NORTH EAST LINCOLNSHIRE COUNCIL
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To be submitted to the Council at its meeting on 18th July 2019

PLANNING COMMITTEE

29th May 2019

PRESENT: Councillor Harness (in the Chair)
Councillors Beasant, Goodwin, Hasthorpe, Hudson, James, Nichols, Parkinson, Patrick (substitute for Mickleburgh), Pettigrew and Silvester.

Officers in attendance:

Martin Dixon	Planning Manager
Lara Hattle	Highway and Transport Planner
Cheryl Jarvis	Principal Town Planner
Rachael Gennery	Senior Highways Transport Planner
Richard Limmer	Senior Town Planner
Beverly O'Brien	Scrutiny and Committee Support Officer
Keith Thompson	Specialist Lawyer - Property

Others in attendance:

Councillor Mickleburgh – South Ward Councillor
Councillor Swinburn – Immingham Ward Councillor

There were 31 members of the public and 1 member of the press present at the meeting.

P.1 **APPOINTMENT OF CHAIRMAN AND DEPUTY CHAIRMAN**

It was noted that at the Annual General Meeting of the Council held on 21st May, 2019 Councillor Harness had been appointed Chairman and Councillor Pettigrew had been appointed Deputy Chairman of this committee for the Municipal Year 2019/20.

P.2 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mickleburgh for this meeting.

P.3 **DECLARATIONS OF INTEREST**

Councillor Patrick declared a personal interest in P.5 – Item DM/0073/19/FUL as the applicant was known to him.

Councillor Goodwin declared a personal interest in P.5 – Item DM/0073/19/FUL as the applicant was known to her.

Councillor Nichols declared a personal interest in P.5 – Item DM/0981/18/FUL as he knew the applicant.

P.4 **DEPOSITED PLANS AND APPLICATIONS**

The Committee considered a report from the Director of Economy and Growth regarding Deposited Plans and Applications.

RESOLVED – That the Deposited Plans and Applications submitted under the Town and Country Planning Act (Serial No's 1 - 5) be dealt with as set out below, and detailed in the attached appendix.

Item 2 – DM/1175/17/FUL – Land Off Habrough Fields and Pilgrims Way, Immingham

Mr Limmer introduced the application and explained that it was full application that sought planning permission to erect 145 houses on land off Brocklesby Avenue in Immingham along with associated infrastructure and drainage works. All 145 houses would be accessed off Brocklesby Avenue but an emergency access was proposed onto Mill Lane, this included the upgrade of Mill Lane. The proposal also included surface water drainage lagoons and flood water attenuation lagoons.

He explained that the application had been brought to Planning Committee for consideration due to an objection from Immingham Town Council and a significant number of local objections. It was deferred at the Planning Committee meeting dated 3rd April 2019 for a site visit and subsequently the application was deferred again at the Planning Committee on 1st May, 2019 for further negotiations. He added that since the deferral of the Planning Committee on the 1st May, the applicant had investigated both the surface water drainage scheme and the vehicular access arrangements further. The applicant considered that the scheme presented went to all reasonable lengths to ensure that the proposed development would not increase the risk of flooding either downstream from the site or upstream in the existing phase 1 of the development and therefore no changes were proposed to the scheme.

Mr Limmer explained that the application site was an arable field. He showed Members pictures and plans of the site. Open countryside sat to the west of the site whilst to the north is the former Immingham Golf Club. The northern boundary of the site was formed by Mill Lane which provided access from Immingham to the cemetery further to the north west of the site. The eastern boundary was adjacent to residential properties on Pilgrims Way, Viking Close and Maiden Close. To the south were residential properties off Brocklesby Avenue and to the west was further arable farm land. This boundary was formed by a large drainage ditch. Mill Lane was to the northern boundary of the site and also provided access to the cemetery 150m to the north west of the site. Along the site boundary with Mill Lane was a small drainage ditch and a

hawthorn hedge with various trees interspersed along it. Mr Limmer confirmed that there was a flood risk zone attached to the ditches, but all proposed properties sat outside the flood zone. Bungalows were proposed for the dwellings closest to existing residential properties, with good separation distances. Therefore, having no undue impact on residential amenities, Officers felt that this was acceptable.

The layout and design followed on from phase one. The house types were similar, and the applicant had proposed a large open space area where the drainage for the site would be implemented. Mr Limmer stated that the impact on character was acceptable. The developer presented a green edge boundary leading on to an open countryside. Officers thought this was of good design and did not think it would have much of an impact on the character of the area. A lot of the representations received were around the impact this development would have on health services and health provision, but Mr Limmer explained that as this site had been identified as a site for housing as part of the North East Lincolnshire Local Plan 2018 (NELLP 21018) issues raised had been assessed and there would be no issues around the provision of health services. A significant number of issues had been raised around the impact this development would have on education and due to the scale of this development, it would trigger the need to provide an infrastructure to improve such matters. Therefore, the developer had agreed a financial contribution to primary education of £11,276.64 per four dwellings. However, Mr Limmer pointed out that, as there was sufficient capacity at the local secondary school, there was no requirement needed for a secondary education contribution.

Highways was another matter raised at length and highways officers had been heavily involved in assessing the scheme at length. Mr Limmer explained that a highways safety and road safety audit report had been submitted and assessed and Officers found these to be acceptable. They believed the existing access was acceptable for another 145 dwellings and there was an added benefit of an emergency access off of Mill Lane. The applicant had also submitted a survey of Mill Lane and it established that the lane would be suitable, subject to identified work being carried out. Mr Limmer pointed out that condition 10 secured a full detailed survey of Mill Lane to be submitted before dwellings were accommodated. He stated that this was not a secondary access, but to alleviate issues for emergency services trying to gain access to the site. The overall impact on the highways network had been assessed along with key junctions close by and Officers found the results to be acceptable.

Mr Limmer went on to explain the drainage for the site and he clarified that when the water in the beck reached a certain level, it would then filter into the lagoon. He added that this would not only be a benefit to this development, but further afield. The drainage scheme had been designed and assessed as things currently were on this site. Drainage engineers were confident that the development wouldn’t increase flooding for residents close by. Mr Limmer explained that an ecology survey had been submitted with the application and no issues had

arisen. He pointed out that a condition had been included proposing a detailed scheme for bio-diversity and habitat improvement. Mr Limmer added that a section 106 had been proposed for the primary education already mentioned as well as 10% affordable housing, a contribution of £40,000 to children's play equipment, open space management and maintenance scheme and a contribution to wider drainage improvements. With all these things considered and the fact that the developers had explored alternative works for the improvement to highways and drainage, the application was recommended for approval.

Mr Ian Macbeth and Mr John Hodson were speaking on behalf of residents on phase 1, specifically around the access and egress. Having walked around the site, a large section of Mill Lane required maintenance, which was currently being performed. There was large amounts of debris and fly tipping down Mill Lane was starting to become an issue and wasn't currently being dealt with. Ditches were especially important to close by areas as these ditches had helped with historical flooding, especially the one on phase 1 on this development. Mr Macbeth explained that even after levelling, the site would still be higher than properties on Maiden Close. He wondered who would be legally liable if there were any dwelling damages because of flooding and elevations. This also applied to lagoons if there were any fatalities, they wondered who would take responsibility.

Mr Hodson added that an extra 700 plus houses would exasperate the rubbish pick up, which now tended to be picked up on any day of the week. He hoped that the increase in council tax would be used to sort this. He wondered whether North East Lincolnshire Council (NELC) would make up the cost to build a new primary school to make up numbers. He hoped, if approved, this application would push NELC to increase police levels as there was currently no active police on the streets. Mill Lane was proposed for site access for emergency vehicles, but Mr Hodson explained that recently the fire brigade had visited Mill Lane and the fire engine could only crawl down the lane. He stated that he spoke to fire officers about using Mill Lane as an emergency access and they stated that as it was not properly maintained it would not be suitable. Once the fire was dealt with fire officers were unsure whether the bridge would take the weight of the fire engine, resulting in the fire engine having to reverse the full length because of the narrow lane. Mr Hodson also wondered how funerals would take place during the works.

Councillor Swinburn declared a personal interest as a councillor for Immingham Town Council, a Ward Councillor for Immingham and as Portfolio Holder for Environment and Transport. He started by saying that nothing had changed to alleviate concerns of Immingham Town Council and he stated that residents had just shown how one statutory consultee (fire authority) had stated that Mill Lane would be unsatisfactory. He stated that there was no way Mill Lane would be able to take a 24 ton vehicle. The fire on Mill Lane showed that it was not satisfactory for the facilities the developer was proposing. The Planning Inspector had said that country lanes were not accessible for emergency vehicles. Councillor Swinburn went on to flooding issues that the site had

experienced. There had been three issues in 2007, 2012 and 2017. The last one was on phase 1 which showed a tremendous amount of problems. Overall, the access was not acceptable on Mill Lane and flooding was still an issue. The report says that it could be up to 3 years to alleviate drainage. He didn't mind a development on this site but he believed that this one was not the right one. He believed the infrastructures needed to be in place first. He hoped Members took into consideration all his points and refused the application.

The Chair asked Officers to clear up some things. He wondered about the maintenance of water courses, the anticipated elevation levels of the site, how this development would affect services and education and following the incident on Mill Lane, whether Mill Lane would be made acceptable before dwellings were occupied.

Mr Limmer explained that the water courses were controlled by the drainage board and it was their responsibility to maintain these. The levels on the site were not anticipated to be greater than existing levels. However, final details were being secured through condition 8 which would make sure that the final level of gardens and floors were acceptable. Policy 6 of the NELLP 2018 requires that a development of this size had a financial contribution where needed for education and as mentioned above, this application will accord with policy 6 of the NELLP 2018. Mr Limmer explained that a survey had been submitted and it showed that works could be done to make Mill Lane up to a suitable condition. Nevertheless, condition 10 required final details to be provided before any properties were occupied. Mr Limmer confirmed that this did not include the bridge as they would anticipate that emergency vehicles would be coming towards the bridge and would not need to go over as they would be able to turn around within the development site.

Mr Dixon stated that, if approved, an emergency link would be implemented which would enable emergency vehicles to have access through the site. This would enable them to loop through the site with an ease of evacuation. Mr Dixon added that the drainage scheme was designed to respond to issues as they stood on the ground now. He explained that there was a wider scheme to improve the gates at Immingham docks, but the scheme was not reliant on that happening. He confirmed that the drainage board and NELC officers found the drainage scheme to be more than acceptable.

Councillor Patrick mentioned that Councillor Swinburn mentioned in his speech that the fire brigade had commented on a 24 tonne vehicle using Mill Lane, but in the report it stated that no representations had been received from them. He wondered whether this had changed since the report had been written.

Councillor Hudson stated that he could see that a lot of work had obviously been done for this application and he thought it looked like a good scheme. He pointed out that when the scheme had been completed then the fire engine won't have to reverse as they would be able to gain access to the site. Councillor Hudson stated that if they were

to refuse the application, they wouldn't have a leg to stand on at appeal. Separation was good to existing properties and bungalows faced bungalows. He understood that residents had genuine concerns, but he believed Officers had mitigated such concerns.

Councillor Pettigrew stated that Committee had gone over this application on numerous occasions. The main concerns were the drainage scheme and access. He attended the site visit and he was quite happy that the drainage scheme was adequate after speaking to officers. He believe it would be a betterment to the area. He had trust in Officers for their calculation and design and he hoped it panned out. Councillor Pettigrew mentioned that they had looked at the access at Pilgrims Way and as there was a problem with ownership, there would not be an option for a second access. Condition 10 sealed works for Mill Lane to deal with its suitability to become an emergency access and it would be better when emergency vehicles could turn around and get access onto the site. A lot of time and effort had gone into this.

Councillor Goodwin was still wary about previous flooding. She attended the site visit and this raised more issues around flooding. She also wondered whether Officers could get confirmation on what Councillor Swinburn had said about fire officers not thinking Mill Lane was acceptable.

Councillor Parkinson thought it was difficult to balance people's objections on site like this with Officers recommendations. He found that when they were built you find people would just fit in with the scheme they were receiving. In terms of the fire engine gaining access he believed these were infrequent issues and didn't think it would be a great problem. However, he believed this had now been sorted. He stated that it looked like a comprehensive drainage scheme. He hoped residents would be able to put down hard surfaces as and when they like as this was something that would cause issues with surface water. He agreed that if it were to go to appeal they wouldn't have a leg to stand on.

Councillor James explained how it had been on committee two previous times with Officers stated that nothing had changed. She felt like Members were being badgered to push it through. She had the same concerns as before and nothing had been done to address it. However, she appreciated what Councillor Hudson was saying, if refused and it went to appeal it was likely to be accepted because as policy goes this application ticked all boxes. She stated that Members were reliant on officers but it was not always fallible. She wanted to refuse the application, as she was not satisfied as Immingham was renowned for flooding.

Councillor Patrick believed that the layout and design tied into the NELLP 2018 and it ticked a lot of the boxes. It was a bog standard layout and seemed reasonable. In terms of flooding, he thought the plans were very elaborative. He agreed that if it were to go to appeal, it would be an open and shut case, with regards to planning policy. He did not think it would be refused on the ground of the emergency access as dwellings

would not be occupied until Mill Lane was capable of taking emergency vehicles.

Mr Limmer confirmed that condition 10 was requesting detailed conditions on work that was required to Mill Lane. As part of the discharge process, he added that they could consult with fire brigade to make sure they were happy with it before any dwellings were occupied.

Councillor Patrick was content that they had received guaranteed assurance that Mill Lane would be improved before any dwelling was housed.

Councillor Hudson added that condition 10 also included that weight restrictions be looked at and he was more than happy with the drainage officers report. He moved for the application to be approved. Councillor Parkinson seconded this.

RESOLVED – That the application be approved with the attached conditions and the signing of a section 106 legal agreement.

(Note - the Committee voted 7-4 for the application to be approved)

Item 1 – DM/0221/19/FUL - Bradley Football Development Centre, Bradley Road, Grimsby

Mrs Jarvis introduced the application and explained that it sought to create a Stadium Artificial Grass Pitch (AGP) in lieu of an existing grassed stadium football pitch. It was also proposed to create a second Community AGP on the existing grass playing field pitches. For the replacement stadium AGP, it comprised of a new artificial grass pitch surface, replacement 1.2m and 2m high pitch perimeter barriers, replacement of the periphery surface of the pitch and an upgrade of the existing floodlighting system. New goal storage areas were identified as well as a new team shelter. The existing spectator stands would be retained. A 3.5m high acoustic fence was proposed to the south and west sides of the AGP. For the community AGP, it comprised of a new artificial pitch surface, 4.5m high ball stop fencing to its perimeter, 1.2m high and 2m high pitch perimeter barriers, new hardstanding, floodlighting system and equipment store. A 1.5m high raised grass mound was proposed to the north, east and southern sides of the AGP with screen planting. The lighting to the existing pitch to the north of the existing building would also be upgraded. There would also be an adjustment to the existing ball stop fencing.

Additionally, the proposal sought to extend the existing car park to create an additional 120 spaces, with associated lighting. A new access was proposed off Bradley Road to the north into this new car park. This would become the new entrance into the site, enabling the existing access to the south to become an exit only; which would be widened. Thus, introducing a new one way system. The new access would be gated, as the existing was and there would be new planting to the north and east of it. A total of 6 new electric vehicle charging points were proposed within

the existing car park. The existing playing field layouts were proposed to be slightly reconfigured to take account of the new community AGP. An existing footpath that runs through the site to the east would be diverted to accommodate the community AGP.

Mrs Jarvis explained that the application was brought to committee due to an objection from Bradley Parish Council and the number of objections from local residents. She showed members pictures and plans for the site. The site was within Grimsby but was adjacent to Bradley Parish's boundary. To the north side of the northern artificial pitch was an existing footpath link which linked up to Laceby Road. Playing pitches extend around the remainder of the site. She mentioned that the area surrounding the site was predominantly residential. Mrs Jarvis explained that the proposal had moved on since the application was refused. The applicant and Officers had worked on the impact the development would have on highways safety and impact to residents since refusal. The applicant had undertaken a pre-application consultation with Officers, technical consultees and with residents, and some changes had been made to the scheme. The application was accompanied by a significant number of technical reports. She showed Members a slide show of the progression from the original application to what Members now had in front of them. There had been no statutory consultee objections and the applicant had worked hard with officers to try and get this right. There had been a numbers of representations received in support and in objection. Objections received were primarily from residents affected to the north and south-west of the site.

The site was allocated for sport and recreation purposes. Policy 5 of the NELLP 2018 supports the retention of this for health and wellbeing benefits for residents of North East Lincolnshire. Sport and recreation make an important contribution to health and wellbeing and support interaction for all ages. It was a well-established facility. Support representation included in the agenda were from children of a young age to 80-90 years old. The site was also identified in the playing pitch strategy and the strategy set out the supply and demand in North East Lincolnshire. Targeted sites have been identified to be invested in and be improved which included Bradley. This direct investment would be more beneficial than investing in lots of smaller sites. In principle the application supported all necessary policies as well as policies set out in the playing pitch strategy.

The design of the structures were fit for purpose and as the site was well established and there were a lot of boundaries that provided visual protection to nearby residents. Whilst there may be some impact arising from the new infrastructure, they were not seen to be significant or adverse.

Mrs Jarvis added that in terms of impact on residential amenity the nature of objections were all relevant planning matters. The main concerns were noise and disturbance. The noise assessment had been submitted with the application and worked though by the Environmental Health Officer who had gone through the report in detail and assessed the report

against the relevant guidance, as well as with Sport England's recommendations. The report identified that there would be some impact and explained that mitigation would be necessary to make it acceptable. Therefore, a 3.5 metre fence had been included to protect residents and a 1.5 m bund around the other AGP. Isolators would also be fixed to the fence to prevent rattling from balls. Officers agreed that these mitigation methods were acceptable. Lighting and light pollution were raised not only on the last application, but on this one. There had been a number of drawings done and a light assessment done and Mrs Jarvis showed Members the images created. She explained that when the light gets towards properties, the light would have already dispersed. It was confined to the pitches themselves. The lighting pools observed enabled Officers to make such assessments that resulted on the proposed lights being acceptable. Mrs Jarvis added that a condition had been recommended to make sure lighting was turned off at acceptable hour. She added that hours of operation had also been considered and as this was a well-established centre there was no need for times to be adjusted.

In terms of intensification, the proposal had been designed to support the increase growth of the facility, as it would result in a significant amount of people using the facility primarily between Monday and Friday. Whilst this lead to greater activity, it was believed the noise and disturbance matters had been covered and mitigation methods were found to be acceptable and the site acceptable to accommodate the level of growth. The site was well separated to existing residential properties and pitches were concealed by existing boundaries. The applicant had submitted a parking transport assessment and travel plan, with a road safety report detailing operational parking procedures. The proposed new access would make a significant improvement as it would change the existing entrance into exit only. In terms of information included, the applicant showed what impact the development would have on key junctions in the Borough and the report showed that the existing infrastructure could accommodate this growth without a severe impact on the network. The travel plan would encourage residents to use alternative modes of transport and there was a condition that secured implementation of such plans.

Ms Hattle elaborated on transport, parking and highway matters. She explained that Highway Officers have liaised closely with the applicant in agreeing a suitable access design for the new access arrangement and were satisfied that the proposals would provide an improvement to existing issues associated with overspill parking and congestion experienced on match days. Highway Officers clarified the percentage increase at the Bradley Crossroads junction. Highways Officer comments referred to an increase of 78% at the Bradley Crossroads junction. This should have read increase to 78% as the actual increase was only 2%, which was not considered significant in highway terms. Highways Officers noted that the increase of 135 two way trips will only occur during the weekday afternoons at peak times. During weekends there were expected to be no changes to existing levels of traffic generation and associated parking demand.

Highway Officers welcomed the inclusion of the Operational Parking Provisions and had conditioned that these be adhered to at all times. This can be monitored by our Enforcement Officers. The new access arrangements were expected to alleviate any parking problems for the residents of Bradley by encouraging patrons and visitors to park within the Bradley Pitches car park as it would now be easier to gain access and egress to and from the site. The Highway Authority did ask the residents of Bradley, following the last application received for this site, if they wished to see a restriction in place for 'no verge parking' but no resident wanted this.

Highway Officers had fully assessed the impact of the proposed development on the Highway network and were content that there would be no significant detrimental impact to the highway network and that the proposals should alleviate existing issues associated with parking at peak times. Highway Officers had requested a Construction Management Plan to ensure disruption during construction was minimised as much as possible.

Mrs Jarvis explained that there would be some loss of trees within the landscape, the tree officer recognised that trees would need removing but the proposed plans offered an opportunity for new planting. She assured Members that mitigation has been put in place and conditions were included to secure this. Surface water was to be managed in sustainable way and a condition had been added after a recommendation from the drainage officer. Sport England considered the proposal and in light that the development provides an acceptable level of pitches, they raised no issues, however, a condition had been included to make sure re-adjustments occur. Ms Jarvis concluded that enhanced recreational facilities were needed in the borough. The proposal provided benefits to the health and wellbeing of residents in North East Lincolnshire and would encourage social interaction to all ages. The playing pitch strategy showed that the borough needed areas for sport. Therefore, the application was supported by this need for the area and was deemed to be acceptable. Officers had acknowledged that there would be an impact, but Mrs Jarvis believed several mitigation methods had been put in place and the application was therefore recommended for approval.

Ms Marlene Bryden spoke on behalf of all concerned residents. She explained that the same concerns still stood in terms of scope and impact. She stated that the impact of this development would be the same as last year's application in terms of noise, light pollution and antisocial behaviour. The proposal was to increase artificial grass pitches by 300%. Infrastructure would be there for cross county high level galas, which could mean a capacity of over 1500 people. The borough league would be concentrated every week night until 10pm. The proposed new pitches would be directly behind the current stadium pitch. This meant that all increased activity would be in front of the existing housing on Bradley Road. Every week night activities would generate so much noise and traffic all residents would be impacted. She referred to World Health Organisation (WHO) noise assessment predictions and reported that

there would be noise of over 80 decibels at the nearest houses on Bradley Road. Each hour there would be18 balls banging against the fence regularly. One off events you would be able to get away with but this would be a permanent fixture. She referred to the proposed 3.5 metre fencing on the west and south side of the pitch and enquired why the other sides would be left open. She stated that sound would travel so this would provide little protection. The noise would be going on well after 10pm. These mitigation methods would provide reduction to some residential properties, but what about the other properties. There was no acoustic protection. The barriers and mouldings were ineffective and well exceed 55 decibels which would be of serious annoyance to anyone. Up to 180 players would come and go each hour. Up to 900 players and 1800 car movements each evening. If individual's car shared it would still mean 900 cars each evening. Additional parking would not alter the fact of movements nearby and traffic alone showed that the impact would be immense. She asked for Members to vote against the application.

Mr Drew Hughes and Mr Tom Betts spoke in support of the application. Mr Hughes referred to two issues which would provide benefits for the people of the whole borough and which were key priorities for this council; which may only be realised as a result of this development. Firstly,this development was a key project to unlock and enable housing developments on former school playing fields elsewhere in the borough, which members would recognise as a priority of the Council and for this whole borough to be able to continue to grow and prosper. Second and possibly most importantly, this development in this location was exactly what sporting families, residents and clubs from across the borough wish this Council to deliver for them. This was illustrated by the number of letters of support from families and residents across the borough which Members would have seen as part of the application. This was because the sport, health and community benefits, which can be achieved through this development, were key to improving the opportunities for our children, young people and residents to take part in physical activity in safe, high quality and fit for purpose facilities.

In terms of enabling housing, by delivering this project of 2 new artificial turf pitches in this location the Council was able to demonstrate to Sport England that we were providing investment and improvement into existing and sustainable playing pitch facilities. This development enabled Sport England to support the proposed development of housing on former playing pitch sites, such as Extra Care Housing on part of the former Matthew Humberston Lower playing field or traditional housing at Western playing field (both of which were proposed for housing as they were unsuitable sites for general sport). In fact a planning application for the development on part of the land at the former Matthew Humberston Lower playing field was being prepared for submission now for vital extra care housing, a further priority of this Council and its Partners for delivering urgently needed provision in this borough, and so the type of development proposed in this application would support such developments.

In terms of listening to our sporting families, residents and clubs and trying to deliver what they would like to see improved, committee members would understand that North East Lincolnshire Council was committed to the delivery of high quality, efficient and effective sports and leisure services in partnership with Lincs Inspire Ltd. The development at Bradley would improve the sites functionality and efficiency and its long term sustainability, by extending the number of existing playing and training opportunities, allowing greater access by a greater number of local people to high quality artificial turf pitches in line with the Council's adopted playing pitch strategy. All our citizens deserve the opportunity to participate in sport in high quality facilities. The proposed development would increase overall participation in football, particularly people aged over 55, women and girls and people with disabilities. Furthermore the scheme would support wider volunteering opportunities by increasing the number of both teams and volunteer officials in North East Lincolnshire.

Mr Betts explained that the proposal had been prepared so that there would be no issues to neighbours. The new community pitch had been relocated to create a cluster of artificial pitches. There would be more separation between the boundaries and neighbours and the one way system access arrangements would improve the 39% increase, as well as the parking spaces to cater for the site should support the increase in usage. The noise survey confirmed that levels were below accepted policies once instructed mitigation had been put into place. Full compliance had been put into place with the environmental officers comments. Soft landscaping and green landscaping had also been proposed. He believed they had addressed any litter and antisocial behaviour issues. The proposal had strategically been identified by Sport England.

Finally, Mr Hughes thanked Members for the opportunity to address the committee about this important proposal and its direct impacts on the ability of the Borough to develop housing on disused playing pitch sites, as well as to give our citizens access to first class sporting facilities, and deliver substantial improvements to a key sport and leisure facility for our children, families and residents across the whole of North East Lincolnshire.

Councillor Mickleburgh and Councillor Cairns spoke as ward councillors for the area. Councillor Mickleburgh stated that he supported the application and had believed it had honourable aims, but when he looked into the details of the application he thought that it was all about football. Councillor Mickleburgh stated that not everyone liked football. A lot of people could be put off by it. He believed that if they had a more generalised approach and the location was shared throughout the borough instead of it all being on one site then people may be more favourable towards it. If investment wanted to be done for football then they should look at working with the premiership clubs. Community facilities and a stadium were already in place for football. Councillor Mickleburgh wondered about other sports. The people who had wrote in letters on support would not actually be affected by the development.

The parish council was strongly against; surely they needed to be listened to. There would still be an impact on flood lighting and the fact that they were saying there would be no undue harm was a matter of opinion. The usage of the facility would be 3.5 times more than it currently was. There was going to be a greater impact on traffic and flood lighting. If we want to increase fitness in the borough it shouldn't be done in such an expensive way. Councillor Mickleburgh asked Members to consider refusing the application.

Councillor Cairns stated that the Bradley development was a top class facility. However, he believed that the community close by would suffer a disadvantage if the proposal was approved. It was not crucial for this to be all at Bradley pitches. They were already good facilities and it would cause serious distress to many. Some residents close by had serious medical issues and if their home was no longer a relaxing sanctuary for them, this could be a continuous worry. A lot of the common complaints on noise that had been received would disturb close by residents. Residents were avoiding going into gardens and some households only go in the garden to get fresh air, but they were generally keeping their doors closed to keep out the noise. It was difficult for everyone, especially those who were house bound. Residents would be hearing swearing, chanting and car horns and realistically this would be impossible to control. He noted that none of the supporters lived in Bradley and suggested that they would be fortunate not to do so if this development were to go ahead.

David Bryden spoke on behalf of Bradley Parish Council. He stated that noise was defined as unwanted sound and not solely because it was determined as being loud. The WHO also stated that lower noise levels may be disturbing already as residents did not want to hear it. It can be very disturbing. The proposal would increase to 364 days per year. It was not going to be a one off sporting event. It would make life unbearable for residents. The WHO states that the acoustic threshold for noise must be reduced to protect health. North East Lincolnshire Council had relied on these guidelines. The site noise levels currently exceed WHO required noise levels. There was to be an activity increase by 300-400% which would create noise which would be much greater than WHO recommended levels. There was to be a barrier around one pitch only and he wondered how this would reduce noise level. The WHO classified 55 decibels to be a serious annoyance and this would also be above that near houses. The WHO classes noise as noticeable and disruptive; if people have to keep windows closed then this was a clear sign of it being a nuisance. People would have to change the way they live their lives. Regardless of the benefits this development would give the noise it brought was not acceptable. It was clear that the noise impact would have a significant adverse effect to people in the area. He asked Members to ask themselves what it must be like to live close to this sort of facility.

The Chair asked for more information around unlocking housing sites.

Mr Dixon explained that part of the playing pitch strategy was to provide

recreational facilities throughout the whole borough. By improving this facility they would be able to provide what's needed for this borough. Mr Dixon stated that the NELLP 2018 referred to the need of fulfilling sporting provision throughout the whole borough, but also recognised the need for housing throughout the borough. Therefore, if a larger provision for recreation was supplied at the Bradley Development site, it would provide an opportunity to unlock Sport England sites for housing in the borough. Sport England would look favourably in using playing fields if this site was improved. This all lied within the NELLP 2018.

Councillor Hasthorpe complimented officers and the applicant on the quality of the application and the huge amount of work that had obviously been put into it. He had looked at the papers and attended the meeting held by Bradley Parish Council. In five years of being an elected member he had never seen a meeting so full of people against a planning application. He wondered how much football facilities one borough needed. It may be welcomed by people who were interested in football but it was obviously not accepted by residents, therefore he believed it should not happen.

Councillor James biggest concern was the amenity of residents close by, especially with the amount of players that were going to be going through the facility. It would be open until 10pm. The report stated that noise bunds were to be put in place, but from her experience she did not think they achieved what they set out to achieve. She didn't think the impact could be mitigated by fencing or bunds. Bradley was a village. The facility was getting bigger and bigger, noisier and noisier. There was other parts of the borough where these facilities would be better suited. There may be others in the Borough who want to use the facilities but can't gain access to them being in Bradley. She was not sure that she could support the application. Councillor James believed it impacted residential amenity too much and did not think putting housing developments ahead of residential amenity was good.

Councillor Hudson didn't think this was a route the applicant should have gone down in terms of the playing pitch strategy. If Members were to look at the scheme on paper and disregard all residents' concerns then it was a good scheme. However, listening to residents in detail and the increased noise 14 hours per day, 364 days a year cannot be acceptable for anyone to live with. He believed that it would be more acceptable to spread noise across the borough. He wasn't willing to support the application.

Councillor Beasant stated that he had refereed many times on Bradley pitches and had experienced how loud matches can get, therefore he did have some concerns. 200 players would be coming in and out at particular times in the evening and he used to think it was very busy, but with these upgrades it would be even busier. He also had concerns around artificial turf and more injuries occurring. He wouldn't want to live down there because it would be deafening for residents. He stated that he wouldn't be supporting the application.

Councillor Nichols found himself agreeing with colleagues. He supported these kind of facilities but doubt they would like it if it was implemented in the middle of their village. The noise assessment was carried out in one day, he wasn't sure that this was acceptable. There would be a need for a bigger generator to charge the cars, he wondered where this would be sited as the noise would also cause disruption.

Councillor Hasthorpe stated that it wasn't about looking to extend the car park, as it was never currently full. Having the traffic turning in and out meant that people living close by wouldn't be able to have people visiting.

Councillor Goodwin stated that she struggled with parking during the times she was campaigning. This was due to the cars parked on the verges on a Sunday morning.

Councillor Pettigrew fully agreed with colleagues. He proposed that the application be refused for over intensification on the site and residents amenity. Councillor James seconded this.

Mr Dixon explained that this came to committee before and a lot of the issues that were raised had been looked at and the applicant had gone away and carried out further consultation with neighbours. He stated that we have a local plan that defined this as an area for sport and recreation. This was one of the main areas that was defined for that use in the NELLP 2018. Before the material planning issues were traffic and an enhancement had been proposed. The parking would be a lot different and betterment of the current scheme. A lot of work had been done with the environmental health officers and they were content that the scheme and mitigation put forward was acceptable. He stated that Members need to be mindful that a lot of concerns had been gone through thoroughly with Officers.

Councillor James questioned whether Officers had been reliant on guidelines from 1999 instead of the most relevant 2018 one. The current guidelines recognised different noise levels were more dangerous than before. Whilst she accepted that it was a sporting facility and was not suggesting that this shouldn't continue, she did wonder whether times could be adjusted to make the proposal more acceptable.

Mrs Jarvis explained that the Environment Health Officer stated that in relation to policy guidelines the most relevant WHO document was used as this specified community noise whereas the others did not specialise in this area. She confirmed that the report was in line with scoping and noise reports for this type of facility.

RESOLVED – That the application be refused as the proposal would be detrimental to the amenities of neighbouring residents by virtue of increased noise and disturbance from the intensification of use. As such it would be contrary to Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(Note - the Committee voted 8-2 with 1 abstention for the application to be refused.)

Item 3 – DM/0151/19/FUL – Harvest Moon, Station Road, New Waltham

Mr Limmer introduced the application and explained the applicant sought permission to change the use of an existing public house known as the Harvest Moon, to a convenience store. There would be minor internal alterations to achieve the desired floor area. No external alterations were proposed. Mr Limmer showed members plans and pictures of the site and explained the application was presented to planning committee due to the number of objections received. New Waltham Parish Council had also submitted objections on the grounds that there were already a number of convenience stores within the area. The proposal site was a large two storey building located on the south east side of Station Road in New Waltham which laid within a local centre. It was an established public house.

Mr Limmer explained that the area was in a designated area of New Waltham for amenities as a local centre. There was no reason why this would harm the character of area or neighbouring properties. It was currently a public house, but existing arrangements were in place to suit the needs of this change of use, therefore, officers were content that there would be no additional impact on the character of the area. He stated that Members could see on photos that the site benefitted from two accesses. Both accesses would allow cars to go in and out in either opening. There was a number of parking spaces retained from the pub use and this was considered to be acceptable. With all these matters considered he did not perceive the change of use would have any undue impact and the application was recommended for approval.

Mr Julian Sutton spoke on behalf of AF Blakemore who currently operated the neighbouring Spar store. The application had received a number of substantial representations, all with good reasons. Recent research shows that over 1000 pubs had shut. Pubs were valuable community resources and offer a place to relax. They can combat loneliness and improve social cohesion within the community. The Officers report made no reference to this and this should have been a balancing exercise for planning officers when going through this application. He stated that there was no evidence that this had properly been undertaken. Policy 29 of the NELLP 2018 referred to social and cultural places that serve as a venue for this. Mr Sutton believed this described a pub and this was also not mentioned in officer report. At least a viability assessment should have been submitted as part of their assessment. As acknowledged it was not required for a proposal to show that there was a need for this development or the applicant to show economic benefits, but no reason had been stated to justify the loss of this public house. There was going to be an additional 1300 housing units in area, showing that there was a need for two pubs. The two pubs complimented each other. He added that the Harvest Moon had received no investment since Ember Inns stopped trading there. However, this

should not be taken as an indication that it was failing. He urged Members to refuse the application.

Ms Vanessa Warbrick spoke on behalf of the applicant. She was hoping she could help members understand the proposal. The proposal was for the change of use for a convenience shop within the New Waltham local centre. The application co-ordinated with NELLP 2018 policies. She stated that it was not up to the planning system to control how many shops were in an area. She reiterated that the application couldn't be refused just because there were shops already there. Competition keeps prices down which benefits all residents. Concerns had been submitted around the closure of the pub. This would provide 20 new jobs and new opportunities for the area. It was not the only pub in the village and was not classed as a community asset. It currently had parking and two accesses. She hoped Members agreed with the change of use and would grant planning permission.

Mr Limmer stated that reference to paragraph 92 of the National Planning Policy Framework had been made in the Officers report and goes through issues in relation to this. He added that this was part of the decision making process that Members needed to make. Paragraph 92 defines community facilities, generically. It described community facilities being in many guises. It didn't necessarily have to be a pub. It could be a shop, church, a place that supplied community needs. Therefore, Mr Limmer stated that although community facilities had plenty of different guises, this application still proposed for a community facility to be provided.

Councillor Patrick was satisfied that there were no material planning conditions to refuse this application. He moved for the application to be approved. Councillor James seconded the proposal.

Councillor Hasthorpe asked for clarification around the 20 new jobs. Paperwork said that the venue already employed 15 individuals, he wondered whether it would be an extra 20.

Councillor Parkinson stated that it was sad to lose something where people get together. He stated that there were similar shops close by. If the application was not approved, it could end up shutting down. He said he was leaning towards supporting reluctantly.

Councillor Hudson had no concerns over the loss of the pub. The fact was that they were losing them. If it was making money then Members wouldn't be looking at this kind of application. He wondered what the best approach was. Let a housing development come in the future or let it become a derelict building. He had concerns for existing shop owners but that was outside their remit. Unfortunately, competition was a fact of life.

The Chair stated that, as a ward councillor and a resident of New Waltham, he was mindful of existing businesses. Outlets and various others would struggle. He had a great deal of sympathy for people who

work exceptionally hard to make a living.

RESOLVED – That the application be approved with the attached conditions.

(Note - the Committee voted 8-3 for the application to be approved.)

Item 4 – DM/0728/18/OUT – Highfield House, Stallingborough Road, Stallingborough

Mr Limmer introduced the application and explained that it was a proposal for an outline planning application for 525 dwellings, an 80 unit extra care facility for the elderly and the associated infrastructure. The application required that the means of access into the site was to be considered whilst the scale, appearance, layout and landscaping of the development were matters that had been reserved. The site itself was some 23.9h, the proposal would include 13.82h of residential development, 0.82h for the extra care facility and 8.5h of green space. The proposed phasing plan splits the site into 4 relatively even phases of roughly 5.9h each (inclusive of the green space). The proposal detailed two vehicular access points onto Stallingborough Road. The first was proposed to be in the same location as the existing access to Highfield Farm and the second some 300m to the south. The proposed development would also utilise existing public rights of way across and adjacent to the site to provide pedestrian permeability into the neighbouring residential areas. The existing footpath that ran across the site would be re-located to the western edge into a landscaped area detailed on the proposed master plan. The proposed master plan detailed a central area for the surface water drainage basin for phase 1 and to the east of the site there would be two surface water drainage basins for phases 2, 3 and 4. This detail was indicative as the size and location of these ponds would be determined in light of a detailed design and layout. The indicative master plan also identified 8.5h of green space, this in itself included some existing areas of vegetation and water courses, new areas of woodland and structural planting, landscaping, SUDS and formal open space and play areas. Two formal children's play areas were also proposed. Indicatively these would be located in the south west corner of the site and in the middle of the site.

He showed members plans and pictures of the site and explained that the application was brought to the committee due to the number of objections that had been received. He explained that the site was located to the south west of Immingham and to the east of Stallingborough Road. To the north of the site were the residential streets. These properties were typically detached and semi-detached houses. Adjacent to this were bus stops on either side of Stallingborough Road. A public bridleway ran all the way along the site boundary separating the site from the neighbouring properties. The existing Highfield House dwelling and farm buildings were also located within but adjacent to this boundary. Eastfield Primary School was also located just beyond the north east corner of the site. A public footpath ran the majority of the way along this boundary which connected into the public bridleway.

The existing southern boundary of the site was only defined by an agricultural access track and beyond this is open arable land.

The site was all currently agricultural land. There was existing landscaping to the northern, eastern and western boundaries but the central portion of the site remained open. There were some small drainage ditches running across the site providing land drainage. On site there were agricultural buildings and Highfield House itself. Mr Limmer explained that Sport England thought it was a significant scheme and would be delivered over a number of years, therefore, they didn't think it was right to guess what provision would be needed in 5-10 years' time. In terms of highways impact, with 525 houses there would obviously be an impact, but an extremely large amount of work would need to be done to come up with a model that would alleviate any highway concerns. Contribution works would also be included to improve nearby junctions. The applicant had stated a financial contribution to the phone and ride service and an upgrade to the footpath on the site. A Traffic Regulation Order would also be applied for to reduce the speed limit close to the site. There would be a requirement for a travel plan and bus taster tickets. Overall, there had been no objections from the highways team and environment officers.

There would be a sustainable urban drain system throughout the site, including an attenuation pond on the site. The exact size of the scheme would come at the reserved matters stage. The site would be landscaped accordingly and an ecological and biodiversity scheme would be implemented to make sure the site was ecologically friendly. They were aware of the noise that make come from the A180, but this section of the site would be tarmacked. Mr Limmer added that a noise assessment had been submitted with the application. The proposal for the outline in principle was landscaping and buffing with the use of bunds to protect this noise for future residents. He stated that it was a comprehensive scheme. A section 106 legal agreement would be included, but as it sat within a low value area of the Borough there was no requirement for affordable housing. As the application accorded to the policies within the NELLP 2018, Mr Limmer was happy to recommend the application for approval.

Mr Keith Webster spoke on behalf of the applicant. He stated that this site was allocated for housing within the NELLP 2018. If approved it would help deliver housing targets in the area. Brocklesby Estates brought this site forward through the planning process. It was a comprehensive programme and Immingham Town Council supported the application and investment this development would have in the local community. Section 106 contributions to primary schools and sports facilities close by had been agreed. In terms of health facilities he confirmed that practices do have spaces available. Transport improvements included financial contributions to the phone and ride services, which residents welcomed. There had been a misunderstanding that the basins mentioned would be deep and often filled with water, but these would be dry most of the time. Detailed designs would be discussed further at the reserved matters stage. A

separate management company would be set up for the area, which could include local representatives. The children's play area was moved from eastern part of the site into the centre after listening to what residents had said. They had also considered housing for the elderly. He hoped Members could support the scheme.

Councillor Hasthorpe thought it was a very well put together plan. He moved for the scheme to be approved.

Councillor Hudson stated that it was an allocated site in the NELLP 2018. It had excellent access and he was happy to accept that it would take a while to complete. He seconded the application for approval.

RESOLVED – That the application be approved with the attached conditions.

(Note - the Committee voted 10 – 0 with 1 abstention for the application to be approved).

Item 5 – DM/0215/19/FUL – 116 Chichester Road, Cleethorpes

Mr Dixon introduced the application and explained that the applicant sought permission to demolish the existing detached garage, erect a two-storey extension to the side, erect a single storey extension to the rear to include roof lantern and erect a porch to front with associated works. He showed members plans and pictures of the site and explained the proposal site was brought to committee due to the number of objections from neighbours. He added that the site was a detached property. It was predominantly residential in this area and host to varied dwelling types and designs generally of modest size. The plot had a grassed area to the front with low brick built walls and a gate, which established the front boundary. There was a vehicular access point to the front, which allowed for access to the side and rear.

Mr Dixon explained that this was a common form of an extension, which had been well designed and was common in this residential area. Neighbours' concerns were around massing and light, but Officers believed that as the extension to the rear was single storey with a flat roof then there would be no adverse dominance to the neighbour. In terms of the two storey extension, there would be a one metre gap between the extension and boundary. This would line up with the neighbours extension so Mr Dixon believed this would not cause any undue harm. Mr Dixon stated that with all these things considered, he was recommending the application for approval.

Mr Sean Hickson spoke in objection to the application. He stated that he had lived at number 114 Chichester Road for 35 years and, if approved, this application would change things drastically for them. They currently receive some sun on their garden in the mornings and some from the left where the proposed extension would be built. The back extension extended beyond eight foot and would result in them losing the sunlight. It would mean that there would be an 11 foot wall going down their

garden. The roof lantern was of concern as the height had not been confirmed and therefore, they were unsure whether it would allow them to look into their garden. The new plan would take light away and result in them looking out onto a brick wall. Mr Hickson stated that the only way members would be able to appreciate the size of the extension was to come look at the property and see for themselves how far it would go down the side of their garden.

Mr Andrew Scott spoke as the applicant. He explained that he had moved into the property in mid-January of this year. He stated that although it was a 4 bed house, the house hadn't been modernised in any way. The house was very drab and urgent work needed to be done to modernise the dwelling. The proposal was to modernise the existing house to improve its overall appearance. It would not only benefit themselves and others around them, it would no longer have a prison like effect. Lots of properties close by had been modernised in a similar way and they were much more invasive than what he was proposing. Given the nature of the current house, it would mean that whoever was to move in there, they would have to do some sort of extension. It was not adequate for a family home. He felt that the objections raised were unfair. There would be no negative impact to light with it being a single storey extension and where the properties were positioned the light would not be affected. He acknowledged comments and had tried to mitigate them. Everyone had a right to object but calling upon others to object was unfair. They were not justified objections from someone who doesn't even live close by. He hoped members would support the application.

Councillor Hudson stated that if the application was for four metres then the applicant would be able to extend under permitted development rights. He explained that the applicant was only looking for another 1.5 metres on top of that. If it was a two storey extension he acknowledged how the neighbour would lose light, but since it was a single extension he could not see much of an issue. He thought the changing of the roof would make it look quite smart.

Councillor Parkinson believed that if anything it would be the side extension that neighbours would have an issue with. He believed Members would benefit from a site visit.

Councillor Pettigrew stated the side extension was close to the boundary and he could understand neighbours' concerns. He wasn't convinced that the extension would improve the dwellings look.

Councillor James had no issue with the side extension. She stated that if you look at 118 Chichester Road, that was close to the boundary anyway and that was the same as what this would be. However, she had slight reservations with the rear extension. She asked for clarification over the roof lantern.

Mr Dixon stated that the roof lantern would be small scale set back in the roof.

Councillor Parkinson moved for the application to be deferred for a site visit. Councillor Hudson seconded this.

RESOLVED – That the application be deferred for a site visit.

(Note - the Committee voted 9-0 with 2 abstentions for the application to be deferred.)

P.5 **PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The Committee received plans and applications determined by the Director of Economy and Growth under delegated powers during the period 18th April 2019 to 15th May, 2019

RESOLVED – That the report be noted.

P.6 **PLANNING APPEALS**

The Committee received a report from the Director of Economy and Growth regarding outstanding planning appeals.

RESOLVED – That the report be noted.

P.7 **RECEIVING REPRESENTATIONS**

The Committee considered how the Planning Committee would like to receive representations for deposited plans and applications.

RESOLVED – That the Planning Committee receive comments/representations electronically via the website.

P.8 **EXCLUSION OF PRESS AND PUBLIC**

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

P.9 **ENFORCEMENT ISSUES**

Members of the Committee discussed issues relating to enforcement and raised a number of matters for further investigation.

RESOLVED – That the information be noted and further investigations carried out as requested.

There being no further business, the Chairman closed the meeting at 12.46 p.m.