

Planning Committee Dated: 20th May 2020

Summary List of Detailed Plans and Applications

Item:	1	Recommendation: Approval with Conditions
Application No:	DM/0441/19/FUL	
Application Type:	Full Application	
Application Site:	1 Catherine Street Grimsby North East Lincolnshire DN32 9LE	
Proposal:	Change of use from house in multiple occupation to bed and breakfast guest house	
Applicant:	Kazi Rahman	
Case Officer:	Richard Limmer	

Item:	2	Recommendation: Approval with Conditions
Application No:	DM/0003/20/FUL	
Application Type:	Full Application	
Application Site:	40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ	
Proposal:	Erect two storey and single storey extension to rear	
Applicant:	Mrs Lynsey Chessman	
Case Officer:	Owen Toop	

Item:	3	Recommendation: Approval with Conditions
Application No:	DM/0043/20/FULA	
Application Type:	Accredit Agnt - Hseholder application	
Application Site:	125 Peaks Lane New Waltham Grimsby North East Lincolnshire	
Proposal:	Erect single storey extension to side of existing garage to provide store and office to include the installation of rooflights (Amended Plan and Description received 2nd March 2020)	
Applicant:	Mr Matthew Allsopp	
Case Officer:	Bethany Loring	

Recommendation: Approved Conditions and signing of S106

Item: 4

Application No: DM/0664/19/FUL

Application Type: Full Application

Application Site: Land At Hobson Way Stallingborough North East Lincolnshire

Proposal: Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, installation of pipe lines, rail link, associated infrastructure and ancillary works (Environmental Statement Addendum April 2020)

Applicant: Mr Neville Hargreaves

Case Officer: Richard Limmer

SITE

The host property is positioned too the rear of numbers 165 and 167 Hainton Avenue but fronting onto Catherine Street. Adjacent to the site is a commercial property which does not appear to be in use. It is separated from this neighbour by a shared alleyway. The host building is two storey and attached to numbers 165 and 167 Hainton Avenue and currently used as a 6 bedroom house in multiple occupation.

RELEVANT PLANNING HISTORY

DC/897/02/HEN - Change of use to house in multiple occupation - approved

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF6 - Building a strong, competitive economy

NPPF14 - Climate, flooding & coastal change

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

PO5 - Development boundaries

PO33 - Flood risk

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

REPRESENTATIONS RECEIVED

Highways - No objections

Crime Reduction Officer - No comments

Drainage - No comments

Environmental Health - Condition for working hours

Heritage - No comments

Environment Agency - No objections

Neighbours

159 Hainton Avenue
165 Hainton Avenue
9 Queens Court
178 Heneage Road

The above neighbours have objected to the proposed development with the following concerns:

- Lack of bin storage;
- Noise;
- Parking;
- Lack of a garden;
- General nuisance.

APPRAISAL

- 1) Principle of Development.
- 2) Flood Risk
- 3) Impact on the Character of the Area.
- 4) Impact on Neighbours
- 5) Highways

1) Principle of Development

The site is located in the main urban area of Grimsby, Policy 5 of the NELLP does not preclude this type of accommodation within the defined settlement boundaries subject to the site specific issues. It is therefore considered that the proposed change of use from a house in multiple occupation to a guesthouse is, in principle, acceptable subject to the site specific issues discussed below.

2) Flood Risk

Policies 5 and 33 of the NELLP require specific regard to be had to flood risk in new developments. This site is located in a high risk flood zone on both the SFRA and the Environment Agency flood maps. However, as this is a proposed change of use the sequential test is not applied. In terms of safety, the proposed development seeks to change from a house in multiple occupation to a guesthouse, both of these uses fall in the same level of vulnerability for the Environment Agency and so the proposed development does not present an increase in flood risk. The applicant has supplied a Flood Risk Assessment which details mitigation measures including connecting the flood warning system, the Environment Agency support this approach. It is therefore

considered that with the inclusion of a condition requiring the property to be connected to the flood warning system, it would be in accordance with Policies 5 and 33 of the NELLP.

3) Impact on the Character of the Area

In terms of the impact on the character of the area the proposal does not include any external alterations to the property and so it is use itself that needs to be considered. The site is located within the urban area of Grimsby, which is not the usual location for such uses. However, the area surrounding the site has a range of uses and types of accommodation including shops, general commercial uses, houses in multiple occupation and more specialist accommodation with the Salvation Army building not being too far away. Given this mixture of use and accommodation type it is considered that the proposed guesthouse would not harm the overall character of the area in accordance with Policy 5 of the NELLP.

4) Impact on Neighbours

It is noted that neighbours have objected to the proposed development with concerns over noise, the lack of amenity space and bin storage. It must be acknowledged that the property is currently used as a house in multiple occupation and as such already attracts an amount of activity. It is considered that the proposed use would not create a significant increase in noise from the existing situation. The property already utilises bins which are stored in the shared alley to the side of the property, this situation is not proposed to change and as the level of use remains the same it is considered that it would not offer any further harm to the neighbours amenities. There is no requirement in planning policy for guesthouses to have a specific amount of amenity space and the nature of the use means that it is only likely to attract transient tenants who do not require private outdoor amenity space. It is therefore considered that the proposed development would not offer any significant harm to the neighbouring properties amenities in accordance with Policy 5 of the NELLP.

5) Highways

The proposed change of use does not increase the number of rooms, 6, and as such is unlikely to attract a significant amount of additional traffic movements or require a significant amount more of on street parking. As such the impact on highway safety and amenity would be minimal. The Highways team have considered the proposed change of use and have not raised any concerns. It is therefore considered that the proposal accords with Policy 5 of the NELLP.

CONCLUSION

In conclusion, it is considered that the proposed development would not have a detrimental impact upon the character and appearance of the area or the neighbouring properties amenities. It would therefore accord with Policies 5 and 33 of the NELLP. The application is therefore recommended for approval.

RECOMMENDATION

Approval with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site plan 1:500

Site plan 1:200

Existing floor plans

Proposed floor plans

Existing and proposed elevations

Reason

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

(3) Condition

Prior to the first occupation of the hereby approved guesthouse details of a flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. Confirmation shall also be provided that the property has been registered with the Environment Agency Flood Warning Direct service. These measures shall then stay in place throughout the lifetime of the development.

Reason

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

Informatives

1 Reason for Approval

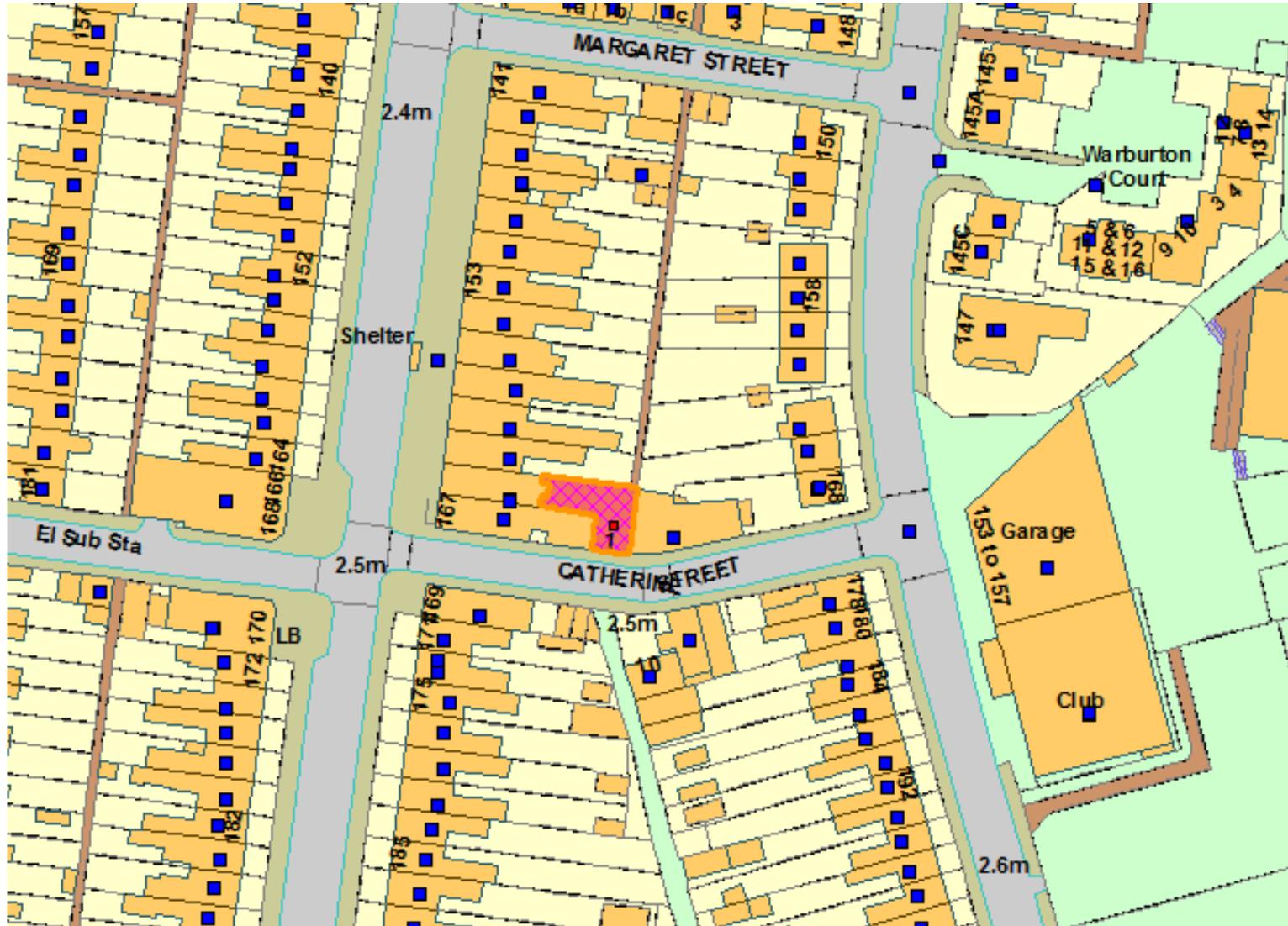
The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance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

2 Added Value Statement

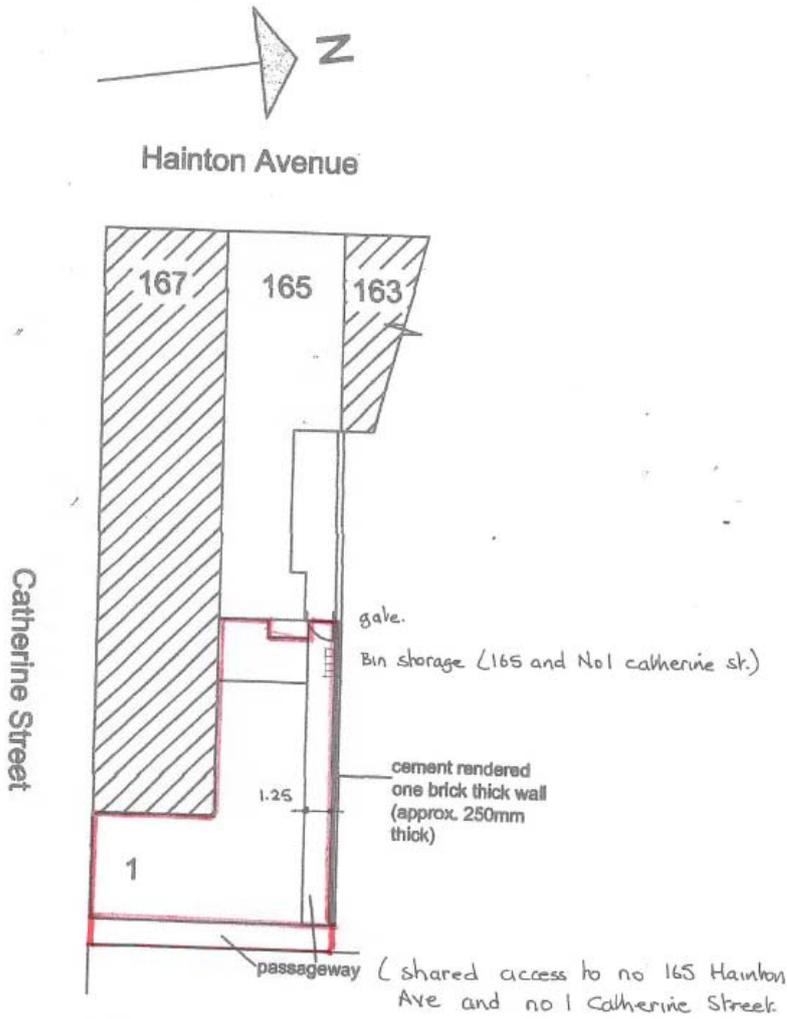
Article 31(1)(cc) Statement - Positive and Proactive Approach

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

DM/0441/19/FUL – 1 CATHERINE STREET, GRIMSBY



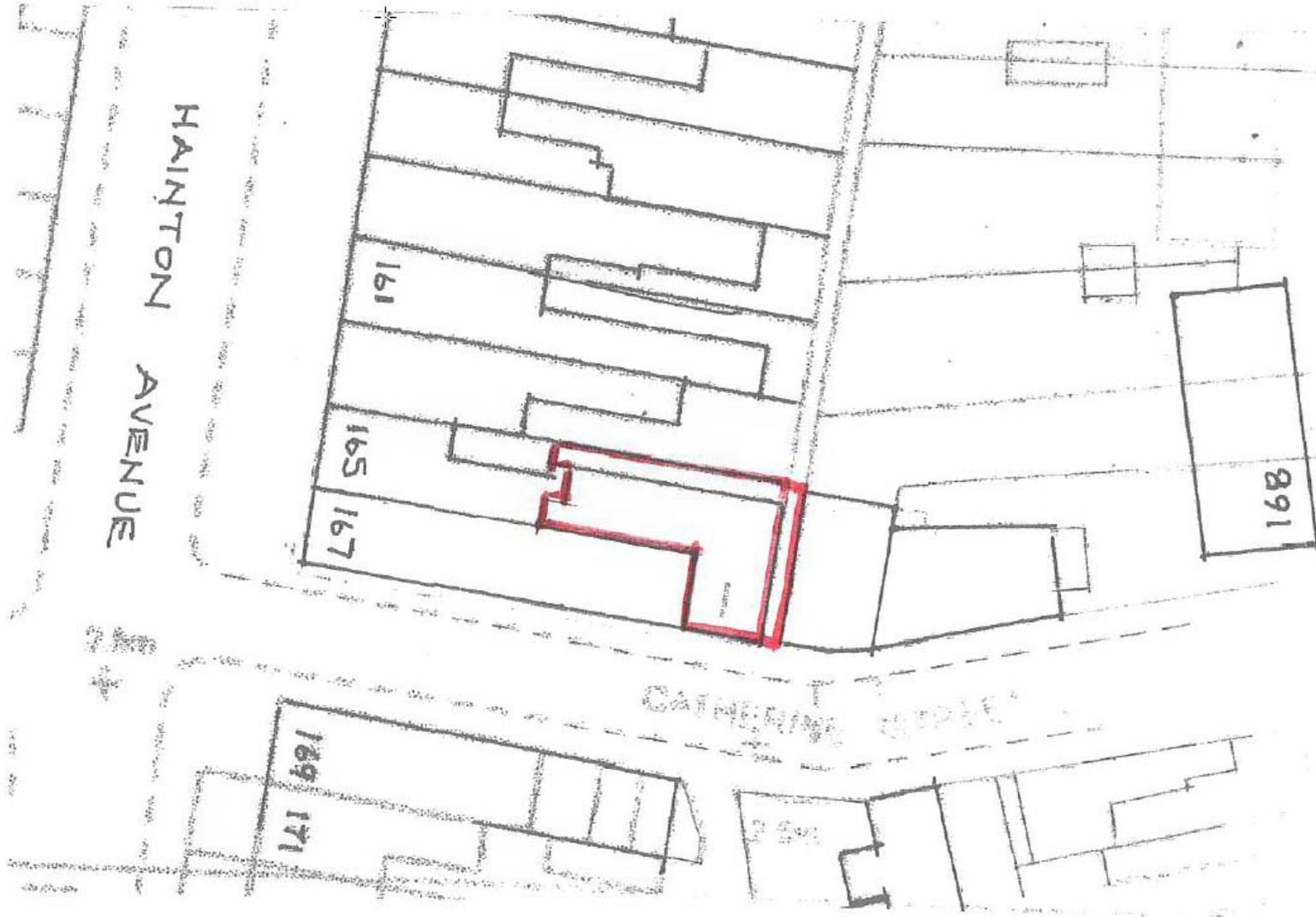
DM/0441/19/FUL – 1 CATHERINE STREET, GRIMSBY



**Site Plan Showing Land to
1 Catherine Street Grimsby
DN32 9LE
Scale 1/200**

RECEIVED
04 OCT 2019

DM/0441/19/FUL – 1 CATHERINE STREET, GRIMSBY



Comments for Planning Application DM/0441/19/FUL

Application Summary

Application Number: DM/0441/19/FUL

Address: 1 Catherine Street Grimsby North East Lincolnshire DN32 9LE

Proposal: Change of use from house in multiple occupation to bed and breakfast guest house

Case Officer: Richard Limmer

Customer Details

Name: Mrs SANDRA CLARK

Address: CALOR SHOP 159 HANTON AVENUE GRIMSBY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There is no specific area to keep waste management bins i.e. no garden or bin store, the property at present only has one green bin which has to be left in passage way causing an obstruction to residents access.

There is not enough parking spaces to accommodate customer and residents parking.

Comments for Planning Application DM/0441/19/FUL

Application Summary

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Address: 1 Catherine Street Grimsby North East Lincolnshire DN32 9LE

Proposal: Change of use from house in multiple occupation to bed and breakfast guest house

Case Officer: Richard Limmer

Customer Details

Name: Mr ATTAOLLAH BANIHASHEMI

Address: 165 HANTON AVE Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I can not support this application due to:

1. This will increase a lot of movement and we only have a small shared area between 1 Catherine Street Grimsby North East Lincolnshire DN32 9LE and 165 Hainton Ave .
2. Increase in noise volume.
3. Increase in the number of car parking space require in the 1 Catherine St.
4. Increase in the traffic fellow

Comments for Planning Application DM/0441/19/FUL

Application Summary

Application Number: DM/0441/19/FUL

Address: 1 Catherine Street Grimsby North East Lincolnshire DN32 9LE

Proposal: Change of use from house in multiple occupation to bed and breakfast guest house

Case Officer: Richard Limmer

Customer Details

Name: Mr Anthony Wilkins

Address: 9 Queens Court Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am the owner/landlord of 163 Hainton Avenue and have been notified by my tenant of the application for 1 Catherine Street.

My objections are:

Noise - people coming and going at all hours- we experienced this ourselves before moving out and at times it was horrendous. Our tenant has mentioned it has not been better!

Proximity to our property at the back- only 1 metre from garden wall.

Waste disposal- only 1 bin and no room to put anymore- they have dumped furniture and waste in the passage before.

Parking can be an issue at present so this will only make it worse.

Comments for Planning Application DM/0441/19/FUL

Application Summary

Application Number: DM/0441/19/FUL

Address: 1 Catherine Street Grimsby North East Lincolnshire DN32 9LE

Proposal: Change of use from house in multiple occupation to bed and breakfast guest house

Case Officer: Richard Limmer

Customer Details

Name: Mr Anthony Foster

Address: 178 heneage road grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are four issues I see possibly more internal .

- 1- There is no outside communal areas (i e for guests to congregate - smoke etc) apart from outside the front door which when doing so restricts the footpath to pedestrians .
- 2- There does not appear to be any rubbish bins storage area without obstructing access (also there rubbish over flows into the passageway which is right of way for residents Hainton ave and Heneage rd)
- 3- They have no on site parking (making it difficult for local residents and businesses)
- 4 -This building has been operating as a bed and breakfast for more than a year now (I have not seen it to be a benefit in any way to the local community)

Comments for Planning Application DM/0441/19/FUL

Application Summary

Application Number: DM/0441/19/FUL

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Case Officer: Richard Limmer

Customer Details

Name: Mr Anthony Foster

Address: 178 heneage road grimsby

Comment Details

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Stance: Customer objects to the Planning Application

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3- They have no on site parking (making it difficult for local residents and businesses)

4 -This building has been operating as a bed and breakfast for more than a year now (I have not seen it to be a benefit in any way to the local community)

SITE

The site is located in an established residential area. The property itself is sited at a corner plot that borders Weelsby Avenue to the east and Oak Avenue to the south.

The plot has a relatively large rear garden, no previous extensions have taken place at the property. Oak Avenue to the west and rear of the garden is a small residential cul-de-sac.

The concept of two storey extensions is known to the area, and notably a two storey extension exists at number 42 Weelsby Avenue.

To the north of the host dwelling are residential properties, the closest being number 38 Weelsby Avenue which is adjoined to the host dwelling and separated by relatively high fencing.

RELEVANT PLANNING HISTORY

None relevant to the proposal site, but 36922 approved a two storey extension in 1983 at number 42 Weelsby Avenue.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

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

Drainage Department - Advises standard informative for surface water drainage in regard to draining all surface water from the extension to a water butt, soakaway or other sustainable drainage feature.

Heritage Officer - No heritage input.

Highways Department - No objections.

Neighbour Representations - 6 objections, 5 in support

Objections-

38 Weelsby Avenue
36 Pearson Road
42 Weelsby Avenue
Torrington Street
Park Avenue
The Berea

Broadly on the grounds of works started, light, impact on sewer and character.

Supports-

33 Weelsby Avenue,
9 Oak Avenue
42 Weelsby Avenue
6 Oak Avenue
174 Humberston Road

Broadly on the grounds that the extension maintains existing character and seeks to use appropriate materials.

No other representations made.

APPRAISAL

The material considerations are as follows:

- 1) Principle of Development;
 - 2) Design and Impact to the Character of the Area;
 - 3) Impact to Neighbours;
 - 4) Other Matters;
-
- 1) Principle of Development;

The proposal site is within the development boundary of Grimsby as designated in Policy 5 of the North East Lincolnshire Local Plan, 2013-2032 (NELLP) and relates to the erection of a two storey extension to the side and rear and the erection of a single storey extension to the rear at an existing semi-detached residential property. Based on its location within the development boundary at an existing house, the principle of the development is acceptable and so it now falls to site specific material considerations in order to determine the planning application. The proposal will thereby be assessed in terms of its design (Policy 22 of the NELLP) and also whether it would cause any significant impacts in regards to neighbouring residential amenity (Policy 5 of the NELLP).

2) Design and Impact to the Character of the Area;

The proposal incorporates two elements. The first is to erect a two storey side and rear extension. The proposal is located at a corner plot and so the extension would impact upon two streetscenes.

In terms of its height, the two storey extension would have a ridge height of approximately 7m. The existing house has a ridge height of approximately 8.5m. On the south elevation, the proposed two storey extension incorporates a gable end with a upvc window to match the existing.

In terms of its length, the proposal projects approximately 3.6m to the west and rear which thereby totals the entire south elevation at approximately 10.2m.

In terms of its width across the west elevation, the two storey extension would span approximately 5.9m. Notably the existing width of the house is approximately 9.5m. The two storey extension, as seen from both east and the west elevations, would project a further 1.8m from the existing side wall.

The extension is considered to be sympathetic in terms of its design to the existing house. Materials and design features would be similar and the extension would give the impression of appearing subservient to the main dwellinghouse due to its height. It is acknowledged that the plot is in a prominent position between Oak Avenue and Weelsby Avenue. That being said, it is not considered that the design and scale of the two storey extension causes any significant harm to the overall character of the area. Other two storey extensions nearby are noted.

The proposal also includes the erection of a single storey rear extension.

In terms of its height, the single storey rear extension would have a height of approximately 3.5m to its ridge. Its eaves height would be approximately 2.5m. There would be two roof lights in the roof pitch.

In terms of its width, the single storey extension would span approximately 3.5m.

In terms of its length, the single storey rear extension would project approximately 2.3m from the rear wall.

Given its single storey nature, and its position to the rear, the proposal would not cause any significant impacts to the character of the area in terms of design.

Having considered the above, the proposal accords with Policy 22 of the NELLP.

3) Impact to Neighbours;

The host dwelling is located in an established residential area that borders two streets; Oak Avenue and Weelsby Avenue. The host dwelling is a semi-detached property and as such is adjoined to number 38 Weelsby Avenue. Number 38 Weelsby Avenue has objected to the proposal and has made a series of representations. Some of the representations cannot be assessed as part of this application as they are not considered to be planning matters. The proposal is assessed in regard to impacting residential amenity by means of massing, overlooking and overshadowing. The neighbour has objected to the proposal in regards to massing and overshadowing. In respect of overshadowing, concerns have been raised from loss of direct sunlight as well as natural daylight. Concerns also relate to overlooking and oppression from massing. Drainage concerns have been raised in regards to building over an existing drain.

Given the concerns in regards to overshadowing, the relevant tests have been carried out in order to assess any impacts from both the proposed single storey extension and two storey extensions relating to daylight and sunlight.

In respect of the neighbouring property, number 38 Weelsby Avenue includes a bay window to its rear elevation that currently facilitates a kitchen. The window is considered to be perpendicular to the proposed extensions. It is acknowledged that the inherent nature of the bay window incorporates a section of window facing south that would be opposite the proposed extensions, but the key consideration is the main west facing section of the window that is perpendicular to the proposal. As such a 45 degree light test was undertaken, the proposal passes this test. If this initial test is passed, there is no formal requirement for a full daylight and sunlight test, as the light impacts are not deemed to be adverse. Thus, whilst there may be an impact it is not sufficient enough in order to refuse this application as sunlight and daylight will still be enjoyed to an acceptable level on the whole.

The two storey extension projects approximately 3.6m to the rear. The two storey element is separated from the boundary fence of this neighbour by approximately 3.6m. Given this separation distance from the boundary and the projection of 3.6m to the rear, it is not considered that the proposed two storey extension presents any significant impacts in regards to massing to this neighbour. Although closer to the boundary fence than the proposed two storey extension, the single storey rear extension would not create any significant impacts in regards to massing given its limited height or overlooking given the height and position of the roof lights.

In regards to windows, there would be no new side windows facing in the direction of this neighbouring property. It is acknowledged that there would be a first floor window facing to the west as part of the rear elevation of the two storey extension. However given that there exists already the concept of a first floor window at this rear elevation, it is not considered that there are any significant impacts in regard to this neighbour.

To the west and rear of this neighbour are properties at Oak Avenue; the closest of which is number 9. Given the separation distance of approximately 16m from the neighbour, it is not considered that the proposed single storey extension or proposed two storey extension would cause any significant impacts in regards to massing or overshadowing. Moreover given that the concept of a first floor window exists at the rear elevation, and the separation distance, it is not considered that the proposals would cause any significant impacts in regards to overlooking.

To the south of the proposal and across the street is 42 Weelsby Avenue. A comment in objection has been received, and so has a comment in support. This appraisal will assess any impacts in regards to residential amenity; irrespective of this.

42 Weelsby Avenue is approximately 10m from the proposed two storey extension. Although it would extend closer to this neighbour than the existing south side wall, it is not considered that there would be any significant impacts in regards to massing given that the extension would not exceed the height of the existing property. It should be acknowledged that there would be an en-suite window facing in this direction. As such it is considered that a condition to obscure the glass of the window would be relevant and in the interest of residential amenity. As such there would be no significant impacts in regards to overlooking. Given the separation distance, existing property and that this neighbour is to the south, it is not considered that the proposal presents any significant impacts in regards to overshadowing.

As the proposal protrudes to the side, it would be seen by neighbours on Weelsby Avenue that are opposite; moreover it would also be seen from the south west by neighbours at Oak Avenue. It is not considered that there are any significant impacts in regards to these neighbours in terms of massing, overlooking or overshadowing given their distances from the property.

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

4) Other Matters;

As part of this application, the drainage department was consulted. They have recommended an informative for surface water drainage methods. Neighbour concerns relate to works to existing drains. Whilst these comments are acknowledged, it is considered that it is a matter for Anglian Water and Building Control, and not a planning consideration. An informative is recommended.

CONCLUSION

This proposal is brought to the attention of planning committee due to the number of objections from neighbours. The proposal is for the erection of a single storey rear extension and the erection of a two storey side and rear extension. The proposal is not considered to present any significant impacts in regards to its design, nor would it present any significant impacts in regards to neighbouring amenity.

The proposal is therefore considered to accord with Policies 5 and 22 of the NELLP and is recommended for approval with conditions.

RECOMMENDATION

Approval with Conditions

(1) Condition

The development hereby 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:

Proposed Elevations - 011 A

Site Location, Block Plan and Proposed Floor Plans - 010

Reason

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

(3) Condition

The proposed development shall be constructed using materials, as detailed on the approved plans and described in the application form, 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.

(4) Condition

The first floor window on the south side elevation shall be glazed with obscure glass at a level of 3 or above as measured on the Pilkington scale before it is installed and shall be retained at the same level of obscurity thereafter.

Reason

In the interest of residential amenity to accord to policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(5) Condition

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

Reason

To protect the amenities of nearby residents and accord with policy 5 of the North East Lincolnshire Local Plan, 2013-2032.

Informatives

1 Reason for Approval

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

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 note that you are advised to contact Anglian Water if the proposal requires a build over agreement.

4 Informative

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

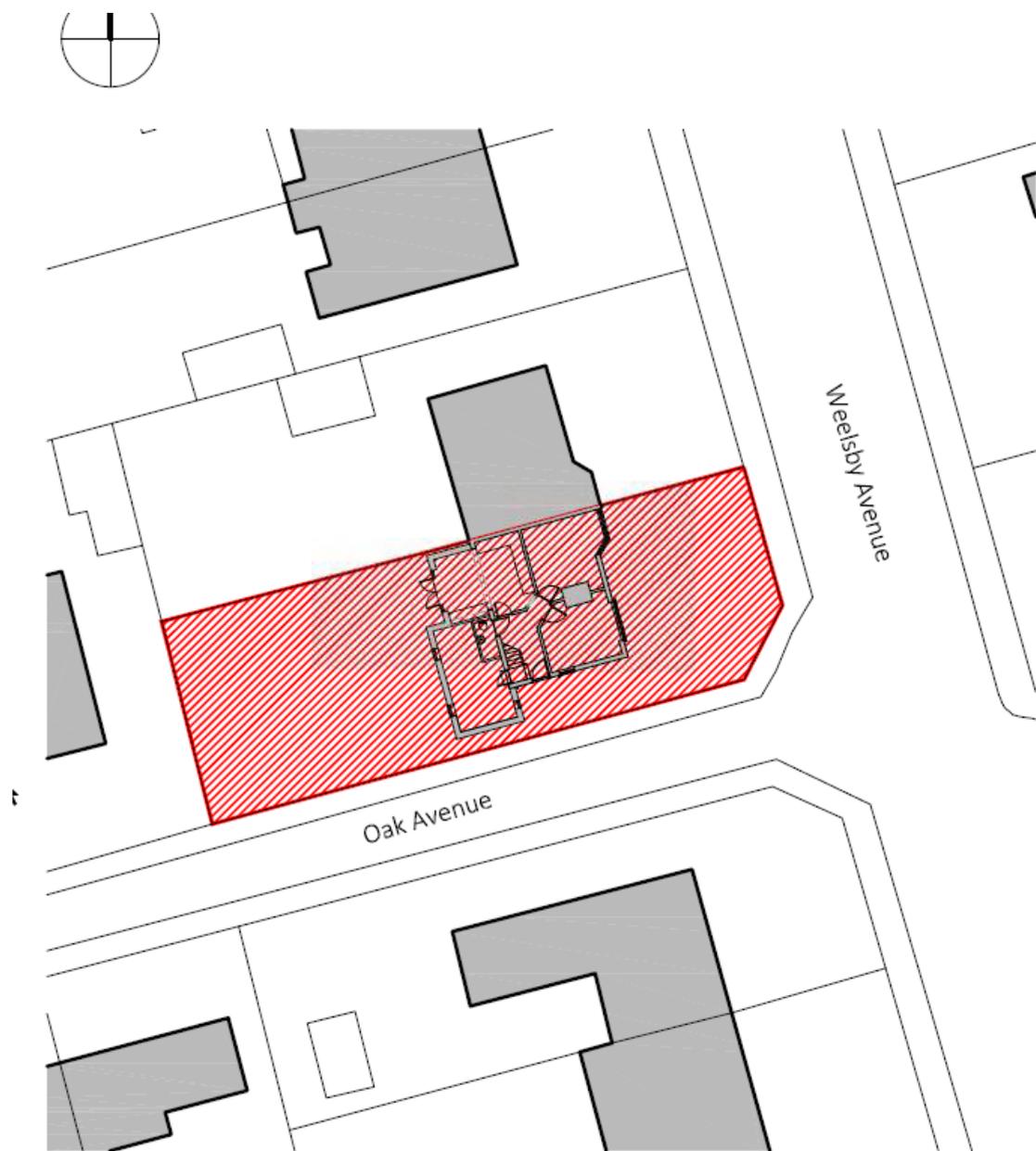
5 Informative

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

DM/0003/20/FUL – 40 WEELSBY AVENUE, GRIMSBY



DM/0003/20/FUL – 40 WEELSBY AVENUE, GRIMSBY



PROPOSED PLAN
1.500

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Ms Yvonne Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to strongly object to this proposal. It will totally overshadow my house and garden and will block out most of my natural light to the garden. I will be completely overlooked and the extension will be right up to my boundary. As the sun moves around the property my rear garden will receive very reduced light. The first floor extension will make my property feel enclosed. It will severely restrict my right to privacy and right to peacefully enjoy my property and gardens.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Ms Yvonne Topler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object as the planned extension is being built directly over my incoming water supply. The main water feed to my house comes from the street on the other side of this property, through their garden to the rear of my house.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Yvonne Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would also like to object due to the fact I have spent a lot of time and effort cultivating my rear garden which contains lots of mature trees and plants which will suffer with the lack of light and an increase in damp conditions. I am quite appalled that a two storey extension would even be considered in such a compact environment. It will basically mean my garden will be surrounded by a concrete eyesore.

Comments for Planning Application DM/0003/20/FUL

Application Summary

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Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Yvonne Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It is clear to see from the plans that the two storey extension is going to block out light to their existing back bedroom and the kitchen which is why they are adding roof lights to both. The extension will do the same to my back bedroom window and especially my kitchen but I don't have the luxury of fitting roof lights! I have been informed by an architect that under the "Right to light" laws mostly acquired by the Prescription act 1832 that this is not acceptable. I wish to object on these grounds.

Comments for Planning Application DM/0003/20/FUL

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Customer Details

Name: Miss Yvonne Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Please can you tell me why this application has not even been granted approval and they have already dug all the foundations today?? They clearly know something I don't... I will be taking legal advice.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Yvonne Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: After consultation with a professional architect I would like to object further due to the following:

These plans appear to have been drafted by the homeowners themselves with no architectural or planning knowledge. If they have in fact gained building regulations they should not due to various design flaws including doors on stairways. The orientation of the properties and the extension will clearly restrict my right to light in the rear bedroom and kitchen. A sun path analysis should be undertaken to determine how this 2 storey extension will affect light.

A further consideration is the fact they have not consulted the relevant water authority in regards to sewer man holes in theirs and my garden which have shared access. They have not gained the relevant build over agreement which is illegal as per a conversation with Anglian Water. I would also point out they have already disconnected and moved sewer access points to the boundary of the street within less than 3 meters of a mains sewer.

Also the fact they have started work on a project which does not have planning permission raises serious issues especially when they declared on the application form that they hadn't started work.

As a final note my right to light issues is a major concern and would like a site visit as soon as possible before they build the entire structure illegally.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Yvonne Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have grave concerns on the safety of the illegal building works that have already been carried out without planning permission or building regs! It concerns me they have already had a gas leak and when the builders are operating machinery and mini diggers/dumper trucks on public highways whilst alcohol can clearly be seen in photos taken during the works is rather worrying!

I would also point out that there are no two storey extensions of this type to the rear of properties within this location. Google maps shows this clearly as does the Building Regs portal on NELC website.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Y Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As my property is the main one to be affected by this proposed build, I have objected due to my light being restricted. Due to the orientation of the buildings the reduced sunlight and natural light would not affect any properties in Oak Avenue or No 42.

I Do not feel the need to approach the whole street to make representations on my behalf fake or otherwise.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Y Tipler

Address: 38 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Mr Sainsbury, while I understand your desire to support your brother-in-law Mr Chessman and his wife in their planning application I find it a bit weird you pretending to be a random stranger and making up a fake scenario to do it! Also a more cynical person may read your last sentence as a bit threatening so thanks for putting it in writing incase of any further damage to my property.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mr Andy Marshall

Address: 36 Pearson Road Cleethorpes

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The objection is due to the extension is not in keeping with the other properties within the immediate location and will cause severe light obstruction to neighbouring properties. This extension will severely limit the natural light entering both the property and the gardens.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mr John Brown

Address: 42 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The extension will restrict light to my property and to my garden. I will be overlooked and this is causing me unnecessary worry and distress.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mr Nigel Tipler

Address: Torrington Street Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to this planning application as it is not in keeping with the other properties within the immediate area and will cause a right to light issue. This two storey extension will block out light from adjoining properties. I am also concerned the extensions are close to a sewer and could cause damage when building works are carried out.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mrs L McMahon

Address: Park Avenue Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It seems very wrong that people can just start building whatever they like without having planning permission or building regulations in place. This extension would appear to block out the light to the neighbouring property which is very concerning and not right.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mr D Grey

Address: The Berea Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The design of this proposed extension is quite uninspiring and will limit the light to the neighbouring property dramatically.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mrs C Grey

Address: The Berea Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Any reputable builder would be very aware of the rules and regulations concerning planning permission and building regulations which these people seem to be totally disregarding. This proposed extension will severely limit the natural light going into the rear of the neighbouring property. The blatant disregard for building regulations and build over agreements with the local water authority is a serious concern and their work carried out so far without proper consultation could cause damage to other properties within the immediate location with shared sewers.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mrs Helen Askwith

Address: 33 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have no problems with the proposed building extension and fully believe that it will be fully in keeping with the surrounding area with no detrimental effect.

Other properties within the same area have had similar extensions without any problems and I can see no reason why this build would be any different.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mrs STEPHANIE HULME

Address: 9 Oak Avenue 9 OAK AVENUE GRIMSBY

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I live at the rear of this property and don't see any problems with the plans at all. There are other properties in this area that have extensions and there is no reason why this one would not be in keeping with the area.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mrs Tracy Wilson

Address: 42 Weelsby Avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Not sure what's going on here but I live next door to the property on the other side at 42 and Mr John Brown definitely does not live here (maybe I should check the attic) although if he did live here I'm not sure he'd be in a position to object seeing as the property has a sizeable 2 story extension to the rear. So the argument that this project would not be in keeping with the area is completely unfounded. Even if Miss Tipler has never walked any further down her street I'm pretty sure our extension is big enough for her to see from her garden. And It certainly would not affect the light to our property, Therefore I would like to clarify that we have no issue with these plans.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Miss Emma Oswin

Address: 6 oak avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have no objection to extension at 40 weelsby Avenue i and i am in 100% support of project

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mr Steve Roffee

Address: 6 oak avenue Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I absolutely DO NOT object to the extension and think we should all have one!
If somebody is trying to improve and make their lives a better one, then who am I to object.

Comments for Planning Application DM/0003/20/FUL

Application Summary

Application Number: DM/0003/20/FUL

Address: 40 Weelsby Avenue Grimsby North East Lincolnshire DN32 0AQ

Proposal: Erect two storey and single storey extension to rear

Case Officer: Owen Toop

Customer Details

Name: Mr Martin Sainsbury

Address: 174 Humberston Road Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: After recently speaking to a parent at a local school and hearing the story of this extension I had to look it up and read about it myself.

A neighbour near my property built an eyesore with no thought of its appearance to the surrounding area. I find it an absolute relief that some people still take the time and effort to source traditional materials, slate, bricks etc...to keep the extension looking the same as the original property. Is this a case of neighbour envy? I'm honestly not sure, but my advice, be careful what you wish for as you could have a giant wooden horror like me!

PLANNING COMMITTEE - 20th May 2020

ITEM: 3

**RECOMMENDATION: Approval with
Conditions**

APPLICATION NO: DM/0043/20/FULA

APPLICATION TYPE: Accredit Agnt - Hseholder application

**APPLICATION SITE: 125 Peaks Lane, New Waltham, Grimsby, North East
Lincolnshire, DN36 4LU**

**PROPOSAL: Erect single storey extension to side of existing garage to provide
store and office to include the installation of rooflights (Amended Plan and
Description received 2nd March 2020)**

APPLICANT:

Mr Matthew Allsopp
125 Peaks Lane
New Waltham
DN36 4LU

AGENT:

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

DEPOSITED: 17th January 2020

ACCEPTED: 17th January 2020

TARGET DATE: 13th March 2020

PUBLICITY EXPIRY: 28th March 2020

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 13th February
2020

CASE OFFICER: Bethany Loring

PROPOSAL

The application seeks to erect a single storey extension to the side of the existing garage to provide a store and office to include the installation of roof lights within the curtilage of an existing detached dwelling.

The application is brought to committee following the amount of neighbour objections.

SITE

The proposal site is a detached dwelling located on the west side of Peaks Lane situated centrally along the street. It is predominantly residential in this area and host to varied dwelling types and designs generally of modest size. The plot has a paved driveway to the front, with a small landscaped area, with a hedge, which establish the front boundary. Fencing and vehicle access gates, bordering the private lane, establishing the side boundary. There is an open vehicle access point to the front as well as a gated access to the side, which can be accessed from the private lane.

RELEVANT PLANNING HISTORY

DC/369/07/HUM - Alterations and extensions to existing dwelling and erection of detached garage - Approved with Conditions 15th May 2007.

DC/50/08/HUM - Amendments to previously approved garage - Approved with Conditions 19th March 2003.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

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

Drainage Team - Water butt(s) acceptable to a minimum specification and overflow directed.

Highways Team - Approval no conditions.

Heritage Officer - No input required.

Neighbour Representations

117A Peaks Lane - Objects based on concerns relating to original scheme specifically height, design, overlooking, access, obtrusive development and future use.

117B Peaks Lane - Objects based on concerns relating to original scheme specifically height, proximity, vehicle access, intended use, visibility and safety.

123 Peaks Lane - Objects based on concerns relating to original scheme specifically height, intended use, disruption and visual obstruction.

127 Peaks Lane - Objects based on concerns relating to the original scheme specifically overbearing size and scale, close proximity to the boundary, out of character, overshadowing, loss of privacy, loss of light, intended use, surface water, flooding, tree planting and build line.

APPRAISAL

The material considerations are:

Principle of Development

The application site is within the development area of New Waltham (Policy 5), and relates to the erection of a single storey extension to the side of the existing garage to provide a store and office to include the installation of roof lights within the garden of an existing detached dwelling. The principle of development is therefore acceptable provided that the proposal does not give rise to significant issues in terms of residential amenity and that the design is in accordance with policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 of the NPPF.

Design

The single storey side extension will project from the sidewall of the garage by 4.1 metres, at the furthest point, covering a length of 7.1 metres. A hipped roof would be incorporated into the design with an eaves height of 2.6 metres and a maximum height of 4.9 metres. The whole roof will be changed to enable the extension and the existing garage to all incorporate the new roof design. The height will be increased by 0.4 metres to a maximum of 4.9 metres. The extension will provide a store and office to the garage. This addition will include the installation of bi-fold doors to the east elevation and a window to the south elevation. There will also be a total of six roof lights installed in all elevations, including the existing roof slopes.

The extension will be constructed of brickwork with smooth painted render, and antique pantiles, which are similar in appearance to the existing garage. The whole garage will be

rendered following the extension. Furthermore, it is proposed to utilise grey uPVC for the new window and door openings however, the roof lights will be aluminium.

The majority of the works will be positioned to the rear and will be screened by the host dwelling. However, due to the prominence of the site, in relation to the private lane, it will be visible from this area. The nature of the works along with the scale and position proposed is typical of a residential development and is not unusual to the area. It would therefore not be unduly harmful.

It is therefore considered to be in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 of the NPPF.

Impact on Neighbouring Properties

The main impact of this development would be to 123 and 127 Peaks Lane, New Waltham.

It is important to note that all of the neighbour objections received were in relation to the original scheme submitted. This has since been significantly amended in response to concerns raised.

The single storey extension will follow the line of the existing garage and will sit less than 1 metre away from the boundary with the adjoining neighbour, 123 Peaks Lane. The boundary is established by fencing of around 1.8 metres in height. There will be no openings installed to the side wall, which will face the affected neighbour. The extension will protrude from the opposite elevation therefore creating no additional profile in the neighbour's view. The height is being slightly increased and one roof light will be installed into the roof slope. It is noted that this neighbour has provided an objection to the proposal in relation to height, intended use, disruption and visual obstruction. It is important to note that the scheme has been significantly amended since the objection was received. As the extension is only of single storey, it is not considered to present an issue in terms of dominance, overlooking, massing or loss of light. It is therefore considered that this addition will have no negative impact to the neighbour due to the amendments made to the scheme.

The single storey extension will follow the line of the existing garage and will sit less than 1 metre away from the boundary with the adjoining neighbour, 127 Peaks Lane. The boundary is established by fencing of around 1.8 metres in height. There will be no openings installed to the rear wall, which will face the affected neighbour. The height is being slightly increased and roof lights will be installed into the roof slopes. It is noted that this neighbour has provided an objection to the proposal in relation to the overbearing size and scale, it being out of character, overshadowing, loss of light, intended use, surface water, tree planting and build line. It is important to note that the scheme has been significantly amended since the objection was received. As the extension is only of single storey, it is not considered to present an issue in terms of dominance, overlooking,

massing or loss of light. It is therefore considered that this addition will have no negative impact to the neighbour due to the amendments made to the scheme.

In relation to other neighbours, the works are considered to be well-separated from these. This will therefore ensure no adverse harm to their amenity.

It is therefore considered that the proposal would not have an unacceptable impact on residential amenity in this instance and would accord with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 of the NPPF.

CONCLUSION

In conclusion, it is considered that the proposed development would not unduly harm the appearance of the street scene, the wider character of the area or neighbours' residential amenities.

It is therefore in accordance with policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) and section 12 of the NPPF and is recommended for approval.

RECOMMENDATION

Approval with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Site Location Plan - RD4358-03A

Existing and Proposed Site Plans, Floor Plans and Elevations - RD4358-01G

Reason

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

(3) Condition

The proposed development shall be constructed using materials specified on drawing number RD4358-01G unless otherwise first approved in writing by the Local Planning Authority.

Reason

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

(4) Condition

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

Reason

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

(5) Condition

The water butt or water butts, shown on plan RD4358-01G shall be installed to a minimum specification of 560 litres with an overflow directed to a landscaped area away from the fabric of any building within the curtilage of the site before the extension is brought into use. Unless an alternative is submitted to and approved in writing by the Local Planning Authority.

Reason

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

(6) Condition

The garage shall be used and occupied only in conjunction with and ancillary to the main dwelling known as 125 Peaks Lane and shall not be let, sold or rented separately from the main dwelling.

Reason

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal 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 policy 5 and 22.

2 Informative

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

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

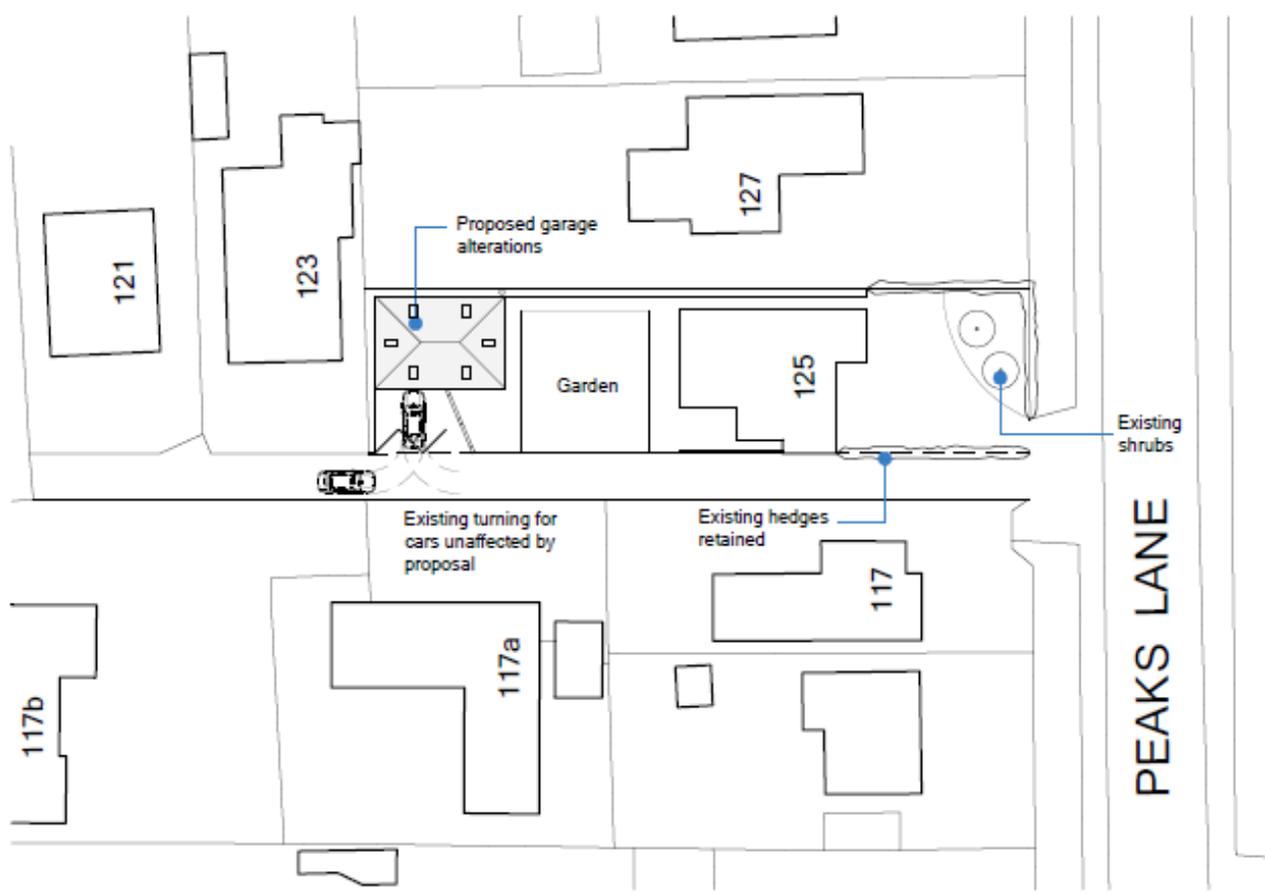
3 Informative

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

4 Informative

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

DM/0043/20/FULA – 125 PEAKS LANE, NEW WALTHAM



Proposed Site Plan

1:500

Comments for Planning Application DM/0043/20/FULA

Application Summary

Application Number: DM/0043/20/FULA

Address: 125 Peaks Lane New Waltham Grimsby North East Lincolnshire DN36 4LU

Proposal: Erect a detached car port to the front garden, extend and alter existing detached garage to form a first floor office space

Case Officer: Bethany Loring

Customer Details

Name: Mr Douglas and Beryl Dixon

Address: 117a Peaks Lane New Waltham Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Garage is too imposing and near to the front of our bungalow. It is much higher than both the bungalow beside it and ours.

There shouldn't be a 2 storey property in this part of the lane, the top window directly overlooks our property. It is too near the lane for proper access to and from garage.

It appears the proposal is commensurate with future self contained living accommodation.

Carport is too obtrusive in front of building line and will change the street scene.

Comments for Planning Application DM/0043/20/FULA

Application Summary

Application Number: DM/0043/20/FULA

Address: 125 Peaks Lane New Waltham Grimsby North East Lincolnshire DN36 4LU

Proposal: Erect single storey extension to side of existing garage to provide store and office to include the installation of rooflights (Amended Plan and Description received 2nd March 2020)

Case Officer: Bethany Loring

Customer Details

Name: Mrs Joanne Dunne

Address: 117b Peaks lane, New waltham Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: We would prefer that the roof ridge height is not to be any higher than it is now. Also proper consideration and assessment that the drainage is adequate for the increased roof area. The lane owned by this property is constantly flooded.

Comments for Planning Application DM/0043/20/FULA

Application Summary

Application Number: DM/0043/20/FULA

Address: 125 Peaks Lane New Waltham Grimsby North East Lincolnshire DN36 4LU

Proposal: Erect a detached car port to the front garden, extend and alter existing detached garage to form a first floor office space

Case Officer: Bethany Loring

Customer Details

Name: Mr Michael and Joanne Dunne

Address: 117b Peaks lane, New waltham Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

We didn't receive a letter about this application despite it being directly opposite our access from lane.

We consider this proposal is too near the lane and too high.

Can the applicant, or the council, demonstrate how a vehicle will be able to enter or leave the garage, as in the proposed design, without crossing onto our private property, which we do not agree to. The proximity of the front of the garage to the lane, with reduced pull in space available and restricted driver visibility, will create a safety issue with other vehicles and pedestrians using the lane.

If the garage is not intended for vehicular use, what is its purpose?

Carport

We think this is unacceptably forward of the street building line and will impair vision of cars coming out of the lane to the main road.

Comments for Planning Application DM/0043/20/FULA

Application Summary

Application Number: DM/0043/20/FULA

Address: 125 Peaks Lane New Waltham Grimsby North East Lincolnshire DN36 4LU

Proposal: Erect a detached car port to the front garden, extend and alter existing detached garage to form a first floor office space

Case Officer: Bethany Loring

Customer Details

Name: Mrs CHRISTINE GUY

Address: 123 PEAKS LANE GRIMSBY

Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:MY CONCERNS TO THE PROPOSED PLANS OF THE EXTENSION TO THE GARAGE .

ONE , HOW MUCH HEIGHER IS THE ROOF GOING TO BE ON COMPLETION, PLUS I AM NOT GOING TO HAVE THE FEELING OF LIVING AT THE SIDE OF A BLOCK OF FLATS.

TWO, THAT IT'S SOLE PURPOSE IS JUST FOR OFFICE USE ONLY AND NOT AS LIVING ACCOMMODATION .

THREE,MY CONCERN IS HOW MUCH DISRUPTION WILL THERE BE ON THE LANE IF PLANNING GOES AHEAD .

FOUR, AS THE CARPORT IS ON THE FRONT OF THE PROPERTY IT WILL BE MORE OF AN EYE SORE FOR THE NEIGHBOURS ON THE MAIN RD, PLUS RESTRICTS YOUR VIEW ON GETTING ON TO THE MAIN ROAD.

Comments for Planning Application DM/0043/20/FULA

Application Summary

Application Number: DM/0043/20/FULA

Address: 125 Peaks Lane New Waltham Grimsby North East Lincolnshire DN36 4LU

Proposal: Erect single storey extension to side of existing garage to provide store and office to include the installation of rooflights (Amended Plan and Description received 2nd March 2020)

Case Officer: Bethany Loring

Customer Details

Name: Mr Keith Proctor

Address: 127 Peaks Lane New Waltham GRIMSBY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objections to the amended planning application at No 125 Peaks Lane are as follows:-

Firstly some Facts followed by my objection points..

1. No. 125 house, gardens & garage sit 300mm / 1 ft above the site level of my home at No.127 - Flooding of my garden occurs following prolonged rainfall

2. The existing garage at No.125 stands 3m high to gutter level. This is 1.25 m above our 1.75m joint boundary fence. The hipped roof accounts for another 4.5m height & this 7.5m high x 10m long structure sits 2ft beyond our joint party fence just 7.5m from my garden room patio doors/windows. The scale of the garage extension is Overbearing, Very Close, & an unpleasant permanent structure to look out upon. It will also result in loss of daylight & sunshine, casting shadow across our garden which we are also unhappy about.

3. Due to the excessive height of the construction we suffer loss of privacy from patio doors/windows positioned in the garage East wall.

4. The Ross Davy architect plans are deliberately very evasive.

There are very few dimensions shown - roof & gutter height I believe are purposely left off & drainage systems are also missing.

My gut feeling is that the architect knows he is pushing limits here.

5. Personally, I still believe that this is a design that at some later stage will become a dwelling with roof space used in some manner. After all the original construction has cavity walls, membrane & damp course & I am sure the proposed extension will be the same.

Comments for Planning Application DM/0043/20/FULA

Application Summary

Application Number: DM/0043/20/FULA

Address: 125 Peaks Lane New Waltham Grimsby North East Lincolnshire DN36 4LU

Proposal: Erect a detached car port to the front garden, extend and alter existing detached garage to form a first floor office space

Case Officer: Bethany Loring

Customer Details

Name: Mr Keith Proctor

Address: 127 Peaks Lane New Waltham GRIMSBY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We live next door to Mr. M. Allsopp & I am aware of his proposals to:-

1. Extend & convert his existing garage into a 2 story building to create office space on the upper floor.
2. Build a new open plan apexed roof car port in his front garden, behind existing treelines & adjacent with the grass verge that borders his property at 125 Peaks Lane, New Waltham.

We wish to raise our objections to both proposals for the following reasons:-

1a) We believe that the garage conversion is overbearing in size and scale and out of character with surrounding property. We also feel that the shading of our property due to loss of daylight and sunshine is unacceptable.

We also believe that the proposal has nothing to do with the creation of office space and that the true intention is to create a 2 bedroom dwelling for sale.

1b) We believe that the new open plan apexed roof car port in the front garden of property 125 Peaks Lane, New Waltham. is overbearing in size and scale and out of character with surrounding property and is an unpleasant permanent structure to look out upon.

Here again we feel that the shading of our property, due to the size of the car port & it's high apex roof will result in loss of daylight and sunshine, which we feel is unacceptable.

We also believe that the car port proposal presents serious surface water flood problems that existing tree planting may not cope with.

Finally, we consider the car port construction to be beyond the accepted building line of properties in our road.

The development includes a number of large buildings and infrastructure to accommodate the industrial process involved. This includes:

- Feed conditioning building;
- Main processing area with columns/stacks to 55m high and the main gasification unit 65m high;
- Utility buildings up to 20m high;
- Vent stacks and flare systems up to 80m high.

The proposed development falls within Schedule 1, paragraph 10 of the 2017 EIA regulations as the development as the facility would involve the disposal of waste through a chemical process exceeding 100 tonnes per day. In all it is anticipated that the development will accommodate 600,000 tonnes of waste per year. The application has therefore been submitted with a supporting Environmental Statement (ES) and dealt with as an Environmental Impact Assessment application.

The application has been considered in detail by the necessary statutory and non-statutory consultees, which has led to a number of updates in the technical data within the ES. Subsequently an ES Addendum was submitted in April 2020 which has gone through the necessary consultation process.

SITE

The site is located to the south west of Hobson Way some 2km from Stallingborough village and 4km from Immingham. The site itself is 35.9h and allocated for industrial use on the NELLP 2018. The site is the former Abengoa bio-ethanol plant site where planning permission was granted for a large bio-ethanol site but it was never built out. Vehicular access is taken from Hobson Way.

The site itself is relatively flat and hosts a number of drainage ditches within the site and along the site boundaries. The land was once agricultural land but has been left without any particular activities being carried out since the mid 2000's. Just beyond the northern boundary of the site is South Marsh Lane, a public bridleway.

There are no residential neighbours in close proximity to the site as the area is generally characterised by large scale industrial development and associated infrastructure. Agricultural fields separate a number of these large scaled industrial developments.

The A180 is to the far south and west with a number of smaller classified roads which link it to the site and in the future, the South Humber Bank Link Road (under construction).

RELEVANT PLANNING HISTORY

DC/70/07/IMM - Erect bio-ethanol plant with associated infrastructure - Approved

DC/631/07/IMM - Hazardous substance consent to erect bio-ethanol plant - Approved

DC/766/07/IMM - Hazardous substance consent for bio-ethanol plant infrastructure - Approved

DC/1147/10/IMM - Renewal of planning permission for bio-ethanol plant - Approved

DM/0327/19/SCO - EIA Scoping for waste to fuels project

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

- NPPF2 - Achieving sustainable development
- NPPF4 - Decision-making
- NPPF6 - Building a strong, competitive economy
- NPPF9 - Promoting sustainable transport
- 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
- PO6 - Infrastructure
- PO1 - Employment land supply
- PO8 - Existing employment areas
- PO9 - Habitat Mitigation - South Humber Bank
- PO22 - Good design in new developments
- PO31 - Renewable and low carbon infrastructure
- PO33 - Flood risk
- PO34 - Water management
- PO36 - Promoting sustainable transport
- PO37 - Safeguarding transport infrastructure
- PO38 - Parking
- PO40 - Developing green infrastructure network
- PO41 - Biodiversity and Geodiversity
- PO42 - Landscape
- PO7 - Employment allocations
- PO47 - Future requirements for waste facilities

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

Immingham Town Council - No response.

Stallingborough Parish Council - No response.

Great Coates Parish Council - No objections.

National Case Work Dept. - No comments to make.

Natural England - Holding objection has been submitted by Natural England (20th Feb 2020) due to concerns over air quality, effluent and the Habitat Regulations Assessment. Since then meetings have been held between the applicant, Natural England and Officers to establish a path forwards to address the concerns raised. Subsequently a full addendum to the Environmental Statement has been submitted and consulted on. Whilst Natural England have not yet formally withdrawn their objection they have confirmed to Officers that the amended information goes along way to addressing their concerns.

It is anticipated that Natural England will withdraw their objection in due course.

Environment Agency - No objections, comments on the requirements of the proposed development through the Permitting Process. Conditions relating to flood risk, ground conditions and contamination.

Highways England - Following further technical information having been supplied, no objections.

Historic England - No objections

Ministry of Defence - No objections

Marine Management Organisation - No objections, a permit to discharge into the Humber will be required.

Humberside Airport - No objections.

National Grid - Awaiting final response following engagement and amendments.

Cadent Gas - Awaiting final response following engagement and amendments.

Anglian Water - No comments.

Ecology Officer - No objections subject to conditions for final piling details, lighting details, bio-diversity improvement plan.

Highways - Following further technical information having been supplied, no objections.

Public Rights of Way - No objections.

Drainage - No objections in principle. Surface water strategy needs to be finalised. Final details to be conditioned.

Drainage Board - Surface water strategy needs to be finalised. Final details to be conditioned.

Heritage - No objections, condition for archaeological monitoring.

Crime Reduction Officer - No objections.

Network Rail - No objections subject to conditions.

Environmental Health (air quality) - No objections.

Environmental Health (contamination) - No objections subject to conditions.

Environmental Health (noise) - No objections subject to conditions .

Fire Brigade - No objections

Other representations

33 Parker Street, Cleethorpes - Comments that the application is ecologically sensitive and appropriate assessment and consultation should be carried out but does not formally object.

3 Hargrave Street, Grimsby - Objects to the development with concerns over the use of waste in the process, amount of traffic movements, lack of information on effluent, the emissions from the untested technology and the size of the proposal.

Flat 5, 11B Cornwall Road, London - Objects. Comments on the application and amount of feedstock and concerns with regard to air quality.

122 Seamer Road, Scarborough - Comments on the application but does not formally object.

Other members of the public have discussed the proposal with Officers but have not formally commented on the application.

APPRAISAL

Material Planning Considerations

1. Principle of Development and Socio-economics.
2. Character, Visual Amenity, Landscape and Heritage.
3. Impact on Neighbouring Land Uses.
4. Highways.
5. Ecology (including Habitat Regulations).
6. Human Health - Pollution, Air Quality and Contamination.
7. Drainage and Flood Risk.
8. Health and Safety Executive (HSE)

1. Principle of Development and Socio-economics

The proposal is for a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, installation of pipelines, rail link, associated infrastructure and ancillary works. The proposed process would convert waste into transport fuel through a series of mechanical and chemical processes:

Domestic (municipal solid waste) and commercial and industrial waste would be brought to the site in closed vehicles as feedstock. Vehicles transporting feedstock would access the site via the existing roundabout off Hobson Way. They will travel to the feedstock conditioning facility (FCF) via the weighbridge, where waste will be deposited into a bunker. The feedstock will be conditioned and processed into solid recovered fuel (SRF). A portion of the SRF will be exported from the site as part of a waste contract. This is necessary to ensure large amounts of SRF do not accumulate on the site during periods of shut down and maintenance. In addition, there will be an overlap between construction and full operation, where all the SRF produced within the site will be exported.

The SRF to be used within the site will be transferred into the gasifier where it will be broken down into syngas. The syngas will go through a primary and secondary gas clean-up process and will be compressed to the pressure required for onward processing.

The syngas will be converted into a primary hydrocarbon liquid, and this will be upgraded by hydrocracking, hydroisomerisation and hydrotreating to produce the fuel product: synthetic paraffinic kerosene and synthetic naphtha. This will be stored onsite in tanks and exported from the site in tankers.

The NELLP 2018 sets out the Borough's vision for economic growth over the plan period. It recognises that investment will be focused in a number of key areas including:

- ports and logistics
- chemicals
- food processing
- renewable energy
- visitor economy, services and retail

Policy 1 aims to ensure that sufficient employment land is available to support economic growth, primarily in the above sectors with a minimum of 123.6ha of land being provided. The proposal represents a significant investment in the area which will support the economic growth of the South Humber Bank, linking with growth aspirations for NELC. The construction and operational phases will support local employment and job creation over a considerable period (30 years) which will further go to supporting the ambitions under Policy 1.

Policy 5 is the overarching policy for development within the development boundary. It does not prohibit such uses or facilities within the development boundary subject to an assessment of the site specific impacts; as set out in the report. For this application, this specifically includes:

- size, scale and density
- access and traffic generation
- provision of services
- impact upon neighbouring land uses
- advice from the HSE
- flood risk
- contamination
- ecology, landscape and heritage

The site is allocated as an employment area under Policy 7 of the NELLP. This policy seeks to promote use and re-use of land for employment purposes. The site is also a designated Enterprise Zone. The proposed use is considered to represent an employment use and the application form details that over 100 new full-time jobs would be created. During the construction period the ES states that up to 500 construction workers would be employed. During the construction phase the proposal is also likely to benefit local manufacturers and suppliers. The ES also states the applicant's intend to support careers fairs to promote employment opportunities which would further develop local skills. All would contribute directly and indirectly to the economy within NELC.

In regards to the consideration of alternative sites for the proposed development, the justification in the ES is acceptable, particular regard is had to the sites planning history for a bio-ethanol plant. The location makes effective use of existing employment land under Policy 7. It is also considered suitable against Policies 36 and 47 of the NELLP and would not affect sites safeguarded under Policy 48.

Nationally under the NPPF 2019, it recognises that planning has an economic role with para 8 setting out that this includes supporting growth, innovation and improved productivity. At the same time it acknowledges there is also an environmental role which seeks to reduce waste and pollution with a need to move towards a new low carbon economy. At the heart of the NPPF is the need to provide sustainable development. The proposal would not be at odds with the objectives of the NPPF given its function, its economic role and its response to the environment (as noted within the remainder of this report). Furthermore, the efficient use of land is supported under Section 11. In terms of the waste hierarchy, reducing the amount of waste sent to landfill is encouraged.

The National Planning Policy for Waste sets out the Government's ambitions to work towards a more sustainable and efficient approach to resource use and management. This includes ensuring the delivery of sustainable development and resource efficiency; and allowing the provision of modern infrastructure. The guidance is mainly provided for Local Authorities when allocating sites for waste management and considering relevant planning applications.

The policy document identifies the importance of identifying suitable sites and areas for waste management facilities. This requires local authorities to identify suitable sites within their Local Plan and sets out guidance, which Local Authorities should follow when identifying sites.

The NELLP sets out future requirements for waste facilities. Overall, the proposed development is consistent with the Local Plan, and thus is consistent with the NPPW.

The proposal is therefore acceptable in regards to Local Plan Policies 1, 5 and 7 and the NPPF in principle. Therefore it falls to judge the application on the site specific impacts as required by Policy.

2. Character, Visual Amenity, Landscape and Heritage

In regards to this section Policies 5, 22, 39 and 42 of the NELLP apply. These require an assessment on the character of the area and the landscape with an emphasis on 'good design' and preservation of heritage assets and their settings.

The application is supported by a suite of information which details the scheme rationale including a Design and Access Statement. Chapters 12 and 14 of the ES focus on the above matters and include key heritage information.

The buildings and emission stacks will be of substantial scale, the main processing building being up 62m high (65m AOD) and chimneys of up to 80m (83 AOD) and the overall development covering nearly all of the site. In terms of the developments visual impact the size and scale of it means that it would be experienced locally and from further afield. A scoping of the most sensitive viewpoints was undertaken pre-submission and the submission reflects the scoping exercise. The site sits adjacent to the existing South Humber Power station and close to other large scale factories. It is also noted that there are extant planning permissions for other large scale industrial installations within the local area. Whilst there are intervening areas of open space to the north and south, these are then bordered by further built development of significant scale and industrial character; similar to that proposed. To the North East is the Humber Estuary. The site and the immediate area surrounding it forms part of the South Humber industrial landscape which stretches from Grimsby Docks to the refineries of Killingholme. As a result the impact upon the immediate and wider landscape are acknowledged but it is considered that the impacts would not be significantly adverse given the site's position nestled between existing industrial developments and an area where such developments have taken place and are indeed expected.

In terms of 'good design' and the requirements of Policy 22, these types of facilities are primarily driven by their function to ensure maximum efficiency and output. That being said, it is considered that the overall design concept, materials (steel framed and cladded) and orientation would respond to the site and would result in an acceptable form of design. This is further supported in the Design and Access Statement which considered design evolution and alternatives. Conditions are recommended in relation to the detailed site layout and external materials of the buildings.

In regards to heritage, the site is well separated from designated assets and scheduled monuments. Historic England raise no objections, but defer it to the Conservation and Archaeological Officers for comment. The Conservation Officer notes the position and height of what is proposed. The comments also acknowledge the slenderness of the chimneys and conclude given the area context, separation and intervening built form between the site and designated assets, there would be no significant impacts and as such there are no objections. In regards to Archaeology, the Archaeologist confirms the nature of the site is such that there is unlikely to be buried archaeology and also raises no objections.

Limited new landscaping is proposed within the site. The Trees and Woodlands Officer is satisfied with this approach and conditions are attached to this recommendation.

In an established industrial setting which is the focus of economic growth and regeneration, the proposal would not be seen as out of character or context. The scale and overall massing would be significant but not detrimental and the impacts on the existing landscape and designated heritage assets would not be adverse. Some conditions are recommended in regards to final details and external finishes. Subject to these, the proposal accords with Policies 5, 22, 39 and 42 of the NELLP in this regard.

3. Impact on Neighbouring Land Uses

Policy 5 of the NELLP requires an assessment be made on the impact on neighbouring land uses by virtue of noise, air quality, disturbance and visual intrusion.

The applicants undertook public consultation prior to the application being submitted, the extent of which is detailed in the Statement of Community Involvement submitted with the application.

The surrounding land to the North, East and West is of industrial character, where many uses are of a more heavy industrial nature from the specialist processes they undertake and nature of their businesses. This includes South Humber Power, Synthomer and Newlinco to the North, Lenzing Fibres to the South East and BOC to the West. To the South of the site is the SHIP Ecological Mitigation site with agricultural land beyond that. The site being allocated as an employment area and adjacent to newly allocated employment land, such proposals are somewhat expected and are directed to such areas. The ES concludes that the noise and odour impacts will be within acceptable levels. Operationally, conditions can be used to limit the impacts further and it is noted from the ES that a number of noise reduction measures will be incorporated such as particular types of cladding, plant and louvres which seek to provide sound and noise reductions. During construction the impacts will be mitigated through a Construction Environment Management Plan which is secured through a condition.

The main impacts arising are likely to be from the increased traffic movements to and from the site and these will be dealt with under Section 4. Air quality impacts are also assessed in Section 6 of this report.

There are no sensitive residential receptors within 500m of the site. The nearest residential neighbour is located some 550m to the South at Poplar Farm and Grassmere is slightly further away to the West. The nearest village being Stallingborough to the South West of the site. As such, it is considered that these neighbours are suitably separated as to ensure no detrimental impacts by virtue of visual intrusion, vibration, noise, and odour or air quality; as confirmed by the supporting information (including the noise assessment). No objections from local residents or industrial operators have been received. Comments have been received from members of the public who reside significant distances from the site and do not raise issues pertaining to surrounding residential amenity but matters relating to the proposed process and environmental impacts. These matters are discussed throughout the report.

Conditions can be used to limit the impacts to neighbouring land uses during the construction phase.

Thus, it is not considered that the development would offer significant impacts to neighbouring land uses, particularly given the types of mitigation proposed through the ES. The recommended conditions secure these and as such the proposal would be in accordance with Policy 5 of the NELLP.

4. Highways

Policy 5 of the NELLP requires that an assessment is made on access and traffic generation levels, with Policy 38 setting out the requirements for parking.

The access is proposed from Hobson Way to the North of the site. The access benefits from good visibility in both directions. The operational HGV access route from the A180 is proposed to be from the West. The site will be accessed via the A180 by the A1173, Kiln Lane to Hobson Way.

The scheme is supported by a range of technical highway information including a transport assessment and a travel plan. Chapter 6 of the ES covers traffic and transport. Further technical data and assessment has been provided in an addendum to the Transport Assessment and included with the ES Addendum (April 2020). It is acknowledged that the proposed development will attract a significant amount of traffic movements both during the construction phase and once operational.

The construction period is anticipated to last 36 months during which the traffic movements of staff and materials coming to and from the site would be some 600 two way trips per day over a 24hr. The nature of the proposed development means that abnormal loads are to be expected during construction but not for operation or maintenance.

The proposal when operational would result in a significant increase in the number of vehicles entering and leaving the site. This equates to up to 336 HGV's entering and leaving every day (two way trips), through a 12 hour period from 7am to 7pm, 365 days a year (other than occasional downtime for maintenance) during operation.

The Assessments have been scoped in detail with Highway Officers to ensure key junctions within the Borough have been modelled and assessed to gauge any impact. Whilst recognising there will be an impact on the immediate and wider network, the Highways Officers are content that the reports are acceptable and that the impacts would not be severe.

Aside from the day to day operation, the impacts during the construction period also require consideration. These are likely to include HGV's, abnormal loads and also worker and contractor vehicles. The routing of HGV's is via the A180 as to avoid residential areas. Highway Officers recommend a condition which requests that a Construction Traffic Management Plan be provided. A suitably worded condition is recommended to reflect this. The submitted ES and Transport Assessment also recommends Travel Plans

both for construction and operation and a Delivery and Servicing Plan. These are also reflected in this recommendation.

The proposal includes car parks (84 spaces with 4 disabled spaces, additional 10 motorcycle spaces and 16 secure cycle storage spaces) and HGV holding areas throughout the access loop around the site. The levels of parking are considered to be suitable to serve the nature of the development and the number of people expected to arrive by car (this is predominantly staff). The ratio of disabled spaces accords with Policy 38. The inclusion of cycle provision would support alternative modes of travel to accord with Policy 36.

The proposed development would take access off Hobson Way. Works are well under way for the construction of the Hobson Way to Moody Lane link road and it is due to open within the next 6 months. Part of the link road includes a cycleway to improve sustainable travel links from Grimsby to the South Humber Bank industrial area. To support sustainable travel and cycle journeys to and from the site it is proposed that the development will provide a contribution of £77,444.64 (figure based on the modal share of use of the future cycle link and equates to 18% of the total cost of the cycle way extension to South Marsh Lane of £430,248). This contribution will be secured through a section106 legal agreement.

Highways England raise no objections to the proposed development subject to works being carried out on the Stallingborough Interchange junction on the A180. These works have been secured and committed to through the SHIP project and are expected to be delivered within the next 12 months regardless of this development.

Subject to conditions, the access is suitable, the parking levels are adequate to serve the development and traffic generation is not expected to be severe in accordance with Policies 5 and 38 of the NELLP.

5. Ecology (including Habitat Regulations)

For the purposes of the Habitats Regulations, the Council is the competent authority when considering the development and whether or not the proposals are likely to result in significant effects either in isolation or cumulatively. Additionally, Natural England are the appropriate body when considering the requirements of the Wildlife and Countryside Act 1981.

Policy 41 of the NELLP seeks to establish and secure appropriate management of long term mitigation areas (also Policy 9) and seeks to protect areas of ecological and biodiversity value. Policy 9 sets the requirements for habitat mitigation on the South Humber Bank with Policy 6 requiring any necessary infrastructure; in this case habitat mitigation under C(ii), to be secured.

The site is approximately 900m south west of the Humber Estuary's Site of Specific Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. There are also local wildlife sites and sites of nature conservation importance close by.

The importance of the Humber Estuary has been at the forefront of the considerations by NELC in their Economic Strategy through the Local Plan. This has led to a pioneering scheme for the Council to provide physical mitigation to the loss of habitat prior to development coming forwards. Development proposals would then pay into this scheme as they come forward. This is secured through Policies 6 and 9 of the NELLP. The first part of the mitigation works have been completed and are located directly to the South West of this site.

A suite of information has been provided within Chapter 11 of the ES covering Ecology. In the appendices (amongst many documents) there is a Habitat Suitability Index, Habitat Regulations Assessment, Preliminary Ecological Assessment and protected species surveys.

The ES suggests that during the construction phase, piling has the potential to create significant adverse effects to the SPA birds utilising the new habitat created to the South West of the site. To address this concern the applicant has provided a Piling Strategy that details the types of piling that could be used. A condition in relation to piling is therefore recommended that follows on from the submitted Piling Strategy. This has been agreed with the Council's Ecologist.

A visual screen (2.5m high) is also to be provided to the south west boundary as to mitigate visual intrusion from construction related activities and vehicle movements (Appendix 11.2 of Chapter 11 ES Addendum). The reports conclude there will be no significant effects as result of the development in regards to air quality, construction, noise and vibration, pollution and visual intrusion, subject to the recommendations identified.

A condition for an Ecological Enhancement and Management Plan is also recommended to comply with the recommendations of the ES and to ensure the continuity of biodiversity on the site. Development should proceed in accordance with the best practise techniques outlined.

There are no objections from the Council's Ecologist. The applicant is in agreement to sign a Section 106 Legal Agreement for a financial contribution to the Strategic Ecological Mitigation required by Policies 6 and 9 (totalling £405,000) as the site falls within the South Humber Bank Mitigation Zone. The payment figure is based on the site area of the development under the formula set out in Policy 9. This Agreement has been drafted and will need to be completed prior to the grant of any planning permission.

National Planning Policy and Policies 5, 33 and 41 of the NELLP require consideration to be given to the impact of development on ecology. A particular consideration for this

proposal in relation to the impact of the proposal on ecology and the protected Humber Estuary is that in relation to air and water quality. This is the basis of the objection from Natural England and has been subject to extensive discussions and further analysis including a meeting between the applicant, Officers and Natural England.

In relation to air quality the concerns of Natural England related primarily to the need for further information on emissions to ensure certainty and further information on the levels of mean NO_x, nutrient Nitrogen deposition and acid deposition levels. Natural England was of the opinion that the submission did not provide enough evidence to conclude that the proposal alone or in-combination will not result in adverse effects on the integrity of the Humber Estuary designated sites. This has resulted in further submissions by the applicant and addendum ES to demonstrate that there will not be any significant affect. It followed discussions with Natural England. Natural England have indicated that the approach now to be taken by the applicant is acceptable in principle but formal confirmation is now awaited due to the need for their detailed assessment.

With regard to water quality the proposed development proposes to discharge effluent water into the Humber via an existing pipeline. Originally the scheme proposed a possible new pipeline into the Humber but to respond to Natural England concerns this element was removed with the proposal now to share an existing pipeline. To ensure that the discharge would not harm water quality or ecology a Water Framework Directive Assessment has been supplied which has in turn been assessed by the Environment Agency (WFD) and no objections have been raised. Further modelling and assessment work has also been conducted to address the concerns of Natural England. Following this additional work Natural England have again indicated that the approach now to be taken by the applicant is acceptable in principle but formal confirmation is now awaited due to the need for their detailed assessment. The WFD and additional information are in the ES Addendum Appendices 10-1A (Cover letter for modelling method report), 10-1B (Humber outfall modelling method), 10-2 (Water framework directive), 10-3 (Waste water assessment) and 11-3 (Effluent screening assessment). The ES therefore establishes that in principle the proposed development could be installed and operational without having significant harm to the environment. However, it is key to also note that this element of the development for the effluent discharge is subject to a permit from the Environment Agency and the Marine Management Organisation and subject to scrutiny through the permit process. This is noted by both the Environment agency and the Marine Management Organisation in their consultation responses and both have no objections to planning permission being granted.

Having regard to the information provided and the comments of necessary consultees, it is concluded that the proposal would be unlikely to result in any significant effects on the above designated areas and appropriate mitigation can be secured. However, it can only be confirmed that the development would not have any significant effects once a full and final response has been received by Natural England formally withdrawing their objection. North East Lincolnshire as a Competent Authority will then propose to adopt the Habitat Regulations Assessment submitted by the applicant.

Conditions are also recommended in line with the ES to protect ecological interest. Subject to these conditions and that Natural England confirm that they have no objections to the proposed development the proposal would accord with Policies 5, 6 and 41 of the NELLP.

6. Human Health - Pollution, Air Quality and Contamination

Pollution, air quality and contamination are factors which need consideration under Policy 5 of the NELLP. This requires any necessary measures to mitigate impacts to be provided.

The Environmental Statement assesses the impacts to the area in relation to pollution and air quality and the emissions which would arise from the facility. A number of supporting documents are included such as air quality receptors, risk assessments, land contamination etc. The site is not within an Air Quality Management Area. In regards to contamination risks these will be avoided and best practice will be used. Further survey work and Management Plans will address any associated issues. In regards to air quality, the modelling assessment concludes that there would be no significant impacts to human health. These conclusions are on an individual and collective basis with other approved developments. It should be noted again that in relation to emissions the process requires a permit from the Environment Agency in order to operate.

No objections have been raised by the Environment Agency or Environmental Health Officers. A number of conditions are requested from the Environment Agency and Environmental Health Officer mainly in relation to construction impacts.

Therefore, in regards to the above, the proposal is likely to be acceptable in accordance with Policy 5 of the NELLP.

7. Drainage and Flood Risk

Policy 33 of the NELLP seeks to mitigate flood risk impacts and requires development to be supported by a site specific flood risk assessment. Policy 34 of the NELLP requires that proposals consider adequate arrangements for foul and surface water drainage.

The application is supported by a site specific Flood Risk Assessment, mapping and an Outline Drainage Strategy (ES Addendum Appendix 10.4). The site is within a high risk Flood Zone as identified in the Council's Strategic Flood Risk Assessment and the Environment Agency's Flood Maps. As the site has been allocated for employment use in the NELLP and all other employment sites are equally located within a flood zone on the South Humber Bank, the sequential test is deemed to be passed.

Turning to the exceptions test, the FRA details the levels of mitigation primarily under section 5.2. It also identifies that a Flood Emergency Response Plan will be prepared and

the site users will sign up to the Environment Agency's Flood Warnings Direct Service. Internal floor levels will be set at 4.55m AOD and construction will include flood resistance and resilience measures. No critical infrastructure or equipment will be below 4.55m AOD (unless specific resilience measures are in place). On the basis of the information submitted the Environment Agency raise no objections.

The outline drainage proposals state that surface water drainage will be restricted to the rates to be agreed with the Drainage Board and the Council Drainage Engineers. Surface water storage areas also proposed within the site, with controlled discharge rates through a hydrobrake into existing water courses along the boundaries of the site. The surface water will then continue into the Estuary. There are no principle objections from the Drainage Board or from the internal Drainage Officers. However a condition is required to secure the surface water strategy.

Maintaining water quality will be managed through working practices and addressed in the Construction Environmental Management Plan.

Subject to conditions, the development is acceptable in regards to drainage and flood risk in accordance with Policies 33 and 34 of the NELLP.

8. Health and Safety Executive (HSE)

Policy 5 of the NELLP requires that any advice from the HSE is taken account of in the decision making process.

The site is close to a number of pipelines and hazardous installations. The development will not include 3 or more occupied storeys within the inner zones of these installations in line with HSE guidance. The HSE have provided comment to say that they do not advise against the granting of planning permission in this instance.

The proposed development will attract the requirement for a separate Hazardous Substance Consent which, if approved, would require associated zones to be created. This was also the case with the Abengoa development and although the development was never built out the zones have not been rescinded. The applicant has been in discussions with the HSE about the hazardous materials that would be stored on the site and the scale of the resulting zones. It is anticipated that these zones would be similar to the Abengoa zones and would not raise any undue concern to neighbouring land uses or sterilise any of the neighbouring land though this will be ultimately considered and determined through a future Hazardous Substance Consent application.

It should also be noted that the layout of the site has been changed in the North West area to reflect concerns raised by Cadent Gas and National Grid about how it could affect their assets. A site meeting was held between the applicant, Cadent and National Grid to address the concerns and the scheme changed accordingly. The changes were focused on the position of part of the surface water drainage system. Formal confirmation that

both National Grid and Cadent Gas have no objections to the scheme is anticipated in due course but has not yet been received.

CONCLUSION

This proposal is for a sustainable transport fuels facility on land at Hobson Way, Stallingborough. The application is a thorough and detailed submission which is supported by a number of statements, surveys and assessments and a full Environmental Statement (and addendum) which have been reviewed by the relevant statutory and non-statutory consultees whose responses have been given full consideration. Any concerns have been considered through the application process.

The application including the ES adequately assesses the likely impacts and the Local Authority agree with its findings and conclusions subject to the final comment of Natural England withdrawing their objection in relation to the additional information as detailed in the report. The proposal accords with all relevant NELLP policies as set out in the report. It is not considered the proposal would either in isolation, or cumulatively, significantly affect the character of the area, neighbouring land uses, ecology, the highway network or the environment subject to the conditions set out and the requirements within the Section 106 Legal Agreement. The proposal would deliver socioeconomic benefits including up to 100 jobs and an investment in the region of £500m.

It is recommended that should members be mindful to approve the application that it be deferred back to the Director of Economy and Growth for a delegated decision subject to there being no objection from Natural England and that National Grid and Cadent Gas have confirmed that they are accept the amended details and subject to the completion of the necessary Section 106 Legal Agreement.

RECOMMENDATION

Approved Conditions and signing of S106 with the decision delegated to the Director of Economy and Growth - Place

(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:

CRM.0120.001.PL.D.002.B - Site location plan
CRM.0120.001.P.D.012 - Existing site layout
CRM.0120.001.P.D.013 - Basic proposed site plan
CRM.0120.001.LA.D.00.001 - Topographical survey
ENZ/IMM/002 - Topographical survey
CRM.0120.001.P.D.010 - South east elevations 1 of 2
CRM.0120.001.P.D.010I - South east elevations 2 of 2
CRM.0120.001.P.D.010 - North west elevations 1 of 2
CRM.0120.001.P.D.010I - North west elevations 2 of 2
CRM.0120.001.P.D.010II - North east elevations 1 of 3
CRM.0120.001.P.D.010II - North east elevations 2 of 3
CRM.0120.001.P.D.010II - North east elevations 3 of 3
CRM.0120.001.P.D.010III - South west elevations 1 of 3
CRM.0120.001.P.D.010III - South west elevations 2 of 3
CRM.0120.001.P.D.010III - South west elevations 3 of 3
CRM.0120.001.LA.D.00.023.A - Proposed Landscape Strategy
181883-0000-46-LAY-0001-01 Rev 07 - Proposed site plan
181883-0000-46-LAY-0001-01 Rev 07I - Proposed stack positions

Reason

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

(3) Condition

Development shall not commence, until details of the final position of any buildings, finished floor levels, elevations and floor plans (which shall be in general accordance with the approved plans set out in condition 2 of this planning permission), have been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason

For the avoidance of doubt, in the interests of proper planning, in the interests of health and safety and to ensure the development is in keeping with the visual amenity and character of the area in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

No development shall take place until final details of all piling works to be undertaken during the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The piling details shall follow the Piling Methodology submitted in the document ref: CRM.0120.001Piling Scheme Methodology and included shall be a scheme to mitigate the effects of the design with particular regard to noise and vibration to the surrounding ecology, premises and pollution to the underlying chalk aquifer. The development shall then be built out in accordance with the approved details.

Reason

In the interests of environmental protection in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032.

(5) Condition

Development shall not commence until details of all external materials to be used in construction of the buildings and structures have been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason

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

(6) Condition

No development shall commence, or any phase thereof, until a Construction Management Plan, has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall contain details on the following matters:

- Visitor and contractor parking areas;
- Materials management plan;
- Materials storage area;
- Wheel cleaning facilities;
- Noise, vibration and dust mitigation measures;
- Lighting details;
- Construction traffic management plan;
- Construction worker travel plan;
- Waste management;
- Pollution control.

The development shall then proceed in full accordance with the approved plan.

Reason

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

(7) Condition

No development or demolition shall take place until the applicant has:

- (i) Submitted a Written Scheme of Investigation or Specification for Works, for a programme of archaeological work, to the Local Planning Authority.
- (ii) Received written approval of the Written Scheme of Investigation for a programme of archaeological work from the Local Planning Authority.

(iii) Implemented or secured implementation of the Written Scheme of Investigation for a programme of archaeological work.

Occupation or use of the development shall not take place until the applicant has:

(iv) Published, or secured the publishing of the findings resulting from the programme of archaeological work within a suitable media.

(v) Deposited, or secured the deposition of the resulting archive from the programme of archaeological work with an appropriate organisation.

Reason

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

(8) Condition

Development shall not commence until a scheme for the sustainable disposal of surface and foul water drainage including a future maintenance plan has been submitted to and approved in writing by the Local Planning Authority. It shall also include details on protection of rail infrastructure. Once approved, the drainage shall be implemented as approved prior to the development coming into operation and shall be maintained in line with the details approved thereafter.

Reason

To ensure appropriate provisions for the disposal of surface water and foul drainage and to reduce the risk and impact of flooding, to accord with Policy 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(9) Condition

No development shall commence until:

(a) A scheme of landscaping showing the details of the number, species, sizes and planting positions of all trees and shrubs to be planted;

(b) A plan including details of all trees to be retained, any to be felled, hedgerows to be retained, any sections of hedgerow or trees to be removed;

(c) Measures for the protection of trees and hedges during construction work;

(d) Confirmation of the timing for the landscaping works to be completed by;

(e) A detailed landscape maintenance and management plan.

has been submitted to and approved in writing by the Local Planning Authority. The landscaping works shall then be completed by the time agreed as part (d) of this condition and thereafter maintained in accordance of part (e) of this condition.

Reason

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

(10) Condition

No development shall commence until:

- (a) A scheme ecological improvement throughout the site;
- (b) Confirmation of the timing for the completion of the works;
- (c) A detailed maintenance and management plan for the scheme.

have been submitted to and approved in writing by the Local Planning Authority. The approved ecological improvement scheme shall then be delivered in accordance with part (b) of this condition and maintained in accordance with part (c) of this condition.

Reason

In the interests of ecological enhancement in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032.

(11) Condition

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

(i) Detailed plans showing:-

- (a) the proposed access and construction details;
- (b) the highway drainage system;

Reason

In the interests of highway safety and amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(12) Condition

Prior to the development coming into operation, a Delivery and Servicing Plan for all operational HGVs entering and leaving the site must be submitted to and approved in writing by the Local Planning Authority. This must be in accordance with the Operational Delivery and Servicing Plan within Annex 24 (version dated March 2019) of Appendix 9A of the Environmental Statement. The development shall operate in accordance with the approved Delivery and Servicing Plan throughout its lifetime, unless otherwise approved in writing by the Local Planning Authority.

Reason

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

(13) Condition

Prior to the development coming into operation, a Construction Travel Plan (CTP) shall be submitted to and approved in writing by the Local Planning Authority. The CTP should be produced in accordance with NELC guidance. The CTP submitted shall be in accordance with the Framework Construction Travel Plan within Annex 6 of Appendix 9A of the submitted Environmental Statement. Once approved, the CTP shall be implemented in full and operated in line with its terms and timings throughout the lifetime of the development.

Reason

In the interests of sustainable development in accordance with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(14) Condition

Prior to the development coming into operation, an Operational Travel Plan (OTP) shall be submitted to and approved in writing by the Local Planning Authority. The OTP should be produced in accordance with NELC guidance. The OTP submitted shall be in accordance with the Framework Operational Travel Plan within Annex 6 of Appendix 9A of the submitted Environmental Statement. Once approved, the OTP shall be implemented in full and operated in line with its terms and timings throughout the lifetime of the development.

Reason

In the interests of sustainable development in accordance with Policies 5 and 36 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(15) Condition

Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) A routing agreement for all HGV traffic coming to and from the site and abnormal loads during the construction of the development.
- (b) A routing agreement for all HGV traffic coming to and from the site during the operation of the development.

The approved routing agreements shall be adhered to at all times during construction and operation of the site unless, otherwise agreed in writing by the Local Planning Authority.

Reason

To require all construction vehicles associated with the construction of the development to enter and leave the site via the identified routes and the interests of highway safety and amenity in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(16) Condition

Prior to the development commencing full details of all of the Ecological Mitigation measures set out in Chapter 11, Appendix 11.2 of the Environmental Statement Addendum and a maintenance plan for the measures shall be submitted to and approved in writing by the Local Planning Authority this shall include the timing of the installation of all of the measures. The approved Ecological Mitigation Measures shall then be full installed in accordance with the approved details and maintained in accordance with the approved maintenance plan.

Reason

In the interests of ecological and habitat protection in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032.

(17) Condition

Prior to development commencing full details of all external lighting on the site shall be submitted to and approved in writing by the Local Planning Authority. All external lighting shall then be installed in accordance with the approved details and retained in that state.

Reason

In the interests of ecological and habitat protection in accordance with Policies 5 and 41 of the North East Lincolnshire Local Plan 2013-2032.

(18) Condition

Prior to development commencing details of the proposed finished ground levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be built out in accordance with the approved details.

Reason

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

(19) Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) [July 2019, CRM.0120.001.HY.R.001.A Altalto Immingham Ltd] and in particular the following mitigation measures detailed within the FRA on pages 36-37:

- Critical infrastructure to be set no lower than 4.55m above Ordnance Datum (AOD);
- Flood resilience and resistance measures to be incorporated into the proposed development as stated;
- A safe refuge to be provided within the office building at a height above 4.55m AOD;

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

Reason

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

(20) Condition

The submitted Flood Evacuation Management Plan (Ref: CRM.0120.001.HY.R.001.A by Enzygo July 2019) shall be implemented in its entirety throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of flood risk and safety in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032.

(21) Condition

If during redevelopment contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. Remediation shall be carried out in accordance with the details approved.

Reason

To ensure that any previously unconsidered contamination is dealt with appropriately in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032.

(22) Condition

Prior to development commencing details and timing of installation of a 25 Candela omni directional flashing red light to be positioned on the highest point of the stacks on the site shall be submitted to and approved in writing by the Local Planning Authority. The lights shall be installed in accordance with the details approved and shall be so retained thereafter.

Reason

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

(23) Condition

Prior to development commencing, other than the defined ground works, the following information shall be submitted to the Local Planning Authority, who shall notify UK DVOF & Powerlines at the Defence Geographic Centre:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. The proposed date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. Details of aviation warning lighting fitted to the structure(s)

At the earliest opportunity prior to the known final date of completion of the construction, the actual date of construction completion shall be submitted to the Local Planning Authority. There shall be no deviation from, or exceedance of the details provided to the Local Planning Authority, without the Authority's prior approval.

Reason:

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

(24) Condition

Prior to development commencing full details of how and where any waste or fuel will be stored in any external space on the site shall be submitted to and approved in writing by the Local Planning Authority. There shall then be no external storage of waste or fuel on the site except where done so in accordance with the approved details.

Reason

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

(25) Condition

Prior to development commencing full details on safe working at the construction stage in relation to the adjacent railway, boundary fencing and excavations in relation to the railway shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the details approved with agreed boundary fencing installed prior to the operation of the development and thereafter retained.

Reason

In the interests of the safety, operational needs and integrity of the adjacent railway in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or local amenity, have significant impact on ecology and is acceptable under all other planning considerations including highway safety. It will support the economic development of the area. This proposal is approved in accordance with the North East

Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 1, 5, 6, 7, 9, 22, 31, 33, 34, 36, 38, 39, 41, 42 and 47.

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 providing pre-application advice on the project and negotiating with the applicant when issues arose through the planning process.

3 Informative

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

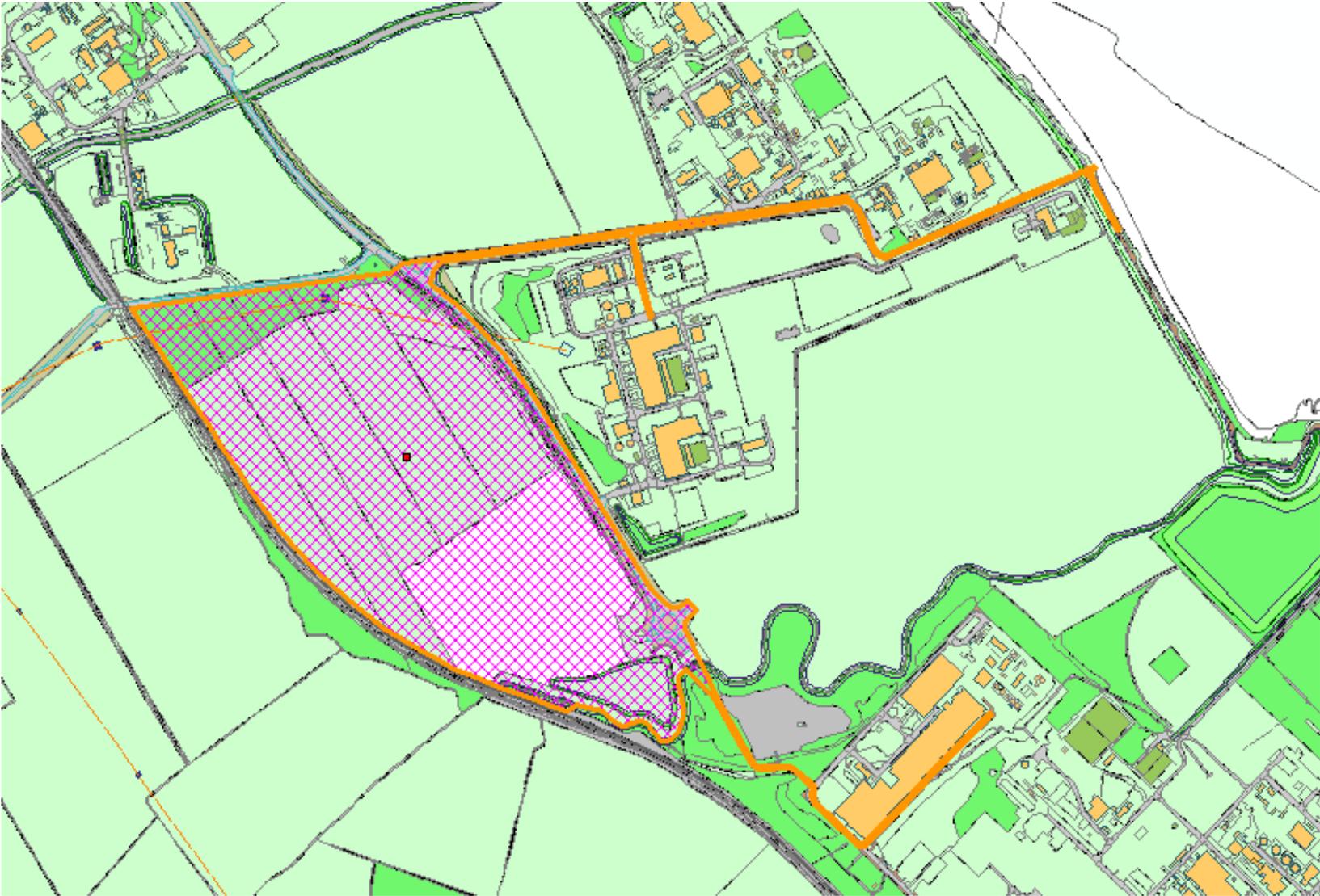
4 Informative

The development requires permits from both the Environment Agency and the Marine Management Organisation in order to operate.

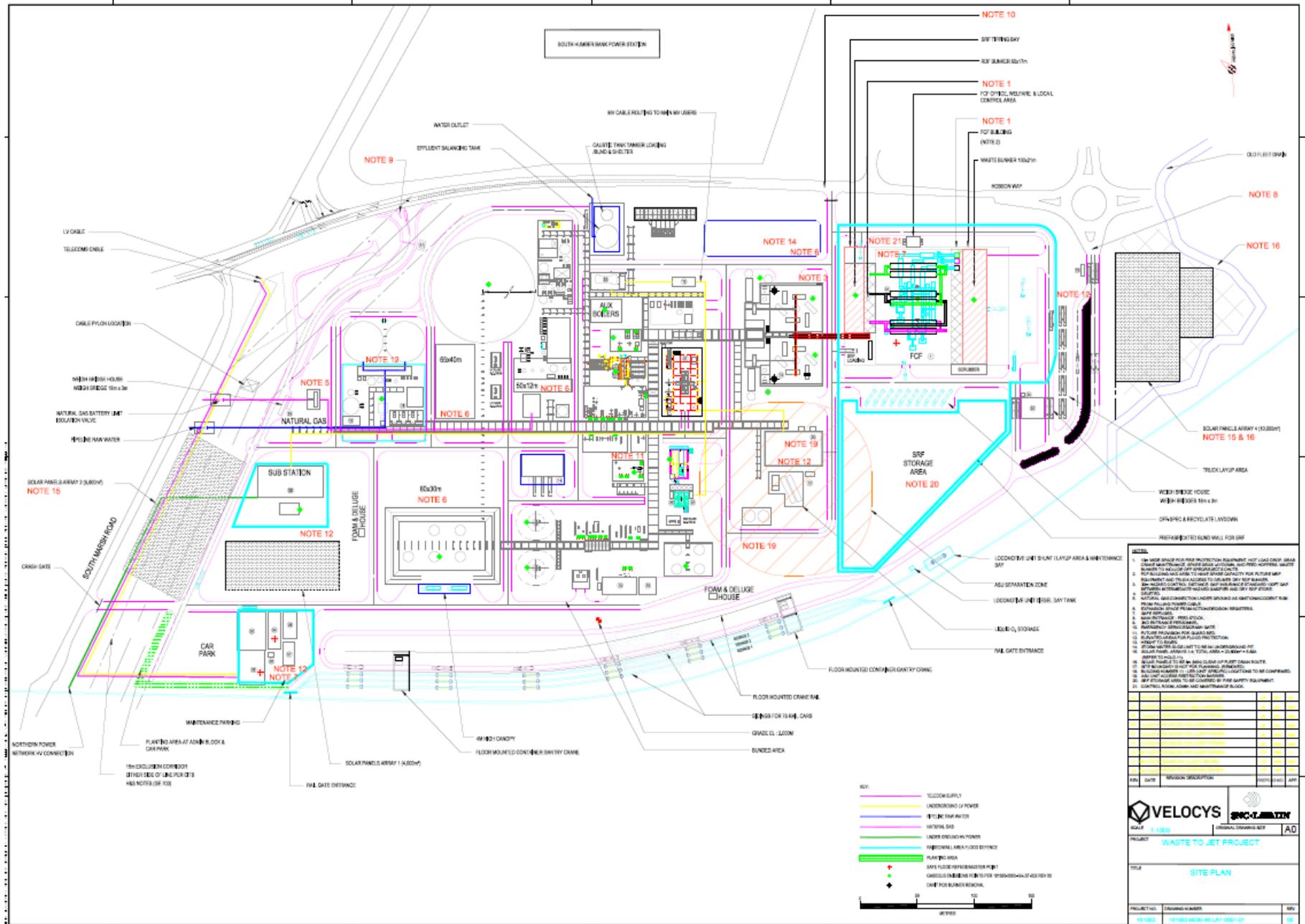
5 Informative

The applicant should be aware of the comments and requirements of Network Rail dated 18th September 2019.

DM/0664/19/FUL – LAND AT HOBSON WAY, STALLINGBOROUGH



DM/0664/19/FUL – LAND AT HOBSON WAY, STALLINGBOROUGH



Comments for Planning Application DM/0664/19/FUL

Application Summary

Application Number: DM/0664/19/FUL

Address: Land At Hobson Way Stallingborough North East Lincolnshire

Proposal: Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, Installation of pipe lines, rail link, associated infrastructure and ancillary works

Case Officer: Richard Limmer

Customer Details

Name: Mr Carl Thomas

Address: Great Coates Village Council 28 Allington Drive Grimsby

Comment Details

Commenter Type: Parish Council

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Great Coates Village Council have no objections to this application.

Comments for Planning Application DM/0664/19/FUL

Application Summary

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Address: Land At Hobson Way Stallingborough North East Lincolnshire

Proposal: Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, Installation of pipe lines, rail link, associated infrastructure and ancillary works

Case Officer: Richard Limmer

Customer Details

Name: Mr Jim Wright

Address: 33 Parker Street Cleethorpes

Comment Details

Commenter Type: Amenity Group

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: It is very important that there should be a thorough and impartial ecology assessment. This site is likely to be a crucially important as wintering habitat for many bird species including curlews. Have the RSPB Natural England and Lincs Wildlife Trust been consulted?

Comments for Planning Application DM/0664/19/FUL

Application Summary

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Address: Land At Hobson Way Stallingborough North East Lincolnshire

Proposal: Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, installation of pipe lines, rail link, associated infrastructure and ancillary works

Case Officer: Richard Limmer

Customer Details

Name: Dr Constance McIntyre

Address: 3 Hargrave Street Grimsby Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Following further research, I wish to object to this application on a number of grounds.

The process will take a considerable amount of waste for processing. Only part of this hauled waste will be used. The remainder will be sent onto landfill. This mean multiple HGV movements, though areas already exposed to movements from the Humber Bank WTE center.

There is incomplete engineering work, especially related to effluent. Such works should be completed prior to submissions and not be a condition of granting Planning Permission.

Its is evident that the applicant has not demonstrated this process at any scale. It therefore suggests that the current process and emissions.data in the application may not be as accurate as presented and runs the risk of missing the mark by some margin. I understand this project is being funded, in part, by the tax payer. I recommend the applicant undertakes more smaller scale development work, prior to seeking permission to build a full size facility, to reduce the chances of alterations which may materially differ from what is being proposed here.

The principles of this development are good and such climate related solutions are needed.

However, they should be engineered in the proper manner and not rushed through, only to fail soon after

Many Thanks.

Dr McIntyre

Comments for Planning Application DM/0664/19/FUL

Application Summary

Application Number: DM/0664/19/FUL

Address: Land At Hobson Way Stallingborough North East Lincolnshire

Proposal: Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, installation of pipe lines, rail link, associated infrastructure and ancillary works

Case Officer: Richard Limmer

Customer Details

Name: Mr Michael Vidal

Address: Flat 5 11B Cornwall Road London

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I note that according to the Planning Statement the daily amount of feedstock that will be delivered is 1650tpd. However the Planning Statement says that the gassifier can treat 1030tpd. It is not clear what will happen to the remaining 620tpd. At these rates about 2.5 days to have an excess of feedstock greater than the daily amount of feedstock that would be delivered. Where will this excess feedstock be stored?

Comments for Planning Application DM/0664/19/FUL

Application Summary

Application Number: DM/0664/19/FUL

Address: Land At Hobson Way Stallingborough North East Lincolnshire

Proposal: Development of a sustainable transport fuels facility, including various stacks up to 80m high, creation of new accesses, Installation of pipe lines, rail link, associated infrastructure and ancillary works

Case Officer: Richard Limmer

Customer Details

Name: Mr Danny Brooksbank

Address: 122 Seamer Road Scarborough

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment:It's not clear to me the stages of planning evaluation we are at

The dates on this site give no clues

Is it possible to get some sort of status or statement please?

This whole project interests me greatly and I feel could be opened up to wider international interest, if satisfactorily permitted