.

## **SITE**

The site is located on Bradley Road, Bradley and hosts a small farm shop with parking area, 2 residential caravans, a paddock area used as a caravan site (there is also extant permission for 4 camping pods, the access track for which has been installed), a chicken coop, poly tunnels and growing beds.

The site is outside any defined settlement boundary and has one immediate neighbour, 'Netherwood' to the south. The site is some 1.1 hectares (2.8 acres). The remaining land around the site is in agricultural use.

## **RELEVANT PLANNING HISTORY**

There are a number of planning applications associated with the site as follows:-

DM/0744/21/FUL - Siting of four glamping pods with associated works, install welfare unit and install storage facility with associated works - approved.

DM/0881/20/FUL - Continued siting of static caravan accommodation on site for a further temporary period of three years to provide living accommodation - Approved on a temporary basis for 3 years (expired January 2024).

DM/0117/17/FUL - Temporary use of static caravan as living accommodation - approved on temporary basis for 3 years (expired 28th April 2020).

DM/0697/15/FUL - application for temporary use of static caravan as living accommodation - refused permission in February 2016. Planning appeal dismissed in May 2016. It was not demonstrated that there was an essential and proven need for full-time worker on the small-holding.

DC/710/10/WOL - application to retain static caravan and raised timber decking - refused permission in September 2010.

DC/289/10/WOL - application to retain static caravan and raised timer decking area - refused permission in June 2010.

DC/19/10/WOL - application to retain hard standing area - approved June 2010.

DC/737/08/WOL - application to install signs - approved in October 2008.

DC/722/08/WOL - resubmission of DC/1033/07/WOL to retain hard standing, chicken sheds, entrance gates and building - approved in October 2008.

DC/1033/07/WOL - application to retain existing hardstanding for parking, access tracks, chicken huts, greenhouses and sales shed, brick pillars and gates - refused in November 2007.

Additionally, an enforcement notice for the removal of a static caravan, was served in November 2010. the caravan was removed from site in June 2011.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

### National Planning Policy Framework (2023)

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO33 - Flood risk

PO34 - Water management

PO19 - Rural exceptions

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

## **REPRESENTATIONS RECEIVED**

Drainage Officer - no comments

Environmental Health Officer - no comments

Tree Officer - no comments

Heritage Officer - no comments

Drainage Board - no comments

Highways Officer - no objections

Bradley Parish Council object to the proposed development on the following grounds in two representations on the application.

- Not convinced that caravan 2 is legally sited on the plot
- How can an application be made for this when according to the previous three year application reference DM/0881/20/FUL expired 6th January 2024 and the site at this point should have been totally cleared several months ago.
- At this stage we still strongly object to the application to remove condition one of DM/0881/20/FUL.
  
- No work done at all on the previous application for almost three years and no real evidence of any official business being carried out by the owner. The applicant has already had a three year period to prepare this site from planning reference DM/0117/17/FUL. The reasons for NELC Planning stating condition one was 'in relation to the claimed need for residential accommodation in connection with the business undertaken at the site.' This 'need' appears to have been blighted by the applicant because of the inconsistent service of the various businesses he has proposed. A three year extension to 6th January 2024 was granted, and given that the application was submitted 5 months after this condition was out of date, this has given the owner nearly seven years to prepare this site. But still no evidence of any business improvement.
  
- It also stated in the reasons for the condition that 'the temporary permission will allow a further assessment as to that need in the interests of protecting the open countryside to accord with Policy 5 of the North East Lincolnshire Local Plan 2013-2032' to allow permanent residency would implicate this protection for the countryside would no longer be relevant.
  
- The number of caravans permanently living on the site already is two more than the original application allowed. The original application clearly stated that the proposal was for a 'Caravan' at the site. There are now three caravans on the site (two of which are joined together), which implies that these have already been placed there without permission.
  
- The applicants' representatives informed BPC that they have sold their property at Scartho so have nowhere else to live, which questions their actions when the current application ends in January 2024. In view of the fact that the current application ends on 06-01-24 (including Condition one), it questions why the owner has left this application so late to submit, is the owner assuming that the outcome will be in his favour?
  
- There is no evidence of any obvious livestock that needs a caretaker 24/7. The applicants' representatives informed us that they had recently installed a very expensive

CCTV system for security that included connections to their phones which questions the need of permanent residency on the site.

- Many residents have complained to Bradley Parish Council that they have visited the site at varying times, wanting to buy vegetables and stock, and the gates have been locked.

- No opening hours shown at the entrance to the site or any other easily visible place relevant to the business.

- Many residents have questioned BPC as to why the owner has been allowed to break many rules over a long period of time without any consequences from North East Lincs Planning Department.

## Representations

### Objectors

40 Hope Avenue, Barnsley - Business is not open, inclusion of a second caravan, nothing has happened on the site for 7 years, lack of enforcement action on unauthorised caravans

59 Bradley Road - The applicant has ignored previous decisions, lack of enforcement action on unauthorised caravans, outside of the local plan,

51 Bradley Road - Lack of enforcement action on unauthorised caravans

### Support:

The following representations have commented in support of the application for the reasons below:

7 Dugard Road, 51 Fairway, 3 Paul Crescent, 26 Farmhouse Mews, 248 Chelmsford Avenue, 16 Drew Avenue, 118 Highgate, 113A Waltham Road, Newlands, 95 Brigsley Road, 9 Kirkgate, 106 Woodhall Drive, 63 Emfield Road, 117 Oliver's Battery Road:

- The permanent occupancy of the caravans supports the business;
- It would help provide basis of investment into the business;
- It would support a community asset;
- The site is visually attractive and does not cause harm to the area;
- The applicant is a nice family;
- The development causes no harm in regard to access and highways.

The following representations have sent in support to the application but no specific comments have been provided:



Shepherds Purse, The Shepherds Purse, 89 Fairway, 35 Robson Road, 63 Emfield, 4 Bramhall Street, 34 Alder View, 27 Archer Road, 20 Ashby Road, 19 Robert Pearson Mews, 17 Lovett Street, 14 Princes Road, 12 Rydal Avenue, 101 Cooper Road, 10 St Albans Avenue, 1 Thrunscoe Road, 1 Holme Farm Close, 1 Clumber Place, 1 Churchgate, Unit 16, Seafood Village, 73 Lambert Road, 52 Coventry Avenue, 41 Signhills Avenue, 256 Grimsby Road, 14 Montgomery Road, 103 Louth Road, 15 Swaby Close, Marshchapel, 27 Farmhouse Mews

## **APPRAISAL**

### Planning Considerations

#### 1. Principle of Development

#### 2. Visual and Local Impacts

#### 3. Planning Enforcement

#### 1. Principle of Development

The main consideration in this case is whether, having regard to national and local planning policy for residential development in the countryside, there is an essential need for two static caravans to accommodate a rural worker and his family, on a permanent basis.

The two static caravans are both self-contained with their own bedroom, living room, bathroom and kitchen facilities.

The application site forms part of an agricultural smallholding known as 'Shepherds Purse'. This is located within open countryside accessed from Bradley Road, northwest of the village of Waltham within the parish of Bradley. Currently on site is a small farm shop and a number of paddocked areas which contain a small number of chickens, an area of grassed land, a pond, 2 poly tunnels (one of which is not clad) and a raised bed area for growing vegetables. The access track for 4 camping pods granted under DM/0744/21/FUL has also been partially constructed.

The site was purchased by the applicant in November 2006. Planning permission was granted in relation to the land as an agricultural smallholding in October 2008 with the original aim to create a farm shop and accommodate livestock.

In relation to new housing, the National Planning Policy Framework (NPPF) restricts isolated new homes in the countryside unless there are special circumstances, one of which relates to the essential need for a rural worker to live permanently at or near their place of work in the countryside. Policy 5 of the NELLP does not permit any new dwellings in the open countryside unless there is justification. One of which is supporting a prosperous rural economy. This proposal should accord to established policy.

To determine whether there is a continued essential need, it has to be established that there is a physical requirement for someone to be on the site at most times.

The applicant has resided at the site since shortly after the granting of planning permission DM/0117/17/FUL on 28th April 2017. That planning permission was granted on a temporary basis for 3 years in order to assess whether the business of a small holding on the site was indeed sustainable and warranted residential use on the site. As part of that submission a business plan was presented that detailed a host of ventures that would be undertaken to sustain the business. Alongside the business case a justification statement was provided relating to animal welfare and security. A further 3 years was granted in 2021 under DM/0881/20/FUL.

The current application is supported by an updated Business Plan which details what has recently been claimed to have been undertaken at the site in terms of investment, a growth plan, a business strategy and financial budgets and forecasts. This business plan has been fully taken into account.

In respect of the need in regard to animal welfare the site is relatively small, thus limiting the scale of the operation and no substantive details have been provided to confirm exactly what animals are kept but from recent site visits it appears that there are only a fairly limited number of chickens on site. A covering letter with the application references pigs and sheep but these have not been visible on site during recent visits for this application though they have been witnessed before. In any event it is not considered that this would be of a scale to justify residential use. It is therefore considered that there is no animal welfare argument that would justify the requirements of a residential use on the site. It is noted that work has commenced on the installation of the four camping pods, however, it is not considered that these alone would justify residential use. Whilst it is appreciated that emergencies do occur, given the scale of the operation, such occasions are likely to be rare and would not warrant a worker to be present full time and certainly would not justify two residential units.

In relation to security the applicant has stated that since moving on to the site that there has only been only one small 'break in'. Previous to this it is understood that there were more break-ins and security problems.

In previous planning applications the applicant has indicated that the business would be developed to assist in the overall financial viability of the site. However, many of the aspects identified would have required planning permission in their own right and to date there has only been a planning permission approved for four camping pods and whilst this has been commenced there are no pods on site. There have been no applications for the previously mentioned dog care centre or fishing facilities. Overall, it has not been demonstrated that the business has moved forward in any substantive way since the original permission was granted in 2017 for residential use. Indeed, on site visits made during this application it has not been clear what produce is being grown on site at a commercial level. One polytunnel does not have a cover and the other did not appear to

have crops in. The raised beds did have some vegetables growing but this is not considered to be at a commercial scale.

The applicant has provided a cover letter on this application that details that due to very serious family illnesses they have not been in a position to develop the business as they had intended. This has been given due regard in the consideration of this planning application. The applicant also cites Covid as an influencing factor in the progression of the business. However, the final Covid restrictions were lifted in February 2022 and yet there has still been very little development of the business on site.

In conclusion it is not considered that it has been demonstrated that there is an essential and proven need for a full-time worker on the smallholding, based both on the current situation and upon the proposed future expansion of the site. The smallholding is limited in size at only 1.1ha. This has not changed and therefore it is concluded that the proposed development would be contrary to the requirements of the NPPF as well as Policy 5 of the NELLP. Furthermore, this planning application is for two separate caravans on a permanent basis, the above considerations conclude that a single unit cannot be justified and it is clear that a second would be wholly unsustainable and contrary to paragraph 79 of the NPPF and Policy 5 of the NELLP. Whilst it is understood that the second unit is occupied by the applicant's son this is not justification.

## 2. Neighbouring Amenity and Highways

The site is located in the open countryside away from both the settlements of Waltham and Bradley, as such it benefits from few residential neighbours. There is however, Netherwood directly to the south of the site, which is a detached dwelling set in a large garden. To the boundary with the site there is a 2m high fence and various trees which provide a screen. Given the scale and position of the proposed static caravans they would not present any undue impacts to the neighbour's residential amenities. In regard to the impact on neighbours the proposed development is considered to accord with Policy 5 of the NELLP. With regard to highway safety the site is served by an existing access off Bradley Road which is acceptable.

## 3. Planning Enforcement

It is noted that objections have been received which reference that enforcement action should have been taken on the site and the caravans removed. However, this application was submitted in advance of the previous temporary permission expiring, and it is considered appropriate to determine it and that any formal enforcement action awaits the outcome of this planning application.

## CONCLUSION

The proposal to retain the two existing static caravans for residential accommodation for workers in association with the small holding 'Shepherds Purse' has been considered in

detail and in light of the information supplied. However, it is considered that there is no justification for the requirement of any accommodation, never mind two residential units, and it presents an unsustainable form of development and a visual intrusion to the detriment of the open countryside. The proposal is contrary to Policy 5 of the NELLP and section 5 of the NPPF and is therefore recommended for refusal.

## **RECOMMENDATION**

### **Refused**

(1) The proposal for residential static caravan accommodation in the countryside, for which no functional need has been demonstrated, represents an unjustified visual intrusion into the open countryside and unsustainable development which is contrary to the aims and objectives of the National Planning Policy Framework and Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

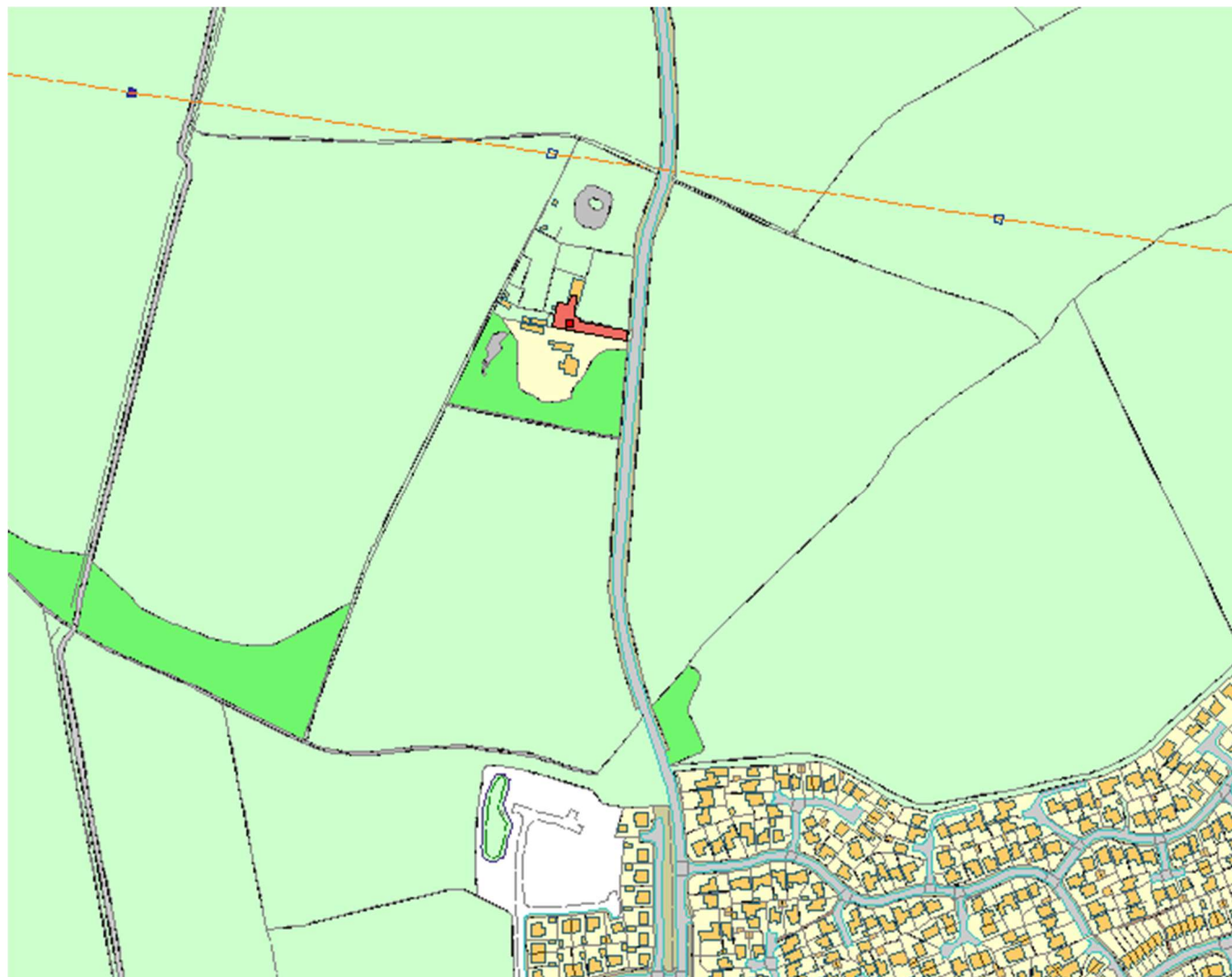
### **Informative**

#### **1 Added Value Statement**

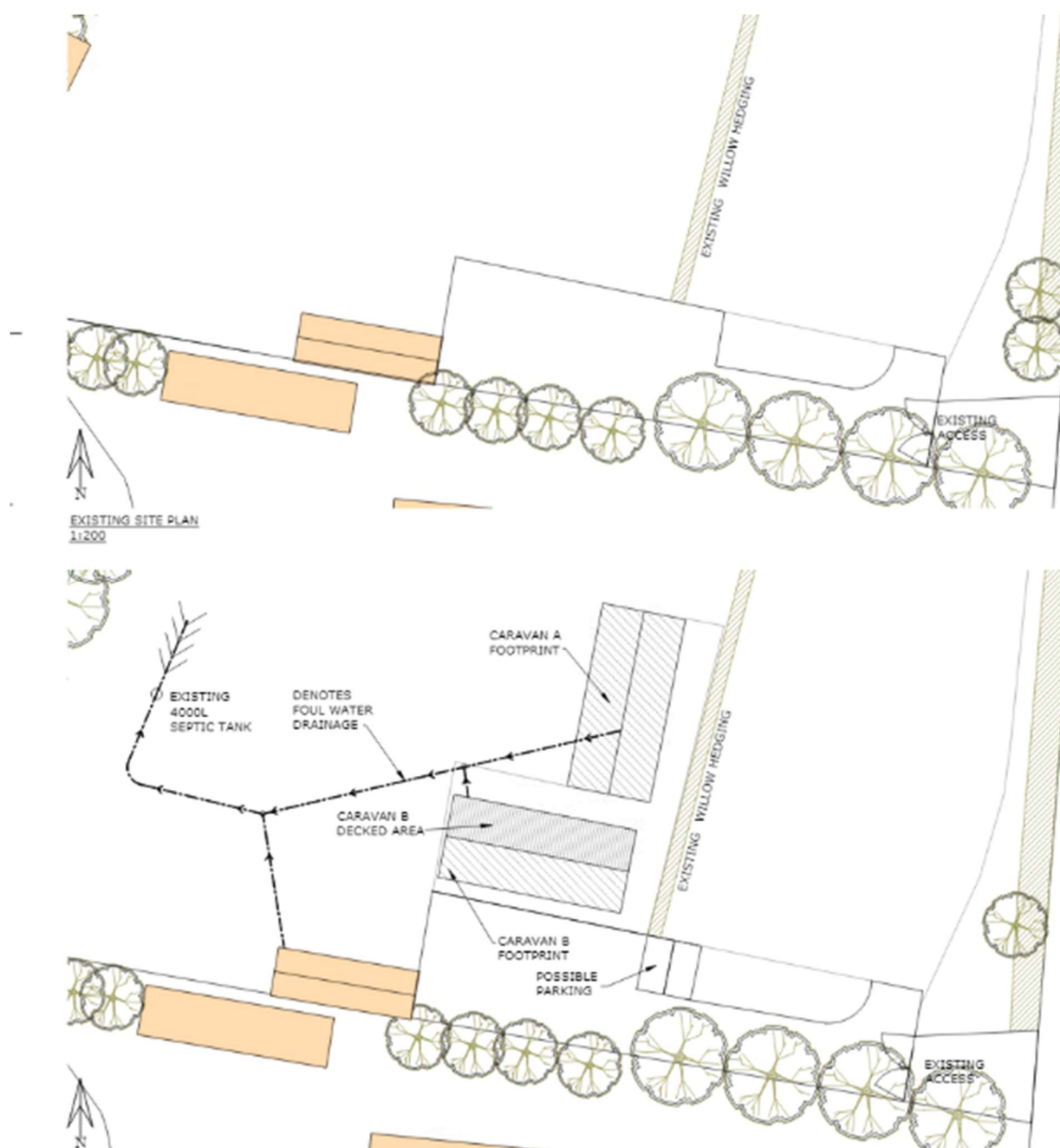
##### **Article 31(1)(cc) Statement - Positive and Proactive Approach**

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, however, the issues with the proposal are matters of principle and could not be overcome.

DM/1127/23/FUL – CARAVAN AT THE SHEPHERDS PURSE, BRADLEY ROAD, BRADLEY



DM/1127/23/FUL – CARAVAN AT THE SHEPHERDS PURSE, BRADLEY ROAD, BRADLEY



**PLANNING COMMITTEE - 10th July 2024**

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

**APPLICATION No: DM/1047/23/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: The Paddocks, Main Road, Brigsley, North East Lincolnshire, DN37 0RF**

**PROPOSAL: Retrospective application for the erection of fencing to front and side boundaries at 1.8m in height (amended plans and description May 2024 to include additional areas of fencing and reduce height)**

**APPLICANT:**

Mr Nicky White  
The Paddocks  
Main Road  
Brigsley  
North East Lincolnshire  
DN37 0RF

**AGENT:**

**DEPOSITED: 25th October 2023**

**ACCEPTED: 8th March 2024**

**TARGET DATE: 3rd May 2024**

**PUBLICITY EXPIRY: 1st June 2024**

**AGREED EXTENSION OF TIME DATE: 12th  
July 2024**

**CONSULTATION EXPIRY: 7th April 2024**

**CASE OFFICER: Becca Soulsby**

**PROPOSAL**

The proposal is a retrospective application for the erection of fencing to the front and side boundaries. The proposal is to retain it but to a lower height of 1.8 metres. The application is brought before committee as a result of a Councillor call-in.

**SITE**

The Paddocks is a large, detached property located to the east side of Main Road. The area surrounding the property is residential in nature, with predominantly detached houses within the vicinity of the application site.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

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

## **REPRESENTATIONS RECEIVED**

Highways - Approval no conditions.

Drainage - No comment.

Heritage - No heritage input required.

Environmental Health - No comment.

Trees and Woodlands - No comments to make in respect of revised scheme.

Ecology - Informative requested regarding nesting bird season.

Brigsley Parish Council - Support amended plans and height reduction to 1.8 metres.

Councillor Jackson as Ward Councillor - Objection received in respect of the fence and colour being out of character. Refers to other sections of fencing erected along Waithe Lane not included within the application.

Councillor Jackson Call in - This fencing faces directly on to the highway at the entry to Brigsley on the B1203 and looks particularly ugly. Reducing its height will not mitigate the



problem. It is hoped that Planning Committee will refuse the application or at least hold a site visit to view the fencing in context. i

## Neighbours

The Barn - Objection received in respect of fence not fitting in with hedge. A reduction in height and colour change would blend in better with existing hedges and trees. Suggestion for hedging to be planted in front of the fence.

## APPRAISAL

### Principle of Development

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

### Design and Impacts to Character of the Area

There are three sections of fencing proposed to be retained through this application, one section is located on the southwest corner boundary of the plot affronting Main Road at the junction of Waithe Lane, with the other two sections located along the southern boundary affronting Waithe Lane.

The fencing to be retained within this application is currently in situ, measuring between 2.5 and 2.7 metres in height from ground level. The fence on the southwest corner boundary spans a width of 7 metres, infilling the gap between the existing high hedging present. The further two sections of fencing along Waithe Lane each span a width of approximately 3 metres.

Negotiations have been undertaken with the applicant, achieving a revised height of 1.8 metres for each section of fencing proposed to be retained. The height reduction of between 0.9 to 0.7 metres is considered to address initial concerns raised over the excessive height of the existing fencing. It is acknowledged that the fence to the southwest corner boundary on the junction of Main Road and Waithe Lane is prominent in position, however the height reduction mitigates the adverse visual impact of the fence on the street scene and wider character of the area having regard to the adjacent landscaped boundary and the more limited extent of the fencing. The other two sections of fencing along Waithe Lane are also to be reduced to 1.8 metres in height, again mitigating any visual intrusion when considered with the landscape and limited extent of the fencing.

There is no impact on trees covered by a Tree Preservation Order and the Trees and Woodlands Officers raises no objection.

Due to the revised scheme received, it is considered that the proposal is now in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Section 12 of the NPPF.

### Neighbouring Amenity

The host property adjoins The Barn and Copperfield to the sides, Wold View and The Thatch at the rear and faces onto various properties along Main Road.

Objections are raised in representations received in terms of the adverse visual impact on the character of the area and this is addressed above. With regard to the actual residential amenity of neighbouring property, due to the location and proposed height of the fence there will be no adverse massing or impact on any residential amenity.

The proposal is considered to be in accordance with Policy 5 of the NELLP 2018.

### Other Considerations

The Council's Highways, Drainage, Heritage and Environmental Health Officer raise no concerns to the revised scheme. Brigsley Parish Council support the amended scheme with the reduction in height to 1.8 metres. The Ecology Officer have requested an informative be attached to the decision in relation to nesting birds.

## CONCLUSION

It is considered that the revised scheme is acceptable in terms of impacts on neighbouring amenity and on the visual appearance of the area. The proposal is therefore deemed to be in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and Section 12 of the National Planning Policy Framework.

## RECOMMENDATION

### Approved with Conditions

#### (1) Condition

The development is approved in accordance with the following plans:

Site Location Plan received 8th March 2024

Block Plan received 8th May 2024

Proposed Fence Elevation (Corner of Main Road and Waithe Lane) received 8th May 2024

Proposed Fence Elevation (Waithe Lane) received 8th May 2024

## Reason

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

## 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 does not harm the area character or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5 and 22.

### 2 Added Value Statement

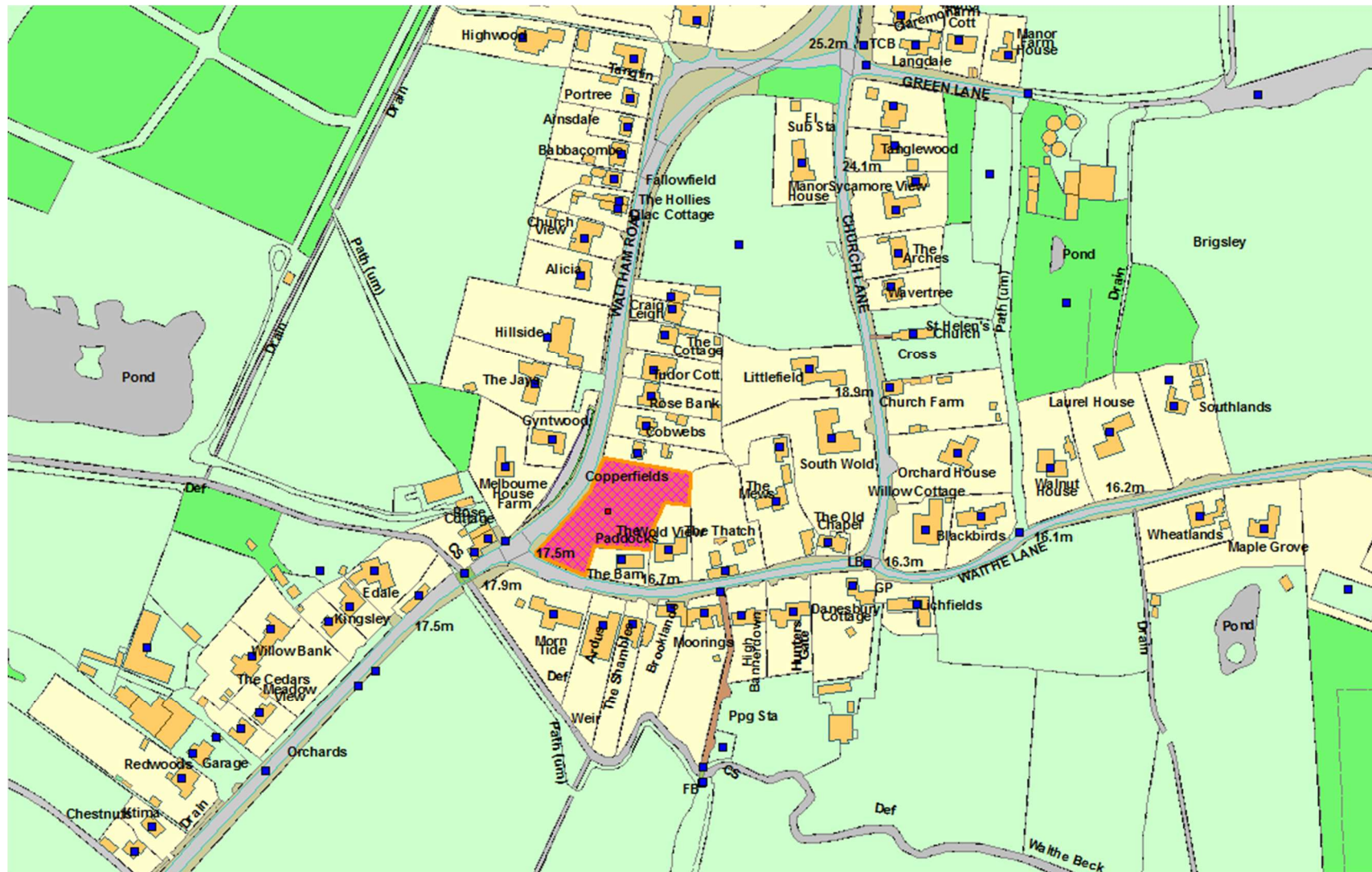
Article 31(1)(cc) Statement - Positive and Proactive Approach

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

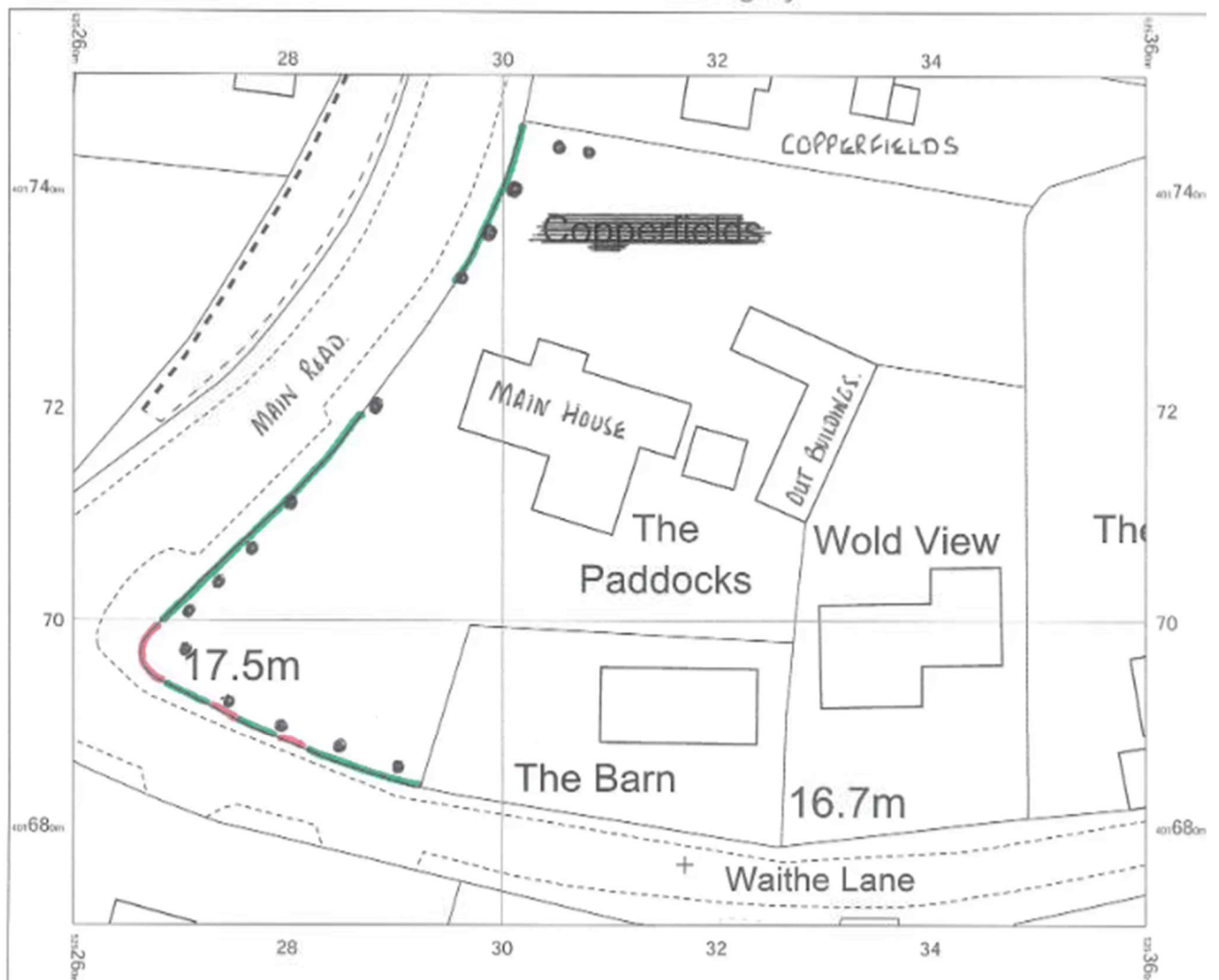
### 3 Informative

The applicant's attention is drawn to comments received by the Ecology Officers in respect of standing advice for bats and birds.

DM/1047/23/FUL – THE PADDOCKS, MAIN ROAD, BRIGSLEY



DM/1047/23/FUL – THE PADDOCKS, MAIN ROAD, BRIGSLEY



**PLANNING COMMITTEE - 10th July 2024**

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

**APPLICATION No: DM/0790/23/REM**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Land Rear Of, 32 - 64 Humberston Avenue, Humberston,  
North East Lincolnshire,**

**PROPOSAL: Variation application of condition 10 (Approved Plans) as granted on  
DM/0851/15/REM to relocation of LEAP (Locally Equipped Area of Play), amended  
landscaping and position of footpath (Amended playground detail and  
landscaping) (Amended Plans - June 2024)**

**APPLICANT:**

Bethany Yeadon  
Persimmon Homes South Yorkshire  
Brickyard Way  
Harworth  
DN11 8FG

**AGENT:**

**DEPOSITED: 8th August 2023**

**ACCEPTED: 15th August 2023**

**TARGET DATE: 14th November 2023**

**PUBLICITY EXPIRY: 6th July 2024**

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY: 30th November  
2023**

**CASE OFFICER: Jonathan Cadd**

**PROPOSAL**

This application seeks to address the requirements of the s106 legal agreement which was attached to Hybrid Planning Permission DC/268/13/HUM appeal. ref. no. APP/B2002/A/13/2203957 for the provision of children's play area including the provision of children's play equipment within it.

The development of the 339 houses has been built out with the landscaping area the last to be completed. The previous reserved matters application approved on site did not address the provision of the play area and this current application therefore seeks to ensure the development accords with the overall hybrid site wide approval. The previously agreed landscaping plan and public footpath has to be modified to

accommodate the play area.

The application is presented to Planning Committee due to the number of objections received.

## **SITE**

Established housing estate to the south of Humberston Avenue. The housing areas approved either side of the central landscaped wedge is currently in the process of being laid out. Houses face onto to this landscaped wedged area along each side for its full length. The area which is proposed to be the play ground area is presently used as a site compound.

The site is an allocated housing site within the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018), policy 13, ref. no. HOU46 whilst the open space is allocated as Proposed Open Space and Woodlands, policy 43 of the NELLP.

## **RELEVANT PLANNING HISTORY**

DM/0851/15/REM Reserved matters pursuant to planning application DC/268/13/HUM (Hybrid application for the erection of 339 dwellings(C3), a primary school(D1), a community building(D1), allotments, play areas, landscaping, new access & associated on-site infrastructure (Outline). Also the erection of 46 dwellings (C3) with associated landscaping & access (Full)) for 323 dwellings with associated open space and landscaping. Approved 2017.

DC/268/13/HUM: Erection of 339 dwellings, a primary school, community building, allotments, play areas, landscaping, new access and associated on site infrastructure, vehicle access roads, public open space and landscaping and also including erection of 46 dwellings with associated landscaping and access submitted on behalf of the owner. This was refused but allowed at appeal: ref. no. APP/B2002/A/13/2203957 which including a s106 legal agreement an the requirement to provide a children's play area including children's play equipment.

## **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**

Humberston Village Council: No objection but the Council reference that the LEAP is inadequate for a development of this size. Larger and multi age facilities should be provided.

Trees and Woodlands: Considers the scheme broadly acceptable. No major objections re the play area although having clear views of it will detract from the landscaping. Size of trees at planting requires significant maintenance and this is a concern and could lead to heavy losses due to lack of maintenance a can be seen already. Differing areas of concern due to some being in plots and others in open space.

Ecology Manager: As the central area of wildflower has been lost, if a seed mix such as Emorsgate EM1, a wildflower lawn mix tolerant of regular mowing, is used for the amenity grass instead of 'proposed turf' then this would be acceptable.

Rights of Way: No objection.

NELC Grounds Maintenance: No response

Grimsby and District Civic Society: Reference to potential anti social behaviour, the need for the footpath to be lit, need for proper maintenance. Further confirmation of landscaping details addresses some concerns reduced.

Police: It is useful to have a play area with good surveillance so landscaping should not block informal views from adjoining properties with high trees and bushes. Bin proposals need to be securely installed so that they are not dragged across the site and set fire (more of an issue with domestic bins). Secure fencing should be proposed and dog grates to stop dogs entering the play area. Signage outlining play age. Secure by Design gives advice on secure fencing designs. Consideration should be given to older child provision so they do not hand round play areas for younger children causing damage and anti-social activities.

Humberside Fire and Rescue: Provides general advice and requests advice notes

Northern Power Grid: Provides advice and approximate locations of services - requests advice notes

Anglian Water: No objection



Environment Agency: No comment

NE Drainage Board: No comments

Drainage: No comment

Heritage Officer: No input required.

Env Protection: No objection.

East Lindsey District Council: No comments to make.

Publicity, Site Notice and neighbours:

Support & Objection - 24 Clubhouse Way, 25 Heathland Way:

There is a need for facilities for children, but the lack of proposals for older children could cause anti-social behaviour at the proposed facilities after dark. Requested greater screening and fencing to the front of facing properties. Planting should be started as soon as possible to allow it to mature. It should not be down to locals to police such areas.

Objections: 33 Heathland Way, 9 Fairway Drive:

Properties were purchased as they looking onto landscaped green spaces which would provide a tranquil setting, which came at a premium, and at no time was there any mention of a play area. Extra planting is required as a minimum to re-instate privacy homeowners were promised. Now will have ugly play equipment to look at and will suffer noise and nuisance.

Significant concerns over the use of the area and anti-social behaviour. It should be sited further to the south where there is less housing and so less chance of nuisance. The playground should be supplied in a lockable high fenced area like at Weelsby Woods.

It should be located back to where it was originally proposed closer to Eagle Drive

Condition of current landscaping is shoddy.

Its good footpath is being reinstated but what is to stop motorbikes using it?

Neutral: 23 Parklands Avenue, 9 Albertross Drive

It is not clear as to the nature of the alterations

Further comments provided by 9 Albertross Drive relate to a different proposal.

## **APPRAISAL**

The main issues in this application are:

- 1) Principle of a play area in this location and public footpath.
- 2) Suitability of play area and equipment.
- 3) Residential amenity and safety
- 4) Accessibility
- 5) Landscaping and ecology

- 1) Principle of a play area in this location and public footpath

The play area proposed is a requirement of the hybrid planning approval granted at appeal in 2013, ref. no. APP/B2002/A/13/2203957, LPA ref: DC/268/13/HUM and its associated s106 legal agreement. This appeal allowed not just 339 houses but also associated infrastructure, access, education contributions, affordable houses and landscaped amenity space including the requirement for a children's play area with children's play equipment. The landscaped amenity space is in the process of being created and this current application seeks to agree the location and detail of the play area and equipment, with associated amendments to the previously agreed landscaping scheme and footpath network within this central 'wedge' section of the site. As such the principle of having a children's play area within this area was established at the same time as hybrid application for the whole estate and this application is the vehicle to deliver this community facility.

The play area and footpath proposal would form a multi-functional network of open spaces within the centre of the site to aid recreation, amenity, ecological enhancement and accessibility for all within the estate. This would accord with the principle of policy 43 of the NELLP which seeks to safeguard and enhance public green spaces, sport and recreation and equipped play facilities within the borough.

- 2) Suitability of play area and equipment

The applicant is required by the S106 to provide an area within the public open space designated for the installation of the children's play equipment. Children's play equipment is defined within the s106 legal agreement as children's play equipment to be installed within the children's play area. Policy 43 of the NELLP also provides further guidance by stating children's play should incorporate 0.1ha per 1000 population of designated equipped playing space within 800m of its population for all developments over 50 units. The sub paragraphs of policy 43 also points to the Fields In Trust (FIT) guidance. This indicates that for 201 - 500 dwellings a LAP (Local Area for Play) and LEAP (Locally Equipped Area for Play) should be provided along with a multi-use games area (MUGA)

and a contribution to a NEAP (Neighbourhood Equipped Area for Play). This housing development was approved in 2013 before the current standards were adopted in 2018. The s106 legal agreement is clear that only 'an area' of children's play space is created not multiple areas. Similarly, the s106 does not require a MUGA nor a contribution to the Neighbourhood Area of Equipped Play. Similarly, as only one area of play is required by the s106 legal agreement a LEAP is the more established area of play which would accord with the overall requirements of the 2013 permission allowed on permission. It should also be noted that the estate currently incorporates a number of smaller local areas of informal amenity space for informal play and there is the extensive open grassed areas of the central section of the site suitable for more extensive play.

General guidance recommends that a LEAP should be 400m<sup>2</sup> in area and be 20m from the nearest dwelling and have 6 play experiences. These should be surrounded by 1m high fencing and gates, bench and include a litter bin. Following amendments the scheme now slightly exceeds the area of play and meets the required number of play pieces. As such it is considered that the scheme meets the requirements of the s106 in terms of the quality and quantity of play equipment.

### 3) Residential amenity and safety

A number of concerns have been raised with respect to residential amenity and safety. The overall design of the site is one which has a large green wedge to the centre of the site with a large number of houses facing onto it providing natural surveillance. With or without a playground this area will provide amenity space for all within the estate, and this, in itself, could cause nuisance. The play area is located reasonably centrally within the open space and there are a large number of two-storey houses overlooking this area. It is also at least a 20m distance from the closest dwellings protecting amenity. The site area around the playground would be landscaped and in accordance with the previously approved scheme 1 - 1.5m high hedging would be planted to the edge of the central open space including the playground area. It would also provide a number of sporadic trees which would filter views of the open space rather than providing a full screen. This would assist to reduce the impact of the playground on the surrounding residential area but at the same time maintain surveillance too. Whilst hedges are proposed, the management plan required under the original s106 is such that it seeks to limit hedge heights to 1 - 1.5m to maintain surveillance. The playground is also adjoined by open space and/or footpath on three sides so that this would also provide some surveillance. This would reach a reasonable balance in the competing pressures of nuisance, surveillance and screening.

Particular concerns have been raised that the play area would be misused by older children. Whilst this is an issue that cannot be ruled out, the prominence of the playground within this central open area and its visibility from houses is such that it would assist to dissuade anti-social behaviour, whilst the extensive nature of the open area would provide greater opportunities for older children to congregate informally for recreation.

The installation of 1m high gates and railings would also assist to keep out dogs and animals keeping the area clean and safe.

It is noted that the police have outlined the importance of surveillance, gated and fenced play area. Whilst they note the need for the provision for older children, to assist to limit potential miss use of the play area this is not a specific requirement of the original S106 agreement nor that a NEAP or MUGA should be provided.

As such it is considered that the proposal would maintain amenity and safety in accordance with policies: 5 and 43 of the NELLP.

#### 4) Accessibility

The site is located so that it is accessible for the highest number of children possible, some 400m from most properties on the estate which is the deemed an appropriate distance for this type of equipment.

The ground levels at this point are flat with accessibility aided by the proposed footpath network. The relocation of the footpath to accommodate the play area would place it back onto the original public footpath location and this is supported by the rights of way officer. Its location would extend roughly centrally within this main open landscape area allowing people to enjoy the open space, be overlooked but also be far enough away from the facing houses to maintain householders amenity.

#### 5) Landscaping and ecology

Although the landscaping scheme for the estate as a whole has already been approved, the approved scheme did not include the play area and to accommodate it the footpath network has also had to change. This has impacted on the landscaping scheme within the central area of open space. The proposed scheme nevertheless seeks to lay out a mix of amenity grass and meadow grass to allow both recreation and wildflower areas to be formed. This would be bounded by hedging and trees to each side of the central area with groupings of trees within it. Such an arrangement would create an attractive area. Within the actual residential areas either side of the wedge the landscaping remains largely as approved with few changes noted where subsequent amendments to individual houses/ areas have occurred previously.

The Trees and Woodlands officer and Ecology Manager have not objected to the scheme following modifications but requires that management of the scheme to be fully implemented and maintained to ensure the scheme reaches its potential.

It is noted that this application was submitted prior to Biodiversity Net Gain (BNG) being required and in any case relates to amendments to a scheme which was approved before BNG. As such this is not a consideration in this case.

## **CONCLUSION**

The proposed amendments to the scheme would provide a Local Equipped Area of Play (LEAP) to seek to meet the needs of children as required under the original hybrid planning approval for this housing estate in 2013. It would meet the standards for a LEAP and would be located in an area which would be accessible for most children within the estate. It would also provide a reasoned balance between competing pressures of residential amenity, accessibility and security. In addition, the public footpath would be acceptable within its proposed location whilst the landscaping and planting would provide an attractive area to live within and use, balancing the need for recreation and ecological support. The proposal would therefore accord with policies: 5, 22, 41 and 43 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

## **RECOMMENDATION**

### **Approved with Conditions**

#### **(1) Condition**

The scheme of landscaping and tree planting shown on the approved plans shall be completed within 12 months of the date of this permission or within such longer period as may be first agreed in writing by the Local Planning Authority.

The approved plans are as follows:

Landscape Masterplan - R/1762-1G  
Landscape Masterplan - R/1762-2E  
Landscape Masterplan - R/1762-3H  
Landscape Masterplan - R/1762-4G  
Landscape Masterplan - R/1762-5E  
Landscape Details - R/1762-6E  
Landscape Details - R/1762-7D  
Landscape Details - R/1762-8D  
Landscape Details - R/1762-9C  
Landscape Details - R.1762-10C  
Landscape Details - R.1762-11  
Landscape Details - R.1762-12  
Landscape Details - R.1762-13  
Landscape Details - R.1762-14  
Landscape Details - R.1762-15D

Landscape Details - R.1762-16E  
Landscape Details - R.1762-17B  
Landscape Details - R.1762-18  
Landscape Details - R.1762-19B  
Landscape Details - R.1762-20A  
Playground Design - Q4979 rev E

All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

**Reason**

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity and to accord with policies 5, 22 and 43 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

**(2) Condition**

No trees/hedges on the site shall be wilfully damaged, cut-down, up-rooted, pruned felled or destroyed without the prior written consent of the Local Planning Authority and any trees/hedges on the site at the date of application (and which are shown for retention as part of any scheme approved in writing by the Local Planning Authority) shall, if they are removed or die, be replaced within 12 months by the planting of more live specimens in such numbers as may be approved in writing by the Local Planning Authority.

**Reason**

To preserve and ensure the continuity of existing landscape features in the interests of local amenity and to accord with policies: 5, 22, 41 and 43 of the North East Lincolnshire Local Plan 2013 and 2032 (adopted 2018).

**(3) Condition**

The details of the type and location of tree protection fencing to be installed as approved by the Local Planning Authority under condition discharge application DM/0994/17/CND and erected shall be retained on site until construction works are complete. Unless, otherwise agreed in writing by the Local Planning Authority.

**Reason**

To protect the health of existing trees to accord with policies 5 and 41 of the North East Lincolnshire Local Plan 2013 to 2032 (adopted 2018).

**(4) Condition**

The access shall be constructed in strict accordance with plan J-D 1087.00 Rev R2. Unless, otherwise submitted to and agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety and to accord with policies 5 and 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(5) Condition

The development hereby permitted shall be constructed in accordance with those highway design details approved under DM/0512/18/CND and shall thereafter be so retained.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons and to accord with policies 5 & 36 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(6) Condition

The development hereby approved shall be completed in strict accordance with the approved foul water drainage scheme (including off site upgrades to the foul drainage network) approved under condition discharge approval DM/0512/18/CND prior to the final dwelling being occupied, unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure appropriate capacity is available in the foul drainage network at the point at which units are occupied and to accord with policies: 5 and 33 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(7) Condition

The development hereby approved shall be completed in strict accordance with the approved surface water drainage scheme approved under planning permission DM/0851/15/REM and condition discharge approval DM/0512/18/CND, prior to the final dwelling being first occupied, unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure appropriate capacity is available in the surface drainage network at the point at which units are occupied and to accord with policies: 5 and 33 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(8) Condition

The approved play area and equipment shall be installed within 12 months of the date of this permission. Prior to the first use of the play area, a management and maintenance

plan for the play area shall be submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall be thereafter be implemented and retained as such thereafter.

#### Reason

To ensure an acceptable residential development and to maintain health and safety and the appearance of the area in accordance with policies 5 and 43 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

#### (9) Condition

The development shall be carried out in accordance with plans approved :

As part of the original application DM/0851/15/REM:

Site Location Plan - SK03-D REV A

Site Layout - 700-101 Rev A

Bickleigh (Handed) - Plans and Elevations - BK-WD10 REV B

Carnaby (Handed) - Plans and Elevations - CB-WD10 REV D

Clayton (Handed) - Plans and Elevations - CCA-WD10 REV G

Compton (Handed) - Plans and Elevations - CM-WD10 REV J

Fenchurch (Handed) - Plans and Elevations - FH-WD10 REV F

Hatfield (Handed) - Plans and Elevations - HT-WD10 REV R

Harley (Handed) - Plans and Elevations - HY-WD10 REV K

Marlborough (Handed) - Plans and Elevations - MB-WD10 REV E

Maryleborne (Handed) - Plans and Elevations - ME-WD10 REV E

Morden (Handed) - Plans and Elevations - MR-WD10 REV K

Moseley (Handed) - Plans and Elevations - MS-WD10 REV M

Rufford (Handed) - Plans and Elevations - RF-WD10 REV R

Roseberry (Handed) - Plans and Elevations - RS-WD10 REV S

Winstar (Handed) - Plans and Elevations - WS-WD10 REV T

Landscape Masterplan - R/1762/4B

Topographical Survey - 2187.E002

Landscape Details - R/1762-10A

Gold Standard Planting Detail - R/1762-12

Silver Standard Planting Details - R/1762-13

Bronze Standard Planting Details - R/1762-14

Landscape Masterplan - R/1762-1B

Landscape Masterplan - R/1762-3B

Landscape Masterplan - R/1762-5A

Landscape Details - R/1762-6A

Landscape Details - R/1762-7A

Landscape Details - R/1762-8A

Landscape Details - R/1762-9A

Bond - Proposed Plans and Elevations - BD-WD01

Carnaby - Proposed Plans and Elevations - CB-WD01



Compton - Proposed Plans and Elevations - CM-WD01  
Fenchurch - Proposed Plans and Elevations - FH-WD01  
Hayden - Proposed Plans and Elevations - HD-WD01  
Harley - Proposed Plans and Elevations - HY-WD01  
Marlborough - Plans and Elevations - MB-WD01  
Maryleborne - Plans and Elevations - ME-WD01  
Bickleigh - Proposed Plans and Elevations - MILLENNIUM PARK/BI/A3-PLANNING/01  
Clayton - Proposed Plans and Elevations - MILLENNIUM PARK/CA/A3-PLANNING/01  
Hanbury - Proposed Plans and Elevations - MILLENNIUM PARK/HA/A3-PLANNING/01  
Hatfield - Proposed Plans and Elevations - MILLENNIUM PARK/HT/A3-PLANNING/01  
Morden - Proposed Plans and Elevations - MILLENNIUM PARK/MN/A3-PLANNING/01  
Moseley - Proposed Plans and Elevations - MILLENNIUM PARK/MS/A3-PLANNING/01  
Oxford - Proposed Plans and Elevations - OX-WD01  
Portland - Proposed Plans and Elevations - PD-WD01  
Chedworth - Proposed Plans - HUMBERSTON/CD/A3-PLANNING/01  
Chedworth - Proposed Elevations - HUMBERSTON/CD/A3-PLANNING/02  
Rufford - Proposed Plans and Elevations - MILLENNIUM PARK/RF/A3-PLANNING/01  
Roseberry - Proposed Plans - MILLENNIUM PARK/RS/A3-PLANNING/01  
Roseberry - Proposed Elevations - MILLENNIUM PARK/RS/A3-PLANNING/02  
Winster - Proposed Plans - MILLENNIUM PARK/WS/A3-PLANNING/01  
Winster - Proposed Elevations - MILLENNIUM PARK/WS/A3-PLANNING/02  
Estate Management Plan - 700/005

As part of variation application DM/0790/23/REM the development shall be in accordance with approved landscaping and play area plans and details submitted to and approved by the Local Planning Authority including:

Landscape Masterplan - R/1762-1G  
Landscape Masterplan - R/1762-2E  
Landscape Masterplan - R/1762-3H  
Landscape Masterplan - R/1762-4G  
Landscape Masterplan - R/1762-5E  
Landscape Details - R/1762-6E  
Landscape Details - R/1762-7D  
Landscape Details - R/1762-8D  
Landscape Details - R/1762-9C  
Landscape Details - R.1762-10C  
Landscape Details - R.1762-11  
Landscape Details - R.1762-12  
Landscape Details - R.1762-13  
Landscape Details - R.1762-14  
Landscape Details - R.1762-15D  
Landscape Details - R.1762-16E  
Landscape Details - R.1762-17B  
Landscape Details - R.1762-18  
Landscape Details - R.1762-19B

Landscape Details - R.1762-20A  
Playground Design - Q4979 rev E

#### Reason

For the avoidance of doubt and in the interests of proper planning and to accord with policies: 5, 13, 22, 33, 34, 36, 38, 41 and 43 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

### **Informatives**

#### 1 Informative

Existing ground levels must not be raised or surface water run off problems may be caused to adjoining land and property.

#### 2 Informative

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

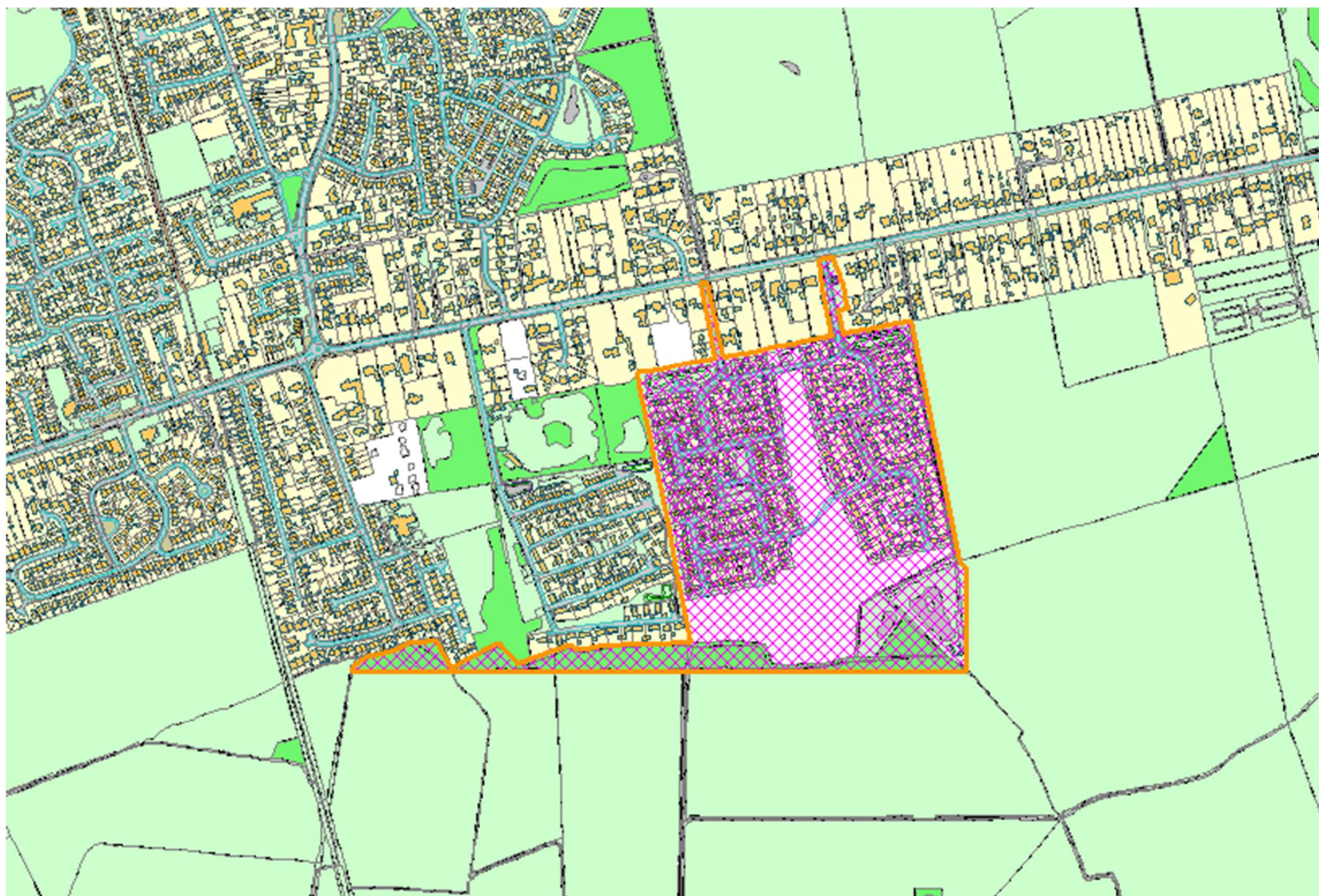
#### 3 Informative

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan 2013 - 2031 (adopted 2018). The amendments to the approved plans through would not harm the area character or residential amenity and indeed would enhance recreation and amenity through the proposed play equipment, footpath and landscaped areas 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) and in particular policies: 5, 13, 22, 33, 34, 36, 38, 41 and 43.

#### 4 Added Value Statement

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 additional play equipment and amendments to landscaping to alleviate ecology concerns.

DM/0790/23/REM – LAND REAR OF 32-64 HUMBERSTON AVENUE, HUMBERSTON





[illegible]

TO BE READ IN CONJUNCTION WITH 1/1500 MASTERPLAN  
EAST AND WEST SECTORS - R/1762/2D AND R/1762/3H  
FOLLOWING DETAIL SHEETS

**PLANNING COMMITTEE - 10th July 2024**

**ITEM: 4**                      **RECOMMENDATION: Approved with Conditions**

**APPLICATION No: DM/0113/24/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: 9 St Lukes Grove, Humberston, North East Lincolnshire, DN36 4DU**

**PROPOSAL: Retrospective application for the removal of hedge on front boundary and erect 1.3 metre high fencing to front boundary (amended plans to reduce fence height from 1.8 metres and amended description June 2024)**

**APPLICANT:**

Mrs S Haith  
9 St Lukes Grove  
Humberston  
North East Lincolnshire  
DN36 4DU

**AGENT:**

Mr Jonathan Lord  
RJ Design Architecture Ltd  
162 Eastgate  
Louth  
LN11 9AB

**DEPOSITED: 1st February 2024**

**ACCEPTED: 21st March 2024**

**TARGET DATE: 16th May 2024**

**PUBLICITY EXPIRY: 1st July 2024**

**AGREED EXTENSION OF TIME DATE: 12th July 2024**

**CONSULTATION EXPIRY: 1st July 2024**

**CASE OFFICER: Becca Soulsby**

**PROPOSAL**

The proposal is a retrospective application for the removal of the hedge on the front boundary and the erection of 1.3 metre high fencing, reducing the existing fence height from 1.8 metres.

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

**SITE**

9 St Lukes Grove is a detached property located to the west side of the cul-de-sac. The

area surrounding the property is residential in nature, with a combination of detached and semi-detached properties within the immediate vicinity of the application site.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

### National Planning Policy Framework (2023)

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

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

## **REPRESENTATIONS RECEIVED**

### Consultees

Heritage - No heritage input required.

Environmental Health - No comments.

Humberston Village Council - No objections.

Grimsby and Cleethorpes District Civic Society - Preference for hedges to fencing. Notes conifers can be detrimental to wildlife.

Highways - Content with revised height of 1.3 metres.

Drainage - No comments.

### Neighbours

10 St Lukes Grove - Objection to original scheme as fence considered to be an eyesore and which blocks light.

12 St Lukes Grove - Objection to original scheme based on visual impact.

32 Stephen Crescent - Objection to original scheme based on the impacts to privacy.

34 Stephen Crescent - Objection to original scheme due to ownership of hedges to the

side boundary.

The re-consultation period for the application expires on Monday 1st July 2024. Any subsequent correspondence will be forwarded to the committee ahead of its meeting.

## **APPRAISAL**

### **Material Planning Considerations**

#### **Principle of Development**

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

#### **Design**

The proposal is a retrospective application for the removal of the hedge on the front boundary and the erection of a 1.3 metre high fence, reducing the existing fence height from 1.8 metres.

The existing close-board fence is in situ and measures 1.8 metres in height. Through negotiations with the applicant, a revised scheme has been achieved to reduce the height of the fence along the front boundary from 1.8 metres in height to 1.3 metres in height. This will enable the fence to assimilate into the street scene and surrounding area more appropriately and reduce the visual impact and prominence of it in this regard.

It is therefore considered that at a reduced height, there would be no adverse impact on the street scene and wider area with the proposal deemed to be in accordance with Policies 5 and 22 of the NELLP 2018.

#### **Neighbouring Amenity**

The host property adjoins 7 and 11 St Lukes Grove to the sides, 32 and 34 Stephen Crescent at the rear and faces onto various properties within St Lukes Grove at the front. In terms of neighbour representations, four objections to the proposal have been received.

In respect of the concerns raised in relation to the hedges proposed along the side and rear boundaries, the scheme has been revised to omit the fencing originally proposed along these boundaries. Therefore there is no impact in this regard.

Concerns raised on the visual impact of the fencing currently in situ are acknowledged. In light of concerns raised, negotiations have been undertaken with the applicant to achieve a 0.5 metre reduction in height of the current fence in situ from 1.8 metres to 1.3 metres.

The revised height of the fence will mitigate the dominance and visual impact of the fence on neighbouring properties.

Due to the minor scale and nature of the revised scheme, the application is therefore considered to be in accordance with Policies 5 and 22 of the NELLP 2018.

#### Other Considerations

The Council's Highways, Heritage, Drainage and Environmental Health Officers raise no objections to the scheme. Humberston Village Council raise no objection to the application. Grimsby and Cleethorpes District Civic Society express a preference for hedges to fencing, however the application is for fencing and has been assessed above.

Due to the proposal being submitted under a householder planning application, bio-diversity net gain is not applicable and the application is exempt.

#### **CONCLUSION**

It is considered that the reduced height of the fence will result in no detrimental harm to the amenity of the neighbouring properties or the character and appearance of the area. The application is therefore considered to be in accordance with Policies 5 and 22 of the NELLP 2018 and is recommended for approval.

#### **RECOMMENDATION**

##### **Approved with Conditions**

##### (1) Condition

The development is approved and shall be completed in accordance with the following plan:

23-1570-001 REV B - Site Location Plan, Block Plan, Proposed Elevations

##### Reason

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



## **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 in its amended form would not harm the area character or neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5 and 22.

### **2 Added Value Statement**

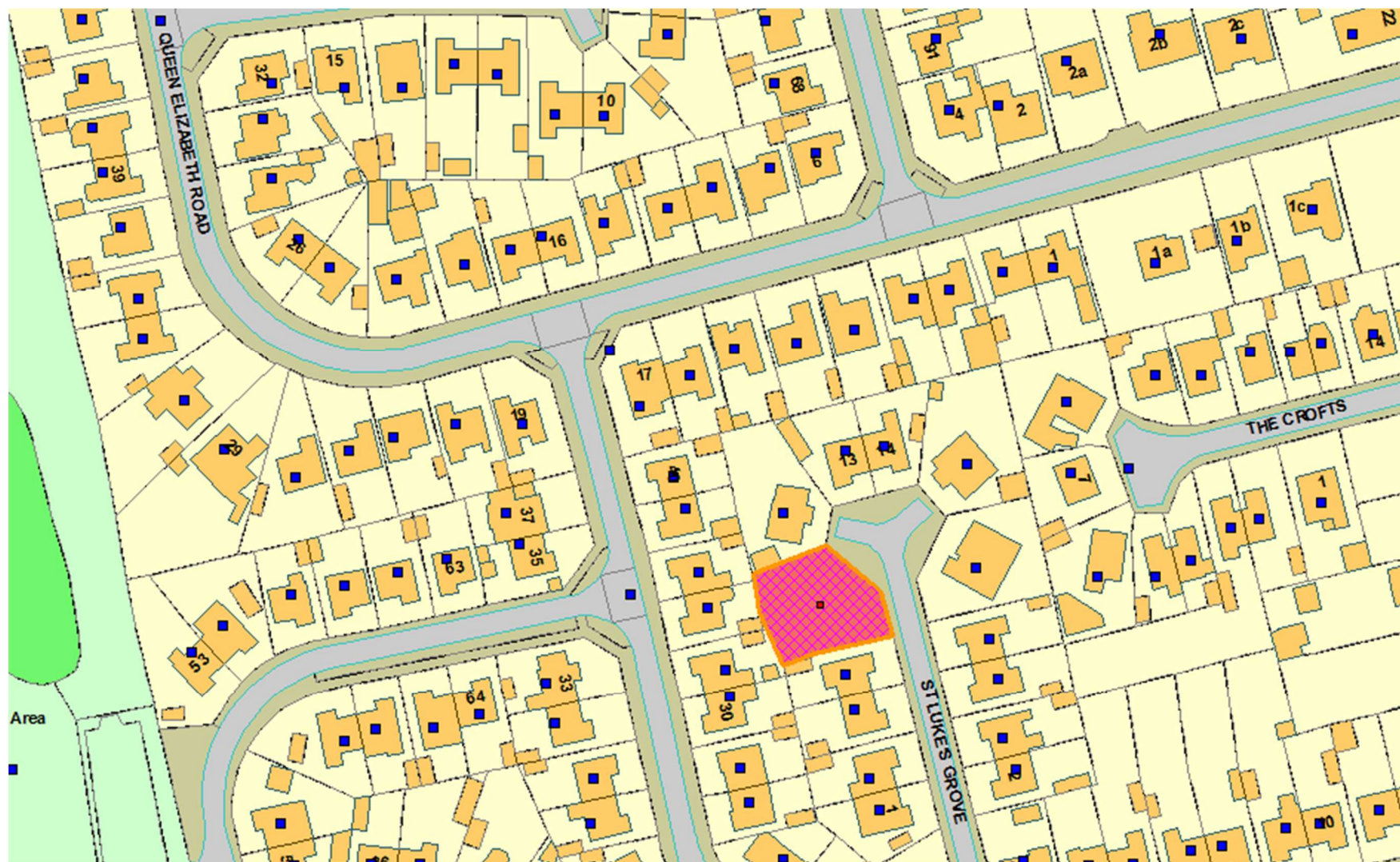
Article 31(1)(cc) Statement - Positive and Proactive Approach

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

### **3 Informative**

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

DM/0113/24/FUL – 9 ST LUKES GROVE, HUMBERSTON



DM/0113/24/FUL – 9 ST LUKES GROVE, HUMBERSTON



**PLANNING COMMITTEE - 10th July 2024**

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

**APPLICATION No: DM/0179/24/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: 19 Sidney Road, Grimsby, North East Lincolnshire, DN34 4AU**

**PROPOSAL: Erect single storey flat roof rear extension, erect single storey front extension to create porch and canopy and various associated works (amended plans May 2024 to remove condenser unit)**

**APPLICANT:**

Mr Ireneusz Trzcinski  
19 Sidney Road  
Grimsby  
North East Lincolnshire  
DN34 4AU

**AGENT:**

Mr Tue Lehrmann  
Lausten Lehrmann  
Studio 1  
Fairbank Studios 2  
65-69 Lots Road  
Chelsea  
London  
SW10 0RN

**DEPOSITED: 19th February 2024**

**ACCEPTED: 23rd February 2024**

**TARGET DATE: 19th April 2024**

**PUBLICITY EXPIRY: 22nd June 2024**

**AGREED EXTENSION OF TIME DATE: 12th  
July 2024**

**CONSULTATION EXPIRY: 18th March 2024**

**CASE OFFICER: Becca Soulsby**

**PROPOSAL**

The proposal is to erect a single storey flat roof rear extension, erect a single storey front extension to create a porch and canopy and various associated works. The application is brought before planning committee due to receiving four neighbour objections.

**SITE**

19 Sidney Road is a mid-terraced property located to the northwest of the road. The area surrounding the property is residential in nature, with terraced and semi-detached

properties within the immediate vicinity of the application site. The application site is located within flood zone 3.

## **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

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 Officer- No heritage input required.

Ecology Officer- Informative requested RE standing advice for bats and birds.

Highways Officer - Approval no conditions.

Environmental Health Officer - No comments.

Drainage Officer - Informative requested RE sustainable drainage.

Neighbours

21 Sidney Road - Objection received relating to blocking natural light and overshadowing, concerns over impact to foundations, drainage concerns, and objections to condenser

unit proposed within initial scheme.

13 Sidney Road - Objection received based on the noise of the condenser unit proposed within initial scheme and concerns over dust.

17 Sidney Road - Objection relating to loss of light and massing, as well as issues relating to the noise of condenser unit proposed within initial scheme.

7 Station Road - Objecting as landlord of 17 Sidney Road, concerns over loss of light, impacts to house value, and concerns over noise from the condenser unit proposed within the initial scheme.

## **APPRAISAL**

### **Principle of Development**

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

### **Design**

The proposal is to erect a single storey flat roof rear extension and erect a single storey front extension to create a porch and canopy with associated works.

The single storey front extension proposed is to project from the existing front elevation by 1.2 metres to accommodate a porch, stepping in to 0.8 metres where the front window is proposed. The extension is proposed to span a width of 4.1 metres across the front of the house, with a hipped roof canopy proposed. The eaves are proposed to sit at 2.6 metres in height, with the maximum overall height proposed at 3.1 metres.

The single storey rear extension proposed is to project from the existing rear wall of the house by 2.9 metres, spanning a width of 4.2 metres. The eaves are proposed to sit at 2.6 metres in height, with the maximum height to the top of the flat roof proposed at 2.8 metres. It is important to note that the single storey rear extension falls within the size and height parameters allowed under permitted development. Therefore, the size and principle of the single storey rear extension proposed is acceptable due to falling within the parameters of permitted development.

The materials proposed in the construction of the extensions are to be similar in appearance to those used in the existing dwelling, with external wall insulation render to the exterior walls, uPVC windows and doors, with grey slate tiles to the roof of the front extension and grey flat roof material to the rear extension.

The host dwelling is able to accommodate extensions and alterations of this scale without becoming overdeveloped. Due to the position of the works proposed they would be visible within the street scene and wider area however there would be no adverse impact

to the character of the area with respect of design. The proposal is therefore deemed to be in accordance with Policies 5 and 22 of the NELLP 2018.

### Neighbouring Amenity

The host property adjoins 17 and 21 Sidney Road to the sides, 45 Yarborough Road at the rear and faces onto multiple properties within Sidney Road at the front. In respect of neighbour representations, four objections from neighbours have been received.

In respect of the concerns raised in relation to the blocking of natural light and overshadowing from the single storey rear extension proposed, the size of the extension fits within the parameters allowed under permitted development. The principle is therefore acceptable.

Both front and rear extensions proposed are to sit adjacent to the side boundaries with the neighbours at 17 and 21 Sidney Road. The rear extension has been discussed above and it is reiterated that this element is permitted development. The single storey front extension is small in scale and minor in nature. It is acknowledged that the single storey front extension would be visible from multiple properties within Sidney Road however there is no adverse impact posed by the extension on neighbouring amenity either by massing or overlooking.

Concerns raised in relation to impacts to foundations do not weigh against such extensions and generally fall under the remit of building regulations and the Party Wall Act. The concern raised in relation to impact on house value is not considered to be a material planning consideration.

The concerns raised in relation to the condenser unit have been addressed, with the scheme having been revised to exclude this from the proposal. There is therefore no impact in this regard.

In relation to residential amenity the proposal is therefore considered to be in accordance with Policies 5 and 22 of the NELLP 2018.

### Other Considerations

The Council's Highways, Heritage and Environmental Health Officers raise no objections to the proposal. The Ecology Officers have requested an informative be attached to the decision in respect of standing advice for bats and birds. The Drainage Officers have requested an informative be attached to the decision in respect of sustainable drainage to manage surface water runoff. Due to the nature of the application being a householder planning application, bio-diversity net gain is not applicable due to the exemption for householder applications.

## **CONCLUSION**

It is considered that the extensions proposed will not have an adverse impact to the amenity of the neighbouring properties, the street scene or the character and appearance of the area. The proposal is therefore considered to be in accordance with Policies 5, 22 and 34 of the NELLP 2018 and is recommended for approval.

## **RECOMMENDATION**

### **Approved with Conditions**

#### **(1) Condition**

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

#### **Reason**

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

#### **(2) Condition**

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

SR 107 - Site Location Plan

SR 107 - Block Plan

SR 102 - Proposed Floor Plans

SR 105 - Proposed Front Elevations

SR109 - Proposed Section

Flood Risk Assessment received 23rd February 2024

#### **Reason**

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

#### **(3) Condition**

The proposal shall be constructed using materials specified within the application form and on the email received 19th June 2024 unless otherwise first approved in writing by the Local Planning Authority.

#### **Reason**

For the avoidance of doubt in the interests of proper planning and in accordance with



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

(4) Condition

The development shall be carried out in accordance with the Householder Flood Risk Form received 23rd February 2024 and shall be retained thereafter unless otherwise approved by the Local Planning Authority.

Reason

In the interests of flood risk and drainage and to accord with Policies 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 neighbouring amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5, 22 and 34.

2 Added Value Statement

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

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

3 Informative

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

Please refer to the drainage officers comments.

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).

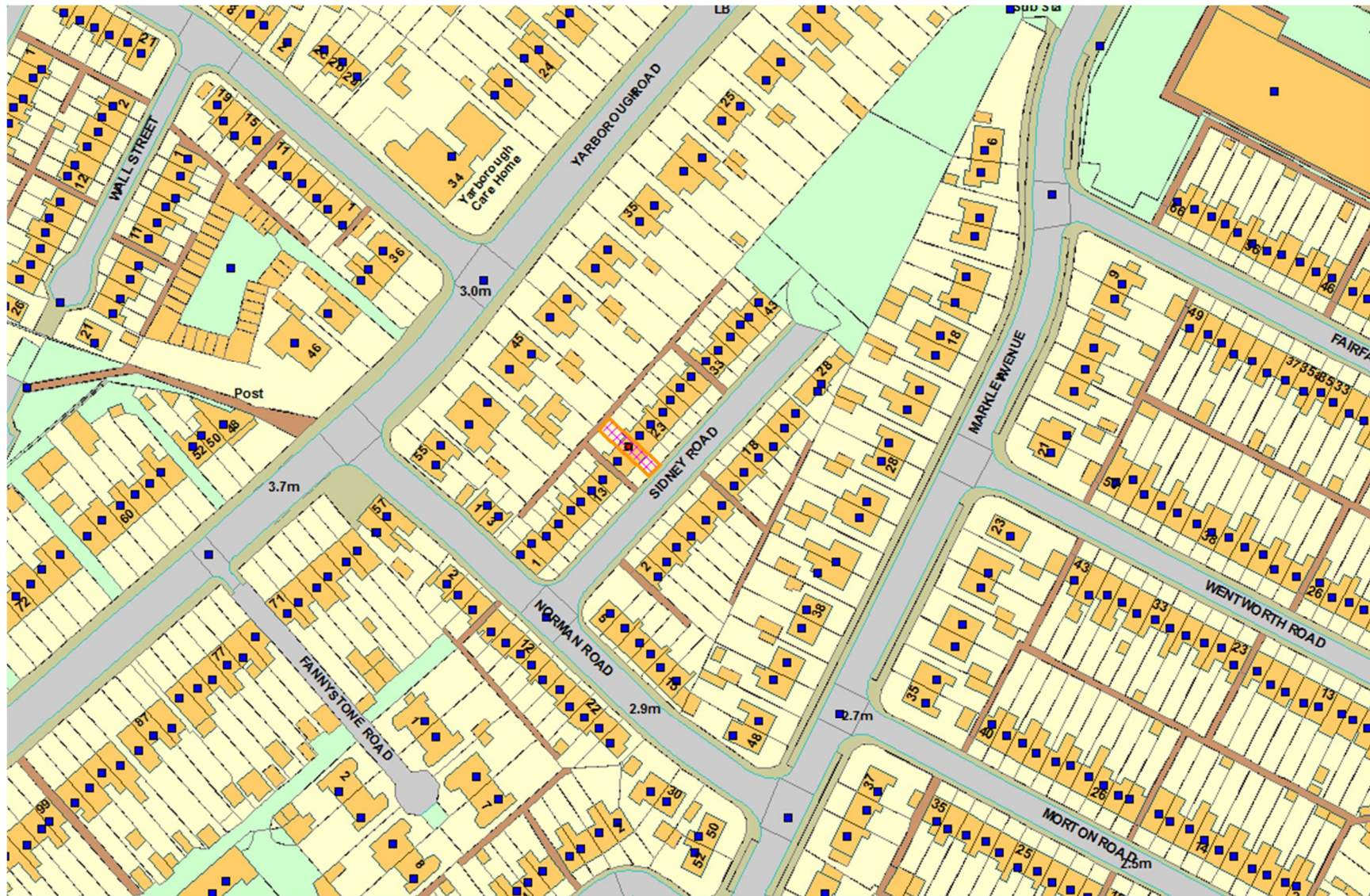
5      Informative

The applicant'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.

6      Informative

The applicant's attention is drawn to comments made by the Ecology Officers in respect of standing advice for bats and birds.

DM/0179/24/FUL – 19 SIDNEY ROAD, GRIMSBY







**PLANNING COMMITTEE - 10th July 2024**

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

**APPLICATION No: DM/0206/24/FUL**

**APPLICATION TYPE: Full Application**

**APPLICATION SITE: Weelsby View , 155 Weelsby Road, Grimsby, North East  
Lincolnshire, DN32 9RY**

**PROPOSAL: Change of use from a Children Homes (C2 Use) to five apartments (C3 Use) including alterations, formations of dormer windows and the formation of a car park area - Flood Risk information received 23-05-24**

**APPLICANT:**

Mr Craig Simpson  
20 Yews Lane  
Laceby  
North East Lincolnshire  
DN37 7SU

**AGENT:**

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

**DEPOSITED: 27th February 2024**

**ACCEPTED: 29th February 2024**

**TARGET DATE: 25th April 2024**

**PUBLICITY EXPIRY: 17th June 2024**

**AGREED EXTENSION OF TIME DATE: 28th  
June 2024**

**CONSULTATION EXPIRY: 17th June 2024**

**CASE OFFICER: Lauren Birkwood**

**PROPOSAL**

This proposal seeks planning permission to change the use of a children's care home at 155 Weelsby Road in Grimsby into five self-contained apartments. It also includes the erection of two rear dormer extensions to achieve the desired floor space, formation of a new car parking area and various external alterations including altered brickwork and the installation of window frames and doors.

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

## **SITE**

The proposal site is a detached two storey property located on the corner of Weelsby Road and Heneage Road in Grimsby. The property benefits from a front and rear garden which are modest in size. The boundaries on the site vary including fencing and landscaping. To the rear of the property, from Heneage Road, is access to car parking.

## **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  
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

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. Conditions recommended.

Council's Drainage Officer - The proposed use of permeable paving is acceptable for the hardstanding area.

Council's Heritage Officer - No comments.

Council's Tree Officer - No objections.

Grimsby, Cleethorpes & District Civic Society - No objections. Concerns raised regarding parking.

Environment Agency - No objections.

Neighbour Representations

412, 429 & 431 Heneage Road, Grimsby and 2 Responso Avenue, Grimsby - Objects to the proposal regarding parking and highways impacts, and noise issues.

## **APPRAISAL**

The key planning material considerations are:

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

Principle of Development

The site is within Grimsby's urban area. Policy 5 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018) does not prohibit such uses or 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 the number of residential units at the site to five, 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 Grimsby. As such, the proposal is acceptable in principle under Policy 5 of the North East Lincolnshire Local Plan 2013- 2032 (Adopted 2018) and it falls to judge the application on the site specific impacts.

Visual Amenity

The proposal would change the use of a children's care home into five self-contained apartments, with the erection of a two dormer extensions to the rear. This offers the opportunity to positively upgrade the character and contribution the building makes to the area and achieve the desired floor space for five apartments. The dormer extensions and alterations would be seen in the context of the immediate area from Heneage Road. The

ridge of the dormer extensions would be in line with that of the existing roof, ensuring they would not be directly viewable from Weelsby Road. Also, the extensions would be externally faced in materials that would match those used in the construction of the existing dwelling, and this would therefore ensure the character and appearance of the building and wider area is maintained. There is no adverse impact on the setting of nearby listed buildings under Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Existing boundary fencing and landscaping would define the residential curtilage to the property and would retain the character and appearance of the site. Furthermore, bin and cycle storage is proposed behind the existing fencing and therefore would not be viewable. The works are reflective of other schemes in the local area and would not be visually out of character. As such, the proposal would not harm visual amenity and accords with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

### Residential Amenity

The site is in a predominately residential area. The dormer extensions would not cause overlooking concerns given their rear location on the property and the separation to adjacent properties on the other side of Weelsby Road and those located on Heneage Road. Such relationships exist commonly throughout residential areas, as does the existing window to window relationship. It is noted that there is a window situated on the side elevation of the closest neighbouring property, 420 Heneage Road, to the rear of the site. However, this window is obscured glazed and is not a habitable room. There would be no massing or dominance concerns given the nature of external works and their location on the site.

It is not expected the change in use itself would be of detriment to neighbours. There should be no adverse impacts as a result of activity at the site. Policy requires that the amenities of future residents be considered. The proposal includes an area of amenity to the front and rear of the site. This is considered to be sufficient to serve the proposed flats given their scale. Flats would have direct access onto the street (Weelsby Road and Heneage Road).

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

It is noted that comments have been received with concerns regarding traffic and parking. The site is within a sustainable location in Grimsby with bus links close by. Additional dwellings are unlikely to generate significant traffic movements. An access is proposed from Heneage Road into the site. There is on street parking in the vicinity which is considered adequate to cater for additional properties and there would also be off-street parking and cycle facilities available for all properties within the site.



Given the site's position and the on/off street parking provision available, subject to conditions, there are no highway objections. 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 slightly within Flood Zone 2 as identified on the Environment Agency flood maps and not within the Council's Strategic Flood Risk Assessment. The Flood Risk Assessment provided confirms that "using the two breach hazard maps for the year 2115 for the 1 in 200 and 1 in 1000 year scenarios, the site is outside of flood risk areas". The Environment Agency has confirmed they have no objections to the development. A sequential test is not needed for change of use applications. There are no flood risk concerns in terms of this proposal.

In terms of surface water drainage, the Council's Drainage Officer has reviewed the details provided and have confirmed they have no objections to the development. 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**

There are trees and hedging within the site. The details provided show that the existing landscaping within the site would be retained. The Council's Tree Officer has reviewed the details and confirmed they have no objections. The proposed therefore accords with policy 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

## **CONCLUSION**

The proposal to change the use of a Children's Care Home into five apartments with associated works is considered to be acceptable and compatible in this area. The impacts to the building, to amenity and to the locality are deemed to be acceptable and not adverse. Matters relating highways, parking, flood risk, drainage and landscaping have all been assessed and deemed to be satisfactory. The application can therefore be approved in accordance with policies 5, 22, 33, 34 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018) and sections 12, 14 and 15 of the NPPF 2023, subject to a number of safeguarding conditions.

## **RECOMMENDATION**

### **Approved with Conditions**

#### **(1) Condition**

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

Reason

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

(2) Condition

The development shall be carried out and occupied in accordance with the following drawings:

Site Location Plan - RD:5557 - 06

Proposed Site Plan and Acoustic Details - RD:5557 - 05

Proposed Floor Plans - RD:5557 - 03 B

Proposed Second Floor Plan and Elevations - RD:5557 - 04 C

Reason

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

(3) Condition

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

Reason

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

(4) Condition

Development shall not begin until details showing the location, layout, design and method of construction of any new or altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the vehicular access, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons in accordance with Policy 5 of the North East Lincolnshire Local Plan (Adopted 2018).

(5) Condition

Before any development on site takes place a scheme for the provision of Safe by Design (secure and covered) cycle parking facilities shall be submitted and approved in writing by the Local Planning Authority. Such approved scheme shall be implemented in its entirety prior to occupation or operation and shall thereafter be so retained.

Reason

To ensure appropriate facilities are provided for cyclists as part of the development in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(6) Condition

Provision shall be made for the adequate turning of vehicles within the curtilage of the dwelling/building to enable vehicles to enter and leave the site in a forward gear in accordance with details to be submitted and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details and shall be retained thereafter.

Reason

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

(7) Condition

The proposed development shall be constructed using materials specified on the approved plans, namely the proposed plans and elevations (RD:5557 - 04 C) unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(8) Condition

Surface water and foul drainage shall be carried out in accordance with the approved Design and Access Statement from Ross Davy Associates, received 4th March 2024 otherwise first approved in writing by the Local Planning Authority.

Reason

In the interests of flood risk and drainage and to accord with Policies 33 and 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(9) Condition

No residential unit shall 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 residential units 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

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

3 Informative

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

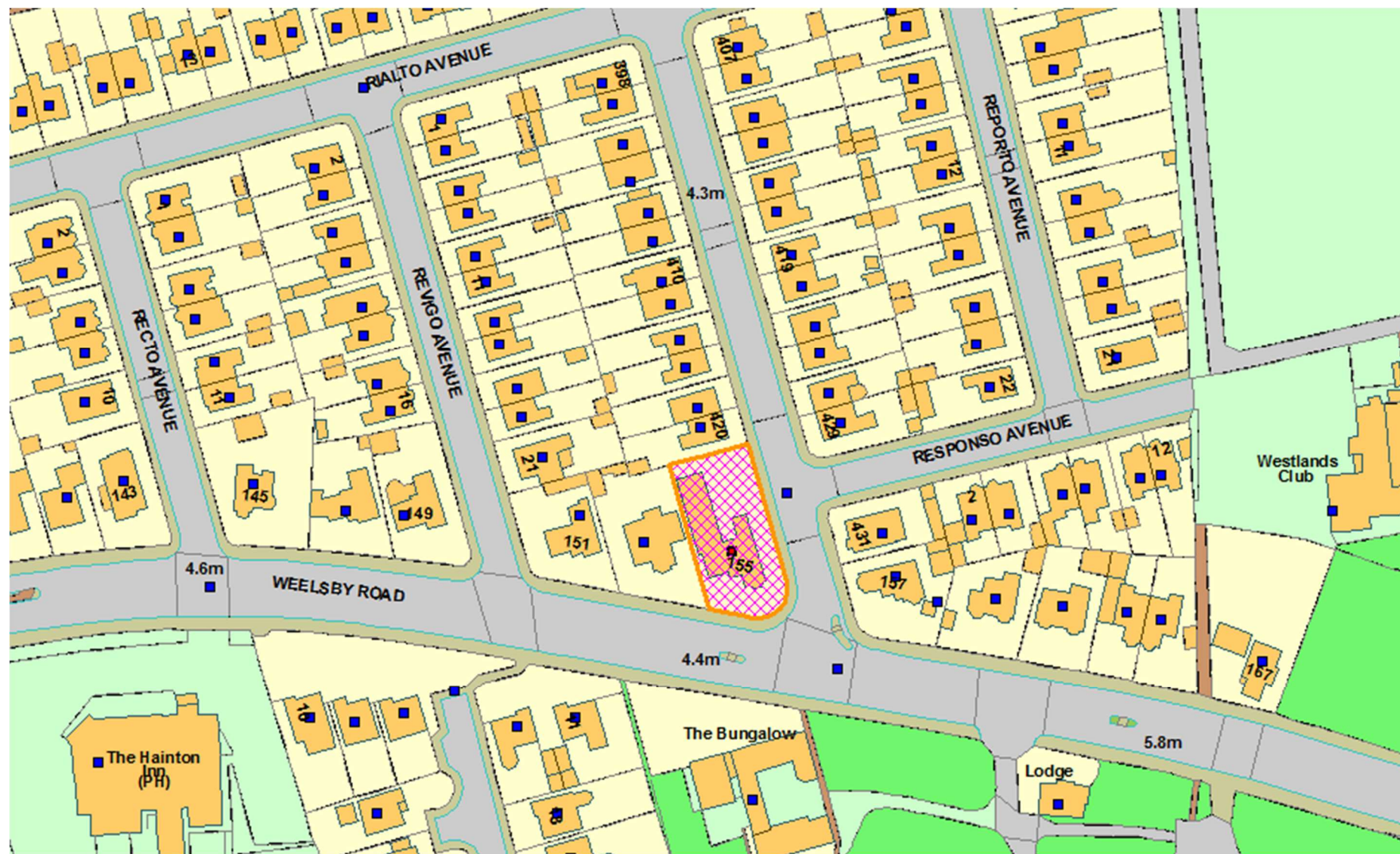
4 Informative

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

5 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.

DM/0206/24/FUL – WEELSBY VIEW, 155 WEELSBY ROAD, GRIMSBY



DM/0206/24/FUL – WEELSBY VIEW, 155 WEELSBY ROAD, GRIMSBY

