



To be submitted to the Council at its meeting on 17th December 2020

PLANNING COMMITTEE

**4th November 2020
9.30 a.m.**

Present:

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

Officers in attendance:

- Lauren Birkwood (Senior Town Planner)
- Rob Close (Scrutiny and Committee Support Officer)
- Martin Dixon (Planning Manager)
- Lara Hattle (Highway and Transport Planner)
- Richard Limmer (Major Projects Planner)
- Keith Thompson (Specialist Lawyer Property)

P.42 APOLOGIES FOR ABSENCE

There were no apologies for absence received for this meeting.

P.43 DECLARATIONS OF INTEREST

Councillor Harness declared a personal and prejudicial interest in P.44 (item one) as he was a relative of the applicant.

P.44 DEPOSITED PLANS AND APPLICATIONS

The committee considered a report from the Director of Economy and Growth regarding deposited plans and applications.

RESOLVED – That the deposited plans and applications submitted under the Town and Country Planning Act (Serial No's 1 – 8) be dealt with as set out below and detailed in the attached appendix.

Councillor Harness left the meeting at this point and Councillor Pettigrew assumed the role of Chair.

COUNCILLOR PETTIGREW IN THE CHAIR

Item One - DM/0056/20/FUL - Land at Bradley Road, Barnoldby Le-Beck

Mr Limmer introduced the application and explained that it was a full planning application for 82 dwellings with associated infrastructure including access from Bradley Road, internal access roads, garages, parking areas, bin collection areas, children's play equipment, public open space, drainage infrastructure, off site highway works including a zebra crossing across Bradley Road and extensive landscaping. The application followed the approval by committee for 66 dwellings in 2017. He showed plans and pictures of the site and explained that it came before the committee following objections from Waltham, Bradley and Barnoldby Le-Beck Parish Councils and the number of objections received from local residents.

The site benefited from outline planning permission approved in 2017 which could still be implemented. In addition, the site was allocated for housing in the North East Lincolnshire Local Plan 2018 (NELLP 2018). The principle of development was therefore considered acceptable. Along the western edge of the site, ran a strong landscape buffer which gave a screening and green edge to the development which was considered to be of benefit. A good proportion of the properties to the west actually looked out onto the western edge, this gave a much softer boundary to the development. The properties to the eastern edge had been set back which gave a landscaping strip along the front of the road which mimicked the strong character of Bradley Road. The character and design of the scheme was considered to be acceptable. It was noted that although the application sat within the boundary of Barnoldby Le-Beck Parish Council, it also sat on the edge of the village of Waltham. There had been several objections from the community on the issue of highways, however, the application had been submitted with the right documentation to assess that impact and this had been considered by highways officers, particularly the access junction. Key works were necessary including the relocation of the 30-mph speed limit edge further north where the traffic was slower as it came to the edge of the site. In addition, there was a £44,000 contribution to cycle and foot ways along Bradley Road to give better access into the village. There was a proposed zebra crossing across Bradley Road to improve safety and convenience. The impact to highways safety and amenity was therefore considered acceptable. The properties to the south of the site were bungalows without dormers with significant separation distances. Further to the north, the properties whist visible, faced north, east, and west so didn't directly overlook neighbouring properties. An area of open space was provided to the rear of a neighbour to provide a visual break to protect their amenity. The neighbouring properties on Bradley Road were well separated in terms of distance and the road of Bradley itself. The

relationship and impact to neighbours was therefore considered acceptable. Ecology was a key issue raised by neighbours in terms of the impact to protected species. The applicant and ecology officers had assessed these complaints with no evidence of protected species being found to the west of the site but there was potential for water voles to the north. A condition was therefore included which required a further water vole survey on the site prior to development commencing. If evidence of water voles were to be found, further mitigation would be required to protect them. The land currently was of open agricultural use, so the overall ecological value was fairly low. The scheme offered a very large landscape buffer with extensive planting. The overall impact to ecology was considered to be acceptable. An area for children's play equipment was included and secured by a condition. The scheme proposed a SUD compliance scheme, swales which would run through the site and an attenuation pond which would discharge into a ditch to the north. The site was considered to be sustainable in terms of flood risk and drainage, and therefore, was considered acceptable. The scheme would provide £180,000 for primary education and £220,000 for secondary education, this impact was therefore considered to be acceptable. The scheme also provided 20 per cent of affordable housing. Although concerns were raised as to the position of the properties, the impact was indeed considered acceptable. The application was considered to accord with the relevant policies of the NELLP 2018 and was recommended for approval, subject to a Section 106 agreement.

Mr Playle was invited to address the committee as a neighbour in objection to this application. He noted that the site was double the size of Barnoldby village and sat in a rural location. There were a considerable number of objections to the proposal, all citing similar concerns. This included all three affected parish councils and almost 50 local residents, all of whom had extensive knowledge of the area. Having lived on Bradley Road for 30 years, Mr Playle felt it had recently become much busier and motorists had little respect for the speed limits. A recent North East Lincolnshire Council survey revealed that over 10 per cent of motorists exceeded the limit, some in excess of 65-mph. He questioned how the same drivers could be expected to drive any slower even if the speed limit was extended. He felt it unusual that officers took a site visit to Mr Playle's own small domestic access application onto Bradley Road, while this large development was seemingly recommended for approval with ease. He felt that an updated transport statement should have been submitted considering the impact that it would have on Bradley Road, rather than using traffic data that was 18 months old. He noted officers had concerns about how removing two metres of conifer hedge and the inclusion of 82 houses would affect the rural street scene that had views onto the Wolds Area of Outstanding Natural Beauty (AONB). The street scene was currently 87 per cent bungalows and 13 per cent houses, whereas the new proposal had an area on 93 per cent houses and only seven per cent bungalows. He felt this was an imbalance on the current properties. With permission already approved for several large developments in the area, he felt local infrastructure wouldn't be able to cope with the increased pressure. He added that there were no places

available at the local school or medical facilities in the village, which would result in even more daily vehicle movements. He was surprised at the lack of concern shown over the possible effect on existing drainage systems and extra water feeding into them. He stated that there was documented evidence of raw sewage and sanitary products being found in the beck which ran adjacent to the proposed children's play area. This was due to the main drain, which the application was supposed to feed into, backing up and overflowing. No matter what speed any further water was allowed to feed into the existing system, it would still be extra onto the existing flows which had, on more than one occasion, flooded homes on Ludgate Close and Cheeseman's Close. With weather extremes becoming more common place, those residents should be protected not put at greater risk. He stressed there were also several inconsistencies in planning decisions, such as a condition imposed and enforced on properties adjacent to the site that ridge heights should not exceed six metres to protect the rural outlook. There were also various details to be outlined on the application such as a heritage assessment, requested by the Heritage Officer in August, and a pre-construction ecology survey, also requested in August. What would happen if this application were to be approved then the subsequent reports returned concerns that would reverse that decision. This application had an increase in houses of over 25 per cent, so Mr Playle felt the outline approval granted in 2017 was now irrelevant. He stated that this application had valid criticisms that met the criteria for refusal set by North East Lincolnshire Council, these being highways safety, landscape impact, local amenity noise and privacy, case law and previous decisions and finally appearance. Local countryside and rural environments had great health and tourism benefits in today's stressful lifestyles, land such as this should be preserved for future generations not constantly eroded by unnecessary development.

Mr Likupe was invited to address the committee in his capacity as the agent for this development. He noted that the site benefited from outline permission granted in 2017 for 66 properties. The properties were going to be much larger than the properties now proposed and targeted for higher income earners. The scheme was now aimed at reaching young couples and families at affordable prices while retaining the applicant's design and high workmanship of properties that spoke for itself. Extensive consultation had been carried out with neighbours and the layout and design had been revised several times. Some of these changes had been the introduction of private owned bungalows in place of two-storey terraced houses. Meetings had taken place with both Barnoldby-le Beck and Waltham Parish Council; with positive consultation arising from their meeting with Waltham Parish Council. The main aspect of the design required acceptance of design features based on the character of Lincolnshire such as woodlands and open spaces. In addition, consultation had taken place with the police to ensure that this proposal was secure in design. The increase in density would not detract from the feeling of open space in the proposed site. The inclusion of swales and lagoons incorporated in the layout, not only enhanced the environmental aspect of the proposal but was a fundamental requirement

for reducing run off. He stressed that the applicant had an excellent record of responding to the market quickly and helping to reduce the housing shortage. He saw no delay in developing here and an expected time until completion was from 24 to 36 months, subject to approval.

Councillor Jackson was invited to address the committee in his capacity as a Waltham Ward Councillor. He reminded the committee that the site was actually only allocated for housing in the NELLP 2018, as it was granted planning permission prior to the NELLP 2018 coming into force. It was actually a green field site in a rural location which local residents, Waltham Parish Council and a number of Elected Members didn't actually want to be developed anyway. Although technically it was within the boundaries of Barnoldby Le-Beck, in reality it was actually an addition onto the village of Waltham and would create additional demand for its services. He stressed the current infrastructure couldn't cater for the 82 additional houses. This application came following a number of major housing approvals in Waltham over recent years, so the size of Waltham was sure to grow even without this application. There were many objections from local residents. This development would result in another opening onto this section of Bradley Road with traffic turning both left and right which would significantly add to road safety problems. If there was to be a development here, the best option would be for the access road for the development to be located directly opposite Marian Way which already came out onto Bradley Road, then, a mini roundabout could be included which would be safer for both left and right turn vehicles and would also act as a significant traffic calming and speed reducing measure along Bradley Road. In the layout out of the site there was a significant road safety improvement that could be achieved. In conclusion, he felt that the development would represent an over intensification, introduce road safety issues, and put undue demand on local amenity.

A pre-recorded address was presented to the committee submitted by Councillor McKenzie in her capacity as a Barnoldby Le-Beck Parish Councillor. Further to the previous objections submitted by Barnoldby Le-Beck Parish Council, she explained that previous comments submitted had not been addressed by the applicant. Barnoldby Le-Beck Parish Council therefore maintained their stance to object to the application. She explained that the proposed development represented an over intensification of the site increasing the number of homes in the village by nearly 63 per cent, the local infrastructure was inadequate with no services or facilities in Barnoldby Le-Beck or Bradley, leaving Waltham having to accommodate the increased need. This development would have an impact on the education provision, with the local schools already oversubscribed. Whilst she acknowledged the provision for a contribution towards education, she didn't feel this would mitigate demand and would increase the number of class sizes and cause future issues for pupils at the school. These issues would inevitably lead to a significant impact on traffic, which was already an apparent issue among residents. Highways safety issues remained a major concern on the roads which Humberside statistics showed had an increase in recorded activity it was noted that

the Highways Authority had reviewed the application and had requested further insight before commenting. The area of the site already had surface water and drainage issues. It was noted that the flood risk assessment for the application had not actually been updated since 2016 and still referred to 66 houses. This was a huge concern for Councillor McKenzie considering the increase in properties on the site.

Councillor Goodwin sought clarity if the application was allocated for housing under the NELLP 2018, or, a previous version of the NELLP. Mr Limmer confirmed that the site was allocated for housing under the NELLP 2018, adding that during the local plan process the site benefitted from outline planning permission so subsequently formed an allocation.

Councillor Hasthorpe felt the biggest issue was that although outline planning permission had been given for 66 houses, this application represented an increase of 25 per cent. The impact therefore on infrastructure, would be significant. He wondered, outside of financial gain, what the reasoning for this was for the applicant. He noted that the buffer zone that was designed to separate the site from Barnoldby Le-Beck would disconnect the residents of this development with current residents of the village. The planting to the west of the boundary would result in a detrimental effect to the views onto the landscape. He noted that the access needed to be suitable for refuse vehicles. He questioned how the residents of Barnoldby Le-Beck would benefit from the Section 106 agreement. He stressed that the impact on traffic would be significant, adding that Bradley Road was already busy at peak times.

Mr Limmer explained that the Section 106 agreement had to be specific and have a defined requirement for what it was for. The financial contribution for primary education, was limited to primary education within the locality that this site would utilise. Most likely in this instance, Waltham Primary School. The financial contribution for secondary education, was likely Tollbar Academy. The highway funding was specific for the cycle and pedestrian way down Barnoldby Road in Waltham.

Councillor Pettigrew noted that both the primary and secondary schools that would receive the Section 106 contributions were at, or nearing, capacity respectively.

Councillor Mickleburgh shared Councillor Hasthorpe's concerns and strongly listened to the comments of the parish councils, therefore he moved that this application be refused. Councillor Hasthorpe seconded his motion of refusal.

Councillor Parkinson was concerned about the sudden increase in houses. He acknowledged that the developer ultimately intended to increase profit, but in this instance, he felt the increase was unacceptable. He was disappointed that the designs of the properties were quite simple.

Mr Dixon explained that the increase in dwellings had, in part, been due to the nature of the properties in the amended scheme such as semi-detached properties replacing detached properties. He suggested that the volume of build on the site probably wasn't that much more than in the previous scheme.

Councillor Pettigrew acknowledged there was an increase in dwellings but not necessarily an increase in buildings.

Councillor Hasthorpe didn't feel the highways contributions to Barnoldby Le-Beck justified the increase in demand for local services and the impact on the highways. He noted the potential for a significant increase in cars on the road due to the increase in dwellings.

Councillor Hudson agreed with Councillor Hasthorpe, adding that this site shouldn't have been added to the NELLP 2018 in the first place. He felt that this site looked far more cramped. He noted that Councillor Jackson's proposal for a mini roundabout may have been a step in the right direction.

Ms Hattle noted that in terms of highways safety, an additional 16 dwellings wasn't considered to be a significant effect on the highway. A crossing was proposed which would mitigate any increase risk to pedestrians. She stressed that in highways safety terms, there was no reason to object to the application.

RESOLVED – That the application be refused as the proposed development, by reason of the number of dwellings and intensive layout, would have a detrimental impact on the general character of the area, have an adverse impact on local infrastructure and have detrimental impact on the capacity of the highway network, adversely impacting on highway safety. As a result, the proposal was contrary to Policy five, six, 22 and 42 of the NELLP 2018 and the provisions of the National Planning Policy Framework 2019.

(Note - the committee voted seven to three for the application to be refused.)

COUNCILLOR HARNESS IN THE CHAIR

Item Two - DM/0506/20/FUL - Daisy Dene Deaton Lane, New Waltham

Mr Limmer introduced the application and explained that it sought approval to replace the existing fencing along the eastern boundary of the property with a mixture of 2.2 metre, 2.3 metre, and 2.4 metre high fencing. He showed plans and pictures of the site and explained that it came before the committee following an objection from New Waltham Parish Council.

He explained that the site sat within the development area of New Waltham; in principle the application was therefore considered acceptable. Through negotiations the scheme had been changed from its original height of 2.4 metres for the whole fencing. Although the neighbours may see the fence, the side elevation and separation distance would mitigate its significance. The impact to neighbouring properties was therefore considered to be acceptable. The site sat at the bottom end of a private lane, views of the site from the public were therefore very limited. The proposal, therefore, wasn't expected to affect the character of the area. He stressed that if approved, the permission only granted the applicant's approval to replace the existing fence, not to erect any further fencing. He confirmed this application was recommended for approval.

Mr Brown was invited to address the committee as a neighbour in objection to this proposal. He noted that the original fence was listed as being 1.8 metres, the increase in height outside his property would amount to 0.5 of a metre. Part of the existing fence had already been replaced and subsequently, fence toppers were added. Even in the case of a new fence, Mr Brown felt that the new fence was excessively high and would have a detrimental impact upon the visual coherence of the area. Photographs were displayed to the committee of the current fencing surrounding the site. The main part of the fence ran outside Mr Brown's main living area which included a living room and three bedrooms. He felt that it would significantly detract from residential amenities which had been enjoyed over many years due to its height, scale, and prominence. In addition, he feared it would restrict daylight particularly during winter months, since his dining room derived light from one of these bedrooms. He asked the committee if it was reasonable to sacrifice his amenity for the sake of a vegetable garden which, he felt, was of little use at this time of year. Scale drawings of the property outside of his living room were displayed to the committee. He asked the committee to consider if they would be happy to have a fence of this height so close to their living accommodation. He noted that the applicant had planted, in recent months, 11 trees close to the line of the proposed fence which, he felt, would rapidly obviate the need for a fence of this height and provide screening if required in a much more sympathetic way. He considered that the applicants felt it necessary to submit this application after Mr Brown installed CCTV cameras due to a personal safety concern, despite his complying with Information Commissioner's Office (ICO) guidelines. He believed his neighbours still held the view that they were intrusive. The applicants had received assurances from community police officers and ward councillors that the filming was limited to the inside of his property. He understood that the scope and directions of domestic CCTV was not a material planning consideration, so, he asked the committee to discount any consideration of them. He noted that the applicant had also installed CCTV cameras themselves.

Ms Burns was invited to address the committee as a neighbour in objection to this proposal. She noted that the applicant had also

submitted planning permission for two dwellings on the vegetable plot in their garden. If this application now presented were to be successful, once they had sold those plots, they would be able to walk away from such a high fence. Having had the toppers erected for five months, she felt she had experienced what the application would feel like if approved. She considered the result to be depressing. She hope that if the applicant were to be successful, they would adhere to their planning permission, by erecting the fences where they proposed to. She stressed that she was not allowed to maintain the fence, as the applicant would consider it criminal damage. If this application were to be passed, she worried it would set a precedent for future developments.

Councillor Hudson noted that the fence didn't look attractive in its current form. If a new fence were to be erected, even if it was slightly higher, he asked if it really would have been that much a problem in such an open area. He appreciated that a large fence provided extra security and privacy. He felt that the objectors may be concerned at the thought of the proposal, but once in place, would feel that the impact wasn't as great as initially believed.

Councillor Hasthorpe agreed with Councillor Hudson, adding that the worry of the potential impact of the proposal was probably the worst part for the objectors. Aesthetically, he felt the fence could benefit from a replacement. He moved that this application be approved. Councillor Hudson seconded his motion of approval.

Councillor Mickleburgh echoed committee members' comments, noting that the objectors may eventually welcome the privacy the works would offer.

Councillor Pettigrew acknowledged fencing between neighbours was often a controversial issue. He noted that a compromise had already been made by the applicant and the fencing would be an improvement. He sympathised with the objectors but stressed that any other developments would have to be considered though the proper process as any other application would.

Councillor Parkinson stated a new fence would be an improvement and noted that a two-metre fence would be allowed under permitted developments.

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

(Note - the committee voted 10 for the application to be approved with one abstention.)

Item Three - DM/0265/20/REM - 59 Cheapside, Waltham

Mr Limmer explained that this was a reserved matters application following on from outline permission DM/0148/17/OUT for the erection of

three bungalows within the rear garden area of 59 Cheapside, Waltham. The proposed dwellings were designed around a central courtyard area and provided two parking spaces per property. The three dwellings had been designed as single storey dwellings. He showed plans and pictures of the site and explained that it came before the committee following neighbour objections and an objection from Waltham Parish Council.

He explained that a full application had been refused on the site previously, which was subject to an ongoing planning appeal. This scheme differed from DM/0759/19/FUL as the dwellings were genuine single-storey buildings with no dormers in the roof. The site benefitted from outline planning permission and this proposal was the reserved matters application. The principle of development had therefore, been established and was acceptable. Because of the separation distances, and the now single-storey properties, the opportunity for overlooking onto any neighbouring properties was very limited. The impact to neighbours was therefore considered acceptable. The view from Cheapside may show a glimpse of the site but it was quite well hidden from the street. Therefore, the impact to the character and the street scene was considered acceptable. Each property would benefit from two parking spaces in addition to the two parking spaces allocated for the front two properties. The parking provision was therefore considered acceptable. The provision of the access onto Cheapside had been assessed by the highways officers, and was considered to be acceptable. The closest point of the development to Buck Beck was six metres to the north west of the site. The applicant had included some extra reinforcement in this area. The drainage team had considered this reinforcement and deemed it acceptable. The drainage of the site would discharge into Buck Beck but had been reduced down to 1.3 litres per second, the current green field run off rate for the site was at 2.3 litres per second. This application therefore presented a betterment with the surface water runoff from the site. He referenced condition four of the recommendations which restricted the bank reinforcement to be completed prior to any work on the dwellings. The impact on drainage was considered to be acceptable. Mr Limmer confirmed that this application was recommended for approval.

The Chair sought clarification of whether this scheme had any betterment in terms of drainage from the application that was refused in July. Mr Limmer confirmed the drainage scheme remained the same as previously, although, he noted that officers felt the scheme to be acceptable then.

Mr Boyd was invited to address the committee as a neighbour in objection to this proposal. He explained that this site, as Waltham Parish Council agreed, only supported three small single-storey low-level bungalows. Yet the bungalows in this reserve matters application, were the same homes proposed in the previously twice refused application currently being appealed. If this application were to be approved, then when it was next considered, it could include dormers, rooms in the roof,

and be subject to variation in conditions. He felt the proposed dwellings were intrusive and an over intensification of the site. To ensure the dwellings remained low level bungalows, the notice of decision contained condition four:

'The hereby approved dwellings shall be single storey bungalows only, with no rooms or useable space within the roof.'

He saw no redesign to keep the distance of buildings away from Buck Beck, to reduce their visual impact, or, to mitigate surface water flow before it entered the infiltration tank. The homes in this reserve matters application had not been designed to fit with minimal intrusion for neighbours or a safe relationship with the bank. Drainage officers argued that the safety of the reinforcement was supported by the documents submitted. He was then assured that the builders of Ludgate Close and Cheeseman's Close also satisfied regulations then current. The current reality was that they were now areas of high flood risk. Surface water was to be discharged into Buck Beck in times of stress during peak flow. Discharge from this site alone would not tip the balance to cause flooding but residents couldn't help but feel disquiet while discharge was allowed into a beck that was filling more easier than ever before. In winter, the beck along this stretch often filled after moderate rainfall. Before 2007, the beck here didn't fill to such levels. Yet, no one saw this as a cause for concern. He said that everyone was happy to allow discharge into the beck because green field discharge was currently allowed. Buck Beck's drainage capacity was finite, and it was the main and only drain for an expanding urban area, yet, there was no accurate picture of how accumulated green field rates affected its load. He asked if there were any records of its frequency and height of the peak flows in the beck and why was it that three dwellings couldn't infiltrate without the need to discharge. He didn't dispute the reinforcement's design pedigree, but about where, and by whom, it was being constructed. The reality was that the reinforcement did not sit along the whole of the bank, just a short unstable section. It presented problems at both ends which no documents addressed. He felt that the reinforcement was to be built by a developer whose actions on this site had shown a relaxed attitude to planning conditions. He witnessed what happened with the trees and asbestos demolition, then wondered how rigorously future planning conditions would be monitored and enforced. He stressed dwellings of this size were not suitable for this site, their size brought them too close to an unstable bank with a high flood risk. Drainage officers said a six-metre gap was arbitrary, yet, they also said the type of foundations must be considered. A concern once shared by the Planning Authority in their last appeal. Residents had been adversely impacted by the developers inappropriate actions and feared the reinforcement would not be built to precise planning conditions. The long-term safety of this bank was vital to Cheeseman's Close and residents did not believe that the detail in the reserve matters application were in line with the actual outline approval.

Councillor Jackson was invited to address the committee in his capacity as a Waltham Ward Councillor. He noted that the application on this site

had been ongoing for a long time. Although the proposed dormers that were part of the previous application had been removed from the bungalows, the location of the properties had now changed against the original positions that were agreed under the outline permission. This resulted in inadequate access at the bank of Buck Beck for maintenance regardless of what measures were put in place to reinforce the bank. He suggested this would create an ongoing maintenance issue. He didn't believe that the drainage and flood control issues had been properly addressed. There were no changes in the proposal for bank reinforcement or drainage when compared to previous applications. He noted that the last time the site was considered by committee, one reason for refusal cited drainage concerns. He noted the developer referenced Buck Beck as a stream; Councillor Jackson took issue with this, noting that it was a very significant water course and drained large parts of Waltham and beyond. Buck Beck was increasingly filling to capacity and Cheeseman's Close was now considered to be an area of high flood risk. He reminded the committee that if issues were to arise because of drainage, it wouldn't be properties at 59 Cheapside that would be affected. It would actually be the residents of Cheeseman's Close because they sat at a much lower level.

Councillor Mumby was invited to address the committee in her capacity as a Waltham Parish Councillor. She stated flooding was the biggest cause of concern for Waltham Parish Council. She acknowledged that in places Buck Beck may appear no bigger than a dyke, but it was an awarded main drain serving the whole of the Waltham area. She asked the committee to consider the history of this site and the numerous applications, amendments, appeals, and refusals at both committee and appeal level. She noted the flood risk and the inconsistent location of the dwellings.

Mr Limmer noted that only the access was considered as part of the outline permission not the layout, size, and scale of the development. The layout plan at the outline stage was only indicative. Condition six of the recommendations removed development rights on these properties so they would be unable to extend the properties to install extensions such as rooflights or dormer windows that would normally be allowed under permitted development rights. Condition seven ensured access to Buck Beck would be provided at the request of the local planning authority.

Mr Deakins was invited to address the committee in his capacity as the agent for this application. He noted that the design was exactly the same as before because it was acceptable to the drainage officers then, and still was. He wasn't sure what else could be offered other than a scheme that was satisfactory to officers. He noted residents' concerns, particularly on Cheeseman's Close. If there was an issue on Buck Beck, he acknowledged they would be the first to see issues with it, however, issues surrounding the maintenance and access to it long term were greater. Currently if there was a problem with the drainage on Buck Beck, residents would contact North East Lincolnshire Council for advice

and action. Therefore, he felt that officers satisfaction with this scheme and it's treatment to the beck should offer residents some reassurance. He urged the committee to take on board officers' comments and added the same officers would deal with the day to day maintenance of the beck anyway.

Councillor Pettigrew was satisfied that the dormer windows had been removed but felt the drainage was still a major issue. He agreed with residents, adding that he knew the levels this main drainage ditch could get to during heavy rain fall. He referenced a recent clearing of the ditch that took a considerable length of time. He felt the access to the beck for maintenance was cluttered and unpractical. He moved that this application be refused.

Councillor Hudson noted that he was satisfied with the drainage scheme when it was submitted previously. He appreciated the applicant's frustration that drainage was still an issue for the committee. He explained that there would be a lower run off rate with this scheme as all the water would be caught. The developer had created a scheme that the drainage expert agreed with. He added that the structure of the bank would be improved with the proposed works. He stressed he only felt compelled to support refusal previously, because of the dormer bungalows. He couldn't see a reason to object to this proposal.

Councillor Parkinson agreed with Councillor Hudson's comments, adding that the bank reinforcement should satisfy residents. He noted that fewer trees were now being removed. He questioned that, if the runoff was less, how could there be anything but a betterment. He felt that the removal of permitted development rights was to be expected. The access to the bank had also been agreed by officers. He noted that an appeal was already being considered, so, if that were to pass, the applicant could end up building the properties that included dormers.

Councillor Goodwin agreed with Councillor Hudson's comments.

Councillor Pettigrew felt that the committee should take local knowledge into account when making their decision. Although the surface water run off would be improved, peak flows were increasingly regular and the outlets for these runoffs would be overwhelmed with water. He was expecting drainage improvements since the last application. He stressed the committee needed to be consistent.

Councillor Mickleburgh seconded Councillor Pettigrew's motion of refusal, adding that he felt it important to consider resident, parish and ward councillor comments.

The Chair noted this was a very difficult decision to take and noted that Buck Beck in Waltham was a completely different entity to what it was in different areas.

Councillor Hudson stated that if the committee took so much concern over the drainage of the area, then they should choose an appropriate scheme, that being this application.

Councillor Parkinson felt that if drainage improvements were such a concern, residents and Elected Members should raise this with North East Lincolnshire Council with the aim of its improvement.

Councillor Hasthorpe noted that without a major drainage scheme on Buck Beck, the committee should maintain their stance and refuse this proposal.

RESOLVED – That the application be refused as the proposed development, due to the size and position of the proposed dwellings and through resultant surface water drainage, would compromise the integrity of Buck Beck and increase the risk of flooding. This is contrary to policy five and 33 of the NELLP 2018.

(Note - the committee voted six to five for the application to be refused.)

Item Four - DM/0756/20/FUL - 47 Lidgard Road, Humberston

Ms Birkwood introduced the application and explained that it sought approval to alter and erect single storey extensions to 47 Lidgard Road in Humberston. The proposed extensions were externally faced in brickwork. The materials were proposed to match the existing dwelling. The window frames and doors were to be upvc. She showed plans and pictures of the site and explained that it came before the committee following an objection from Humberston Parish Council.

She noted that the application was located within the Humberston development boundary so was therefore acceptable in principle. The extension would be single storey and the material used would be akin to the existing dwelling. The extensions weren't considered to be out of character, as the immediate area was diverse in layout and appearance. The comments from Humberston Parish Council regarding the scale of the development were noted, however, the extensions would be subservient to the host property so would not represent an overdevelopment of the site. No neighbour representations were received. It was noted that Humberston Parish Council had concerns regarding residential amenity issues, however, the extensions would be low in height and set within the boundaries shared with 45 and 49 Lidgard Road. Consequently, issues of dominance would be minimal. There would be windows that faced onto the neighbours, however, due to their orientation and presence of the boundary treatments, overlooking of the boundary treatments would be minimal. Humberston Parish Council's comments were also noted in terms of parking issues, but it was considered that there was sufficient parking available on site, which had been assessed by highways officers. She confirmed that the application was therefore recommended for approval.

The Chair noted that the issue of parking may have been a consequence of the fact that Humberston was part of the verge parking Traffic Regulation Order.

Councillor Hasthorpe noted that the only objection was from Humberston Parish Council, and he considered the impact to be acceptable. He moved approval And this was seconded by Councillor Hudson.

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

(Note - the committee voted unanimously for the application to be approved.)

Item Five - DM/0461/20/FUL - 16 Radcliffe Road, Healing

Councillor Hasthorpe noted that although he raised concerns as part of his representation, this was not a pre-determined objection to the application.

Ms Birkwood introduced the application and explained that it sought approval to alter and extend 16 Radcliffe Road in Healing to provide a first-floor extension. The proposed extension was externally faced in brickwork with tiled roofs. The window frames and doors would be upvc. She showed plans and pictures of the site and explained that it came before the committee following a call in by a North East Lincolnshire Ward Councillor, although, objections were also received from neighbours and Healing Parish Council.

The application site was located within the Healing development boundary and was therefore considered acceptable. The proposal was to extend the property at first floor level only. Once built, the height of the properties would be 7.1 metres. The design and materials used would reflect the features used in the original property. Radcliffe Road was considerably diverse in design and appearance; therefore, the proposal would not be out of character in the area. Furthermore, the overall mass had been reduced through negotiations with the agent including reducing the height by one metre. The comments regarding privacy, dominance and overlooking were noted. The applicant amended the scheme so that these concerns would be addressed, including reducing the height and amending the window details such as obscure windows to the side. The extension would be sufficiently away from neighbours on Radcliffe Road and the Avenue, resulting in no massing or overlooking issues. Windows would face neighbours, however, the separation distances and landscaping ensured overlooking would be minimal. The window which would face the avenue would be from a small study and was proposed to be obscure glazed. Comments had been received with regard to surface water drainage and flooding issues, but the drainage officers had no complaints as the works were primarily at first floor. The footprint of the dwelling would not increase so there would be no material impact on

surface water drainage. Tree issues had also been raised as a concern by neighbours, and the site did hold a Tree Preservation Order (TPO). However, the proposal would not include the removal of any existing trees and the Tree Officer had no objections to the scheme. Other concerns had been raised by neighbours regarding outline permissions and the two dwellings that had previously been approved to the rear of Radcliffe Road. Before works commenced, a reserve matters application would need to be submitted to assess the impact to neighbouring properties further. It was not considered this application would prejudice the future development of this site. She confirmed that the application was recommended for approval, subject to safeguarding conditions.

Councillor Hasthorpe noted that had been in communication with residents adjacent to the property. He felt that the original plan was overbearing. He referred to flooding issues in Healing in recent years, noting that there was a substantial amount of water in the garden. He felt that although the drainage officer maybe couldn't identify issues at the moment, the site hadn't been considered during high volumes of water. He felt the application would have a detrimental effect of neighbouring properties and moved that it be refused. Councillor Mickleburgh seconded Councillor Hasthorpe's motion of refusal.

Mr Dixon explained that the site sat within a mixed area with two storey and large properties. Negotiations concluded with what was considered to be a normal height two storey property which was reasonably well separated from neighbours. The windows had been considered and now minimised any adverse overlooking. Most of the works increased in height, not the floor space, so the impact on drainage wasn't considered to be detrimental.

Councillor Hasthorpe worried, in increased rainfall, there would be an adverse impact on drainage.

Councillor Parkinson asked if paved areas were always conditioned to be made of permeable materials. He didn't feel there could be a complete reduction of overlooking issues with the application as presented.

Councillor Hudson noted that as the application only proposed an increase in height, drainage shouldn't necessarily be an issue. He appreciated that the neighbours may be concerned but suggested the obscure glazing would satisfy their loss of privacy.

Councillor Hasthorpe stressed the neighbouring property already had issues of flooding during times of high rainfall and it didn't matter if the footprint of the house was the same. There would still be the same amount of rain.

Mr Dixon explained that the drainage on the site wasn't going to be worsened at the property as it was only increasing in height. He acknowledged that there could be a current issue, but the committee

were to consider if this application would make a further adverse impact on the current situation; which he confirmed it wouldn't.

Councillor Pettigrew appreciated Councillor Hasthorpe's comments and noted that the committee should take into consideration local residents knowledge of the area.

Councillor Hasthorpe felt that if there was an existing problem, although this application may not make it worse, he might be more supportive if some betterment was offered.

The committee took a vote to refuse on the grounds of adverse impact to drainage and the amenity of neighbours. The motion was lost on a vote of five to six.

Councillor Hudson moved that the application be approved, with the inclusion of a condition for surface water management. Councillor Goodwin seconded his motion of approval.

RESOLVED – That the application be approved with the attached and an additional condition:

5. No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be implemented as approved prior to use of the proposed extension.

(Note - the committee voted six to five for the application to be approved.)

Item Six - DM/0360/20/FUL - Garages Bradford Avenue, Cleethorpes

Mr Limmer introduced the application and explained that it sought approval to demolish the existing garages and erect a block of four town houses with associated parking facilities, gardens, and bin storage. The proposed development followed the same form as the previously approved scheme in 2015, DM/1092/14/FUL. He showed plans and pictures of the site and explained that it came before the committee following objections from neighbours.

He noted that site had extensive planning history dating back to 2009 when a much bigger scheme was refused and dismissed at appeal. In 2011, a scheme for four dwellings was approved. That planning permission was then renewed again in 2014. The principle of development was very well established. The scale of development worked with 11 Bradford Avenue and benefitted from good separation. The properties opposite the site also benefitted well from good separation distances. Therefore, no undue impact on neighbouring amenity was considered. The application was of good design and

worked with the conservation area and other properties down Bradford Avenue. It was considered to represent a visual betterment from its current use. This development provided one parking space for each dwelling with easy access to bus services and the train station. Officers considered it to be a very sustainable location. A previous scheme was for eight dwellings with still only four parking spaces, that scheme was refused by the committee but, subsequently, allowed at appeal. The parking for this scheme was therefore considered to be acceptable. Residents raised concerns over the construction phase of the development; a condition for a construction management plan was included to mitigate this impact. The application was therefore recommended for approval.

Mr Atkinson was invited to address the committee in his capacity as the agent for the proposal. He fully supported officers' recommendations with respect to his application which, he added, followed lengthy discussions and close consultation. He stated the site was located within the settlement boundary of Cleethorpes which formed an urban area along with Grimsby and, as such, was defined as a sustainable location for new development within the district. Planning policy at both national and local level encouraged development on brown fields sites first. The site's current use of garaging would be classed as brown field land. This site was therefore an ideal development site given that it was highly sustainable and brown field status. In accordance with the National Planning Policy Framework's (NPPF) presumption of sustainable development, the proposal should be considered favourably unless there were any material considerations that would demonstrably outweigh the benefits. The site had previously been granted planning permission for eight dwellings; this proposal would reduce that down to four units. The applicant believed that the current four-unit proposal was more sensitive to the conservation area. The eight units permission could be used as a potential fall-back position if this application were to be refused. If this application were to be approved, the site would be developed by a small Cleethorpes based builder, who built exclusively in the North East Lincolnshire area. This was expected to be their only project in 2021, therefore would likely be completed within the calendar year. The applicant had undertaken a thorough assessment of the local context including the adjacent conservation area. Being situated adjacent to a conservation area did not preclude development, however, there was a requirement to ensure its setting was not unduly impacted. Key design features from properties inside the conservation area had been included to ensure they layout well to local and historic context and would not detract from the conservation area. Notwithstanding the high quality of design, the site in existence had been a key factor in accessing the conservation area. At present it was considered that the garages detracted from the setting in the conservation area, so their replacement with a well-designed sensitive development should be welcomed as it would lead to an enhancement of the conservation area, thus, providing significant planning gain. The architect also had regard to neighbouring properties when designing this scheme and had designed the dwellings in a way that would not lead to the overlooking of surrounding properties.

The demand was not contained in any other way and would not lead to conditions risking highways safety or flood risk. It was noted that there had been no objections to the proposal from statutory consultees which confirmed no technical constraints. The comments raised by local residents with regard to the access road to the west were noted, however, as could be seen on the plans, there were no proposals to alter this road and it was excluded from the redline application boundary. Whilst concerns had been raised about blocking this road during construction, the application would provide a construction management plan prior to development commencing. The applicant ensured that the access road would be left clear at all times. He noted that the local authority had the power to amend the construction management plan to ensure the proposals were suitable.

Councillor Hasthorpe liked the proposal and noted that it had already been approved in this form before. He moved that it be approved. Councillor Mickleburgh seconded this motion of approval.

Councillor Parkinson felt that stylistically it fitted well into the area but hoped for some assurance that the eight foot to the side wouldn't be impeded.

Mr Limmer explained that the access sat outside of the application site but the properties benefited from a right of access from it. Therefore, it formed a civil matter between the parties to resolve.

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

(Note - the committee voted unanimously for the application to be approved.)

Item Seven - DM/0308/20/FUL - Tynedale Cheapside, Waltham

Mr Limmer introduced the application and explained that it sought to vary the approved plans under DM/0420/16/FUL in relation to plots four, five and six. Plot four would now have two front dormer windows included one front roof light and two rear roof lights. The overall ridge height of the property was to be raised by 60 centimetres. The result would be to give accommodation in the roof space. Plot five would replace the hipped roof with a gable, and the installation of dormers and rooflights. Plot six would replace the hipped roof with gable and front rooflights and rear dormers installed. He showed plans and pictures of the site and explained that it came before the committee following objections from Waltham Parish Council.

Planning permission had already been granted for this site with plots one, two and three being built out and plot seven and six underway. The works therefore were considered very well established and considered acceptable in principle. Neighbours at Mount Royal benefitted from good

separations distances and landscape screening. The impact on neighbours wasn't therefore considered to be of detriment. The application was therefore considered to be acceptable and was recommended for approval.

Councillor Hudson noted the vast separation distances but preferred the original scheme.

Councillor Hasthorpe shared Councillor Hudson's concerns, adding he felt the neighbours and Waltham Parish Council raised valid concerns. He moved that this application be refused. Councillor Mickleburgh seconded this motion of refusal.

Councillor Parkinson noted the considerable distances from neighbours and the lack of overlooking.

The committee took a vote to refuse on the grounds of an over intensification of the site. The motion was lost on a vote of three to eight.

Councillor Parkinson moved that the application be approved. Councillor Hudson seconded his motion of approval.

Councillor Mickleburgh left the meeting at this point.

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

(Note - the committee voted eight to two for the application to be approved.)

Item Eight - DM/1145/19/FUL - Land at Mauxhall Farm, Immingham Road, Stallingborough

Mr Limmer introduced the application and explained that it sought approval to construct a solar farm and battery storage facility and associated infrastructure. The solar arrays stood at 2.3 metres high. He showed plans and pictures of the site and explained that it came before the committee as it was a significant development proposal by Engie.

The scheme was considered to be best suited to open countryside rather than industrial locations due to the low number of jobs and space required. Ministerial statements supported this, subject to loss of best and most versatile agricultural land considerations. In principle, the application was considered acceptable. It was noted that the site would only have temporary consent for 30 years, so the potential agricultural land wasn't lost permanently. The goal of this policy aim was to protect best and most versatile land. 20 per cent of the site was grade 3A which was indeed the best and most versatile. Although, this wasn't considered to be a great deal of the site. During its use, the site could still be used for agriculture as sheep could be grazed in amongst the solar arrays.

One of the benefits of this proposal was that all of the infrastructure was very low level, offering very limited views. The backdrop of this site was limited to other industrial environments. The development was of positive green energy and could be seen as a positive gateway into the town. The landscape, character and visual amenity was therefore considered acceptable. The site was in a remote location away from any residential neighbours, the closest being the Gatehouse Farm. It wasn't considered that there would be an undue impact on their amenity. The impact to residential amenity was therefore considered to be acceptable. The site would be accessed from Stallingborough Road off the A180. The applicant had supplied a traffic routeing agreement. The day to day running of the site was expected to result in a minimal amount of traffic. There were concerns over the potential for glare to drivers from the arrays, although Highways England offered no objections. The overall impact to highways safety and amenity was considered to be acceptable. The agricultural land used offered minimal benefit to ecology. The application also offered new planting schemes that would present an ecology betterment. There were some areas of archaeological interest and extensive trial trenching had been done by the applicant. Roman and Medieval artefacts were found within this area of the site. The Archaeological Officer had assessed the application and, subject to a further monitoring condition, considered the impact to archaeology to be acceptable. The battery storage area and substation had been built up to address any potential flooding issues, with the Environmental Agency confirming that raising their levels to one metre above ground level was acceptable. He stated that the battery storage would be able to store 20 megawatts worth of energy, with the solar arrays bringing in 25 megawatts. The overall power generated from the site would be 49.9 megawatts, which was as large as a local authority could deal with. He confirmed this development was recommended for approval.

The Chair sought clarification on how close the site sat to industrial land. Mr Limmer explained that the fields adjacent to the site were allocated for industrial development.

Mr Hayes was invited to address the committee in his capacity as the applicant of the proposal. He explained that the South Humber was the UK's most intensive industrial cluster of greenhouse gas emissions and was highly vulnerable to climate change. There had never been a more imperative need to tackle climate change through decarbonisation and transition to a zero-carbon economy. This application had the capacity to significantly reduce carbon emissions and support the local authority's climate change action plan. This initial phase of development comprised short of 50 megawatts of combined solar panels and battery storage. These technologies combined to produce sufficient quantities of zero emission and zero carbon power, which would be delivered into the local distribution grid. Each year, solar panels generated enough electricity to meet the needs of 9000 households. By offsetting less clean forms of power generation, the energy port could expect to displace over 165,000 tons of CO₂ over its operational lifetime. The impacts of the development had been assessed by officers and external consultees who raised no

significant adverse environmental impacts predicted. It would provide and promote significant biodiversity and enhancement through extensive planning of new hedgerows. Farming practice could continue, and sheep grazing was encouraged. After 30 years of operation, the land could be decommissioned and returned to its original agricultural use. Clean energy creation had the potential to act as a driver of economic growth and could compliment the South Humber Inward Investment Programme (SHIIP). The energy port could become a symbol of local clean energy. Visible on the way into North East Lincolnshire, it would be an opportunity to showcase how the borough was playing it's part. He noted that the site would be made assessable to local schools, colleges, and academies to provide an interesting and inspiring educational asset. The CCTV cameras were focused along the perimeter of the site, he aimed to reassure the committee that they would not look into any property.

Councillor Hasthorpe felt that this proposal was vital and hoped it would benefit the local economy. He moved that this application be approved. Councillor Parkinson seconded his motion of approval.

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

(Note - the committee voted unanimously for the application to be approved.)

P.45 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Director of Economy and Growth under delegated powers during the period 25th September 2020 to 22nd October 2020

RESOLVED – That the report be noted.

P.46 PLANNING APPEALS

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

Mr Dixon stated that DM/0759/19/FUL, DM/1166/19/OUT and DM/0662/19/FUL had all submitted planning appeals, which were yet to be considered by the Planning Inspectorate.

RESOLVED – That the report be noted.

P.47 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – That the press and public be excluded for the following business on the grounds that its discussion was likely to disclose exempt

information within paragraph 6 of Schedule 12A of the Local Government Act 1972 (as amended).

P.48 ENFORCEMENT ISSUES

The committee discussed issues relating to enforcement and raised a number of matters for further investigation.

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

There being no further business, the Chair closed the meeting at 1.15 p.m.