

Planning Committee Dated: 3rd March 2021

Summary List of Detailed Plans and Applications

Recommendation: Refused	
Item:	1
Application No:	DM/1074/20/FUL
Application Type:	Full Application
Application Site:	36 Bargate Grimsby North East Lincolnshire DN34 4SW
Proposal:	Change of use from social club (Sui Generis) to shop (Class E), demolish existing outbuildings, erect single storey rear/side extension to create new entrance to side elevation, associated works to form replacement/additional accesses, car parking, landscaping and servicing facilities and various other alterations
Applicant:	Langdale Capital
Case Officer:	Jonathan Cadd

Recommendation: Approved with Conditions	
Item:	2
Application No:	DM/0589/20/FUL
Application Type:	Full Application
Application Site:	6 Deansgrove Grimsby North East Lincolnshire DN32 0SA
Proposal:	Change of use from dwellinghouse to 2no. flats to include demolition of existing conservatory and external alterations (amended ownership certificates)
Applicant:	Ms Katie Bloore
Case Officer:	Jonathan Cadd

Recommendation: Approved with Conditions

Item: 3

Application No: DM/0684/20/FUL

Application Type: Full Application

Application Site: Wentworth House 4 Church Lane Stallingborough North East Lincolnshire

Proposal: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works

Applicant: Mr And Mrs Elwis

Case Officer: Richard Limmer

Recommendation: Refused

Item: 4

Application No: DM/0926/20/FUL

Application Type: Full Application

Application Site: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Applicant: Mr David Fryman

Case Officer: Owen Toop

Recommendation: Approved with Conditions

Item: 5

Application No: DM/0081/21/FULA

Application Type: Accredited Agent - Homeholder application

Application Site: Wold Rise Chapel Lane Ashby Cum Fenby Grimsby

Proposal: Erect single storey front/side extensions to include roof lights and roof lantern, render cladding to all elevations and erect detached summer house to rear with various alterations

Applicant: Mr And Mrs R French

Case Officer: Ian Trowsdale

Recommendation: Approved with Conditions

Item: 6

Application No: DM/1104/20/FUL

Application Type: Full Application

Application Site: Norman Corner House Waltham Road Brigsley North East Lincolnshire

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access

Applicant: Mr Keith Smith

Case Officer: Laura Bartle

Recommendation: Approved with Conditions

Item: 7

Application No: DM/1044/20/FUL

Application Type: Full Application

Application Site: 6 Brook Lane (Plot 10) Waltham North East Lincolnshire

Proposal: Variation of Condition 15 (Approved Plans) as granted on application DM/1192/15/FUL - alterations to appearance and orientation to Plot 10

Applicant: Mr Gary Lister

Case Officer: Lauren Birkwood

PLANNING COMMITTEE - 3rd March 2021

ITEM: 1 **RECOMMENDATION: Refused**

APPLICATION No: DM/1074/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 36 Bargate, Grimsby, North East Lincolnshire, DN34 4SW

PROPOSAL: Change of use from social club (Sui Generis) to shop (Class E), demolish existing outbuildings, erect single storey rear/side extension to create new entrance to side elevation, associated works to form replacement/additional accesses, car parking, landscaping and servicing facilities and various other alterations.

APPLICANT:
Langdale Capital
125 Deansgate
Manchester
M3 2BY

AGENT:
Mr Jonathan Wadcock
Urban Agile Limited
32 Moorfield Road
Irlams O' Th' Height
Salford
M6 7QD

DEPOSITED: 11th December 2020

ACCEPTED: 11th December 2020

TARGET DATE: 5th February 2021

PUBLICITY EXPIRY: 17th January 2021

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 10th January 2021

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application is a resubmission of application DM/0130/20/FUL refused by the Planning Committee on 23rd June 2020 on highway safety grounds. The main change to the application physically is a wholly internal alteration to reveal the galleried landing and refurbished stained-glass stairwell window at first floor (the staircase will still be removed, however). The application is also supported by updated highway assessments following the authority's previous concerns. As with the previous application the applicant seeks revised white lining to Bargate to create two right turn lanes, one into the site and another into Abbey Road.

This full application seeks permission for a change of use and conversion of 36 Bargate to a class E(a) convenience retail store with associated car parking with access from Bargate and two exits from Augusta Street. One for customers and a second for service only vehicles.

The store would have 353 sq. m of floor space at ground floor (236 sq.m net retail space) with the upper floor being left vacant. As part of the conversion, a portion of the current rear wing, fronting Augusta Street, would be demolished to create a suitable service area and egress for goods vehicles leaving the site. In addition to this, a small more modern flat roofed extension would also be demolished to the south. The remaining building would be refurbished and extended to form the new store. Many of the internal walls and features including the staircase in the original building would be removed, however, as noted above, the landing to the first floor would be opened up giving views of the stained glass landing windows. A single storey flat roofed extension (110 sq.m) would be constructed to wrap around the western and southern elevations of the original building to form a new customer entrance with access ramp to the south. It would also accommodate a store and dedicated service entrance to the west. The original door to the front of the building whilst retained would be permanently sealed and unused. In addition to this, a 2.5m high fenced compound to the south western corner would be provided for plant and equipment whilst to the northern elevation facing Augusta Street a further storage compound would be formed with 2m high fencing surrounding it.

The layout of the site would be dominated by car parking with space for 23 vehicles (2 being to disabled drivers standards), access/exit and servicing areas. Access only would be formed from Bargate opposite the existing Abbey Road/Wellowgate junctions. Two exits are proposed to Augusta Street one for service vehicles and one for customers. The service exit would be protected by retractable bollards. In addition to this, landscaped strips would be formed adjoining the Bargate frontage along with the boundary to 28 Bargate. In addition, two smaller landscaped areas would be formed to the Augusta Street frontage and the boundary to 1 Augusta Street. As part of the proposal to aid safe access to the site, a white lining scheme on Bargate is proposed create two right turn lanes, one to the site and the other to Abbey Road.

This application is brought to the committee at the request of the Ward Councillor Woodward.

SITE

The application site is a large 19th Century former villa at 36 Bargate, known locally as Grimsby Conservative Club, a private members club, although this has been vacant for some time. The building is located to the northern side of the site with access/exit from Augusta Street only. The structure is designated as a locally listed building and is positioned within the Wellow Conservation Area.

The building is an attractive two storey red brick villa with stone features including entrance porch, belt course and large sash window surrounds. The main building has a pleasant symmetry to it with a slate hipped roof and prominent chimneys. To the rear, facing Augusta Street, is a brick wing of a similar but plainer design and a further collection of smaller red brick additions including single storey rendered buildings with a yard area that directly adjoins the back edge of the footpath and forms a 4m high boundary to 1 Augusta Street.

The majority of the ground is laid with tarmac/ fine gravel creating a parking area. Several large mature trees exist to all the boundaries of the site except to the west. Some of these trees have preservation orders with the remaining protected by the conservation area designation. It is noted that since the last application some of these trees have been removed with consent. To Bargate the site is bounded by a red brick wall with stone dressings. To Augusta Street a more modern 500mm high wall with concrete coping exists. A further traditional brick 1.5m high wall exists to 38 Bargate but the difference in ground levels mean this is lower to the application site.

To the south is 28 Bargate another large red brick villa with large projecting bays to the front. Adjoining the site boundary a driveway exists along with a detached garage. Within the northern flank wall facing the application site are a number of windows at ground and first floor some of which are large and appear to serve habitable rooms. To the east is Bargate and opposite are a number of traditional residential properties including some which have been converted to flats. To the north opposite the site is 34 Bargate which accommodates a Veterinary Practice and has car parking to the front and rear both of which are accessed from Augusta Street. Finally, to the west is 1 Augusta Street a detached inter war villa with large conservatory to the rear. A driveway exists adjoining the application site along with a detached garage. The boundary to the site is partially formed of the walls of the application building but further south is a 3.5m high wall/fence before it drops down to an original 2m high boundary wall at the rear most part of no. 1's garden.

RELEVANT PLANNING HISTORY

APP/B2002/W/20/3263129 The application decision DM/0130/20/FUL has been appealed and currently awaits determination by a planning Inspector.

DM/0130/20/FUL Change of use from social club (Sui Generis) to shop (A1), demolish existing outbuildings, erect single storey rear / side extension to create new entrance to side elevation, associated works to form additional accesses, car parking, landscaping and servicing facilities and various other alterations. Refused 23rd July 2020

Reason for refusal: The proposed development would result in a severe adverse impact on highway safety, road and pedestrian safety, by reason of conflicting traffic movements in an already complex network of junctions and limited road widths contrary to policies 5 and 36 of the North East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

A large number of other applications and TPO consents relate to this site but the most relevant are as follows:

DM/0829/14/CEA Certificate of lawfulness for proposed change of use from Class A4 to A1/A2 or A3 - withdrawn

20011 (F) New store and car park Approved 01 Mar 1967

20011 (B) Internal alterations and extension to car park Approved 25 Nov 1957

20011 (A) Internal alterations and car park. Approved 16 August 1957

20011 Change of use to licensed club. Approved 26 Nov 1956

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF1 - Introduction

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.

NPPF16 - Conserv. & enhance the historic environ.

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

PO3 - Settlement hierarchy

PO5 - Development boundaries

PO22 - Good design in new developments

PO23 - Retail hierarchy and town centre develop

PO33 - Flood risk

PO34 - Water management

PO36 - Promoting sustainable transport

PO38 - Parking

PO39 - Conserve and enhance historic environ

PO41 - Biodiversity and Geodiversity

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

REPRESENTATIONS RECEIVED

Highways: (In summary) The Highways Authority has assessed the new application including the revised information submitted and additional response submitted on the 4th February 2020.

The proposal seeks to create a new access point off Bargate in form of a right-hand turn lane in an area where there are already several other junction points Augusta Street, Abbey Road and Brighowgate. Bargate is also a main link through to the town centre and is a main bus route.

It is accepted that pedestrian access arrangements within the site have been resolved and that actual traffic generation by this development would not represent a severe impact in NPPF terms.

The Highway Authority has not accepted that the right-hand turn lane provision (drawing no: 069907-CR-00-XX-DR-TP-75001) is the authority's preferred option and is not supported in road safety terms. It is considered that there is insufficient road width to safely accommodate a right turn lane whilst also maintaining appropriate lane widths for north and south bound traffic.

The existing road layout already prevents the free flow of traffic once a vehicle is stationary waiting to turn into the side streets. In addition to this, pavement widths in this area fall below the standard widths and it would not be considered acceptable to use any of their width to widen the carriageway.

The short length of the right turn lane may increase the risk of nose to tail shunt type collisions heading southbound. The length of the right turn lane has capacity for a single vehicle, whilst this may be appropriate for much of the time, peak periods may increase the risk of more than one vehicle waiting to turn right due to the lack of gaps in the northbound traffic. This increases the risk of the clear path southbound being blocked by right turning vehicles, consequently, increase the risk of nose to tail shunts for southbound traffic as they encounter unexpected stationary traffic in Bargate.

Equally the short length of the right turn lane may increase the risk of head on type collisions at the site. Abbey Road and Brighowgate are key routes to access the south of the town centre, including the railway station and major car parks. There is a risk of conflict between vehicles turning right into these two side roads versus vehicles turning right into the development site, such that a head on type collision may occur, or perhaps more likely at urban speeds, right turning vehicles make a last moment avoiding movement that causes a side swipe type collision with a vehicle travelling in the same direction.

Cycles being squeezed by narrow lane widths may increase the risk of collisions involving cycles. The right turn lane provision will create a narrowing of the ahead

carriageway in both directions. Bargate forms a key route into the town centre for cycles, a significant narrowing such as this may increase the risk of collisions involving cycles being squeezed by passing vehicles.

Close proximity of the site exit may increase the risk of junction related collisions. The proposed site exit to Augusta Street is within close proximity of the junction with Bargate, at a point where vehicles turning into the side road will be focused on the immediate hazard of oncoming vehicles on Bargate and may not observe a vehicle waiting to join a queue of traffic on Augusta Street, increasing the risk of a collision at this point.

Within the Transport Assessment it is shown that there has been a total of 10 collisions over the 2015-2019 period. The Transport Assessment suggests that this is not unusual, however, the Highway Authority would not agree with this statement, especially as 2 of the collisions are classed as serious and it would be disingenuous to suggest this is not considered unusual.

Whilst there may have been additional reports submitted with this new application, the Highway Authority remain of the stance that no further evidence has been produced to support the applicant's proposals and it is on this basis that the Highway Authority would therefore continue to recommend refusal of the application on highway road safety grounds.

Heritage Officer: (In summary) This application appears to be identical to DM/0130/20/FUL, there are no changes to those comments made previously on that application.

2 June 2020 - It is acknowledged that the building is locally listed and therefore does not have the same full protection that it would if the building was listed, support is possible for the removal of significant historic features, in the form of the majority of the remaining ground floor plan form including the decorative features that still remain in order that a successful conversion can be made. However, the staircase is particularly good example of its type and it's mentioned specifically in the Historic Environment Record, presumably the information originating from the local listing notes. I do not support the removal of this staircase and the plans should be altered to either retain the staircase as a feature within the store or it should be boarded up in such a way that would not cause damage to either the staircase or the first-floor landing.

Further details about replacement windows and their materials should be provided as well as any lighting, signage and pipework, such as air conditioning units which may be attached to the building. It would be desirable to replace any UPVC windows with the original sashes, which are currently stored safely inside the building. This should be secured by condition.

There are a number of original window openings that have been proposed to be blocked up and this will make a significant negative impact on this building and the conservation area. Surviving historic fenestration is an irreplaceable resource which should be

conserved and repaired whenever possible. In particular, there is a stained-glass window to the rear elevation which should be retained. The applicant should work towards finding a security solution that secures the windows appropriately from the inside while still retaining the original sashes and windows in situ. This should be secured by condition.

Currently the boundary is brick which is an appropriate material in this area, and I recommend that this should continue to be the boundary treatment rather than fences. This should be secured by condition.

The moulded string course should be continued through the extension. This should be secured by condition.

Full historic building recording should be undertaken prior to any work starting on site, including any demolition should be undertaken Archaeological monitoring should be undertaken on all groundworks, including grubbing up of any foundations as this site is within the historic core of Grimsby and lies between areas where significant medieval archaeology has been recorded. This can be conditioned.

20th March 2020 - The building is an important building within the Wellow Conservation Area and is a locally listed building. there is a fine level of preservation both inside and externally with many of the original features surviving internally. A key feature being the staircase. Biggest change has been the creation of a bar area. The assessment focuses on the deterioration of the building not the impacts of the proposal. The outbuildings (to be demolished) are not fully detailed, could have been two small cottages and their history and relationship to the main building are not adequately explored. Loss of such buildings is not supported.

The internal staircase is a good example of its type and should be retained. If necessary, it could be boxed in.

Replacement windows should be wooden sash windows not PVCu.

The boundaries should be walled not wooden fences.

The stone string course should be retained.

A full historic building recording should be made and archaeological monitoring if works should be undertaken.

Grimsby Cleethorpes and District Civic Society: This Locally Listed building has been vacant for some time and no previous a submitted planning application has been successful. The building is a good example of the problems faced as to how to return a large vacant property into viable usage. The current proposal is for it to become a mini supermarket. There are a number of problems with the application: Its potential impact upon other nearby shops, no plans as how the developers are to deal with its interior; In particular the central stair case; The additional movement of traffic both into and out of

the car park has been given detailed thought. The society's committee have noted the traffic survey and the suggestions to resolve the identified problems. However, we are of the opinion that this is a particularly problematic intersection of roads and that additional traffic presents a further hazard. It requires further thought. For these reasons the application was rejected.

Cadent Gas: No objection as the intermediate and high-pressure gas pipelines in the area would not be affected by the proposal.

Environment Agency: Does not wish to make comment.

Drainage: Surface water runoff from the redevelopment of this site must aim to achieve as close to greenfield runoff rates as possible, in order to mitigate against flood risk. The 13.6% reduction mentioned in the flood risk assessment is not sufficient, and further reductions are required. Sustainable drainage should be used throughout the site wherever appropriate. Recommend surface water drainage condition be attached to any grant of permission to resolve concerns.

NE Lindsey Drainage Board: The board has no comments on this application, the development does not affect the interests of the board.

Rights of Way: Does not appear to have a direct impact on the rights of way network.

Trees & Woodlands: (In summary) Comments are confined to the impact on existing trees and the replacement of trees that have previously been removed from site under 211 Notices. There is no fundamental disagreement with the submitted report's findings and proposals.

- 1) The proposed improvement in soft landscaping around the boundaries and as a consequence the major trees is a positive proposal.
- 2) The proposed new landscaping to the boundary with 1 Augusta Street is a positive proposal but will have a limited impact on the C/A and is being used to ameliorate the impact on No.1 Augusta Street.
- 3) With regards to protecting and enhancing the character and ambiance of the C/A this proposal offers little. Given the tree report highlights T3 Beech has been given permission, under a TPO application, to be removed due to its condition and that there is a condition for its replacement, the block plan should show the location of the replacement tree.
- 4) Related to the above point an Oak and a Chestnut have been removed from the Bargate boundary due to their condition under a 211 Notice a landscape scheme should accommodate their replacement, possibly by more suitable species.
- 5) The proposed use of close boarded fencing on such a prominent location would be detrimental to the visual amenity of the C/A. If absolutely necessary, the applicant should provide details of how its impact can be ameliorated.

Environmental Protection: Recommend conditions relating to: A) need for details of

acoustic fencing/barrier details to be submitted to limit impact on neighbours at 1 Augusta Street, B) delivery noise management plan, C) hours of deliveries : 07:00 - 21:00 Monday to Friday, 08:30 - 18:00 on Saturdays and 10:00 - 16:00 on Sundays and Bank/Public Holidays, D) hours of operation 06:00 - 23:00 Monday to Sunday. Provision of external and extract equipment (and acoustic performance) E) hours and days of construction and demolition and F) construction method statement.

Ward Councillor: (Cllr Woodward) has requested the application be determined by the planning committee due to the contentious nature of the application and the balanced nature of the issues under consideration including support and objection from the local community. It is noted that a petition will be supplied to democratic services.

Neighbours/ Public/ Site Notice:

Support:

27, Flat 2 35 Bargate: Comments can be summarised as:

The proposal is welcomed and is a great advantage to the area.

Object:

1, 6A, 6B, 7, 8A, 12, 33, 52 Augusta Street, Westminster Drive, 4, 5 & 6 Heathfield Court, 4, 5 Augusta Oaks, 14 Northumberland Close, 34 College Street

Objections can be summarised as:

The previous application was turned down so why is a further application being considered?

One resident in Northumberland Close considered that the residents have not been made aware by North East Lincolnshire Council that this application is going ahead and has a very short expiry date. Equally many did not know that an appeal was outstanding. It was stated that 25 houses out of 29 in Northumberland Close and Heathfield Close had been visited and spoken to and 23 of the 25 were against the proposals, signatures and addresses had been received for the residents objecting to speak on their behalf - but no specific details have been provided or evidence to this effect. The main areas of objection were highway safety and capacity but also character of the area and amenity.

The junction of Augusta Street/ Bargate/ Brighowgate/ Abbey Road is already problematic and increasing traffic in the area will clearly make this worse. The area already suffers from traffic congestion being the junction of four roads, an additional junction in the locality will only increase the traffic problems and risk of a serious accident. Anyone travelling south on Bargate will have to make three right turns to use this store, which is not primary traffic as suggested in the application. These vehicles will twice use this section of highway (Bargate), where three side roads converge. Where accidents have occurred they are close to this site or just to the north of the crossing showing they are issues of concern.

The traffic study fails to mention that traffic during peak times is backed up in the area of Bargate close to the site and so does not address the issues caused by traffic at these times. Also, when the pedestrian crossing lights are activated this creates queues of traffic. Whilst there is a Keep Clear signage on the road at the Augusta Street junction with Bargate, this is badly worn and as with the no right turn from Abbey Rd junction these are frequently ignored by traffic users. Signage and markings will be ignored! A few lines of paint, sorry ghost islands, on the road will not alleviate these issues and could cause confusion at an already busy intersection. Even with lines, Bargate is only 8m wide in places and right turning vehicles will block traffic.

One residents states: 'The report indicates traffic is only meant to increase by 1 additional vehicle every 3-4 minutes. This sounds almost acceptable, but we all know that traffic doesn't behave like this. The reality is that the extra 15-20 cars in the 08:00-09:00 and 17:00-18:00 will arrive in bunches - and the traffic will suddenly feel very congested. Cars turning left into the car park do not do so automatically or smoothly. There are less than 25 car parking spaces. Once full, cars wanting to enter the car park will have to wait - in the 3-5 minutes that they do have to wait the traffic behind will have no alternative but to tailback...'

Traffic turning wanting to leave Bargate and turn right into Abbey Road or Brighowgate... this is a recipe for disaster. There may have 'only' been 4 collisions in recent years, it is suggested that there will be considerably more in years to come if this proposal goes ahead....

The proposal will increase traffic on Augusta Street, including HGV delivery vehicles. Pulling out onto Bargate is already a problem during peak times, pulling into Augusta Street will be hazardous when cars are leave the car park. There have been accidents there. Perhaps traffic lights could be considered to avoid accidents? The car park exits which both lead into Augusta Street very close to the corner. This is high risk due to proximity of 2 exits being so close to the corner where people turn into Augusta Street from Bargate. The drivers from Bargate will not be able to see the cars turning onto Augusta Street. This is highly hazardous. In addition to this, cars currently trying to get out of Augusta Street onto Bargate already face a long wait and is high risk and dangerous due to the complications of two streets opposite that also feed onto Bargate. Using entry or exits on Augusta street is high risk. A neighbour struggles to turn right and often has to drive round town to get back on to Bargate. Visibility to the north from Augusta Street is poor and requires drivers to inch out onto Bargate causing further concerns.

If drivers don't want to exit and turn right into Bargate from Augusta Street they will turn left on Tewksbury Drive and then onto College Street before regaining access onto Bargate further blighting wider area. Alternatively, Bargate will be avoided by traffic travelling west on Augusta Street towards the narrow Compton Drive, and exacerbate the potential risk of collision on the narrow junction with Littlefield Lane. This route is popular with pedestrians, often children, parents and young adults attending the various schools and colleges in the locality such as: South Parade School, Ormiston Maritime Academy &

Franklin College.

The Conservative Club used to mainly operate in the evening so impact on traffic was limited. Also, deliveries generally only occurred once a week and would not enter but be directly from Augusta Street Road frontage away from houses.

Lorries will turn around the small green area at the bottom of Augusta Street causing nuisance.

The pedestrian traffic onto the site is dealt with but there is no assessment of passing pedestrian traffic which is particularly high at peak times with students moving to and from the several local schools and colleges past the site. This includes The Grimsby Institute but also St James School 0.11km to the north and St Martin's 0.5km to the south and despite the signalised crossing many cross a various point increasing risk.

No safety assessment on the impact on pedestrian crossing and bus stops in area.

Parking on Augusta Street is already bad due to people parking on street whilst working in the town centre (seeking to avoid parking charges) - this will make it worse and parking regulations will only push the issue further up Augusta Street. The number of spaces on site is insufficient and people will park in any case on Augusta Street. Most families have two cars - one parked on drive the other on street so any increase in parking from the store will penalise existing residents.

A lamp post is in the way of service exit and if moved would affect the general level of street lighting including at the entrances to the vets and Selmeston Court.

Despite the traffic assessment, it still does not deal with the fundamental fact that increased traffic to the site would result in a adverse impact on highway safety, road and pedestrian safety.

Noise from deliveries and the opening/closure times of the store. Many moved to area due to quiet streets, low traffic noise and peaceful living. Lorries in particular doing deliveries at all hours will cause excess noise. The suggestions in the planning application of asking drivers to speak quietly or turn radios down is utter nonsense and will not be policed. Moving cages is a noisy job. The noise is from the lorries and cars late at night remains an issue., especially for immediate neighbours.

Environmental effect on the area. Grimsby has always been recognised as having some of the finest approach roads to any town centre in the country. Bargate is a major route into the town centre and it is always a pleasure to travel along this beautiful road, particularly in the Autumn. Indeed, it is recognised as being one of the towns major attractions. This has only been achieved by our forebears having the good sense not to commercialise the area. The proposal will significantly alter the character of the local area. This includes the addition of commercial signage.

We have already seen trees & bushes removed and the area now looks untidy and uncared for. This does nothing to attract people to our town. Please, protect our environment.

There is no retail presence on Augusta Street, and shops are within easy distance on Littlefield Lane or in the town centre. All local shops create places where homeless people sit around/young people hang about. This area has always been known as a prestigious area of town and not befitting on a local shop.

Risk to property prices.

Detrimental impact on local small shops.

Concerns from the adjoining neighbour that the full impact of noise and nuisance on their property only metres away have not been fully considered. Separate reports consider each potential noise nuisance but do not consider the whole noise issue from deliveries, plant and customers. Demolition of rear building would remove a 4m high wall and fence 3.2m and replace with a simple 2m fence which is not enough leading to noise nuisance. Plant should be situated elsewhere. Site will be used 17 hours a day 7 days a week - a major impact on adjoining properties. Previous submissions included retention of majority of main wall, replacement of fence to same height but these have been lost.

Loss of high walls will lead to overlooking - 2m high fence would not be sufficient to maintain privacy.

Storage area to rear could be used for waste causing issues and should be prohibited from being used as such.

Birds are nesting in the chimney and should be taken account of.

The dwelling would be better used as luxury flats/health facilities etc

The application has been rushed through because of COVID-19 and not enough consultation has occurred

APPRAISAL

Appraisal

Main issues

1. Principle of a food store in this location
2. Design and heritage issues
3. Highway capacity, safety and parking

4. Residential amenity

5. Drainage and flood risk

Appraisal

1. Principle of a food store in this location

The site is located within the urban area of Grimsby where development of key services and facilities are in principle supported, policy 3. The site is previously developed and is located close to high frequency bus routes with adequate pedestrian infrastructure within the area. Retailing, however, particularly with respect to high streets and town centres are struggling with many shops closing. Grimsby Town Centre and surrounding smaller centres are no exception and this proposal could create competition which would further harm the established centres particularly as 36 Bargate is not located within any designated centre as established through the retail hierarchy within policy 23 of the NELLP.

Outside designated town centres within the hierarchy and specifically the defined primary shopping frontages, policy 23(4) states proposals for town centre uses, specifically retail and leisure floorspace comprising 200 sq.m gross or more, will only be acceptable if it is demonstrated that:

A. the development cannot be accommodated on a suitable site within first, the identified primary shopping frontages, then, within the defined town centre boundary, including identified opportunity sites, or finally close to, the town centre boundary (sequential test); and,

B. the proposed site is accessible and well-connected to the town centre; and,

C. development will not adversely impact upon the vitality and viability of any of the town centres, (impact test) having regard to: i. committed, planned or proposed public and private investment in the town centres; ii. evidence as to retail expenditure capacity which shows that the development would not adversely impact upon consumer choice and existing town centre trading levels.

The current application, along within the previous submission (DM/0130/20/FUL refused on the 23rd July 2020), is supported by an assessment of the proposal's impact on the town centre and other retail areas along with a sequential assessment of alternative sites. Given the short period of time since the previous application the updated Planning and Retail Statement outlines nothing material has altered. Due to the short period that has elapsed between applications, these conclusions and those reached within the corresponding assessment obtained by the Council in 2020 are considered to remain valid and up to date and can be relied upon as part of this application assessment.

The applicant has indicated that the store seeks to serve a local top up shopping catchment although accepts that its location along a main route into the town centre would capture some top up shopping from passers-by. The proposed development exceeds the 200 sq.m threshold and is located outside of the primary shopping frontages and could therefore have an impact on the town centre and other existing local centres in the area. As a result of this a sequential assessment of alternative sites within the town centre and other local centres in the area has been undertaken. Officers have assessed the detail supplied and have requested additional sites be considered, including Cartergate. A specialist retail consultant has also been utilised to assess the detail provided.

Having considered the report submitted and visited the area, including sites suggested by officers, the advice concludes that the nature of the convenience provision sought and the area which it would serve would be mainly residential with walking distances of 500 - 800m. Whilst some town centre sites were available these would effectively serve a different market (workers) and would be beyond the majority of the residential areas (800m walking distance of 36 Bargate) which the proposal seeks to serve. It should be noted that it would be unreasonable to require a retailer to serve a completely different market to that which is sought. Other sites suggested including Cartergate by virtue of location and accessibility would not fulfil the retail role proposed. It is recommended that the applicant's sequential assessment be accepted with respect to the requirements of policy 23(4)A.

The site is located within central Grimsby and is located on Bargate, the A1243. It is served by 4 bus routes with a further two a short distance away at Dudley Street with bus stops less than 400m from the site. There is also an extensive lit footpath network within the area and quiet cycle routes (the Cycle Hub with secure parking is also within 450m of the site at Grimsby Town railway station to the north east). Given the geographical area the store seeks to serve all would be within the 800m walking distance usually accepted an acceptable indicator of sustainability (Manual for Streets) and the site would therefore meet criteria policy 23 (4)B of the NELLP.

The third assessment required under policy 23(4)C is the potential impact on the vitality and viability of existing centres. Here the applicant and the Council's advisers differ in the nature of their assessment of where the greatest impacts would be experienced, however, both conclude that the impact of this proposal, if permission were to be granted, would not harm the overall vitality and viability of either the town centre nor surrounding local centres (Littlefield Lane, Farebrother Street and Chelmsford Avenue). It is not expected that any store closures would occur in these centres as a result of the proposal. If a closure did occur (in the very worst-case scenario) it would be the secondary convenience store in the local centres, the level of diversion of trade not being such that the main store would become unviable maintaining the top up function of each of the local centres. Whilst some convenience trade (4%) would be drawn from the town centre and Freeman Street together the draw would not be significant particularly when aggregated with comparison shopping. In a similar way, whilst some trade would be drawn from the main supermarkets, it is considered that the draw would not be as great

as the applicant suggests, as top up shopping is now generally done away from these main stores. As such the impact on these stores would be less and would not harm their vitality. As such therefore both assessments conclude, despite the difference in focus, that any trade draw as a result of this proposal would not be of a material adverse impact on the vitality and viability of any existing centre including any planned investment within the town centre nor surrounding area (policy 25) and would not therefore conflict with policy 23(4) C of the NELLP.

In principle therefore, despite its location outside of the retail hierarchy of centres the proposal would not be likely to harm the vitality or viability of these centres and alternative sequentially preferable sites are available. It is considered therefore that the proposal would in principle augment and enhance the scale and extent of locally available shopping facilities within the vicinity of the application site.

2. Design and heritage issues

36 Bargate is an attractive detached 19th Century brick villa with stone detailing and a hipped roof. The building features on the list of locally important buildings and forms part of the Wellow Conservation Area. To the front the building has clean symmetrical lines but with a two-storey rear wing and smaller additions to the rear, west fronting Augusta Street which much less detailing and likely to have formed ancillary service quarters for the house. The building is set in grounds with traditional stone capped brick walls found on most boundaries either alone or with fencing added. The building is highly prominent upon one of Grimsby's premier roads and forms an end stop to several roads which have junctions to Bargate at this point.

Policy 22 of the NELLP requires a high standard of sustainable design for all development with an approach to each development informed by:

- A. a thorough consideration of the particular site's context (built and natural environment, and social and physical characteristics);
- B. the need to achieve (amongst others):
 - i. protection and enhancement of natural assets;
 - ii. resource efficiency;
 - v. accessibility and social inclusion;
 - vi. crime and fear of crime reduction;
 - vii. protection and enhancement of heritage assets, including character and local distinctiveness;
 - viii. high quality public realm; and, in this instance:
- D. iii a Conservation Area Appraisal

Further to this, policy 39 of the NELLP states: (1.) Proposals for development will be permitted where they would sustain the cultural distinctiveness and significance of North East Lincolnshire's historic urban, rural and coastal environment by protecting, preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings. The policy

further notes (2.B) that the Council will take a positive and proactive approach to addressing heritage at risk and f. encourages sympathetic uses, and repair, maintenance and restoration of heritage assets. Section (3.) of the policy notes development will be supported, and planning permission granted, where proposals:

A. protect the significance of heritage assets, including their setting; through consideration of scale, design, materials, siting, mass, use and views;

C. preserve and enhance the special character and architectural appearance of Conservation Areas, especially those positive elements in any Conservation Area Appraisal;

However, policy 39 (5.) warns that 'The Council will assess each application individually in terms of the magnitude of impact of any change on the significance of the asset or the contribution that setting makes to that significance or experiencing significance. Where an impact equates to substantial loss of significance (demolition in the case of direct harm or the effective destruction of an asset's setting in the case of indirect harm), a proposal will be considered to cause substantial harm. Permission will only be granted where substantial harm to assets of the highest significance is wholly exceptional, and for all other nationally designated assets, exceptional.'

The applicant has submitted a heritage assessment in accordance with the requirements of policy 39(4.). This outlines that the significance of the building and its importance within the surrounding area. It is noted that the main changes to the building would be the demolition of the ancillary wing to the rear of the main villa, the erection of a new single storey extension wrapping around the south and west of the building and internally the removal of the staircase and the majority of the internal walls and fittings at ground floor to create the main retail floor area. It should, however, be noted that since the last application the applicant has been able to redesign the internal nature of the layout to retain the open galleried landing at the site and restore the stained-glass window. It is noted that the building is presently vacant and has been so for some 7 years.

The proposal would bring a large proportion of the primary structure back into operational use, which should be given some weight in any planning balance under paragraph 195 of the NPPF (2019). The loss of the rear wing buildings is, however, deemed to harm the historical significance of the building, it removes a part of its story of how the building was utilised and indeed fronts Augusta Street. The Council's Heritage Officer has indicated that this would harm the significance of the building, but the harm would be classified as less than substantial. Conditions should, however, require that full recording of this part of the building before demolition is undertaken. In addition, she notes that internally there would be the loss of the main staircase which is noted as a key feature of the building and various other original fittings to accommodate the modern open plan retail floor space. This causes some concern. The applicant has been requested to retain the staircase, albeit fully enclosed, but has declined to do so due to the limitations it would have on its retail and operation floor space.

The main heritage change to the previous proposal (refused by committee) is the retention of the galleried landing and stained-glass window at the building which whilst welcomed is not considered, by the Heritage Officer, sufficient to offset the loss of the original feature staircase which was a key reason for the window and landing being there. It should be a single entity. The building, however, is a locally listed building within the conservation area but it is not a listed building and as such its internal features are not protected and could be removed without any consent being required. Whilst the loss of the staircase is very disappointing the limitations of protection through the conservation area and indeed local listing has to be acknowledged and the loss of significance is not deemed substantial and has to be balanced with the public benefit of the reuse and external renovation of the building. In this instance, it is considered that weight has to be placed on retaining the main building at Bargate to preserve the character and appearance of this part of the conservation area and this would outweigh the disbenefits of the loss of the internal features which have no protection in policy in any case.

Externally, it is recommended that conditions requiring details of the renovation of windows, doors, materials, including provision of string course to the extension and replacement of fencing/ railings with brick walls to frontages would be required to ensure that externally the significance of the building is retained.

The proposed extension to the south and west of the building follows the design of the existing extension on site. Its modern clean lines would contrast with the classic design of the former villa but would equally retain traditional proportions and dimensions which would connect it to the original building. This together with the slightly set back position proposed and matching red brick design would make the extension acceptable.

Similarly, the car park and landscape design would enhance the appearance of the site within the surrounding area. The works would retain most of the mature trees on site with those trees noted to be removed having previously received consent for felling. As such the proposal, subject to conditions would accord with polices 22, 39 and 41 of the NELLP.

3. Highway capacity, safety and parking

The previous application for a retail store at 36 Bargate was refused by the Planning Committee on the 23rd July 2020 for the following single reason:

'The proposed development would result in a severe adverse impact on highway safety, road and pedestrian safety, by reason of conflicting traffic movements in an already complex network of junctions and limited road widths contrary to policies 5 and 36 of the North East Lincolnshire Local Plan 2018 and the provisions of the National Planning Policy Framework.'

Following this refusal, the applicant has sought to provide additional and updated highway information and reports to support their contention that the use and an additional entrance point from Bargate would not have a detrimental impact on highway safety. The Local Highway Authority has considered these reports and information but remains of the

view that the development would have a unacceptable detrimental impact on highway safety for the reasons set out in the original reason for refusal and repeated at the end of this report.

In general, policy 36 seeks to reduce congestion, improve environmental quality, and encourage more active and healthy lifestyles, as the Council seeks to promote more sustainable transport choices. As noted above the site is well located for sustainable travel with bus routes, cycle paths, footway networks which will aid access to the store without using private motor vehicles and would therefore accord with sections A, B and C of the policy. Indeed, the accessibility of the proposal to surrounding residential areas was noted by supporters of the scheme within the community within the last application who feel a local store would assist those without cars.

Bargate (A1243) is a busy road with significant traffic levels including buses and HGV's serving the town centre and wider areas but also with significant pedestrian and cycle traffic. The site is located at a complex of junctions with Augusta Street, Brighowgate and Abbey Road all joining Bargate at this point. In addition to this, a pedestrian signalised crossing is located to the north of the site. The development would include a new access only point from Bargate and amended/ new accesses from Augusta Street. Egress would only be allowed from Augusta Street. This has raised a number of objections from residents in the area regarding highway safety and capacity with concerns raised for both vehicle users but also pedestrians and cyclists.

Policy 5 and 36 seek proposals to be considered with respect to their suitability and sustainability in terms of access and traffic generation. Indeed policy 36(2.) notes: 'Planning permission will be granted where any development that is expected to have significant transport implications delivers necessary and cost-effective mitigation measures to ensure that development has an acceptable impact on the network's functioning and safety.' This accords with the guidance within the NPPF para 109 which states: 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The applicant has supplied an up dated Transport Assessment (dated Dec 2020) which continues to indicate that the development would not generate significant additional traffic on the network and the highway authority have again accepted this. This is due to the ability of customers to walk to store but also that most of the vehicular traffic to the site would be passing already so would not significantly add to traffic on the network itself. The store is therefore unlikely to generate levels of traffic which would cause a severe impact in accordance with policy 36 of the NELLP and provisions of the NPPF.

The site, however, due its proximity to the junctions of Augusta Street, Brighowgate and Abbey Road to Bargate causes significant concern with respect to highway safety. This is due to the proposed new access from Bargate. Such an access would lead to increased numbers of conflicting traffic movements as vehicles enter and leave Bargate not just from existing side roads but also to access the application site. The applicant has

provided accident data for the period 2014 - 2018 and this indicates three serious accidents in the area (two around the Augusta Street, Brighowgate junction) and 5 slight accidents over the same period. The applicant considers this is not an unusual accident rate, that accidents stated occur on a wider section of Bargate and other NELC junctions have greater accident rates. The Highway Authority disagrees on all points, particularly given the nature of the two serious accidents near to the site and considers that the addition of the proposed access and increased vehicle turning movements in the area would only bring about a further and unacceptable reduction in highway safety. Whilst other junctions may have a greater accident rate, they are not comparable and should not be a justification for supporting an unacceptable development.

Vehicles turning into the site would add an extra obstacle, another consideration for drivers who must already take account of the other junctions and oncoming traffic. This part of Bargate is already busy with traffic, and with the complexity of the current situation the addition of right turning vehicles on Bargate to access the site would significantly increase the likelihood of accidents, whether this be: nose to tail shunts, head on collisions or side swipes. This would include increased levels of traffic leaving the site and turning right from Augusta Street into Bargate.

The applicant has provided three options to aid right-handed turns into the proposed access and whilst they consider all to be acceptable, they recommend (drawing no. 069907-CUR-00-XX-DR-TP-75001) two right hand turn lanes be formed within the middle of Bargate. One would seek access to the store and the other to Abbey Road. The applicant's independent assessors consider this would enhance road safety and allow ease of access to both the site and Abbey Road. The Highway Authority has considered this option previously and have also assessed its acceptability again in light of the additional reports and detail supplied by the applicant - including (amongst others) traffic flows, capacity and potential queue lengths. Despite the additional information, the Highway Authority has maintained its objection to the scheme and consider the proposed access and right turn lanes would increase the likelihood of collision, create congestion and would unacceptably reduce highway safety overall.

The Highway Authority maintain there is insufficient road width to safely accommodate this right turn lane whilst also achieving appropriate lane widths for north and southbound traffic. The existing road layout already prevents the free flow of traffic once a vehicle is stationary waiting to turn into the side streets. Whilst the Planning and Retail statement states there is sufficient width, the Highway Authority do not concur with this.

The short length of the right turn lane proposed continues to concern the Highway Authority as it may increase the risk of nose to tail shunt type collisions heading southbound - The length of the right turn lane has capacity for a single vehicle, whilst this may be appropriate for much of the time, peak periods may increase the risk of more than one vehicle waiting to turn right due to the lack of gaps in the northbound traffic. This increases the risk of the clear path southbound being blocked by right turning vehicles, consequently, increase the risk of nose to tail shunts for southbound traffic as they encounter unexpected stationary traffic in Bargate. Whilst delivery vehicles are more

likely to operate earlier in the morning when traffic levels are less the schedule for servicing still covers busier times of the morning, increasing concerns. It is reiterated, however, that it is not just larger vehicles which cause concerns though as multiple smaller vehicles waiting to turn into the site from Bargate could also create similar obstructions. As noted by one objector traffic is often bunched together rather than a smooth flow which is likely to increase the likelihood of such occurrences.

The short length of the right turn lane may increase the risk of head on type collisions at the site - Abbey Road and Brighowgate are key routes to access the south of the town centre, including the railway station and major car parks. There is a risk of conflict between vehicles turning right into these two side roads versus vehicles turning right into the development site, such that a head on type collision may occur, or perhaps more likely at urban speeds, right turning vehicles make a last moment avoiding movement that causes a side swipe type collision with a vehicle travelling in the same direction.

The collision risks are also increased with additional right turn manoeuvres into and from Augusta Street into Bargate.

Pavements in the area are narrow in places and as such this would be a significant risk to pedestrian in this area. As a number of residents have stated this is a busy pedestrian route due to the presence of St James School to the north and Grimsby Institute to the south with students passing the site, to and from establishments but also to use outdoor recreational areas and the town centre. Equally, substantial residential areas surround the site leading to further pedestrian movements to the town centre for jobs, recreation and shopping adding to concerns.

Finally, the highway authority continues to maintain that any narrowing of the carriageway by vehicles waiting to turn right would squeeze cyclist increasing the likelihood of collision and/or would reduce the likelihood of cyclists using the site/ road.

Put simply it remains the Highway Authority's view there are too many access/ exit points onto Bargate at this busy point and any additional turning movements would represent an unacceptable impact on highway safety contrary to policy 5 and 36 of the NELLP and the provisions of the NPPF para 109.

It is accepted that the applicant is recommending the use of a Traffic Regulation Orders to Augusta Street to limit parking opposite the exits from the site but this a separate policy regime that cannot be guaranteed, particularly if objections are received. Should it fail it could lead to concerns over vehicles parking opposite the site exit increasing concerns over congestion and collisions.

Car parking is noted on site as being 23 spaces with 2 being proposed to disabled driver dimensions which represents 9% of provision and accords with policy 38 of the NELLP. Evidence has also been supplied to shown that the level of spaces accords with similar types of store. In Grimsby Tesco Express Cromwell Road has 26 spaces, albeit these are shared with a standalone off licence and Coop Bradley Cross Roads - 8 Spaces -

although other spaces are available across the road or in the adjoining garage if it is closed and as such it is not considered that the car park would be unacceptable. In addition to this, six cycle spaces are shown to the south of the building close to the main store entrance, which is positive although, these are not shown to be covered spaced. Given their position close to a locally listed building this is not deemed to be a significant issue.

Having regard to the substantial highway concerns it is considered that the application be refused on these grounds. The proposal is contrary to Policies 5 and 36 of the North East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

4. Residential amenity

Several objections have been received outlining concerns over noise and nuisance generated from vehicle and customer movements within the area. Policy 5 of the NELLP indicates any development will be assessed as to its suitability with respect to its: 'D. impact upon neighbouring land uses by reason of noise, air quality, disturbance or visual intrusion;' Similarly, para 170 of the NPPF states the planning system should prevent: 'both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, water or noise pollution or land stability.'

Whilst the area is predominantly residential in character (except for the vets across Augusta Street) it is located on a busy 'A' road and throughout normal office hours traffic past the site creates considerable background noise whereby any activity at the site is unlikely to cause a nuisance to the wider surrounding area, including any additional traffic to Augusta Street. The store would open from 06:00 to 23:00 each day including Sundays and Bank/Public Holidays. Earlier in the morning or late evening noise levels from traffic are considerably less leading to potential impacts on adjoining the properties.

The two dwellings closest to the are 28 Bargate to the south and 1 Augusta Street to the West. The applicant has undertaken noise assessments at both properties have has concluded that the general operation of the store and car parks, subject to the proposed boundary treatments being in place would not generate unreasonable levels of noise and nuisance. Delivery vehicles and servicing could however, cause nuisance by reason of larger, heavier vehicles, earlier periods of activity, noise from unloading and refrigeration units. The applicant has proposed to limit noise and activity through a service delivery plan which can be conditioned. This requires hours of serving to be limited to 07:00 - 21:00 Monday to Friday and 08:30 - 16:00 on Saturdays and 10:00 - 16:00 on Sundays, but also agreed delivery times to ensure no vehicles queue to unload, refrigeration units and engines are turned off on site, store delivery doors opened before arrival of vehicles and general mindful behaviour during operations. This together with boundary treatment to 1 Augusta Street including maintaining as much of the high boundary wall to the west as possible would reduce noise to an acceptable level. Details of the actual boundary treatment - and its extent would need to be fully assessed, however, and a result should the application be supported conditions should be imposed, not necessarily based on the

details provided thus far, but an acoustically acceptable scheme.

Further assessment of noise from the extract equipment proposed to the western side of the building facing 1 Augusta Street is noted but subject to detailing is deemed acceptable and would be unlikely to cause concerns subject to conditions. Again, this may require further mitigation.

Details have been assessed by the Environmental Protection Team who have not raised an objection to the scheme subject to conditions re: boundary treatments, hours of operation and deliveries and the management plan. In addition to this, conditions are proposed to control demolition and rebuilding to protect residential amenity.

Impacts with respect to light and sunlight and dominance are likely to reduce because of the proposed demolition of the part of the rear wing to the building. The boundary treatment proposed to the car park is such that neighbours privacy will not be protected.

Lighting has not been detailed and conditions would be required to control this. Overall, subject to conditions the proposal is deemed to accord with policies 5 and 22 of the NELLP.

5. Drainage and flood risk

The majority of the site and all of the building is positioned in Environment Agency flood zone 1 with only two small areas of the site being located in flood zone 2. Retail is a less vulnerable use within NPPG guidance which is deemed appropriate in flood zones 1 and 2 and as such the use is deemed acceptable in accordance with policy 33.

Surface water drainage is a consideration, however, and although the current hard surfaced carpark would be reduced in scale with greater landscaping proposed reducing runoff conditions are still required to reduce surface water flows further.

6. Other issues

Objections have been raised with respect to reduced house values - this is not a material planning consideration. Similarly, whilst the issue of commercialisation of the building has been considered above both in principle and within the heritage considerations signage and advertisement consent will be required and will be considered separately.

CONCLUSION

This application is a resubmission of an almost identical scheme refused by the Local Planning Authority in July last year.

It seeks to utilise and extend a vacant locally listed building within the Wellow Conservation Area bringing it back into economic use and whilst parts of this building

would be lost affecting its significance these have been deemed to be less than substantial in nature. On balance therefore, and subject to conditions, the proposed alterations and extension to 36 Bargate is deemed to accord with policies 5, 22 and 39 of the North East Lincolnshire Local Plan.

The proposal would benefit the surrounding residential area by providing top up shopping for local residents without the need for motorised transport. It is also recognised, however, that its location on a key highway into the town centre would be attractive to passers by. Any retail development would impact on the town centre and local centres in the area, but evidence has been provided confirming this impact would not be substantial and would be unlikely to lead to (individually or cumulatively) significant harm to the vitality and viability of designated centres. Equally, alternative sites for an equivalent unit covering the market the applicant seeks to serve have been shown to be unreasonable or unsuitable in line with sequential requirements of the Local Plan policy 23 and the provisions of the NPPF.

The reuse of the site would impact on adjoining residential properties in terms of activity, noise and nuisance but subject to conditions, including servicing, hours of operation, lighting, extract equipment and boundary treatment these impacts are not deemed unreasonable in line with policies 5 and 22 of the NELLP.

In a similar way subject to conditions surface water drainage and flood risk can be managed at the site in accordance with policy 33.

The site, however, is located on a busy A road into the town centre where three roads already join Bargate immediately outside of the property. In addition to this, a signalised crossing exists immediately to the north of the site. This area of Bargate has already been the subject of 3 serious and 5 slight accidents over a four year period and it is considered that the positioning an additional access from Bargate would, and notwithstanding the mitigation measures offered, cumulatively with other junctions create an unacceptable level of conflicting vehicle movements reducing highway safety. In addition to this, the restricted width of Bargate and the nature of the mitigation measures lead to congestion and an unacceptable increase in the chance of collisions. Measures would also squeeze cyclists using the road. Given the area is a route used by shoppers, workers, pupils and students this is a serious concern. Finally, further conflict could be identified through vehicles leaving the site to access Augusta Street and Bargate into on coming traffic. The proposal is therefore considered to reduce highway safety in a significant manner contrary to policies 5 and 36 of the North East Lincolnshire Local Plan.

Whilst recognising some of the positive attributes of the proposal it is considered that the harm to highway safety would be unacceptable and that these risks would outweigh the benefits of the proposal and the application is therefore recommended for refusal.

RECOMMENDATION

Refused

(1) The proposed development would result in a severe adverse impact on highway safety, road and pedestrian safety, by reason of conflicting traffic movements in an already complex network of junctions and limited road widths contrary to policies 5 and 36 of the North East Lincolnshire Local Plan 2018 and the provisions of the National Planning Policy Framework 2019.



PROPOSED SITE PLAN
1 : 200

North East Lincolnshire Development
Management Services
New Oxford House
2 George Street
Grimsby
North East Lincolnshire
DN31 1HB



Working in Partnership

Telephone: 01472 326289 – Option 1

REQUEST FOR APPLICATIONS TO BE HEARD AT PLANNING COMMITTEE

Ward Member Reply Slip for Applications to be reported to the Planning Committee

Application Number	Reason for Referring to Planning Committee
DM/1074/20/FUL - 36 Bargate	<p>Since the previous application for 36 Bargate was heard at committee, residents of Park Ward believe any subsequent application should be taken through the same route.</p> <p>There are contentious issues relating to this site, communities are split and whilst there are some objections to the development listed on the planning site, the petition referred to the last time the application was heard by committee still stands and there are many park ward residents that would support this development, on this basis I request that this application be given consideration by the planning committee and not dealt with under delegated powers.</p> <p>Details of the petition will be supplied to Democratic Services.</p>

Contact Details: -

Signature; *D.M.Woodward* Date: 27th January 2021

Name: Debbie Woodward
Address: Rye Corner, 10, Welholme Road, Grimsby, DN32 0DU

Comments for Planning Application DM/1074/20/FUL

Application Summary

Application Number: DM/1074/20/FUL

Address: 36 Bargate Grimsby North East Lincolnshire DN34 4SW

Proposal: Change of use from social club (Sui Generis) to shop (Class E), demolish existing outbuildings, erect single storey rear/side extension to create new entrance to side elevation, associated works to form replacement/additional accesses, car parking, landscaping and servicing facilities and various other alterations.

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Mark Brennan

Address: 27 bargate Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I believe this will be welcome and a great advantage to the area.

Comments for Planning Application DM/1074/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Robert Edwards

Address: Flat 2 35 Bargate Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support this application.

Comments for Planning Application DM/1074/20/FUL

Application Summary

Application Number: DM/1074/20/FUL

Address: 36 Bargate Grimsby North East Lincolnshire DN34 4SW

Proposal: Change of use from social club (Sui Generis) to shop (Class E), demolish existing outbuildings, erect single storey rear/side extension to create new entrance to side elevation, associated works to form replacement/additional accesses, car parking, landscaping and servicing facilities and various other alterations.

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Graham Hodge

Address: 1 Augusta Street Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I write in connection with the above planning application. I have examined the plans and I know the site well. A previous proposed development plan was abandoned by the present lease holder in part due to the objections by the local community. Whilst accepting that the site is in need of development, I object to the planning application for the following reasons.

Noise

At present my property is a private and tranquil space to live with the local noise levels not affecting the outside use of my property. The use of the proposed building and associated area is very likely to increase the noise levels locally to an adverse level and in particularly effect my property being only metres away from some of the noise sources. Separate reports have been provided on the noise levels likely to emanate from deliveries, plant and customers, however none of the reports cover the total increase in noise which will have a significant adverse impact on our health and quality of life. In reality the proposed development involves the demolition of the rear outbuilding which includes a major wall (approx. 4m tall) and a fence/wall (approx. 3.2m tall) and replacing it with a 2m fence. The reports and plans do little to mitigate and reduce to a minimum the potential adverse impacts resulting from noise from the proposed development.

Different siting of the plant, away from the south west elevation of the propose development and improved noise barriers between the store and adjoining property could mitigate this issue.

In reality the proposed development means that the site will be used for 17 hours a day, 7 days a week which will have a major impact on adjoining properties.

Previous submission had mitigations added which have not been included in this new application; these included retention of most of the adjoining wall, replacement of the fence to the same height.

Privacy

My property is surrounded by walls which maintains my privacy. The proposed development involves the demolition of the rear outbuilding which includes a major wall (approx. 4-6m tall) and a fence (approx. 3.2m tall) and replacing it with a 2m fence; this will reduce the privacy of my property. See above for mitigation.

Street Lighting

The proposed development of a rear delivery lorry exit will impact on the local street lighting as a lamp post is directly in the way of the proposed junction onto Augusta Street. The street light could be moved but this could affect the general street lighting and the entrances to the Vets and Selmeston Court.

Waste

The planning application states that all waste will be stored internally and removed by the delivery vehicles; however, there is an external storage area to the north side of the building as indicated on the building floor plans. This storage area could be used as a waste storage area and would need to be classed not suitable for waste storage in any planning consent.

Bird Nesting

I have concerns over the disturbance of the birds that nest in the chimneys of 36 Bargate during the spring and summer period.

Highway safety and road access

The proposed development, as it stands, will increase the traffic and pedestrian hazards. The area already suffers from traffic congestion being the junction of four roads, an additional junction in the locality will only increase the traffic problems and risk of a serious accident.

Accident data clearly shows that for most of Bargate the accident risk is low however half of the accidents on the local Bargate area have occurred close by the proposed new entrance and a further 30% occurred just the other side of the pedestrian crossing.

I would like to make the following observations on the application's Transport Assessment.

The Transport Assessment :-

- deals with pedestrian traffic onto the site however there is no assessment on passing pedestrian traffic and the safety impact on that foot traffic which is particularly high at peak traffic times with students moving to and from the several local schools and colleges.
- mentions the bus stop close to the new proposed entry to the site off Bargate and the pedestrian crossing to the north of Augusta St junction with Bargate however there is no safety assessment made for these two critical traffic flow points.
- mentions parking on Augusta St but does not state that parking has got worse due to the combined effect of additional parking restrictions closer to the town centre and increased vehicle traffic to recently extended Abbey Vets, whose on-site parking is insufficient to provide sufficient parking at busy times. Putting in additional parking restrictions to allow the delivery lorry to exit the site onto Augusta St will only push existing parking problems further up Augusta St affecting more resident parking.
- mentions vehicle visibility when turning from Augusta St onto Bargate. Whilst the plan considers the reduction in wall height to improve visibility to the south, a lorry driver will not be able to see clearly to the north, due a tree and vegetation obscuring vision, and a vehicle will have to move into the Bargate traffic flow to be able to safely turn onto Bargate to the south, so causing safety

issues.

- mentions traffic accessing the site during the time that the Conservative Club was in operation. As the club operated outside normal busy traffic periods i.e., evenings any consideration of the effect of this traffic was limited. This is also mentioned in the Delivery assessment, however during the operation of the Conservative Club, deliveries were generally only once a week and were to the frontage of the site on Augusta St, not onto the site itself and close to 1 Augusta St.

The traffic study fails to mention that traffic during peak times is backed up in the area of Bargate close to the site and so does not address the issues caused by traffic at these times.

Whilst there is a Keep Clear signage on the road at the Augusta St junction with Bargate, this is badly worn and as with the no right turn from Abbey Rd junction is frequently ignored by traffic users.

In general, the traffic assessment states that with minor adjustments that the development should be passed, however with the points raised above the traffic assessment still does not deal with the fundamental fact that increased traffic to the site in the proposed development would result in an adverse impact on highway safety, road and pedestrian safety.

Should most of the parts raised above be addressed, I would consider removing my objection.

Comments for Planning Application DM/1074/20/FUL

Application Summary

Application Number: DM/1074/20/FUL

Address: 36 Bargate Grimsby North East Lincolnshire DN34 4SW

Proposal: Change of use from social club (Sui Generis) to shop (Class E), demolish existing outbuildings, erect single storey rear/side extension to create new entrance to side elevation, associated works to form replacement/additional accesses, car parking, landscaping and servicing facilities and various other alterations.

Case Officer: Jonathan Cadd

Customer Details

Name: Mrs michelle pearce

Address: 6a Augusta Street Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the planning proposals for the following reasons. Having read the supporting documents and reviewed the plans.

My main objection is the issue with the carpark exits which both lead into Augusta Street very close to the corner. This is high risk due to proximity of 2 exits being so close to the corner where people turn into Augusta Street from Bargate. The drivers from Bargate will not be able to see the cars turning onto Augusta Street. This is highly hazardous. In addition to this cars currently trying to get out of Augusta Street onto Bargate already face a long wait and high risk and dangerous due to the complications of the 2 streets opposite that also feed onto Bargate. Using entry or exits on Augusta Street is high risk.

My 2nd objection is related to noise from deliveries and the opening/closure times of the store. I moved here due to the quiet streets, low traffic noise and peaceful living. Lorries in particular doing deliveries at all hours will cause excess noise. The suggestions in the planning application of asking drivers to speak quietly or turn radios down is utter nonsense and will not be policed. The noise is from the lorries and cars.

My next objection concerns the environmental effect on the area and risk to property prices. All local shops create places where homeless people sit around/young people hang about. This area has always been known as a prestigious area of town and not befitting on a local shop.

The dwelling would be better used as luxury Flats/health facilities etc

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs lou moloney

Address: 6b Augusta Street Grimsby Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am concerned about the change of use of 36 Bargate to a Co-Op. I am aware that a previous application was turned down so I'm not sure why a further application is being considered.

I read details of the application which included a page about noise restriction. Some of the factors detailed were what could be consider to be too non-specific to monitor which I have summarise below -

1. Staff will speak with hushed voices during deliveries - what do you consider to be a hushed voice?
2. Staff will switch radio off - who will monitor that
3. Deliveries will not be made "late at night" - What do you consider to be "late at night"?

I object to this change of use due to the following:

Concerns about noise during deliveries.

Issues with parking on Augusta Street which are already difficult at times due to people parking their car whilst working in town.

The traffic out of Augusta Street on to Bargate is already difficult to negotiate due to it the two other intersections from Abbey Road and Brigowgate. There have been accidents there. Perhaps

traffic lights could be considered to avoid accidents?

I currently struggle to turn right and often have to drive round town to get back on bargate.

Thank you.

Comments for Planning Application DM/1074/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Guy Piggott

Address: 7 Augusta Street Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: A similar development (DM/0130/20/FUL) was recently refused on this site, for reasons of traffic and pedestrian safety. I do not consider the current proposals have addressed these issues satisfactorily so I object to the application.

The development would cause traffic flow issues around the junction of Augusta Street/Bargate/Brighowgate/Abbey Road, I use this route daily and can confirm it is already difficult to manoeuvre on and off Bargate due to the flow of traffic in both directions; in addition to those cars accessing & egressing the various ancillary roads mentioned.

The proposed realigned site exit route will increase the risk of collision for both vehicles and pedestrians, due to the very close proximity with Bargate, additional signage will not be sufficient to mitigate this risk.

The proposed site exits will bring customer and delivery vehicles onto Augusta Street. This will likely encourage local traffic to travel West on Augusta Street towards the narrow Compton Drive, and exacerbate the potential risk of collision on the narrow junction with Littlefield Lane. This route is popular with pedestrians, often children, parents and young adults attending the various schools and colleges in the locality such as: South Parade School, Ormiston Maritime Academy & Franklin College.

Delivery vehicles will likely exit East and join Bargate due to the narrow winding layout through the residential area, however there are two schools in the immediate vicinity: St James School 0.11 Km and St Martins School 0.5 Km away. Despite Bargate being one of the main routes towards

the town centre, it is a single carriageway road and school children often cross at various points despite there being a pedestrian crossing present.

There are also concerns over the potential for parking issues on Augusta Street as a result of the change of use of this building.

Comments for Planning Application DM/1074/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Roy Roberts

Address: 8A Augusta Street Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposal will significantly alter the character of the local area. There is no retail presence on Augusta Street, though shops are within easy distance on Littlefield Lane or in the Town centre. The proposal will increase traffic on Augusta Street, including HGV delivery vehicles. The junction of Augusta Street/Bargate/Brighowgate/Abbey Road is already problematic and increasing traffic in the area will clearly make this worse.

Angela Tynan (Engie)

From: Ilse Hunt
Sent: 09 January 2021 13:58
To: Planning - IGE (ENGIE)
Subject: Planning permission co op bar gate / Augusta street

Dear planning officer,

I would like to object to the planning permission for the co op on Bargate/ Augusta street !

My reasons are that Augusta street is hard enough to drive out of now ! The road is simply not built for extra traffic ,which will be caused by the co op ! The daily delivery trucks would mean extra strain on the road surface. The road is simply not wide enough !

Bargate is a busy thoroughfare to travel to Grimsby shopping areas. It's a major road and having a co op on that road isn't practical . People ignore the no right turns on abbey road as it is and there is every likely hood of major accidents .

Lots of school children walk along bar gate and cars turning into the co op could prove problematic.

Why should I pay high council taxes for my peace to be shattered by extra road traffic , and the pollution that will be caused by the extra vehicles using the road !

There are already enough small supermarkets in the area , do we really want another one !

Kind regards

Ilse hunt

12 Augusta st .

Sent from my iPad

Comments for Planning Application DM/1074/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Christine Harrison

Address: 33 Augusta Street Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to the application as a resident of this street for over 30 years and also a higher rate council tax payer.

I feel this is an impossible situation which will result in an enormous escalation in traffic in an already very busy area.

I live around the green at the bottom end of the street and know that the proposed plan will involve large delivery lorries using the green as a turning area which obviously will be detrimental to all concerned.

Furthermore I consider all the junctions on Bargate are congested enough without any further impositions.

Another point which I think is worth making is the unsocial hours which the lorries will be working.

I also feel extremely strongly that the small shops which service our area will be adversely affected.

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Peter Wright

Address: 52 Augusta Street Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development is totally out of character for our residential area. The only downside of our area is the entry/exit to and from Bargate.

Any increase in complexity of the Augusta Street/ Bargate junction will no doubt lead to an increase in collisions. The "Keep Clear" markings at this junction seem to do very little to stop drivers blocking the junction. They simply ignore the signage.

When the junction is left clear during busy periods it is still very difficult to turn right due to the potential of colliding with traffic turning right into Brighowgate from Bargate.

We are well served by our local shops in Littlefield Lane, Cromwell Road and Yarborough Road area. Also, Town Centre is just a short walk away.

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Claire Quickfall

Address: Westminster drive Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Pulling out onto bargate is already a problem during peak times, pulling into Augusta street will be hazardous when cars are leaving the carpark.

Ref B M / 1074 / 20 / 7

A AND S DAVIES
4 HEATHFIELD COURT
GRIMSBY
N. E. Lincs DN34 4TW



12.1.21

Dear Sir,

RE: PLANNING APPLICATION
FORMER CONSERVATIVE CLUB
to become RETAIL STORES

Please register Mrs. S. Davies
and Mr A. Davies

as objectors to proposal

Reason - An already overloaded
traffic thoroughfare along with
entries/exits from Westward Ho!
to Deansgate Bridge ought not
to be expected to cope with additional
traffic. In particular Abbey Rd,
Augusta St, & Colby St are
overloaded

Yours faithfully

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr David Orchard

Address: 5 Heathfield Court Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to object to the proposal to develop this small site to be a CO-OP store...

The parking looks inadequate. I have heard that there is expected to be up to 1000 customers a day, many of these will drive to the store. The proposals to combat issues with traffic turning right or waiting to turn right appear to me to breakdown because the Bargate at 8m wide is the same width as Augusta Street: there isn't room to build an decent island to protect the traffic turning right. Indeed if you look at the 'large car passing large car' Swept Path Analysis it is clear that any more than 2 cars looking to turn right and there will be an instant tailback as the cars looking to continue ahead will not be able to do so..

In the case of a large car passing a Rigid Truck (10.35m) there will be an instant tailback f even a small car happens to want to turn right into the proposed car park.

I would also like to ask about traffic turning wanting to leave the Bargate and turn right into Abbey Road or BrightHogate... this is a receipe for disaster. There may have 'only' been 4 collisions in recent years, I suggest that there will be considerably more in years to come if this proposal goes ahead....

Exit or egress onto Augusta Road creates it's own problems for local traffic looking to go down Augusta Road from Bargate. The realigned site exit appears remarkably close to the junction of Augusta & Bargate..

There appears to be some provison for cyclists (3 Sheffield cycle hoops). But the Bargate Road is not cycle friendly... nor is there any chance for a cycle lane as the road is too narrow.

I read with interest that traffic was only meant to be increased by 1 additional vehicle every 3-4 minutes. This sounds almost acceptable but we all know that traffic doesn't behave like this.. The reality is that the extra 15-20 cars in the 08:00-09:00 and 17:00-18:00 will arrive in bunches - and the traffic will suddenly feel very congested. Cars turning left into the Car Park do not do so automatically or smoothly. There are less than 25 car parking spaces. Once full cars wanting to enter the car park will have to wait - in the 3-5 minutes that they do have to wait the traffic behind will have no alternative but to tailback...

I'm not sure how many of the planning committee live next to a Store of this size, but I can assure you that the immediate neighbours will feel the impact on their lives as the extra noise will be considerable.

I am also concerned about the pedestrians walking alongside the Bargate - either heading to St James School or to one of a number of schools including The Grimsby Institute and Ormiston Maritime Academy.

This site and the building does need to have some work done to improve it and to restore the corner to a decent state... However, this proposal is not the answer.

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr David Orchard

Address: 5 Heathfield Court Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:5 Heathfield Court

Please correct the spelling of address.... not important - but slightly snnoying to have an extra letter in Heathfield - NO "L" please!

TY

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr GEOFFREY MUDD

Address: 6 Heathfield Court Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Cannot believe planning permission even considered for turning into shop, how ever do they expect to get large lorries and out there in safety. Getting out of Augusta street under normal conditions can a considerable amount of time, certainly at busy periods ie. early morning, lunch time, tea time. We do NOT need a supermarket size shop in this area, there are plenty of shops in the area very close.

Very upset rate payer

Mr G Mudd

Planning - IGE (ENGIE)

From: Terry Smith
Sent: 07 January 2021 13:39
To: Planning - IGE (ENGIE)
Subject: DM/1074/20/FUL

F.T.O. Planning Department. Following the application of the above reference - 36 Bargate, Can I please put an objection on record regarding 1, The amount of additional traffic this development will put on the junction of Bargate and Augusta Street - it is terrible now at times, unless the pelican crossing comes into use and then the traffic on Bargate might let you out. 2, I feel that this application has been rushed through because of COVID-19 and that the residents have not been made aware by North East Lincolnshire Council that this application is going ahead and has a very short expiry date. Terry Smith, 4 AugustaOaks, Grimsby, DN344UG.

Comments for Planning Application DM/1074/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Jo Piggott

Address: 5 Augusta Oaks Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objection on grounds of traffic safety, suitability of the development to the property in question and surrounding residential area.

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mr Douglas Marsh

Address: 14 Northumberland Close Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The change of use to retail (Co-Op) is totally inappropriate for this area of the town on the following grounds. Firstly, Grimsby has always been recognised as having some of the finest approach roads to any town centre in the country. Bargate is a major route into the town centre and it is always a pleasure to travel along this beautiful road, particularly in the Autumn. Indeed it is recognised as being one of the towns major attractions. This has only been achieved by our forebears having the good sense not to commercialise the area.

Secondly, we understand that up to a possible 1000 vehicles a day could be using this store. It is therefore not difficult to see that this is bound to lead to significant traffic congestion at the corner of Augusta Street and Bargate, especially as people still persist in turning right out of Abbey Road. Thirdly, Augusta Street is already congested with cars parked both sides, making it difficult to turn out into Bargate due to cars trying to turn in. If the store comes into being there will be tailbacks down Augusta Street putting more pressure on Bargate itself which, in turn, will mean tailbacks going into, and out of, the town centre.

Finally, this application will be to the detriment of the environment in that area. We have already seen trees & bushes removed and the area now looks untidy and uncared for. This does nothing to attract people to our town. Please, protect our environment.

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Anne Boyers

Address: 34 College Street Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to object to the above application, Unless it is thought through carefully it is going to have a massive impact on the whole of the area regarding an increase in traffic. We already have a dreadful issue with parking - most families, in the area, who are fortunate to work - have two cars to get to and from their place of work, they use their drive to park one car and second cars are usually parked outside their homes.

A second issue of parking is people who work in Town and want to avoid car parking costs park down Augusta Street adding to congestion along an already busy street.

Will the customers at this store be allowed to turn right from the store onto Augusta Street then onto Bargate? Or will they have to turn left along Augusta Street, Right onto Tewksbury Drive and then Right again onto College Street to rejoin Bargate? NELC have already granted permission for 14 extra houses to be built on College Street probably amounting to an extra 28 cars in the area - again - adding to the traffic congestion.

If this project is going ahead - as a suggestion would it not be pertinent to widen/build the entrance on Bargate to allow an in and out system to operate onto Bargate?

Kind regards

Comments for Planning Application DM/1074/20/FUL

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Karen Lepley

Address: Northumberland Close GRIMSBY

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On 23.1.21 & 25.1.21 I spoke to 25 households (out of all 29 properties, 4 did not answer) in Northumberland Close and Heathfield Court about the original application/appeal and this application. My question was "Were they aware of the change to retail (Co-Op) application and did they know what stage it was at?" Everyone was unaware that there was an appeal pending against the original application. They also did know that there was a new application pending.

Only two said they supported the plan, the other 23 householders said they objected to the change of use to retail premises. This is 92% of the households (I often spoke with more than one person at the premises but have counted each property only once).

I made people aware that they could make their objections known. All those who objected agreed (I have signatures from them) that I could make comments about objections and include them. The main reasons for objections were the amount of traffic using the store. Many vehicles would have to wait in Bargate to turn right to the store, then have to join Augusta Street to turn right again to re-join Bargate. They were concerned about the junctions of Augusta Street, Brighowgate and Bargate. These are already busy and can be hazardous right turns even now. With hundreds more vehicles using these junctions daily the situation will become much worse. They were also concerned about congestion in the area if these right turns become blocked. When the pelican crossing is being used drivers on Bargate block the August Street exit. Drivers do not adhere to the Highway Code; they ignore the "Keep Clear" markings at the Augusta Street junction. They also ignore the No Right Turn out of Abbey Road. More road marking as proposed, to provide ghost islands waiting to turn right (into the store and into Brighowgate) will only increase the complexity of the junctions and make it confusing for drivers.

Most people were unaware that hundreds of vehicles including delivery vehicles would be leaving the site into Augusta Street. This would cause disruptions to this and neighbouring quiet residential streets, making them rat runs. College Street is narrow, with a bend and many parked cars and the boundary of a school. More houses are to be built there and this site will increase traffic using the street to avoid the Augusta Street junction.

The proposal to increase the length of parking restrictions in Augusta Street would mean vehicles that currently park there would move further down the street or to other nearby narrow streets and cause further issues. Many are parked, sometimes all day, to avoid parking limitations and charges in town.

Other objection reasons included;

~We don't need a store there, within walking distance there are plenty of others.

~A store will encourage youths to hang about, cause litter and disturbances from alcohol purchases late into the evening.

~It is a leafy, pleasant main road in/out of town. There are no other premises with illuminated signs, hundreds of vehicles and people movements per day on the whole of Bargate.

~ The proposed exit from the store would only add to the existing traffic entering and exiting the vet's car park opposite. The same cannot be said of hundreds of vehicles, pedestrians, deliveries and associated noise and disruption that a retail store would cause.

The store would create a "blot on the landscape" and "traffic chaos" in a conservation area and is not needed.

Comments for Planning Application DM/1074/20/FUL

Application Summary

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Case Officer: Jonathan Cadd

Customer Details

Name: Mrs K Lepley

Address: Northumberland Close Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I agree with NELC that the original proposal and also this one would be "a severe adverse impact on highway safety, road and pedestrian safety, by reason of conflicting traffic movements in an already complex network of junctions and limited road widths."

I have also objected to the original proposal and subsequent appeal of the refusal decision. There will be a significant increase in traffic onto Augusta St, much of which will be wanting to turn right into Bargate at what is already an extremely busy junction. Anyone travelling south on Bargate will have to make THREE right turns to use this store, which is not primary traffic as suggested in the application. These vehicles will twice use this section of highway, where three side roads converge. It is already difficult to turn right from Augusta St into Bargate, the Keep Clear sign is often ignored and traffic from Brighowgate is also needing to turn into/across Bargate.

A few lines of paint, sorry ghost islands, on the road will not alleviate these issues and could cause confusion at an already busy intersection.

Problems would occur in the car park as cars would not be able to get out of their spaces due to queuing traffic waiting to get into Augusta St, who are waiting for traffic to turn right into Bargate. This would also stop cars getting into the car park from Bargate = gridlock and chaos. It would encourage people to park in Augusta St, even if new restrictions were in place. This would cause more congestion and prevent the lorries leaving in their sweeping exit from the back of the complex.

Although the proposed egress is further from the junction it is still only a maximum of 3 (smallish) car lengths from the Give Way markings. Much of the traffic will want to turn right onto Augusta Street to re-join Bargate (remember they are on primary journey). When cars cannot leave the car

park (as it will be blocked by waiting cars at the main junction) all other traffic will come to a standstill. It could mean the car instead then turns left into Augusta Street. This and surrounding roads would then become a rat run for traffic cutting through and avoiding the busy Augusta St/Bargate junction.

Within a few meters of the site there is a pedestrian crossing, three roads joining Bargate and two bus stops. Pedestrians do not always use the crossing now, it is unlikely they will walk a few meters to use it to get to the new store. This will cause more accidents.

There is no need for a store at this site; there are many stores within walking distance and en-route for vehicles.

There will be noise disruption for local residents, even if the staff do talk quietly (!) and delivery vehicles switch off their engines and cooling systems. Moving cages is a noisy job.

There will be children/youths congregating in the car park until late at night and in the surrounding area. It is a pleasant, leafy residential area of mainly detached houses where residents look after their properties. A shop on this site would create traffic problems, noise, light and disturbances to residents. Even though the building is unused at present the proposal is not an enhancement to either Bargate or Augusta Street or the area in general.

PLANNING COMMITTEE - 3rd March 2021

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

APPLICATION No: DM/0589/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 6 Deansgrove, Grimsby, North East Lincolnshire, DN32 0SA

PROPOSAL: Change of use from dwellinghouse to 2no. flats to include demolition of existing conservatory and external alterations (amended ownership certificates)

APPLICANT:

Ms Katie Bloore
Your Space Property Solutions
Charter House
Wyvern Court
Stanier Way
Derby
DE21 6BF

AGENT:

Mr Adam Wilson
Wilson Architects Ltd
Unit S7
Sparkhouse Enterprise Building
University Of Lincoln
Lincoln
LN6 7DQ

DEPOSITED: 24th July 2020

ACCEPTED: 17th November 2020

TARGET DATE: 16th February 2021

PUBLICITY EXPIRY: 23rd February 2021

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 23rd February 2021

CASE OFFICER: Jonathan Cadd

PROPOSAL

This application seeks consent for two flats at 6 Deansgrove, Grimsby. The proposal would create 1 x two bed flat at ground floor and a three bed at first floor and within the roof space of the building. Access and parking would be from Deansgrove.

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

SITE

The site is currently a two storey end terrace dwellinghouse with a bedroom within the roof area. The site has a small parking area to the front of the property and access is

available from Brighowgate via a private access road shared with the other properties at Deansgrove.

To the north is 5 Deansgrove a mid terraced single dwelling. To the south are the flats at Grosvenor Crescent. To west is Deansgate Bridge whilst to the east is the rear of Navigo Brighowgate.

Deansgrove is part of the Wellow Conservation area and the site is a locally listed building (ref: DLN947 1-6 Deansgrove). The site is also part of a archaeological area designed within the NELLP (ref: DNL691 Settlement Core).

RELEVANT PLANNING HISTORY

None for application property but within the row of terraced properties:

1 Deansgrove

40744 Change of use from house to flats withdrawn - 1 November 1988

4 Deansgrove

26251 Conversion of house to two flats Approved 1964

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF5 - Delivering a sufficient supply of homes

NPPF12 - Achieving well designed places

NPPF16 - Conserv. & enhance the historic environ.

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

PO3 - Settlement hierarchy

PO4 - Distribution of housing growth

PO5 - Development boundaries

PO22 - Good design in new developments

PO36 - Promoting sustainable transport

PO39 - Conserve and enhance historic environ

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

for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Trees and Woodlands - Revised scheme - Landscaping scheme submitted requires further development but is not objectionable principle.

Heritage Officer: This is a locally listed building within the Wellow Conservation Area. It is part of an attractive and reasonably well preserved Victorian terrace which makes a positive contribution to the Conservation Area. No objection to any part of the proposed changes but wish further details on the windows to be supplied which should be timber to match the rest of the current fenestration.

Highways: (in summary): Approval no conditions

Environmental Protection: Soundproofing to the Building Control standards.

Drainage: Any new hard standing should be made of porous material to limit surface water runoff.

Police: no comment

Neighbours/ site and public notice:

Initial scheme for 4 flats:

Objections: 1(x2), 2, 3, Rathgar (x2) Deansgrove, 4 Parklands Avenue (owner of 4 Deansgrove).

Objections are summarised as:

Comments on initial 4 flatlet scheme.

- Green space & heritage - Unclear if any trees would be lost - area to the front of houses are designed to be a healthy green space - a lawned garden area for recreation - this will be lost to car parking contrary to national planning policies - Car parking would detract from conservation area.

- Car parking - How will nos. 4& 5 still be able to park with 4 spaces proposed to the front of the property? The parking of 4 vehicles will require trespass onto adjoining private land. Prior to sale there were 11 cars parking in front of properties and this caused significant issues. Now there would be a lot more. Some residents work shifts and require access at all times. Only two cars per dwelling can be accommodated without a log jam - no turning area otherwise How will visits to four extra flats be accommodated?

- Vehicle movements/ safety - increase in traffic movements down a narrow private single track lane - it is not a through road and cars already have to reverse in as large vehicles cannot access site and turn - this would make things worse, particularly as everyone has home deliveries now. Narrow turn in front/side of Rathgar makes any increase in traffic unsafe particularly for pedestrians. - Limited room for vans and work areas without disruption to neighbours. During works to site damage to hedging by vehicles has occurred. One property no longer has deliveries due to van getting stuck.

- Refuse - how will existing small bin storage area cope with 20 extra bins (this is without brown and green bins)?

- Residential amenity & security- area is very quiet with few people coming into Deansgrove maintaining privacy and security - four flats will significantly increase numbers - less knowledge as to who should be there particularly as it is a secluded location reducing security - currently serves so few people its secure. At night there is a long unlit driveway making matters worse. During construction significant nuisance will be caused due to renovations and the compact nature of the grove.

- Work commenced - property already become a building site and damage has occurred and shrubbery/ trees removed

- Legal issues - there is a covenant on the property for it to be retained as a single dwelling.

APPRAISAL

Main Issues

- 1) Principle Issues
- 2) Residential amenity
- 3) Highway Safety
- 4) Landscaping and heritage
- 5) Other issues

Appraisal

- 1) Principle Issues

The site is located within central Grimsby and as such falls within the development area where the majority of new housing developments are anticipated in accordance with policies 3, 4 and 5 of the NELLP subject to further detailed consideration below.

- 2) Residential amenity

Policy 5 seeks all development proposals to have regard to, amongst others, their a) size, scale and density, b) access and traffic generation and d) impact upon neighbouring land

uses by reason of noise, air quality, disturbance or visual intrusion;

The alterations to the dwelling to form the flats externally are minimal and would not impact on amenity of neighbours, similarly the proposed layout provides a positive living environment for future residents.

Objections from residents, however, mainly relate to density and the impact extra residents would have on amenities generally through comings and goings due to the nature of the small sheltered cul-de-sac design of Deansgrove. Concerns particularly related to the additional comings and goings and parking associated with the four flats originally proposed in this more constrained location.

As a result of concerns through negotiations, the proposal has reduced from 4 x one bed roomed flats to 1 x two bed flat at ground floor and 1 x three bed flat at first floor (and roof space). This would reduce the likely comings and goings (including service vehicles) due to the reduced density of the proposal concerned. Whilst accepting the proposal would nevertheless increase comings and goings one parking space per unit is deemed sufficient without unreasonable disruption to neighbours maintaining amenity. Similarly, the reduced number of flats would reduce the likely number of visitors and deliveries to the site. The use of the bin storage collection area would also be less than that proposed for four flats and is not deemed unreasonable.

Consideration has been given to the impact of builders visiting the site, but this would be the case if major renovation work occurred upon the site in any case and conditions are recommended to limit hours and days of work at the site to reduce impacts as far as possible.

3) Highway Safety

The highway authority has considered the proposal a number of times including visiting the site and have not raised any safety concerns. The applicant has provided a plan that identifies two car parking spaces upon it which can be accessed from a shared access drive across which the applicant indicates they have access across without impinging of other private land used. Two spaces in this edge of town centre location is also deemed to be acceptable on accordance with policy 38 of the NELLP.

It is accepted that the long driveway is single carriageway in places but equally is 4.5m in width in others which is sufficient for two cars to pass. This includes 10m to the start of the drive at the Brighowgate end but also the middle of the drive. On this basis, whilst acknowledging that traffic levels would increase this would not have an unacceptable impact on highway safety. The nature of the driveway in sections of single carriageway and the right turn in front of Rathgar are noted but would also slow traffic naturally due to the narrowness/ limited visibility of these areas. It is not considered therefore that the additional flat proposed would reduce highway safety unacceptably in accordance with policy 36.

4) Landscaping and heritage

It is noted that the applicant has removed landscaping to the front of the property. 6 Deansgrove is within the Wellow Conservation Area and as such removal of bushes trees should have been sought under s211 of the Town and Country Planning Act 1990 (as amended). The applicant has sought to recognise this and has provided a landscaped plan to assist to limit the impact of these losses. Conditions are required to ensure planting occurs. The scheme proposed would provide a distinct landscaped area to the front of the property to assist to provide a green appearance to the site, Deansgrove but also Deansgate in accordance with polices 5, 22 and 39 of the NELLP.

With respect to the heritage of the site, no significant external changes are proposed. The loss of the conservatory is not deemed of merit. Similarly, the lack of significant ground works would ensure there are no issues re the archaeological interests in the area.

5) Other issues

The legal covenant noted by neighbours is not a planning matter and if such a restriction is placed on the property it will be for the applicant to deal with but would not hinder the determination of the planning permission. In the same way determination of the planning application will not require the covenant to be upheld or released.

The site is located within flood zone 1 an as such ground floor residential flats are deemed acceptable in this area.

CONCLUSION

The proposal would provide one additional unit of residential accommodation on site in a central location well served by facilities and transport modes. Whilst increasing density it is not considered that one additional unit would generate such level of activity that would impact on residential amenity in an unacceptable manner. Similarly, highways safety would be maintained and parking levels would be acceptable. The minimal change to the external appearance to the dwelling and the proposed landscaping would be sufficient to maintain the appearance and character of the historic nature of the Wellow Conservation Area and locally listed designation of the 6 Deansgrove. Subject to conditions the proposal would accord with policies 3, 5, 22, 33, 36, 38 and 39 of the North East Lincolnshire Local Plan 2013- 2032 (adopted 2018)

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be taken in or dispatched from the site in connection with the construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time unless agreed in writing with the Local Planning Authority.

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)

(3) Condition

Before the flats are first brought into use, details of the car parking area (including construction technique and materials) shall be submitted to and approved in writing by the Local Planning Authority. Parking shall be provided in strict accordance with the approved details before the flats hereby approved are first occupied and shall be retained as such thereafter.

Reason

To maintain amenity, character of the area and to ensure the health of trees in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018)

(4) Condition

The scheme of landscaping and tree planting shown on drawing no. 20071-P-001 rev D; approved by the Local Planning Authority shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development, conservation area and continued maintenance of the approved landscaping in the interests of local amenity and in accordance with policies 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(5) Condition

External materials to be used in the construction of the development shall match the existing buildings, in colour and texture, as specified on the approved plan/ application forms.

Reason

To ensure the development has an acceptable external appearance and is in keeping with the visual amenity and character of the area and in accordance with policies: 5, 22 and 39 of the North East Lincolnshire Local Plan 2013 - 2032 (adopted 2018).

(6) Condition

The development shall be carried out in accordance with the approved plans and specifications. The approved plans have drawing nos. 20071-P-001 rev D, 20071-P-102 rev C and 20071-P-103.

Reason

To ensure the development is in accordance with the approved details and results in a satisfactory form of development and in accordance with policies 3, 5, 22, 38 and 39 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's character and heritage, highway safety nor 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 3, 5, 22, 36, 38 and 39 and the provisions of the National Planning Policy Framework.

2 Added Value Statement

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

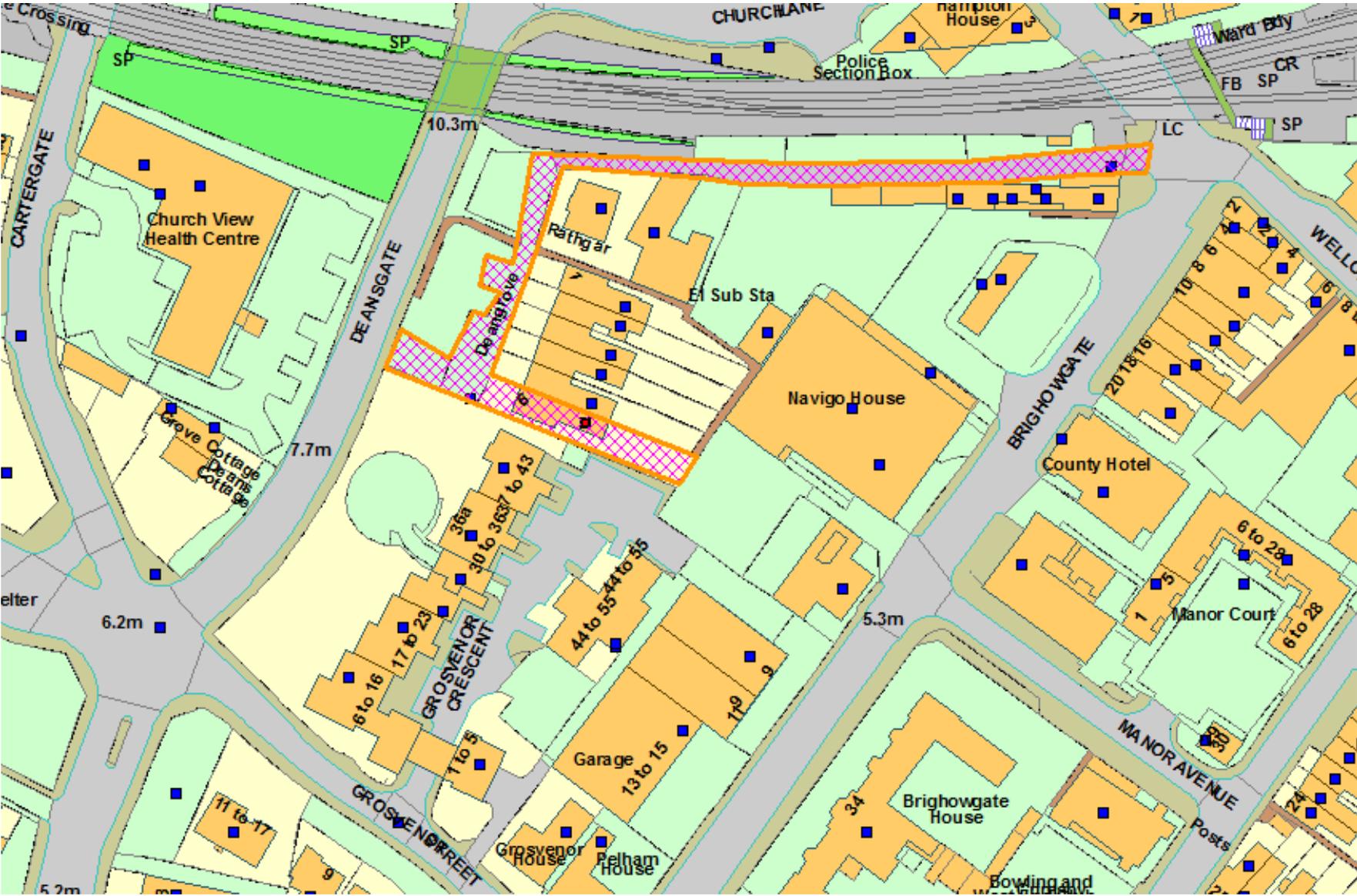
In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by reducing density to assist amenity and parking concerns and additional landscaping to maintain the character of the area.

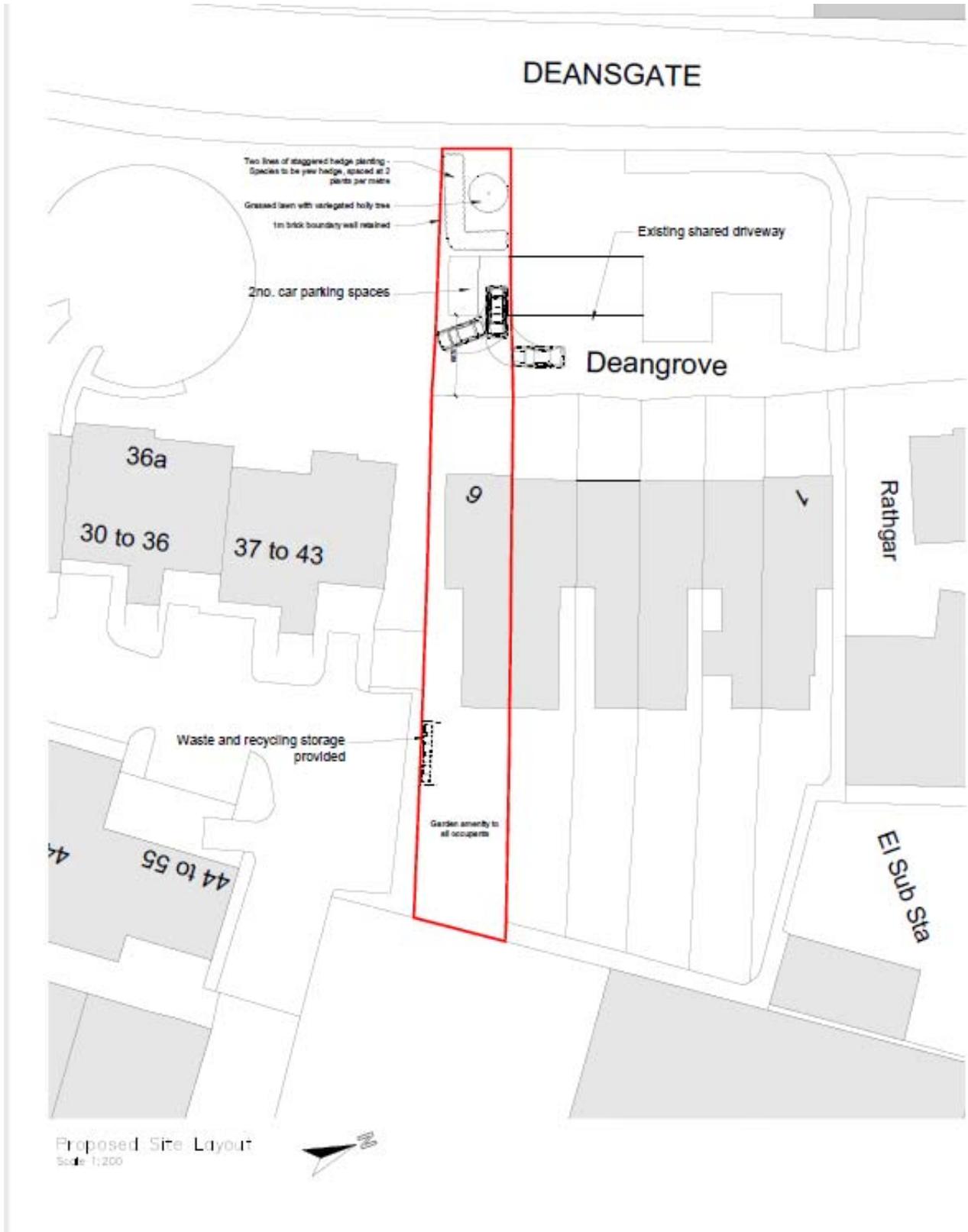
3 Informative

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

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





From: sarah harriman
Sent: 30 September 2020 21:45
To: Planning@nelincs.gov.uk <Planning@nelincs.gov.uk>
Subject: DM/0589/20/FUL (Jonathan Cadd)

Dear Sirs,

I would like to object to the change of use to No 6 Deans grove .
I believe that due to the limited access through a single track lane, this conversion would be unadvisable

Currently the houses on this row experience car parking difficulty's as and when they have guests. Most households appears to be able to accommodate 2 cars, one parked on the track and one on front lawn area in front of houses But if this change of use would be allowed, they would be a log jam of cars with nowhere to turn around and having to reverse down back on to Brighowgate as area in front the houses is private . This access at the side of Rathgar is only 10 foot wide and belongs to the railway and 10 feet in front of Rathgar provides access to the houses in the Grove, in front of the houses is single track which on the deeds states it to be only 10 feet wide, but over the years has grown wider but is still not very wide.

The change of use will overwhelm not only the parking , but lanes safety for vehicles and pedestrians alike as the corner next to Rathgar is a sharp turn to get to the front of the houses, the area at the front of Rathgar is private land, and I feel that more car movements would make it more dangerous.

I object to changing the Grass area into car park in front of the house, as it states in a conveyance within deeds of Propeties in this Grove of houses, that the grass lawn area in front of the houses is to be kept as lawn and shrubbery area for family's who lived their so they could socialize and children could play safely, as I and my siblings did when we grew up there. I acknowledge family requirements' have changed and we require some car parking, but not as proposed, this proposal also has an effect on utility services such as bins and van delivery's , as internet shopping has developed this too has a effect on the access to the properties, already deliveries impose on private land to make their drop offs, which cannot continue to be assumed.

yours sincerely

Peter Harriman

1 Deans Grove,
Grimsby

From: sarah harriman
Sent: 30 September 2020 19:20
To: Planning@nelincs.gov.uk <Planning@nelincs.gov.uk>
Subject: DM/0589/20/Ful

Dear Sirs,

I'm writing to you to object to the conversion of no 6 Deans grove from a single household to 4 flats,

The reasons i object are access i have looked at the plans and noticed that the access to all the houses on this row use a 10 foot lane to the front of the houses. i understand the area at the front of the houses which is designed to be a healthy green space , (14.226) environmental and social benefits, It is important that everyone where ever they live should have access to range of accessible green space.

National planning section 15 173 c) any detrimental effect on the land scape and recreational opportunities, and the extent to which could be moderated.

the land between the railway bridge and house fronts are designated to be lawn and shrubbery for joint use of owners.

Car Parking is not accessible if each house holder owns the land in the front of their house and they may park their car on this ground the area nominated for 4 cars will not be able to drive into space unless they can fly.

Access to the property is limited delivery vans have nowhere to stop that does not obstruct the other houses, as the lane in front of the houses only allows access to properties.

Concerned that Car park would effect flooding as this land was not designed to facilitate this.

As this area is in a conservation area i believe this would determinately affect the area and its aesthetics.

yours sincerely
Sarah Harriman

1 Deans Grove

Comments for Planning Application DM/0589/20/FUL

Application Summary

Application Number: DM/0589/20/FUL

Address: 6 Deansgrove Grimsby North East Lincolnshire DN32 0SA

Proposal: Change of use from dwellinghouse to 4no. flats to include demolition of existing conservatory and external alterations

Case Officer: Jonathan Cadd

Customer Details

Name: Mr Barry Millson

Address: 2 Deansgrove Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1) Car Parking. With access to No.6 restricted to a car width across the front of all the properties including Rathgar, how can 4 cars obtain access for parking/turning/maneuvering without trespass on private properties?

2) Traffic congestion. As access down the private road and across the properties is single lane only, access can be difficult for all, even now. Reversing up the whole of the lane onto a traffic junction along with pedestrians and the railway is dangerous! Be it for residents, delivery drivers, friends and family. The potential for increased traffic with an extra 4 households will make the situation impossible at certain points. Although there seems to be enough space around, in front of Rathgar & the row of Deansgrove, this is all private land, as we own the properties right up to the flyover.

3) Wheelie bins. The council is to deliver 2 new recycling bins to all properties. The collection point is currently nearly full on normal days. How can the small (or area in general) area cope the extra 20+ bins? That is without the green and the brown ones.

4) Resident safety. The area is quiet with little to no footfall from the public, no crime & no anti-social behaviour. Increased footfall into this area especially with four small flats being proposed will increase this to a large degree. With the area being quiet and unknown to most (even locally) the area could become targeted due to its secluded nature as more people become aware of it. This will be especially felt during the winter months on dark nights as the private road is not lit. I for one would not feel safe or feel safe for my family coming across strangers on a long unlit track. Currently there are few with the odd homeless person. If the four flats house 8 people that will increase the population by nearly half in a small area. Is the area suitable for this? From 4 peoples friends/family to 8 (including our own) that increases all forms of traffic down a single track road. This I believe to be a real safety concern, as there are no turning points, save our own properties and the road junction near the railway, which has a busy pedestrian crossing.

5) Construction of proposed flats. To redevelop No.6, a large and consistent amount of work will need to be completed. With reference to some of the points already mentioned above, how can this work be completed safely and without interfering with the neighbours lives to a considerable extent? Increased congestion, if only temporary at anytime will make access to our properties difficult, especially as we will have our normal lives to continue and deliveries for ourselves to take. With regard to private lands surrounding the property where will skips, construction vehicles & associated cars park? The surrounding private lands cannot be expected to be used without consent for any potential new owners/developers/construction workers and eventually residents. Deliveries have to be accommodated but there is only a car width access in front of No.1 and across the front.

We are not necessarily against development in the area, indeed we know precedent has been set already in this regard. The concerns for this development are that it is too aggressive for the small quiet, safe area, not only in the (short term) construction phase but also in the long term post construction. This also raises the risk of increased crime and anti-social behaviour.

As the area is small and access is heavily restricted (no thorough fare) on a single track road, safety of residents and the public is of real concern. The only way it works currently is that there is low traffic volumes and that the residents respect the difficulties of living off a single track road co-operate to ensure safety.

If the development goes ahead as proposed, peoples lives who live in the area will not benefit from this, indeed the standard of living currently experienced will be greatly reduced, perhaps to a point where going home is not a pleasant prospect. People & cars trespassing may not be directly linked to granting planning permission (?) but in a small area like this where space is not freely available it will be a direct consequence for the residents.

Safety - increased volumes of traffic on a single track with no turning options but the busy junction near the railway crossing.

Safety - Large construction vehicles with nowhere to park/turn.

Safety - How & where will skips and wheelie bins etc will be kept & handled in a confined space?

Safety - Increased potential for crime & anti-social behaviour due to the nature, location & size of the potential development.

Overall, we believe, the proposed development as it stands will have a significant negative impact on our standard of living, as it is now.

Finally a question. Is it part of the planning departments remit to protect the living standards & conditions of the residents who maybe subjected to the consequences of local developments?

B Millson,

No. 2 Deansgrove. October

Comments for Planning Application DM/0589/20/FUL

Application Summary

Application Number: DM/0589/20/FUL

Address: 6 Deansgrove Grimsby North East Lincolnshire DN32 0SA

Proposal: Change of use from dwellinghouse to 4no. flats to include demolition of existing conservatory and external alterations

Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Caroline Annison

Address: 3 Deansgrove Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed 4 flats would create a parking nightmare as most households today have 1-2 motor vehicles. Even parking 4 cars at number 6 will present problems as access to no 6 is restricted by cars parked at no 5 & no 4.

In addition there will be considerable disruption whilst the conversion work is ongoing - again due to lack of adequate vehicle access



Rathgar
Deansgrove
Grimsby
N.E. Lincs.
DN32 0SA

18th December 2020

Senior Development Officer
North East Lincolnshire Planning
New Oxford House
2 George Street
Grimsby
N.E. Lincs.
DN31 1HB

Dear Sir,

Alterations to No. 6 Deansgrove – Planning Application DM/0589/20/FUL

I refer to your letter dated 24th November 2020 in connection with the amended Planning Application.

The comments made for the first application are still relevant together with additional comments as show below:

The signed Certificate C stated that the neighbours had been notified prior to commencement of the work. This is incorrect. Rathgar never received any notification that the work was to start and after talking to other residents, it would appear that none of us received any notification whatsoever.

The first indication that work had started became apparent when a large skip lorry arrived and got entangled with a hedge because the entrance was too narrow.

There have been a number of incidents since work started including access and obstructing other residents parking spaces. It seems that the developers have not taken into account the logistics of the restricted access in Deansgrove and as stated before, it is a single track road/lane which narrows quite considerably towards the end of the lane where there is a 90 degree left turn as you approach from Brighowgate. This does not give much manoeuvrability for wider and longer vehicles. It is also not fair to delivery drivers who have to navigate their vehicles past the narrow part of the lane without causing damage to buildings, walls and shrubbery and also to their own vehicles.

The houses were built around 1907 and as such I assume that the access road will not have been built to the same specification as a public highway and certainly not equipped for the larger and heavier vehicles of the 21st century.

A recent occurrence involved a resident who had lost their electricity supply. Emergency repairs had to be carried out which involved exposing the main cable supplying their home. The contractors who carried out the repairs stated that this type of supply interruption can occur when the ground gets compacted or disturbed by heavy vehicles. This can cause water to permeate through the soil

and ultimately causes problems with the supply cable. The exact location of the utility services is not known, although I understand that there is a 33kVA cable from the electricity substation at the rear of property in Brighowgate and is routed along the passageway between Rathgar and No. 1 Deansgrove.

Contractors arrived a few days later to reinstate the trench but were prevented access to the property because of obstructions and lack of parking space caused by the developers.

Parking will continue to be a problem, not only if the developers require 4 parking spaces but also the national increase of online shopping has inevitably resulted in more delivery vehicles using the access lane. There is also no guarantee that each of the four apartments/dwellings will be occupied by a single person. How will they monitor parking in the future?

I would also like to point out that a grocery delivery service which I have used in the past, have now stopped delivering to me because of problems with the access.

Whilst the introduction of the new recycling bins is a vast improvement on the old system, accommodating an additional 8 recycling bins and 4 household waste bins will cause problems owing to the limited space available for them. Particularly if the Council are unable to collect them on the specified days.

I have also been informed today that the boundary hedge between the flats in Grosvenor Crescent and Deansgrove has been removed. This was a very mature hedgerow which provided shelter and food for birds and insects. Is this removal contrary to the Trees and Woodlands Officer's comments dated 5th August 2020?

Yours faithfully,



Rathgar
Deansgrove
Grimsby
N.E. Lincs.
DN32 0SA

21ST September 2020

Planning
New Oxford House
2 George Street
GRIMSBY
N E Lincs
DN31 1HB

Dear Sirs

Alterations to No. 6 Deansgrove – Planning Application DM/0589/20/FUL

COMMENTATOR: Neighbour

STANCE: Objector to the Planning Application

I refer to the planning consultation in connection with above property and have the following comments to make.

Firstly, I would ask the question as to whether this proposal contravenes a covenant placed on No. 6 Deansgrove which states that the purchasers **HEREBY JOINTLY AND SEVERALLY COVENANT** with the Vendor that the Purchasers and those deriving title under them will not use or suffer the property to be used otherwise than as and for a single private dwellinghouse with the usual outbuildings.

Deansgrove is accessed by means of a private no through road, part of which is maintained by NELC.

The owners of properties Nos. 1 – 6 inclusive, as far as I am aware, own the freehold title to each of their properties, with Deansgate Bridge being the boundary. This area is surrounded by shrubs and mature trees, which I believe are covered by tree preservation orders.

The common access lane in front of these properties is quite narrow and as such is not suitable for two way traffic or excessively large vehicles.

Prior to the sale of No. 6 Deansgrove, a total of 11 cars parked in front of these houses, causing a number of parking and access problems for the residents. It should be noted that one house is currently being renovated and is unoccupied but they will require at least 1 parking place and possibly 2 spaces, bringing the total no. of vehicles up to 12/13.

Some residents work shift patterns or unsociable hours and it is imperative that they are able to access their vehicles at all times

6		Area used for Parking
5		
4		
3		
2		
1		

Not to scale

All residents have a right of way across the area shown shaded grey on the above sketch.

I consider, therefore, that to increase the total number of parking places by another 2 is not at all practicable.

Yours faithfully

L Hyde

Comments for Planning Application DM/0589/20/FUL

Application Summary

Application Number: DM/0589/20/FUL

Address: 6 Deansgrove Grimsby North East Lincolnshire DN32 0SA

Proposal: Change of use from dwellinghouse to 4no. flats to include demolition of existing conservatory and external alterations

Case Officer: Jonathan Cadd

Customer Details

Name: Mrs Amber Wilkins

Address: 4 Parklands Avenue, New Waltham, North East Lincolnshire DN36 4FY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Freeholder and owner of Bottom Flat 4, Deansgrove.

Unclear how the parking will still allow number 5 to park and also allow 4 spaces in front of number 6. Unclear if any of the trees will be lost. Will also cause increased traffic on the single track access road.

Limited space for vans/ workmen to access without causing disruption to neighbours.

PLANNING COMMITTEE - 3rd March 2021**ITEM: 3** **RECOMMENDATION: Approved with Conditions****APPLICATION No: DM/0684/20/FUL****APPLICATION TYPE: Full Application****APPLICATION SITE: Wentworth House, 4 Church Lane, Stallingborough, North East Lincolnshire, DN41 8AA****PROPOSAL: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works****APPLICANT:**Mr And Mrs Elwis
Wentworth House
4 Church Lane
Stallingborough
Grimsby
DN41 8AA**AGENT:**Mr Dieter Nelson
Dieter Nelson Planning Consultancy
Unit 2 Cleethorpes Business Centre
Jackson Place, Wilton Road
Humberston
Grimsby
DN36 4AS**DEPOSITED: 24th August 2020****ACCEPTED: 28th August 2020****TARGET DATE: 23rd October 2020****PUBLICITY EXPIRY: 15th October 2020****AGREED EXTENSION OF TIME DATE:****CONSULTATION EXPIRY: 25th September 2020****CASE OFFICER: Richard Limmer****PROPOSAL**

The proposal is to erect nine detached houses in the garden space of Wentworth House and no.2 Church Lane, Stallingborough. Four of the proposed dwellings would be located in the front garden of the host property, three in the side and rear garden space and a further two dwellings in the rear garden of no.2 Church Lane. Access to the site is currently taken from Church Lane, this access would be retained and improved.

The application has been brought to Committee for consideration due to the number of objections received from neighbouring properties.

SITE

The site is the garden space of Wentworth House and no.2 Church Lane in Stallingborough. The Wentworth House is a large detached house with outbuildings set in extensive grounds. No.2 church Lane is a more modest detached dwelling but with a large rear garden. The front garden space of Wentworth House has been fenced off and used as paddocks in recent years and more recently the boundary hedge between it and no.2 has been removed to create this application site but with some of the rear garden of no.2 retained. The rear garden is set out as more of a formal garden. Throughout the site there are some large trees in varying condition. The site lies in flood zone 1 and within the development area boundary for the village on the North East Lincolnshire Local Plan (NELLP).

RELEVANT PLANNING HISTORY

DC/1243/07/IMM - Outline; erect 14 dwellings - Withdrawn

DM/0001/17/FUL - demolition of outbuildings and erection of 7 dwellings - approved and condition discharged DM/0358/20/CND - this permission has been implemented and remains extant.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

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

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

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status

of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

REPRESENTATIONS RECEIVED

Ecology Officer - no objections, conditions relating to the ecology report submitted

Trees Officer - no objections, conditions

Drainage Officer - no objections, condition for final details

Drainage Board - no objections

Highways Officer - no objections, condition for construction details and maintenance

Environmental Health - no objections, conditions recommended

Crime Reduction Officer - no objections

Heritage Officer - no objections, condition for investigation

Natural England - no comments

Environment Agency - no comments

Stallingborough Parish Council - no response

Neighbours

7 Station Road - objects due to loss of privacy and flooding

5 Station Road - objects due to drainage and flooding

3 Station Road - objects due to loss of hedge, impact on ecology, flooding, traffic, access and bins

1 Church Lane - objects due to access, the need for additional dwellings, disruption during construction and flooding.

12 Holly Close - objects due to the design of the development

APPRAISAL

Material Planning Considerations

- 1) Principle of Development.
- 2) Impact on the Character of the Area.
- 3) Impact on Residential amenity.
- 4) Highways.
- 5) Drainage.
- 6) Archaeology.
- 7) Landscaping and Ecology

1) Principle of Development

The site sits within the development area boundary for Stallingborough in the NELLP inset maps and within flood zone 1 on both the Environment Agency and the Strategic Flood Risk Assessment maps. Policy 5 of the NELLP does not preclude residential development within the defined development boundaries on the NELLP.

It is also noted that planning permission DM/0001/17/FUL remains extant and the 7 dwellings approved under that permission could be constructed. Although this application is for 9 dwellings and extends beyond the extent of the previous permission as it includes the rear garden of no.2 Church Lane, it is considered to be a material consideration.

It is therefore considered that the principle of residential development on this site is acceptable and in accordance with Policy 5 of the NELLP, subject to the site specific impacts of the development discussed in the report below.

2) Impact on the Character of the Area

Policies 5 and 22 of the NELLP require consideration to be given to the impact of the proposed development on the character and appearance of the immediate and wider area.

The proposed development makes use of the most part of the garden space for both Wentworth House and no.2 Church Lane, however it still allows good garden space for both existing dwellings.

The proposed dwellings all have provision for good sized gardens. The proposal includes a good mix of house type and size. Plot 1 at the front of the site is a dormer bungalow akin in scale to other dormer bungalows within Church Lane and Pinfold Lane. This property is the most visible within the street scene and the pleasant design and position of the dwelling does not detract from the general character of the street. This plot remains as approved under DM/0001/17/FUL.

Further within the site the proposed dwellings increase in size to full two storey but maintain a modest mass with 2 three bedroom houses and 4 four bedroom houses. All of the proposed dwellings are of an individual design which reflect the local character in terms of style. These properties would be mostly screened from the road with only glancing views available from the access and adjacent to plot 1. Plot 2 has been repositioned from the previous approval to allow an access into the rear garden of no.2 Church Lane for plots 8 and 9 on the proposed plan. This re-positioning of plot 2 and the inclusion of plots 8 and 9 do not compromise the overall quality of the proposed development.

The proposed dwellings are considered to be of good design but their final appearance is key to ensuring that the finished development maintains this quality, as such the proposed external materials is recommended as a condition.

Given the design of the proposed development it is considered that it would not offer any significant harm to the character and appearance of the area in accordance with Policies 5 and 22 of the NELLP.

3) Impact on Residential amenity

Neighbouring dwellings have raised concerns over the potential impact on their privacy as a result of the development and the loss of some of the high boundary trees and hedging. The applicant has ensured that where the existing boundary trees and hedging are removed new planting is proposed. In the main part the issue surrounds the loss of several high conifers, these in themselves are exceptionally high. The removal of these and replacing them with more appropriate species is considered a positive feature of the proposal.

In terms of neighbouring residential properties to the north of the site are properties on The Woodlands, to the east of the site is woodland, to the south of the site are properties on Station Road, The Limes and Holly Close and to the west is Church Lane.

The neighbours on The Woodlands are separated from the development by the site access, their own access road and extensive landscaping so whilst the development may be visible to these neighbours it would not present any significant impacts to their amenity.

To the south the neighbours on Station Road would have plots 8 and 9 along their rear boundaries. Plot 8 is orientated so that it does not have windows that would overlook the

neighbours and whilst it would be visible to them nos.3, 5 and 7 Station Road have long rear gardens that provide good separation. Plot 9 faces plot 8 and backs onto no.2 Church Lane. No.1 Station Road backs towards plot 9 but the orientation of plot 9 means it does not directly back towards it protecting amenities in terms of overlooking and privacy. The orientation of the proposed dwellings and their positions in relation to the neighbours in The Limes and Holly Close mean that they would not cause undue impacts upon the neighbours' amenities.

It is therefore considered that the proposed development, whilst visible from neighbouring properties, would not cause any significant or undue impacts upon the amenities of the in accordance with Policy 5 of the NELLP.

4) Highways

Several of the neighbouring properties who have commented on this application have raised concerns over the potential impact on highway safety and amenity. The Highways team have considered the proposal and offered no objections to the scheme. The plans provided demonstrate the necessary visibility splay lines for this scale of development and the layout of the access. The overall scale of the development would not create a significant level of additional traffic movements and would not result in a severe impact on the highway network. The proposal therefore accords with Policy 5 of the NELLP. It must also be acknowledged that the site has permission for seven dwellings already.

5) Drainage

It is noted that several comments from neighbours have been made expressing concerns over the impact of the development on the surface water drainage in the village. Certain areas of the village have suffered from surface water drainage issue in the past. Policies 5 and 33 of the NELLP require development proposals to ensure that they do not increase the risk of flooding either on or off the site.

A detailed surface water drainage scheme has been submitted with the application which details the use of sustainable drainage infrastructure and engineered solutions to ensure that the risk of flooding is not increased as a result of the development. A large drainage ditch along the southern boundary of the site would be cleared out and enlarged as part of this development. This ditch serves neighbouring properties as well and so these works represent betterment to the drainage system in the wider area. The Drainage Officer has considered the proposed development and do not object to it. Conditions are recommended. The proposal accords with Policies 5 and 33 of the NELLP.

6) Archaeology

The site sits within a defined archaeology zone whereby it is reasonable to expect significant archaeological deposits to be found. This is due to the proximity to the medieval village of Stallingborough, one of the most significant medieval settlements in the borough. Extensive earth works can be seen nearby off Church Lane.

The previous application had predetermination works done and further works have been done around plot 1. However, no works have been done around plots 8 and 9 and the excavations for the development will be more extensive than the trial trenching that has been done to date. It is therefore considered that a suitable condition is included to ensure that any archaeology is properly investigated and recorded. The proposal would, with the inclusion of the condition, comply with Policy 39 of the NELLP.

7) Landscaping and Ecology

Policies 41 and 42 of the NELLP require development proposals to consider the existing landscaping and biodiversity on the site. The application has been submitted with a detailed Ecology survey and Biodiversity Improvement Plan. The Ecologist has considered this information and considers the measures to be appropriate and would ensure that the development complies with Policy 41 of the NELLP.

The proposal includes the loss of trees and hedges on the site. The Tree Officer has considered the proposed development, the hedges to be removed are mostly conifers and so this does not present any significant concerns. The trees to be removed are of a low quality due to age or decay. The proposed development therefore presents the opportunity to deliver new tree and hedge planting across the site. The proposed plans set out where this landscaping could be positioned within the site. A condition is proposed to secure the final details of the planting and to ensure that it is properly maintained. The proposal would therefore comply with Policy 42 of the NELLP.

CONCLUSION

In conclusion, it is considered that the proposed development would not have a significantly detrimental impact upon the character and appearance of the area, residential amenities, drainage, heritage and the highway network. The proposal therefore accords with Policies 5, 22, 33, 39, 41 and 42 of the NELLP and is recommended for approval.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

160.01B - site location plan

160.23B - block plan

160.05B - house 1

160.09A - house 2

160.07B - house 3

160.11A - house 4

160.12A - house 5

160.25 - house 6

160.26 - house 7

160.27 - houses 8 and 9

160.18 - garage plans

160.19 - bin store plans

Reason

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

(3) Condition

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

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 Policy 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(4) Condition

The development shall be built out in full accordance with the Ecology and Biodiversity Improvement Plan (dated May 2020 by Rod Strawson) and all of the mitigation measures fully completed within 12 months of the first occupation on the site. Unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect and enhance the biodiversity on the site in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(5) Condition

The development shall be built out in strict accordance with the drainage plans ref: EWE.01.100820RevB, EWE.02.100820RevB and EWE.03.100820RevA. No dwelling shall be occupied until the drainage system serving it has been fully installed in accordance with the aforementioned plans. The drainage system shall then be maintained throughout the lifetime of the development.

Reason

In the interests of flood risk in accordance with Policies 5 and 33 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(6) Condition

No dwelling shall be occupied until the bin collection point, as detailed on plans ref:160.19 and 160.23B, has been fully installed. It shall then thereafter be retained.

Reason

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

(7) Condition

Development shall not begin until management arrangements for any carriageways, footways or landscaped areas not to be adopted by the local authority have been submitted to and approved in writing by the Local Planning Authority. The carriageways, footways and landscaping areas shall be managed in accordance with the approved details thereafter.

Reason

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

(8) Condition

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

Reason

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

(9) Condition

Prior to the development commencing, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details. The plan shall contain:

- Working hours;
- Construction phasing/timing;
- Visitor and contractor parking areas;
- Materials storage area;
- Wheel cleaning facilities;
- Noise, vibration and dust mitigation measures (both during demolition and construction);
- Construction traffic management plan.

Reason

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

(10) Condition

Prior to the occupation of any dwelling on the site a scheme for the installation of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details.

Reason

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

(11) 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 to accord to Policy 39 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

(12) 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) An Arboricultural Method Statement,

have been submitted to and approved in writing by the Local Planning Authority.

Once (c) is approved, the Tree Protection shall be installed in accordance with the approved details before any construction or demolition work is commenced. It shall be retained on site for the duration of all construction/demolition work. Once (d) is approved, it shall be adhered to at all times during construction/demolition works.

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

(13) Condition

Once the scheme of landscaping and tree planting required through condition 12 has been approved, it shall be completed within a period of 12 months, beginning with the date on which development began or within such longer period as may be first agreed in writing by the Local Planning Authority. All planting shall be adequately maintained for 5 years, beginning with the date of completion of the scheme and during that period all losses shall be replaced during the next planting season.

Reason

To ensure a satisfactory appearance and setting for the development and continued maintenance of the approved landscaping in the interests of local amenity in accordance with saved Policy 42 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(14) Condition

Prior to the commencement of any demolition works, a method statement outlining the method of demolition and measures to prevent nuisance from noise and dust emissions to the site operatives and surrounding occupiers shall be submitted in writing to the local authority for its written approval. Demolition shall only thereafter be undertaken in accordance with the approved method statement.

Reason

In the interests of public health and to protect the amenities of nearby residents in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

(15) 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 undertaken 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 (adopted 2018).

(16) Condition

Prior to occupation of any dwelling, final details of how water will be reused and recycled on site shall be submitted to and agreed in writing by the Local Planning Authority. Once approved, the details shall be adhered to at all times following occupation.

Reason

To ensure the efficient use of water and to accord with policy 34 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34, 39, 41 and 42.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by negotiating on the scheme.

3 Informatives:

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

If the footway or carriageway is damaged as a consequence of any excavation or any other operations relating to the development, the Highway Authority may make good the damage and recover expenses reasonably incurred. You are required to contact the Highway Management Team at least 4 weeks prior to commencement of works to arrange for a highway pre-condition inspection (Tel: 01472 324431)

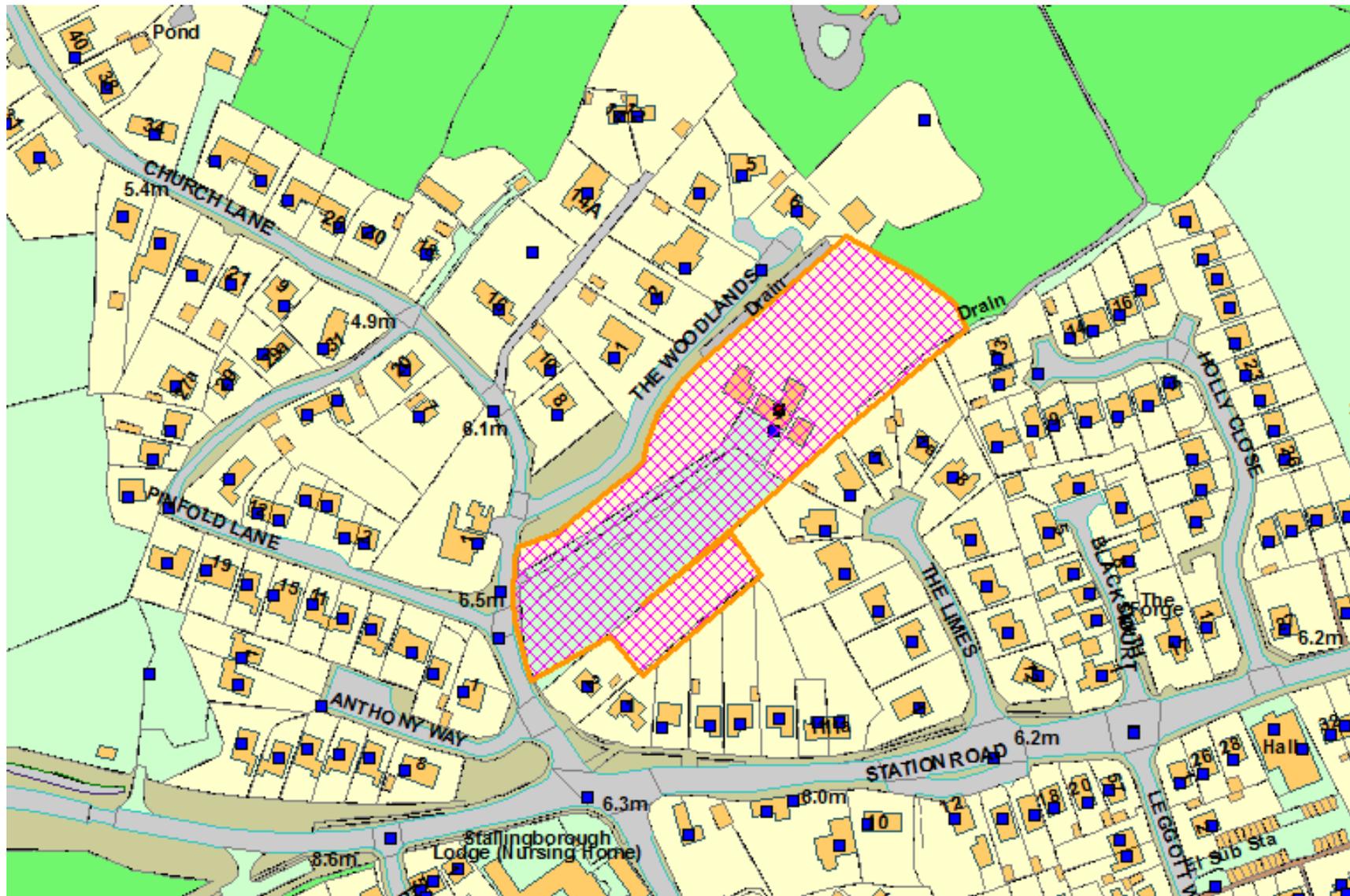
4 Informative

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

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/0684/20/FUL – WENTWORTH HOUSE, 4 CHURCH LANE, STALLINGBOROUGH





Comments for Planning Application DM/0684/20/FUL

Application Summary

Application Number: DM/0684/20/FUL

Address: Wentworth House 4 Church Lane Stallingborough North East Lincolnshire DN41 8AA

Proposal: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works

Case Officer: Richard Limmer

Customer Details

Name: Mr John Dudley

Address: 7 Station Road Stallingborough Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Firstly, this end of Station Road has been subject to flooding over a number of years. I have lived here for three years, and my back garden has been flooded on two occasions in that time, the latter being November 2019, of which I have photos. The overspill from this makes its way across my adjoining neighbours gardens. If the adjoining land in Church Lane is to be covered in concrete and asphalt, what was a natural drainage area, with open land, would just become a run off to our properties, increasing the risk of the flooding we now get, to become even worse. Drainage to this scheme would have to be drastically improved. I did not object to the original 7 properties as it would have left the adjoining garden as a natural drainage area.

Secondly, if the application is approved, I would expect the historic privacy of our gardens to be maintained, and none of the adjoining trees , shrubbery etc along the fence line, to be removed.

Comments for Planning Application DM/0684/20/FUL

Application Summary

Application Number: DM/0684/20/FUL

Address: Wentworth House 4 Church Lane Stallingborough North East Lincolnshire DN41 8AA

Proposal: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works

Case Officer: Lauren Birkwood

Customer Details

Name: Mr Ian Pearson

Address: 5 Station Rd Stallingborough GRIMSBY

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The land is boulder clay and there is no adequate drainage .

Numbers 5 and 7 Station Road suffer from flooding because the field drains are blocked .If housing is built there must be new drainage dykes.

The field plans of 1958 show ditches that have not been maintained.

I was informed that flooding was a 20 year event but I have lived here less than two years and number 7 has been extensively flooded twice with the residue flowing into number 5.

I trust the council will stipulate new drains into the appropriate water course

Glendowie
3 Station Road,
Stallingborough
Grimsby
North East Lincolnshire
DN41 8AF

Ref: DM/0684/20/FUL

25th September 2020

Dear Ms Birkwood,

I am writing to make comments about the planning for the proposed development of the land that was formally land from Wentworth House, 4 Church Lane, Stallingborough but is now combined with the ex- back garden of 2 Church Lane which runs along the back of my property.

There is a large established mixed hedgerow that runs along the southern edge of the proposed development and alongside my property, which is 3 Station Road. I see that in the Block Plans submitted that the strip appears to be attached to No 5 which is incorrect. The strip runs past the back of my neighbour's properties (No 5, 7 and 9).

The hedgerow runs the length of the narrow strip of my property and I am concerned that it will be removed with the development of the plot. This a haven and food source for much wildlife and my garden has hedgehogs, dragonflies, newts, frogs, toads, bats, large moths and multiple species of birds and insects. It also affords privacy for my property and my neighbours.

A large established hedgerow has already been removed from the boundary of Wentworth House, 4 Church Lane, Stallingborough and the former back garden of 2 Church Lane.

I am very concerned about the greater possibility of flooding due to the building work and the amount of proposed buildings on the land. I am also concerned the effect of water run-off from the additional hard surfaces will have on the adjoining properties. Additional drainage will not have the absorbent effect that an area of open land planted with mature trees and shrubs would have had. Already my retired neighbours struggle with standing water on the properties when there is a heavy rainfall.

Infrastructure and the existing driveway (which will act as the access road), of the proposed development appears to be inadequate to the amount of traffic from nine houses and will cause a significant increase in traffic and possible congestion in the surrounding areas in particular proposed access road from the development onto and from Church lane, with its narrow road width, soft verges and lack of pavements. Construction vehicles will be even worse.

Access to the development for heavier vehicles such as delivery vehicles and bin lorries does not seem to have been taken into proper consideration, as the Bin store for the proposed houses 5,6 and 7, at the front of the development, suggests that access towards the back of the development will be extremely limited.

Yours faithfully

Tracey Ellis

Comments for Planning Application DM/0684/20/FUL

Application Summary

Application Number: DM/0684/20/FUL

Address: Wentworth House 4 Church Lane Stallingborough North East Lincolnshire DN41 8AA

Proposal: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works

Case Officer: Richard Limmer

Customer Details

Name: Mr Chris Cook

Address: Crossways 1 Church Lane Stallingborough

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Comments for Planning Application DM/0684/20/FUL

Application Summary

Application Number: DM/0684/20/FUL

Address: Wentworth House 4 Church Lane Stallingborough North East Lincolnshire DN41 8AA

Proposal: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works

Case Officer: Richard Limmer

Customer Details

Name: Mr Chris Cook

Address: Crossways 1 Church Lane Stallingborough

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment:Dear Sir / Madam

Regarding the planning application reference DM/0684/20/FUL we wish to lodge a number of serious objections to the development as follows:

Housing Supply:

NE Lincs and the surrounding area is awash with large family dwellings of, considering their size, significant affordability. There is a material excess of supply over demand not only suppressing existing prices but also obviating the need for further development on existing green-space.

Site Access and Construction Parking:

Church Lane is in no way suitable for routine access for construction traffic nor will there be

sufficient parking for visiting vehicles. I anticipate severe issues with parking on verges, or other neighbours' private property including ours, and on potentially restricting access to residents on Church Lane, Anthony Way and Pinfold Lane.

Safety:

Given the access issues noted above and the extremely narrow lane on which this property stands with limited pedestrian footpaths I believe such a construction area would pose a significant safety risk for both road users and pedestrians. The ONLY footpath at this point of the road (which is a blind bend) would likely be obstructed by such construction. We have 3 young children and the impact of this development on their safety directly outside, and potentially on, our property is of paramount concern.

Potential damage to property:

We already struggle with cars and other heavy vehicles parking on the corner of our property at occasional times and causing damage - we anticipate this becoming repeated and severe due to the activity planned and the access/space restrictions noted above. We will not tolerate such ingress and will take measures to ensure our boundary is protected, including our brick-paved driveway, which may further decrease access down Church Lane. Note that the 'round trip' access via Pinfold Lane is not possible for large vehicles.

Protection of Stallingborough:

Our village has seen several improvements over recent years with old buildings being improved and the pub update etc. I include in this the development of new housing which I was supportive of on Station Road. The proposed development runs counter to this trend and would obliterate an excellent pasture / green-space whilst also impacting on the aspect / outlook of several properties including our own. Potentially reducing neighbours' property values as a result.

General disruption:

The construction of such a development in such a small space with access and safety issues as mentioned above will doubtless cause severe impact and distress on many locals, not only us but also elderly neighbours in adjacent bungalows, with the general noise, mess etc. associated with such building works.

Drainage:

Church Lane is notorious for poor drainage and we have had a number of minor floods across the width of the road directly opposite our house during periods of heavy rain. We only anticipate that this will worsen with further works and accommodation being added and would look to seek recourse for any property damage resulting from such works.

In summary, I cannot stress how strongly I object to this development relating to all of the grounds detailed above and trust that the planning committee, or equivalent body considering this application, will take our objection into account and reject this application.

Yours Faithfully,

Mr Christopher M Cook and family.

Comments for Planning Application DM/0684/20/FUL

Application Summary

Application Number: DM/0684/20/FUL

Address: Wentworth House 4 Church Lane Stallingborough North East Lincolnshire DN41 8AA

Proposal: Demolish existing outbuildings and erection of 9 dwellings with garages, landscaping and associated works

Case Officer: Lauren Birkwood

Customer Details

Name: Mr Simon Dolan

Address: 12 Holly Close Stallingborough

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It will be closer to Wentworth Detention Centre than Wentworth House.

PLANNING COMMITTEE - 3rd March 2021

ITEM: 4 **RECOMMENDATION: Refused**

APPLICATION No: DM/0926/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: The Scratching Post, 38 High Street, Cleethorpes, North East Lincolnshire, DN35 8JN

PROPOSAL: Erect a covered steel canopy over the existing outdoor raised seating area to the front

APPLICANT:

Mr David Fryman
Bar Silk Limited trading as Scratching Post
The Scratching Post
38 High Street
Cleethorpes
DN35 8JN

AGENT:

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

DEPOSITED: 3rd November 2020

ACCEPTED: 3rd November 2020

TARGET DATE: 29th December 2020

PUBLICITY EXPIRY: 17th January 2021

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 3rd December 2020

CASE OFFICER: Owen Toop

PROPOSAL

This proposal relates to the erection of a covered steel canopy over the existing outdoor raised seating area at the front of the Scratching Post, a drinking establishment at 38 High Street, Cleethorpes.

The application is presented to Planning Committee at the request of Councillors Freeston and Callison as it is considered that the business owner should have a right to have the case heard. Although we note the reasons for initial refusal, a further exploration of the advantages and consequences of granting permission should be explored.

SITE

The site is located within the Cleethorpes Town Centre and is a drinking establishment. This section of High Street includes a number of bars, pubs and clubs, as well as some retail and hot food takeaways.

Although not strictly within the Central Cleethorpes Seafront Conservation Area, the site is located adjacent to east (circa 25m) and a number of Listed Buildings and locally listed assets are within the vicinity of the proposal.

The proposal is located to the front of the Scratching Post where there is an existing raised seating area.

RELEVANT PLANNING HISTORY

DM/0802/17/FUL - Removal of condition 1 (Temporary Permission) pursuant to DM/0765/14/FUL (Variation of Condition 1 (Time Period) granted on application DC/527/13/SSU to continue using the pavement area for outside seating with tables, chairs & barriers for a further three years) to allow permanent siting of tables, chairs and barriers on the pavement - Thu 05 Oct 2017

The most recent application at the site granted approval to use the pavement area at the front indefinitely -

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF16 - Conserv. & enhance the historic environ.

NPPF12 - Achieving well designed places

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

PO5 - Development boundaries

PO22 - Good design in new developments

PO39 - Conserve and enhance historic environ

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

REPRESENTATIONS RECEIVED

Heritage Officer - The proposal is contrary to Policy 39 of the NELLP and is detrimental to the character of the building and conservation area and is recommended for refusal.

Highways Officer - No objections following further discussions regarding the canopy and the extent of its overhang on the highway. It has been confirmed that the canopy will not overhang the public highway.

Environmental Officer - No comment.

Police Crime Reduction Officer - No comment.

Drainage Officer - No comment.

Neighbour Representations - 7 received in support of the proposal as listed below:

Flat 40 High Street
First Floor Flat 38 High Street
24 High Street
25 High Street
21 High Street
32 Miller Avenue
29 Oliver Street

In summary comments express support for the business in light of impacts of Covid 19. Comments also support the promotion of cafe culture in this area.

No other representations received.

APPRAISAL

The material considerations are as follows:

- 1) Principle of Development;
- 2) Design and Heritage;
- 3) Impact to Local Amenity;
- 1) Principle of Development;

The proposal is located within the development boundary of Cleethorpes as designated in Policy 5 of the North East Lincolnshire Local Plan, 2013-2032 (NELLP) and relates to the erection of a steel canopy over an existing raised outdoor seating area at an existing drinking establishment, The Scratching Post, 38 High Street. The site is also located

adjacent to the Central Cleethorpes Sea Front Conservation Area (Policy 39) and is situated in the Cleethorpes Town Centre (Policy 23). The principle of development is considered acceptable subject to site specific material considerations. In this case these considerations are concerned with visual design and heritage impact assessment (Policies 22 and 39) and impact to local amenity (Policy 5). Furthermore, given the location within the Town Centre, the proposal needs to be considered in relation to Policy 23 which deals with town centre development. In this manner development that supports the viability and vitality of the town centre and strengthens the association of the commercial core and resort area will be encouraged provided that they maintain and sustain the quality of historic environment.

The proposal is only acceptable provided that there are no detrimental impacts in line with Policies 5, 22, 23 and 39 of the NELLP.

2) Design, Heritage and Town Centre;

The proposal relates to the erection of a steel canopy at the frontage of an existing drinking establishment.

Policy 22 of the NELLP deals with Good Design in New Developments in which there is a 'need to achieve' protection and enhancement of heritage assets, including character and local distinctiveness, as well as high quality public realm. The site is located adjacent the Central Cleethorpes Sea Front Conservation Area. Under Policy 39 of the NELLP, proposals for development will be permitted where they would sustain the cultural distinctiveness and significance of North East Lincolnshire's historic urban, rural and coastal environment by protecting, preserving and, where appropriate, enhancing the character, appearance, significance and historic value of designated and non-designated heritage assets and their settings.

The canopy would project over an existing raised seating area which has been established for some time. This raised seating area in itself forms part of the character of the area and local distinctiveness of High Street. Not only is this seating area standalone visual feature which contributes to the character of the area; it should also be seen in connection with the adjoining commercial properties. This particular section of High Street includes a number of clubs, pubs and bars where outdoor seating is a known feature.

However, it is considered that the introduction of a canopy would appear incongruous to this existing nature of the street. Indeed, there are no other such structures in the immediate surrounding area and as such the projection forward would appear stark and contrasting due to its materials, shape and size and prominent location. The canopy design is functional and does not respond to the historical context of the building and its surroundings. The way it cuts across the existing bay window would obscure the attractive original features of this Victorian facade and result in an unattractive appearance and the materials including a polycarbonate roof are poor for such a location. The area has been subject to extensive public realm works which have greatly improved the visual appearance of High Street and the proposal would be detrimental to this. The

Heritage Officer has raised objections.

In terms of design, the proposal is considered to be unsympathetic to the character of the area and adjacent Conservation Area contrary to Policies 22 and 39 of the NELLP.

Given that the proposal relates to external changes at an established use which have been described as a being required as a response to the current Covid 19 pandemic, the impact of refusing the application in relation to the vitality of the town centre should be taken into account. However, it is considered the principles within Policy 23 are clear in that proposals are expected to maintain and sustain the quality of the historic environment. Therefore, whilst the canopy has been stated by the applicants and in other representations as needed to help sustain the business in unprecedented circumstances, the overall impact would be detrimental to the Town Centre when considering the proposal visually and so is not considered to be in accordance with Policy 23 of the NELLP. By being detrimental to visual amenity the consequence is that it would not help in the economic response to the Covid 19 crisis as it would diminish the appeal and attractiveness of this area of Cleethorpes and would be overall damaging.

3) Impact to Local Amenity;

In total 7 letters of support have been provided. The representations make note of the existing economic situation and promote development within local businesses in this area.

In terms of planning considerations in respect of local amenity, it should be acknowledged that the site is already an existing drinking establishment with raised outdoor seating. The area is within a prominent section of the Town Centre known for bars, pubs, nightclubs and takeaways. In this manner, the proposal would not cause any detrimental impacts to the local amenities of businesses or residents.

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

CONCLUSION

This proposal relates to the erection of a covered steel canopy over the existing outdoor raised seating area at the front of the Scratching Post, a drinking establishment at 38 High Street, Cleethorpes. Whilst the proposal would not present any detrimental impacts to local amenity, it would present detrimental impacts to the character and local distinctiveness of the area, town centre and the adjacent Conservation Area. The proposal is therefore considered to not accord with Policies 22, 23 and 39 of the NELLP and so is recommended for refusal on these grounds.

RECOMMENDATION

Refused

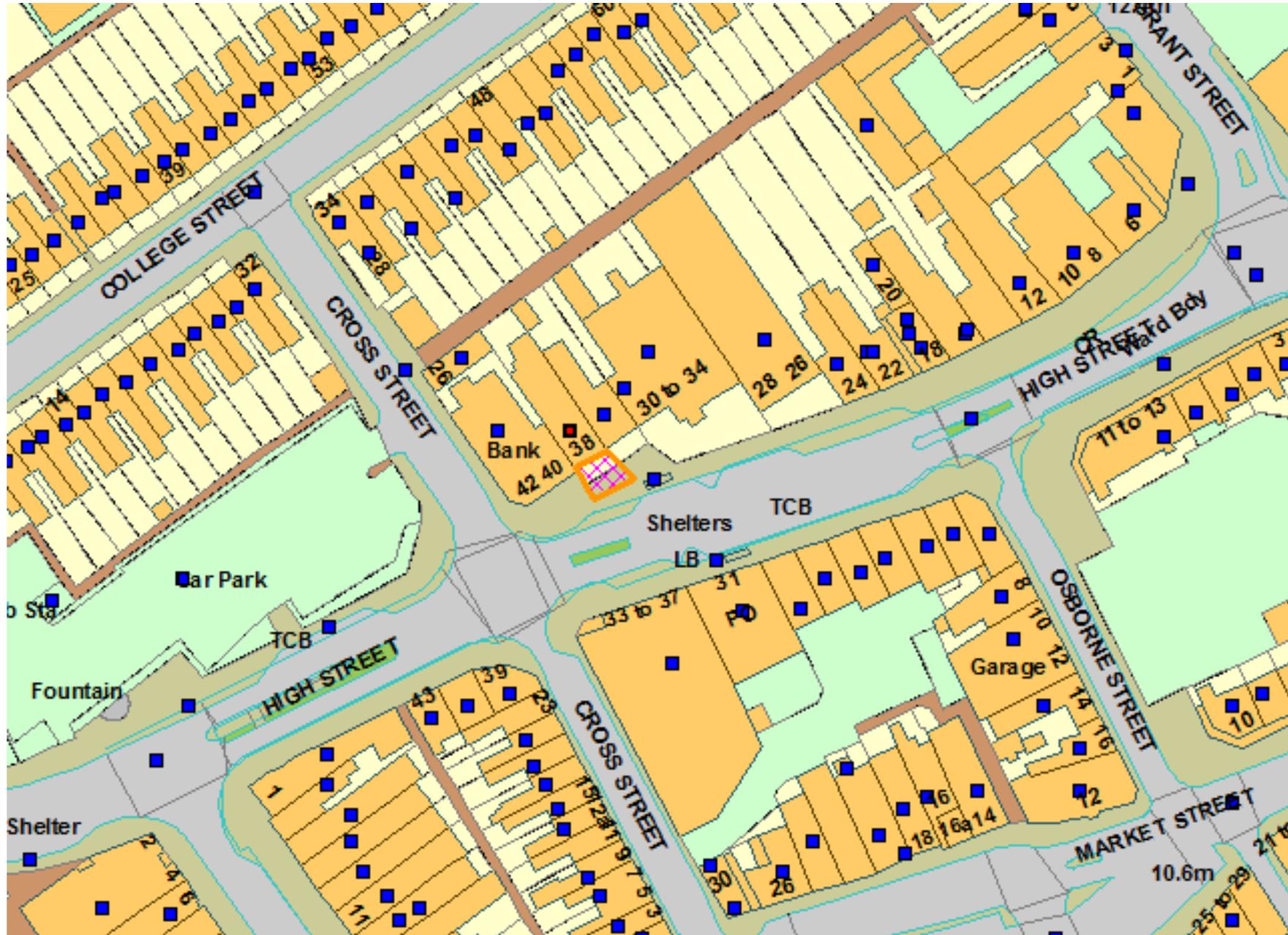
(1) The proposed canopy by virtue of its poor design and use of unsympathetic materials would be detrimental to the visual character and appearance of the area and the adjacent Central Cleethorpes Sea Front Conservation Area. The proposal is therefore considered to be contrary to the requirements of Policies 22, 23 and 39 of the North East Lincolnshire Local Plan, 2013-2032 (Adopted 2018) and the core principles as set out in the National Planning Policy Framework 2018.

Informative

1 Informative

This application has been considered using the following plans and documents:

RD:4745 - 01 A - Proposed Plans, Elevations, Block Plans and Site Location Plan
RD: 3806- Design and Access Statement





Proposed Site Plan

1:500



North East Lincolnshire Development
 Management Services
 New Oxford House
 2 George Street
 Grimsby
 North East Lincolnshire
 DN31 1HB



Telephone: 01472 326289 – Option 1

**REQUEST FOR APPLICATIONS TO BE HEARD AT
 PLANNING COMMITTEE**

Ward Member Reply Slip for Applications to be reported to the Planning Committee

Application Number	Reason for Referring to Planning Committee
DM/0926/20/FUL	We are referring this application to the Planning Committee as we believe that the business owner should have a right to have his case heard. Although we note the reasons for initial refusal, a further exploration of the advantages and consequences of granting permission should be explored.

Contact Details: -

SignatureCllr Oliver Freeston/Bob Callison.....

Date ...17/12/2020.....

Name ...Cllr Oliver Freeston/Cllr Bob Callison.....

Address:Town Hall,
 Grimsby.....

North East Lincolnshire Development
Management Services
New Oxford House
2 George Street
Grimsby
North East Lincolnshire
DN31 1HB



Working in Partnership

Telephone: 01472 326289 – Option 1

.....

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Mrs Kelly Hardy

Address: Flat 40 High st CleeThorpes

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think that this is a really good idea to have more people outside rather than inside, particularly in the current climate as it will help prevent the spread of the virus.

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Mrs Elaine Fryman

Address: First Floor 38 High Street Cleethorpes

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This application would be a benefit to my new businesses plan as it would provide an area for my customers to wait under cover from the wind & rain.

It is nice to see people sat outside hospitality premises as it creates a cafe culture and this is the approach into Cleethorpes and would enhance the impression for visitors to the resort.

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Mr Garry Gresham

Address: Greshams Fishmongers, 24 High St Cleethorpes

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It is a great idea for their business which in the current situation needs all the help and support to survive and continue for themselves and their loyal staff

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Ms Jane Miller

Address: 25 High Street 25 High Street Cleethorpes

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:As a neighbouring business, we have no objections to this application. It can only improve the High Street by bringing it into a more outdoor catered for area. As well as making more of a cosmopolitan atmosphere which is what the council want Cleethorpes to be.

Kind Regards

Harriets Ltd

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Mr Graham Clark

Address: VeloSport 21 High Street Cleethorpes

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Fully support the Scratching Post's application. We are all going to be facing some very tough years ahead so anything, within reason, that helps local business attract customers should be supported.

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Mr Andrew Woolliss

Address: 32 Miller Avenue Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Fantastic idea to enhance a bar in the local area. Local businesses should be supported

Comments for Planning Application DM/0926/20/FUL

Application Summary

Application Number: DM/0926/20/FUL

Address: The Scratching Post 38 High Street Cleethorpes North East Lincolnshire DN35 8JN

Proposal: Erect a covered steel canopy over the existing outdoor raised seating area to the front

Case Officer: Owen Toop

Customer Details

Name: Mr George Woolliss

Address: 29 Oliver Street Cleethorpes

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Would be a valuable addition to a local business. Any improvement made to the bars in the cleethorpes area should be encouraged as it will benefit all who use them.

PLANNING COMMITTEE - 3rd March 2021

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

APPLICATION No: DM/0081/21/FULA

APPLICATION TYPE: Accredited Agent - Homeholder application

APPLICATION SITE: Wold Rise, Chapel Lane, Ashby Cum Fenby, Grimsby, North East Lincolnshire, DN37 0QT

PROPOSAL: Erect single storey front/side extensions to include roof lights and roof lantern, render cladding to all elevations and erect detached summer house to rear with various alterations

APPLICANT:

Mr And Mrs R French
Wold Rise
Chapel Lane
Ashby Cum Fenby
Grimsby
North East Lincolnshire
DN37 0QT

AGENT:

Mr Byron Smith
By Design
47 The Avenue
Healing
Grimsby
N E Lincolnshire
DN41 7NA

DEPOSITED: 22nd January 2021

ACCEPTED: 25th January 2021

TARGET DATE: 22nd March 2021

PUBLICITY EXPIRY: 21st February 2021

AGREED EXTENSION OF TIME DATE:

CONSULTATION EXPIRY: 18th February 2021

CASE OFFICER: Ian Trowsdale

PROPOSAL

The planning application seeks permission to carry out alterations and extensions to the existing property on Chapel Lane, Ashby cum Fenby. In detail the applicant wishes to erect single storey extensions to the front and side elevations of the property including side facing rooflights, erect a new garage and alter the window and door openings and render cladding to all elevations. As well as the alterations to the dwelling, the applicant proposes to erect a summer house in the rear garden. Materials proposed for the alterations/extensions to the dwelling are interlocking tiles to match the existing dwelling and anthracite grey UPVC windows on the front of the dwelling and white UPVC on the

rear of the dwelling.

The summer house to proposed to be located close to the rear boundary of the property and is constructed using timber cladding and a shingle/slate effect roof. It measures 4.5m by 5m and 3.4m to the ridge. Planning permission is required for the summer house as it within 2m of the boundary of the property and more than 2.5m high to the ridge.

The application is brought to Committee following an objection from the Parish Council and neighbours as it is recommended for approval.

SITE

The application site is located on the southern side of Chapel Lane close to the junction with Main Road. Properties to the rear of the site front on to Third Lane. The property is a detached single storey dwelling set back from the road. To the rear of the dwelling is a close boarded fence screening the rear garden.

RELEVANT PLANNING HISTORY

None relating to this application.

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

Ashby cum Fenby Parish Council - object -following a review of the plans and discussion, the Parish Council recommended to oppose this application on the following grounds: -

1. The Parish Council raised concerns regarding the size and proportions of the proposed summerhouse.
2. The close proximity of the summer house to the boundary fence which could cause noise and disturbance to adjacent neighbouring properties.

The Parish Council did not raise any objections to the front/side extensions to the property.

Highways - recommend approval no conditions - On the basis of the information provided, the Highway Authority is content with the proposal. In coming to this conclusion, the Authority has considered issues of highway access, capacity and safety; parking, servicing and sustainability.

Heritage Officer - no heritage input required.

Trees and Woodland Officer - No comments.

Neighbour objections received from Tree Tops, Third Lane concerned about the size and proportions of summer house and it's close proximity to the boundary fence and potential adaptability of the summer house leading to potential nuisance,

Neighbour objections received from Ashmead Cottage, Chapel Lane concerned with the inaccuracy of the block plan and two storey extension leading to loss of light into garden,

Neighbour at Alexander House, Main Road has no objections.

APPRAISAL

The material planning considerations in determining the application are considered to be as follows:-

1. Principle of Development,
2. Impact on the Character and Appearance of the Area,
3. Impact on Neighbours.

1. Principle of Development

The application site is within the development area of Ashy Cum Fenby where Policy 5 of the Local Plan applies and relates to alterations and extensions to the existing dwelling and a new summer house in the back garden of the property. 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 to 2032 (adopted 2018).

2. Impact on the Character and Appearance of the Area.

The proposed changes to the front elevation of the property will have a minimal impact on the street scene. The application proposes to extend forward the front of the property by 1m to increase the size of two bedrooms. In addition, a new attached garage is proposed, this would be set back from the front of the dwelling. Given the set back of the dwelling from the highway, the changes that would be noticeable from the street would be minimal and not harm the character and appearance of the street. The summer house would have no adverse impact on the character of the area. As such, the proposed development would not conflict with Policy 22 of the North East Lincolnshire Local Plan 2013 to 2032 (adopted 2018).

3. Impact on Neighbours.

Turning to the impact on the immediate neighbour, Ashmead Cottage, the applicant proposes to extend the dining area and kitchen towards this property as well as installing roof lights and in addition, the garage will be rebuilt in front of the extended dining area and kitchen. The extension is not proposed to be two storey as suggested by the neighbour. The impact of the additional building would not significantly different to the existing layout and considered to lead to less than substantial harm to the residential amenities the neighbour should reasonably expect to enjoy in terms of massing or overshadowing. There will be no adverse overlooking. The neighbour to the west, 'The Sycamores' would see a slight addition in building in the form of en-suite facilities but this would not come any closer to the property than the existing building. No objections have been received from the occupiers of this property. The extensions to the dwelling would not conflict with planning policy.

Turning to the summer house which forms the basis of the objection from the Parish Council and a neighbour. This requires planning permission because it is within two metres of the rear boundary of the site and more than 2.5m in height. If it was built more than two metres away it would be deemed to be permitted development and not require planning permission, as it is less than 4m in height (the actual height is 3.4m). The applicant is aware of the objection and stated that a one metre gap would be sufficient to maintain the summerhouse. The applicants go on to say that they have recently moved into the village to enjoy the peace and tranquillity of village life with the summerhouse being used as described for use during the summer and storing items during the winter. In view of the nature of the objections it is unlikely that moving the summerhouse further away from the boundary would overcome the concern from the Parish Council or neighbour.

Summerhouses of the size and design proposed are not unusual in gardens and although it would project higher than the close boarded fencing around the garden, the impact on the neighbours would be less than substantial and not unduly impact on the amenities neighbours can reasonable expect to enjoy. There will be no adverse massing or overlooking. As such, it is considered that the proposed summerhouse, in terms of height, use, size and design is acceptable and would not conflict with Policy 22 of the North East

Lincolnshire Local Plan 2013 to 2032 (adopted 2018).

CONCLUSION

The proposed extensions and alterations to the dwelling and new summerhouse are of reasonable size, scale and appearance and would not lead to any undue impacts on the neighbouring properties amenities or character and appearance of the area. The application is therefore considered to be in accordance with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013 to 2032 (adopted 2018).

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Drawing No. 3502.01A - Site Location Plan and Block Plan,
Drawing No. 3502.02 - Existing Ground Floor Plan and Elevations,
Drawing No. 3502.03 - Proposed Ground Floor Plan and Elevations,
Drawing No. 3502.04 - Proposed and Existing Elevations,
Drawing No. 3502.05 - Proposed Elevations.

Reason

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

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning

considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular Policies 5 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 seeking additional information from the applicant.

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).

DM/0081/21/FULA – WOLD RISE, CHAPEL LANE, ASHBY CUM FENBY



ASHBY CUM FENBY PARISH COUNCIL

C/O Kim Kirkham, Council Clerk
14 Househams Lane
Legbourne
Louth, LN11 8LG
Tel: 01507 608488
Email: ashbyparishclerk@gmail.com

By e-mail to:
planning@nelincs.gov.uk

Officer – Ian Trowsdale

10th February 2021

Dear Sir/Madam

DM/0081/21/FULA – Wold Rise, Chapel Lane. Erect single storey front/side extensions to include roof lights and roof lantern, render cladding to all elevations and erect detached summer house to rear with various alterations.

I can confirm that the above application was discussed by Ashby Cum Fenby Parish Council at our monthly remote meeting held on 1st February 2021. Following a review of the plans and discussion, the Parish Council recommended to oppose this application on the following grounds: -

1. The Parish Council raised concerns regarding the size and proportions of the proposed summerhouse.
2. The close proximity of the summer house to the boundary fence which could cause noise and disturbance to adjacent neighbouring properties.

The Parish Council did not raise any objections to the front/side extensions to the property.

Yours sincerely,

Kim Kirkham
Ashby cum Fenby Parish Council Clerk
For and on behalf of Ashby Cum Fenby Parish Council

Comments for Planning Application DM/0081/21/FULA

Application Summary

Application Number: DM/0081/21/FULA

Address: Wold Rise Chapel Lane Ashby Cum Fenby Grimsby North East Lincolnshire DN37 0QT

Proposal: Erect single storey front/side extensions to include roof lights and roof lantern, render cladding to all elevations and erect detached summer house to rear with various alterations

Case Officer: Ian Trowsdale

Customer Details

Name: Mr David Hornby

Address: Tree Tops Cottage Third Lane Ashby Cum Fenby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have concerns on the size and proportions of the proposed Summer House and its close proximity to the boundary fencing. A structure of this size would be out of proportion for its stated use and could easily be adapted to include games room or bar which could facilitate noise and disturbance to neighbouring properties.

I would therefore like the following material planning considerations to be taken into account:

Noise and Disturbance resulting from use

Layout and Density of Building

Design, Appearance and Materials

Proximity to Boundary Fencing.

I have no objection to the other proposed development on the application.

Comments for Planning Application DM/0081/21/FULA

Application Summary

Application Number: DM/0081/21/FULA

Address: Wold Rise Chapel Lane Ashby Cum Fenby Grimsby North East Lincolnshire DN37 0QT

Proposal: Erect single storey front/side extensions to include roof lights and roof lantern, render cladding to all elevations and erect detached summer house to rear with various alterations

Case Officer: Ian Trowsdale

Customer Details

Name: Mr Michael Robinson

Address: Ashmead Cottage Chapel Lane Ashby Cum Fenby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1 - The block plans are not correct in showing the layout of the adjoining properties and Ashmead Cottage (my premises) this must be correct before any planning decision can be made in order to assess the impact correctly.

2 - The two storey extension that close to the boundary will have a direct impact on the residential amenity space of my property and the neighbouring dwelling. It directly overlooks my garden and patio area (including hot tub area) which my family enjoy on a regular basis.

3 - The increase in roof height will also impact natural light entering the garden from midday and evening sun. Right to light is a form of easement and there are many case studies relating to this issue.

Comments for Planning Application DM/0081/21/FULA

Application Summary

Application Number: DM/0081/21/FULA

Address: Wold Rise Chapel Lane Ashby Cum Fenby Grimsby North East Lincolnshire DN37 0QT

Proposal: Erect single storey front/side extensions to include roof lights and roof lantern, render cladding to all elevations and erect detached summer house to rear with various alterations

Case Officer: Ian Trowsdale

Customer Details

Name: Mr Mark Woods

Address: Alexander House Main Road Ashby cum Fenby

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have no objection to this application. I do not understand the requirement of an application for a summer house if the apex is below 4 metres, I also suspect a gathering of friends will be quieter inside a building than outside.

PLANNING COMMITTEE - 3rd March 2021

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

APPLICATION No: DM/1104/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: Norman Corner House, Waltham Road, Brigsley, North East Lincolnshire, DN37 0RQ

PROPOSAL: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access

APPLICANT:

Mr Keith Smith
Norman Corner House
Waltham Road
Brigsley
DN37 0RQ

AGENT:

DEPOSITED: 21st December 2020

ACCEPTED: 21st December 2020

TARGET DATE: 15th February 2021

PUBLICITY EXPIRY: 19th February 2021

AGREED EXTENSION OF TIME DATE: 10th
March 2021

CONSULTATION EXPIRY: 16th January 2021

CASE OFFICER: Laura Bartle

PROPOSAL

There are three parts to the proposed scheme:

1) The upwards extension of the garage above the existing footprint (5.6m x 6.6m), to provide first floor bedroom and en suite. A front gable to rear hip roof adjoins an extended roof plane across the front elevation of the original house, with a matching ridge height of 7.8m (5.4m to the eaves). Facing brickwork to match the garage, with grey interlocking tiles to match those on the main part of the house. Three rooflights to each side facing pitch.

2) To the rear of the house and adjoining the side elevation, a single storey extension is proposed. Measuring 8.5m in length alongside the site's southern boundary, it projects

1.9m beyond the rear elevation of the house and links into what is currently an open sided veranda beneath first floor balcony, which is to be enclosed with bi fold doors. It has a maximum height of 4.1m and projects 5m wide from the side/southern elevation to create a courtyard area between it and the rear of the garage. Facing brickwork to match the garage, with matching grey interlocking tiles to a hip roof.

3) To the front of the site, double iron gates across a re-instated vehicle access point are proposed, which utilise an existing brick pillar at the northern end of the frontage. The existing access point at the south eastern corner is retained.

The application is presented to Planning Committee due to the objection from Brigsley Parish Council and due to the number of objections to the proposal.

SITE

The site is located within an outlying group of residential properties between the villages of Brigsley and Waltham. It is a relatively linear plot on the western side of Waltham Road and is occupied by a detached two storey dwelling with adjoining double garage to its side.

The original part of the property is rendered and painted cream, with grey concrete tiles to a dual pitch roof above. The garage is a later addition to the property, having been added after the site ceased its use as a local car repair garage and when part of the ground floor was converted into additional living accommodation for the dwelling. The garage is a mix of buff and red coloured exposed brick, with clay pantile pitch roof.

The property sits back from the site's frontage to the highway, with gravelled drive and parking for multiple vehicles accessed from the south eastern corner. A sizeable garden provides amenity space to the rear and is enclosed by 1.6m timber fencing. Mature plating also lies along the rear boundary.

Properties within this rural cluster are mostly detached, but the character is very varied with a mix of architectural styles and materials. A dormer bungalow lies to the north, and a bungalow (Llanfoist) neighbours the site to the south. The driveway to Llanfoist runs alongside the southern boundary of the application site and also provides access to The Nook, a dwelling located to the rear of Llanfoist and Norman Corner House.

RELEVANT PLANNING HISTORY

DC/955/03/WAB - Part change of use into living area and erect attached garage, approved October 2003.

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

NPPF9 - Promoting sustainable transport
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

Heritage Officer - No heritage input required.

Highways Officer - It is noted that the re-instated access benefits from an existing dropped kerb and has the required visibility for the speed and classification of road. The department recommends approval with pre-commencement condition to require approval of the design and construction method details for the access. An informative note is also recommended.

Drainage Officer - Initially recommended a pre-commencement condition requiring details of surface water drainage to be approved. The applicant subsequently provided additional information annotated on the floor plans, which have been considered and deemed acceptable, noting that the BRE365 guidance document should be used to determine the sizing of the soakaway in the front garden.

Brigsley Parish Council - Initially recommended approval but on reconsultation objects to all components of the application. The development is considered to be over intensification of the plot and the garage extension will result in an imposing and harmful solid wall to the neighbouring property. The hip roof to the single storey extension is imposing and overpowering to neighbouring properties and will result in a closed in feel. Highway safety concerns are raised, noting the blind bend and delivery of materials. Issues also noted in relation to use of land outside of the application site for scaffolding and to deliver materials and equipment to site. The parish council questions whether permission from landowners has been sought and suggests there is no right of way for the applicant to access the shared drive.

If permission is granted, a condition relating to hours of construction, vehicle parking and

the storage of materials.

Waltham Parish Council - Recommends approval.

Neighbour representations - 5 objections received and 1 comment neither objecting or supporting.

The Nook: Object to the first floor extension above the garage on the basis of its appearance and height blocking sunlight on the village. Concerns with the double access proposal and additional vehicles having an impact on the shared drive to the Nook and Llainfoist. The loss of delivery vehicle parking space to the front of Norman Corner House is identified as an issue. It is also noted that work requires scaffolding to be erected on the shared drive which is required for 24 hour access.

Llainfoist, Waltham Road, Brigsley: Objects to the application. The close proximity of the garage extension to the boundary, its design and physical mass of solid brickwork will have significant detrimental impact upon residential amenity due to its dominance and loss of light. The loss of parking to the front of the application site is identified as a concern as the area is well used by delivery vehicles.

Whilst acknowledged as being a as a private matter, the neighbour notes the requirement to erect scaffolding on their's and The Nook's land, and the ongoing disagreement between neighbours regarding rights of access.

Further comments received raising concern with the potential relocation of the BT cable crossing the roof line of Normans Corner House to Llainfoist. The parking of vehicles across the neighbour's drive has been witnessed and concerns with where the construction vehicles will park if plans approved,

22 Barnoldby Road, Waltham: Objects to the application on the grounds it is not in keeping with the area. As a visitor to Llainfoist, the extension is considered to invade privacy (windows overlooking the shared driveway and garden) and block light to the property.

17 Sweetbriar Close, Waltham: Objects to the application, being out of keeping with the surrounding area and looking like the former use as a car repair garage. The impact of blocking light to Llainfoist and the reduction in parking area for delivery vehicles within the vicinity of a dangerous bend are also concerns. Reference is made to ongoing legal matters between the applicant and owner of Llainfoist.

Davelene Gables, Waltham Road, Brigsley: Objects to the application, stating it would be inappropriate for the area around Waltham Road. The new access encroaches onto the public footpath which is used daily by delivery vans / drivers pulling in. It will not be safe for walkers walking in and out of the village. Attention is also drawn to subsidence issues on the right hand side of Norman's Corner House, which had to be underpinned. It is questioned if the work can be supported.

Lynton, Waltham Road, Brigsley: Comments that the property is on a sharp bend and therefore construction traffic should be parked on the site and not on the highway/footpath. This restriction should include the areas fronting nearby properties in order to reduce possible accidents with passing traffic as residents exit their driveways.

APPRAISAL

The material considerations are as follows:

- 1) Principle of Development;
- 2) Design and Impact on the Character of the Area;
- 3) Impact to Neighbours;
- 4) Impact on highway safety

1. Principle of development

The site is located within the development boundary as designated in Policy 5 of the North East Lincolnshire Local Plan, 2013-2032 (NELLP 2018). This policy does not preclude the extension or alteration of a dwelling in this location and requires proposals to have due regard to relevant sustainability and suitability matters. The principle of development is therefore supported and an assessment of the main issues are set out below.

2. Design and Impact on the Character of the Area

The rear extension will be largely screened from public vantage points by the upwards extension of the garage, however it will be visible above boundary fencing from within immediate neighbour gardens and driveway. The extension itself is appropriately proportioned and the ridge line across the roof is well considered in respect of window openings on the host property. Incorporating the open sided veranda within the internal accommodation and the use of bi fold doors has no detrimental impact on the appearance of the property.

The use of exposed brick to match the garage will contrast with the cream finish to the main house, but this juxtaposition is acceptable and will add interest to the south and west elevations. Fenestration details will, however, be consistent across the new and existing parts of the property and this will provide a degree of visual connection.

With regards the garage extension and the associated changes to the gable front of the main house, these are appropriate design responses, which will result in a notable change to the appearance of the property, particularly when viewed from Waltham Road. The additional roof mass and contrast in exposed brick and render has no harmful effect on the frontage of the property itself and it will not appear incongruous within the street scene.

The erection of new iron gates and new brick pillar to reinstate the access will have no significant impact on the character of this part of Waltham Road. The new pillar and gates match existing features and the remainder of the privet hedge along the frontage will be retained.

Taken together, the components of the application do not result in any harmful loss of amenity space within the plot - it remains proportionate to the size of the property. In light of this, and matters referred to above, the scheme responds well to the features of the property and its immediate context, and is considered to accord with Policy 22 of the NELLP (2018) in respect of its design and impact on the local area.

3) Impact to Neighbours;

As noted above, the extension works will deliver noticeable changes to Norman Corner House. The impact of these changes on neighbours has been carefully considered. The single storey rear extension sits approximately 1m off the boundary to the shared drive and will not give rise to any materially harmful overbearing impacts on Llanfoist, the nearest neighbour. Nor will the south facing windows proposed to both the roof and elevation result in any over looking or loss of privacy.

Neighbours are concerned by the dominance of the garage extension on their outlook and the associated overshadowing impacts. Whilst the proposal will bring the two storey building line closer to the boundary with the driveway to Llanfoist and noting the garage sits forward of this bungalow's front elevation, the degree of overbearing is not considered to be materially harmful. The impacts will not be experienced across the whole of the neighbouring plot, rather they are limited to the north eastern corner and principally the outlook from the front facing bedroom. The gable end of the garage is currently in prominent view from here, with sections of the first floor of the main part of the house also framing that view. Furthermore, the northerly position of the garage relative to the bungalow is such that overshadowing and loss of natural light will be limited.

Concerns related to overlooking have been raised, but the rear facing first floor windows will not enable direct views into the garden area or the windows along the side elevation of Llanfoist. The additional storey at the front of the site will not, therefore, be detrimental to the amenity currently enjoyed by the neighbour or indeed the neighbouring property further to the rear (The Nook). Separation distances between The Nook and the rear of Norman Corner House extend to approximately 50m, as such overbearing and overlooking impacts are considered to be minimal.

The impacts of the proposal on residential amenity are considered acceptable and in accordance with Policy 5 of the NELLP 2018 and section 12 of the NPPF.

4) Impact on Highway Safety

The reinstatement of the vehicle access at the northern end of the frontage is a concern for some neighbours. Issues are related to the location of the site on a tight bend and the loss of informal parking area between the carriageway of Waltham Road and the site's front boundary. Neighbours have commented on the valuable use of this patch of land for delivery vehicles stopping to deliver to properties within the vicinity. However, highway officers have assessed the proposals and have raised no objection. Indeed the site historically benefited from two access points when in commercial use.

The additional access does not reduce the area available on site for vehicles and material storage related to the construction of the scheme. Given the site's relationship to the road, the suggestion to condition vehicles to park on-site is understandable. However there is a good area in front of the property where this could take place.

The access proposals will not generate more vehicle movements on the site and, in light of the above, accord with the provision in Policy 5 of the NELLP 2018 or paragraph 108 of the NPPF which requires development to provide suitable and safe access.

5) Other Matters

Comments have been received relating to the applicant's ability to undertake the construction works without access to land outside of the application site. This relates to an ongoing legal matter that is to be dealt with between respective neighbours. It is not a material planning consideration and does not form part of the assessment of the merits of this application. Nevertheless, the applicant has confirmed that overhand construction methods will be used and no access on neighbouring land will be required.

Historic subsidence at the property and its structural soundness are also not relevant planning matters. Similarly, any rerouting of the telephone cabling and necessary consents is the responsibility of the applicant and is not a material planning consideration.

CONCLUSION

The proposed extensions are of an appropriate size, scale and appearance and will have no harmful impact on neighbour amenity. These works along with the proposals to reinstate the access will have no detrimental effect on the property itself or on character and appearance of the wider area. Furthermore, no unacceptable highway safety impacts arise from the reinstated access. The application is therefore considered to accord with Policies 5 and 22 of the NELLP 2018 and paragraph 108 of the NPPF. It is recommended for approval with conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Reason

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

(2) Condition

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

Existing & Proposed Floor Plans - NCH001C

Existing & Proposed Elevations - NCH002C

Block Plan - NCH004

Existing & Proposed Access Plan - NCH006

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 (adopted 2018).

(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 (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

Development shall not begin until details showing the location, layout, design and method

of construction of any new or altered vehicular access, parking and manoeuvring space, including any necessary piping or culverting of any ditch or watercourse, have been submitted to and approved in writing by the Local Planning Authority, and before the development hereby permitted is brought into use the vehicular access, parking and manoeuvring space shall be constructed in accordance with those approved details and shall thereafter be so retained.

Reason

To ensure adequate parking and turning facilities are provided within the site for highway safety reasons in accordance with policy 5 of the North East Lincolnshire Local Plan 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 Added Value Statement

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

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

3 Informative

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 should ensure that relevant approvals and agreements are in place to accommodate any necessary rerouting of the above ground telephone cabling running across the site.

5 Informative

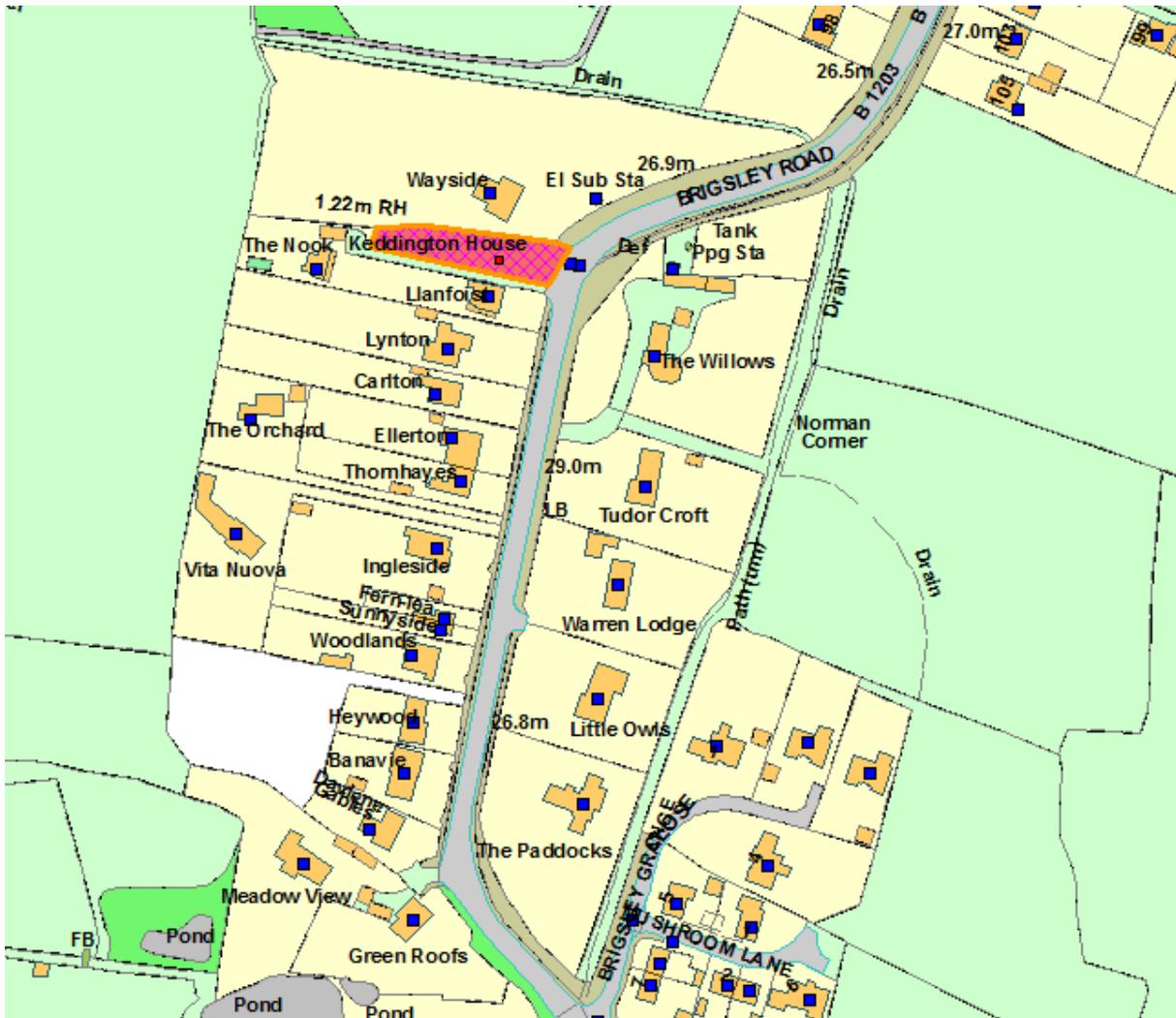
The applicant is advised that the BRE365 guidance document should be used to determine the sizing of the soakaway in the front garden.

6 Informative

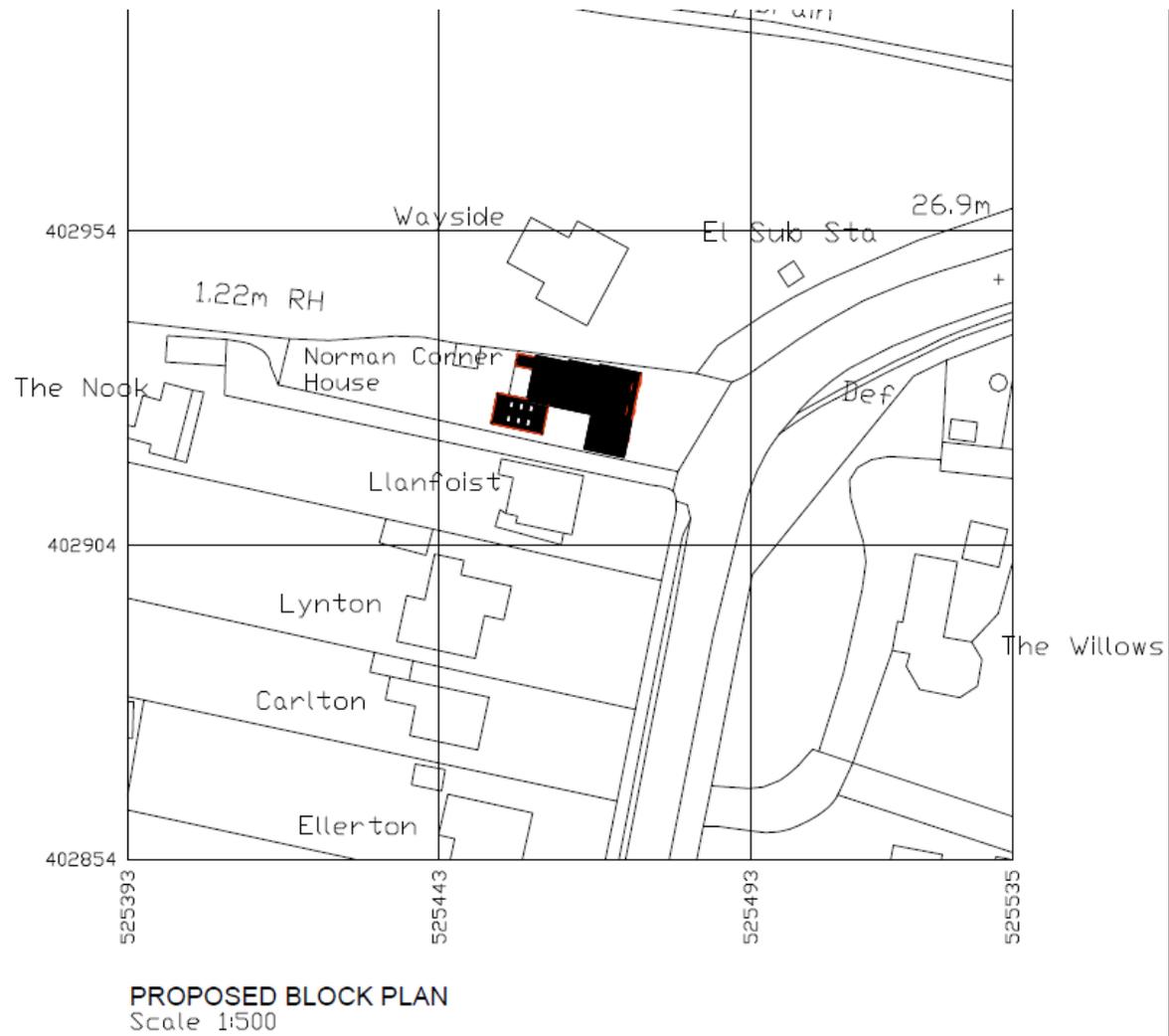
Please note that at least six months in advance of work commencing on site you are required to contact the Highway Management Team with respect to the formation of a vehicular access within the existing highway. This will enable a S184 licence to be granted within appropriate timescales. No works should commence within the highway boundary until such licence is obtained. (Tel: 01472 325734).

7 Informative

Please note there should be no vehicle parking or materials storage associated with the development on the highway or nearby verges.



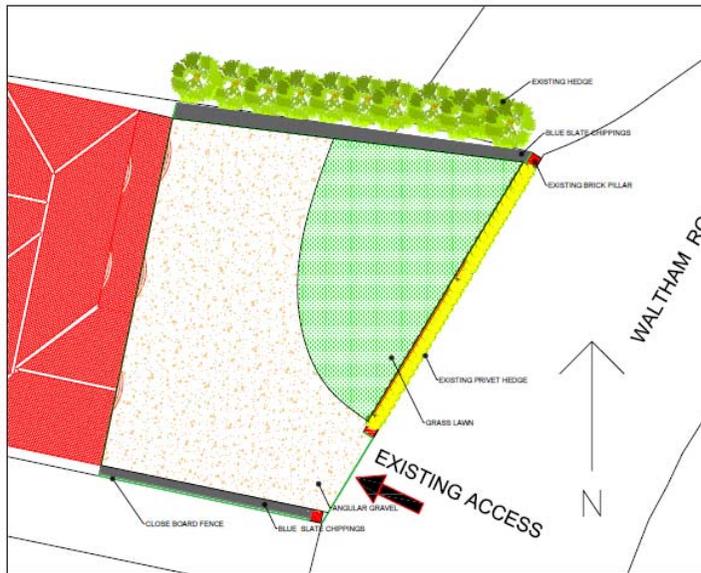
DM/1104/20/FUL- NORMAN CORNER HOUSE, WALTHAM ROAD, BRIGSLEY



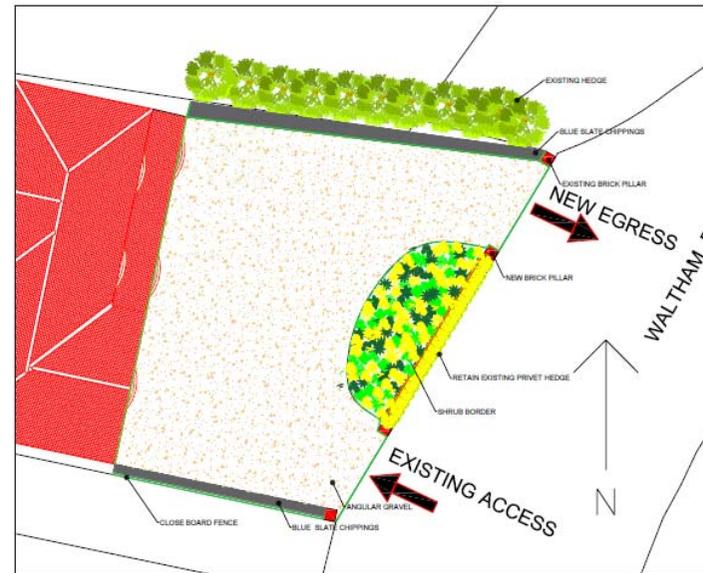
DM/1104/20/FUL- NORMAN CORNER HOUSE, WALTHAM ROAD, BRIGSLEY



PROPOSED EAST ELEVATION 1:50



EXISTING ACCESS PLAN 1:50



PROPOSED ACCESS / EGRESS PLAN 1:50

Laura Bartle (Engie)

From: Brigsley Parish Council . <brigsleyparishcouncil@hotmail.com>
Sent: 13 January 2021 10:16
To: Planning - IGE (ENGIE)
Cc: Laura Bartle (Engie)
Subject: DM/1104/20/FUL

DM/1104/20/FUL – Norman Corner House, Waltham Road, Brigsley.

Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights and alterations to roof.

Good Morning

Brigsley Parish Council recommended approval of the above planning application with the usual conditions of working hours and that all materials and vehicles are to be stored on site and not on the highway or grass verge.

Kindest Regards
Kim
Kim Kirkham
Clerk to Brigsley Parish Council
Tel: 07711551978

BRIGSLEY PARISH COUNCIL



Clerk to the Parish Council
Mrs. Kim Kirkham
14 Househams Lane, Legbourne, Louth LN11 8LG
Telephone 01507 608488
Email – brigsleyparishcouncil@hotmail.com

Emailed to: planning@nelincs.gov.uk

Date: 10th February 2021.

Case Officer: Laura Bartle

Dear Sir/Madam,

DM/1104/20/FUL – Norman Corner House, Waltham Road, Brigsley.

Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights and alterations to roof and creation of new access (AMENDED PLAN – correction to the roofline on proposed west elevation).

Brigsley Parish Council recommended refusal of this application on the following grounds: -

- This proposed development is over an intensification of the plot. Adding extra height to the property on the south side will cause distress to the neighbouring property due to the imposing solid wall built on the garage adjacent to the neighbours property and driveway.
- The hip roof to the single storey extension is very imposing and overpowering to neighbouring properties giving a closed in feeling.
- The kitchen extension under the present floating balcony does not appear to be on the new block plans.
- Due to the proximity of the extension to the boundary scaffolding may need to be put on the neighbours drive. Has permission been granted? this should be checked before any approval is granted.
- The developer does not appear to have permitted access rights to the back of his property, how will deliveries of materials be achieved onto the site. Has the owner been granted permission? this should be checked before any approval is granted on this application.

- Concerns of highway safety were raised regarding the applicant's property being on a blind bend, where delivery of materials will be dangerous (double white lines).
- The Parish Council understand that there is no right of way for the applicant down the neighbours driveway to reach the area the extension is planned for. Concerns were raised regarding where or how materials, machinery and equipment will be delivered.

If the planning committee Councillors decides to pass this application, the Parish Council recommend that the following condition be applied -

The normal condition regarding hours of construction/demolition should be applied to this application; that no 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. Private and construction vehicles should park within the development site, along with all materials which must also be stored within the development site and not on the grass verges.

Yours Sincerely,

Mrs. Kim Kirkham
Clerk to the Brigsley Parish Council.

- i) Planning Application Reference: DM/1104/20/FUL Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access (AMENDED PLAN -correction to the roofline on proposed west elevation)
Location: Norman Corner House Waltham Road Brigsley North East Lincolnshire
[DM/1104/20/FUL | Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access | Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 ORQ \(nelincs.gov.uk\)](#)

Waltham Parish Council recommends approval of this application.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access (amended description)

Case Officer: Laura Bartle

Customer Details

Name: Mr Bradley Moody

Address: The Nook Waltham Road Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Due to the size of the proposed extension, we at the Nook are objecting to the following plans.

We are not happy with the proposed planning for erecting the first floor extension above existing garage - this will directly impact our vision when we look out the window and it will also look out of terms with the rest of Brigsley.

We do not want to see as neighbours such an UGLY extension when we wake up in the morning. Not only is the height an issue, I am not happy that the extension is so built up and blocks the sunlight on our neighbouring village.

I am also not happy with the creation of a new access, this directly impacts on my shared driveway with Llainfoist and vehicles coming in and out of there double drive, will be busier when coming out of the drive than having one.

Also such a public footpath is now going to be changed into a driveway - where are my parcel vehicles going to stop? Where is my shopping going to get delivered? Often, my parcel vehicles park there when delivering goods - I also want to know how on such a major bad bend into Brigsley how Normans Corner are able to just have more vehicles coming in and out of there driveway this is a risk to everyone because of the large volume of traffic coming in and out of the drive not only when the building is done - after the completion.

Also, please note there is no way that such work can be undertaken without the use of my shared

driveway' needed to erect scaffolding which we need access, 24 hours a day especially for emergency services.

This planning hasn't been thought about, it has been rushed by Brigsley Parish Council and it is going to affect the neighbourhood and the way the houses look down Waltham Road.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access (amended description)

Case Officer: Laura Bartle

Customer Details

Name: Mrs Tina Moody

Address: Llainfoist Waltham Road, Brigsley Grimsby

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As the owner of Llainfoist I OBJECT to the proposed first floor extension above the garage, due to it's close proximity on the boundary design and physical mass of solid brickwork, this will create a significant detrimental impact upon our existing residential amenity due to the dominance when viewed from our property and garden area. This will create potential loss of light which is a conflict of policy 5 of North East Lincolnshire Councils building requirements.

In addition, while being a private issue, it is inevitable that due to the proximity of the first floor extension in the boundary there will be a requirement to erect scaffolding on my land and The Nook and consent will not be forthcoming from ourselves.

As you will understand, I have anxiety and stress regarding the following issue; over the last 18 months or so Mr and Mrs Smith have not been amicable neighbours, they have trespassed onto my land to put a JCB digger in there garden for commencement of work not yet approved over a dispute that they think they have the right to use my driveway for access into their garden.

For 18 months I have received bullying/intimidating letters and more recently I have received a bullying letter regarding this planning application stating "Your concerns regarding the planning application are noted, if approved, you may well lead to issues in dispute between the parties being resolved once and for all - They have also stated that "1. You will agree to scaffolding being erected on your land for the purpose of the construction of our clients proposed developments. 2. Subject to the above, our clients will agree that the gate that provide access to the rear of the property belong to you and grant permission for you to remove the same as you propose in your letter. For the avoidance of doubt, our clients can still proceed with their extension without any

access or scaffolding being erected on your property but it will make the construction safer, quicker and neater which would benefit both parties." As you can see I am already receiving bullying letters regarding this and as stated we do not give any permission to use my driveway for scaffolding or vehicles.

They have previously used drones and photographs of my property; as you can imagine I am deeply worried and upset that when this work commences they will think they have the right to allow vehicles down my drive. As stated on my deeds they do not have the right to access this, it is my drive and my gates and as they have done this without my permission before, it is creating anxiety, sleepless nights and as a venerable widow I don't want to have to worry about this. My mental health is suffering because of this.

Also, the planning application was only received on the 12 January and I have noticed that Brigsley Parish Council have already sent letters of approval on the 13 January - How has this happened when my application for planning and other neighbours had to be passed through Waltham Parish Council?

And finally, Mr and Mrs Smith have already amended their application to have an extra access point, this will not leave any room for public to park on the grass verge directly in front of Normans Corner house for use from postmen, parcel and any type of delivery vehicle. I would like to know where are the Smiths vehicles and construction vehicles going to be parked whilst this work is commencing - on the councils grass verge opposite the house which has been used in the past.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access

Case Officer: Laura Bartle

Customer Details

Name: Mrs Tina Moody

Address: Llainfoist Waltham Road Brigsley

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Looking on the amended plans It has been noted that my BT cable goes directly over the roof line of Normans Corner house to the wooden mass. Where would this be relocated?

Also, over the past few weeks lorries and trucks have already been blocking my entrance to my drive, this is before any plans have been passed - from the proposed plans where are these vehicles going to be parked in the future? And also, where are the construction vehicles going to park when materials are dropped off without encroaching on my driveway. I hope it's not going to be on the councils grass verge opposite Normans Corner house which the Smith's have used in the past.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access (amended description)

Case Officer: Laura Bartle

Customer Details

Name: Mrs Cynthia Appleton

Address: 22 Barnoldby Road Waltham Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to register my objection to the proposed development as from the plans shown it is not in keeping with the surrounding area.

I visit Llanfoist regularly and I feel that the dominating extension is invading my families privacy and blocking lighting to Llanfoists property.

(IE windows overlooking the shared driveway)

I also walk up regular and this will be the only property on Waltham Road that stands so close to a public footpath. The enormity of this build and the effect it will have on Llanfoist and The Nook will impact on the privacy of their shared driveway and garden area.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access (amended description)

Case Officer: Laura Bartle

Customer Details

Name: Mr Alison Appleton

Address: 17 Sweetbriar Close, Waltham, Grimsby. Grimsby

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: For the record Mrs moody is my Sister.

The change of frontage to Norman Corner House in my opinion would be out of keeping with the surrounding houses in that area.

The proposed extension would look more in keeping with the former use as a business premises, [motorcar repair garage].

This extension would block my sisters natural light from that side, it would also look out of keeping with its surrounding properties.

Having spoken to a past owner [when he lived there] he told me the house had previously being "Underpinned" would this properties footings /foundations be robust enough to sustain the added building work?

Regarding the proposed new drive egress, the layby are in front of Norman Corner House would remove parking that is currently used by all parcel/post delivery vehicles and others, and would leave said vehicles parked on a dangerous bend if proposed egress was granted. Mrs Moody has had a car crash into one of her trees in the front garden, and i have been present when two cars on separate occasions have ended up in the ditch on that dangerous bend.

Mr Smith has/is trying to gain vehicular access to Llanfoist, both Mr Smith and Mrs Moody having used solicitors. I would hope that this planning does not aid Mr Smith in his quest to gain this.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access

Case Officer: Laura Bartle

Customer Details

Name: Mrs Mary Simpson

Address: Davelene Gables Waltham Road Brigsley

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear sir, apart from this being entirely inappropriate for the area, I note that the drive in drive out drive plan encroches onto the public footpath which is used daily by delivery vans / drivers pulling in to answer there mobiles. I walk regularly on this footpath and I don't know how this will be safe for walkers walking in and out of the village.

I would also like to draw your attention to a few years ago on the right hand side of Norman's Corner house there was subsidence which had to be underpinned so I ask the questions will this large infrastructure support this work.

Finally, this is a lovely villiage and I don't think this plan is inkeeping with other houses that are set back down Waltham Road and I am entirely against this conversion.

Comments for Planning Application DM/1104/20/FUL

Application Summary

Application Number: DM/1104/20/FUL

Address: Norman Corner House Waltham Road Brigsley North East Lincolnshire DN37 0RQ

Proposal: Erect first floor extension above existing garage, erect single storey extension to side and rear to include the installation of roof lights, alterations to roof and creation of new access

Case Officer: Laura Bartle

Customer Details

Name: Mr Ivan Dimbleby

Address: Lynton Waltham Road Brigsley

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: The property is adjacent to a sharp bend and therefore construction traffic should be parked on the site and not on the highway/footpath. This restriction should include the areas fronting nearby properties in order to reduce possible accidents with passing traffic as residents exit their driveways.

PLANNING COMMITTEE - 3rd March 2021

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

APPLICATION No: DM/1044/20/FUL

APPLICATION TYPE: Full Application

APPLICATION SITE: 6 Brook Lane (Plot 10), Waltham, North East Lincolnshire,

PROPOSAL: Variation of Condition 15 (Approved Plans) as granted on application DM/1192/15/FUL - alterations to appearance and orientation to Plot 10

APPLICANT:

Mr Gary Lister
Bridge House Development (Grimsby) Ltd
C/o Bridge House
Ings Lane
Waltham
Grimsby
North East Lincolnshire
DN37 0HB

AGENT:

DEPOSITED: 4th December 2020

ACCEPTED: 10th December 2020

TARGET DATE: 11th March 2021

PUBLICITY EXPIRY: 10th January 2021

**AGREED EXTENSION OF TIME DATE: 5th
March 2021**

CONSULTATION EXPIRY: 3rd January 2021

CASE OFFICER: Lauren Birkwood

PROPOSAL

This application seeks an amendment to the dwelling proposed at plot 10 as granted on application DM/1192/15/FUL (Erection of 10 detached dwellings with garages and associated works) to alter the appearance and orientation of a previously approved dwelling.

The application is presented to planning committee due to an objection received from the Waltham Parish Council.

SITE

The access to the site is taken from Ings Lane in Waltham close to Grove Park. Plot 10 is located on the south west side of the new estate road with the rear garden looking towards dwellings on Elm Road. A start has been made on the development of the estate with the majority of the dwellings completed and occupied.

RELEVANT PLANNING HISTORY

DM/1192/15/FUL - Erection of 10 detached dwellings with garages and associated works.

DM/0597/16/CND - Details in discharge of conditions 3 (Tree protection), 5 (Drainage), 6 (Utilities) , 7 (Highway Construction), 9 (Management Plan), 11 (Construction Method Statement), 12 (Archaeology) , 13 (Materials) pursuant to application DM/1192/15/FUL - Erection of 10 detached dwellings with garages and associated works).

DM/1051/19/CND - Details in discharge of conditions 7 (Boundary) and 8 (Gate) as granted on DM/0364/17/FUL (Variation of Condition 15 (Approved Plans) as granted on DM/1192/15/FUL (Erection of 10 detached dwellings with garages and associated works (Re-design of previously approved application DC/651/11/WAB) to revise the design and appearance of a detached dwelling with integral garage for Plot 4).

RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS

National Planning Policy Framework (February 2019)

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

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

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

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

REPRESENTATIONS RECEIVED

Waltham Parish Council - Objects to the scheme as the proposal is a considerable departure from the original plan.

Heritage Officer - No objections.

Drainage Officer - Any increase in impermeable surface area must be accommodated within the approved drainage design.

Environmental Health Officer - No comments.

Highways Officer - No objections.

Humberside Fire and Rescue - Inform regarding access for fire service and water supplies for fire fighting.

North East Lindsey Drainage Board - No comments.

Tree Officer - No objections.

APPRAISAL

Principle of Development

The principle of development on this site has been well established through the previous consent on the site, originally DM/1192/15/FUL which was for planning permission to erect 10 detached dwellings with garages and associated works. This proposal is to alter the appearance and orientation of a previously approved dwelling, specifically Plot 10. It is therefore considered, in principle, to be acceptable and in accordance with policies 5, 22, 33, 34 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Design and Impact on Character of the Area

Policies 5 and 22 of the Local Plan seek to ensure that high quality design is achieved in new developments. In this respect, the proposal seeks to alter the appearance and orientation of a previously approved dwelling, specifically Plot 10.

In terms of design, the changes in the appearance of the dwelling are noted. The Parish Council comments are also noted. Having regard to the changes proposed, the dwelling would be taller in height than the previously approved dwelling and would be orientated on a slight angle, making it appear as a corner plot. The materials of the property would include brickwork and tiles. It is considered that the overall street scene would not be adversely affected by the proposed changes. The dwelling would be similar in appearance to those previously approved including layout, design and materials. The plot

is specious in size and on a similar footprint to the previously approved scheme. There are a mix of house types along this small development with a number of dwellings being large detached houses and this dwelling proposed would accord to that character.

It is therefore considered to be acceptable in this respect in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Impact on Neighbouring and Surrounding Area

The building would be positioned acceptably. Although the height of the dwelling would increase, there would be significant distance away from neighbouring residential properties and therefore issues in terms of massing, overlooking and general noise and disturbance would not intensify. It is noted that no neighbouring representations have been received during the planning process. The proposal therefore accords with policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

CONCLUSION

The proposal is to vary 15 (Approved Plans) as granted on application DM/1192/15/FUL (Erection of 10 detached dwellings with garages and associated works) to alter the appearance and orientation of a previously approved dwelling, specifically Plot 10. It does not harm the site's visual amenities and does not harm neighbouring amenity. The proposal therefore complies with policies 5, 22, 33, 34 and 42 of the North East Lincolnshire Local Plan 2013 - 2032 (Adopted 2018) and would be in accordance with sections 12, 14 and 15 of the NPPF 2019 and can be approved subject to a number of safeguarding conditions.

RECOMMENDATION

Approved with Conditions

(1) Condition

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

Site Location Plan - 01.358.20 A
Landscape and Block Plan - 02.358.20 REV C
Proposed Ground Floor Plan - TL016-DO-A-02 REV G
Proposed First Floor Plan - TL016-DO-A-03 REV C
Proposed Elevations - TL016-DO-A-07 REV F
Proposed Section A-A - TL016-DO-A-10
Window and Door Schedule - TL016-DO-A-09 REV C

and remaining details as approved under planning permission DM/1192/15/FUL and DM/0597/16/CND.

Reason

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

(2) Condition

The scheme of landscaping and tree planting shown on drawing 02.358.20 REV C in as much it relates to Plot 10 shall be completed within a period of 24 months, beginning with the date of commencement of the development or within a longer period as may be first agreed in writing with the Local Planning Authority. All trees, hedges, shrubs and bushes shall be adequately maintained for a period of 5 years and during that period all losses shall be replaced in the next planting season.

Reason

To ensure a satisfactory appearance and setting for the approved development in the interests of local amenity and to accord with the policies 5 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(3) Condition

The development shall proceed in accordance with the approved details for the protection of trees and hedges, means of sewage and surface water disposal, schedule of utility works, road and lighting details, management of carriageway, footways and landscaped areas (not within the curtilage of the dwelling), construction method statement and archaeological works approved under discharge of conditions application DM/0597/16/CND (Conditions 3, 5, 6, 7, 9, 11, 12, and 13 pursuant to DM/1192/15/FUL).

Reason

To ensure that the development is completed in accordance with the approved details in the interests of local amenity in accordance with policies 5, 22, 33, 34 and 42 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(4) Condition

No machinery shall be operated, no process shall be carried out and no deliveries to be taken in or dispatched from the site in connection with the construction of the development hereby approved outside the hours of 8.00 am to 6.00 pm Monday to Friday, 8.00 am to 1pm Saturday and not on Sundays or Bank Holidays or any other time unless agreed in writing with the Local Planning Authority.

Reason

To protect the amenities of nearby residents in accordance with policy 5 of the North East

Lincolnshire Local Plan 2013-2032 (Adopted 2018).

(5) Condition

No dwelling shall be occupied until the access road to it has been constructed to at least basecourse and adequately lit from the connection with Ings Lane up to the said dwelling.

Reason

In the interests of highway safety and convenience in accordance with policy 5 of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

Informatives

1 Reason for Approval

The Local Planning Authority has had regard to development plan policies and especially those in the North East Lincolnshire Local Plan. The proposal would not harm the area character or residential amenity and is acceptable under all other planning considerations. This proposal is approved in accordance with the North East Lincolnshire Local Plan 2013-2032 (adopted 2018), in particular policies 5, 22, 33, 34 and 42.

2 Added Value Statement

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

In accordance with paragraph 187 of the National Planning Policy Framework, the Local Authority has worked in a positive and proactive manner with the applicant to seek solutions to problems arising, by requesting additional information to overcome concerns raised by the Drainage Officer and Tree Officer.

3 Informative

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

4 Informative

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

5 Informative

The applicant's attention is drawn to the comments received from the Humberside Fire and Rescue Officer. Please go to <https://www.nelincs.gov.uk/planning-and-building-control/> to view the comment.

DM/1044/20/FUL – 6 BROOK LANE (PLOT 10), WALTHAM



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Planning Application Reference: DM/1044/20/FUL Proposal: Variation of Condition 15 (Approved Plans) as granted on application DM/1192/15/FUL alterations to appearance and orientation to Plot 10 Location: 6 Brook Lane (Plot 10) Waltham North East Lincolnshire.

Waltham Parish Council recommends refusal of this application as the proposal is a considerable departure from the original plan.