



To be submitted to the Council at its meeting on 18th March 2021

## **PLANNING COMMITTEE**

**3rd February 2021**

**9.30 a.m.**

### **Present:**

Councillor Harness (in the Chair)

Councillors Beasant, Hasthorpe, Hudson, Goodwin, James, Mickleburgh, Nichols, Parkinson, Pettigrew, and Silvester.

### **Officers in attendance:**

- Rob Close (Scrutiny and Committee Support Officer)
- Martin Dixon (Planning Manager)
- Hannah Dixon (Solicitor)
- Lara Hattle (Highway and Transport Planner)
- Richard Limmer (Major Projects Planner)

### **P64 APOLOGIES FOR ABSENCE**

No apologies for absence were received for this meeting.

### **P.65 DECLARATIONS OF INTEREST**

The Chair and Councillor Silvester declared personal interests in P.66 – item two as an objector was known to them.

Councillor Pettigrew declared a disclosable pecuniary interest in P.66 – items one and four.

### **P.66 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 – 4) be dealt with as set out below and detailed in the attached appendix.

Councillor Pettigrew left the meeting at this point.

### **Item One - DM/0994/20/FUL - 5 Wheatfield Drive Waltham Grimsby**

Mr Dixon introduced the application and explained it sought to make various alterations to an existing detached residential property including the removal of the existing conservatory and the erection of a single storey extension with roof lanterns in its place and the removal of the existing garage and the erection of a two-storey extension to include a juliet balcony to rear at first floor and the erection of a new attached single garage to side. He showed the committee plans and pictures of the site and explained that it came before them following a request from a North East Lincolnshire Ward Councillor.

He noted that property sat within a well-established residential area, the principle of extension was therefore acceptable. The wider area contained a mix of different property types. The works proposed weren't considered to be unattractive and lined up with the ridge height of the main gable. The size of the plot could accommodate the proposal. He confirmed that in terms of design, the application was considered acceptable. Comments had been received from 3 and 11 Wheatfield Drive objecting to the proposal, however officers didn't feel there was any real material planning objection made. The proposal would change the appearance of the property from the view of the objectors' properties and it would introduce further overlooking from the proposed two storey extension, however officers felt that, because of the separation distances and the established location of the residential area, there weren't any substantial grounds for refusal. He confirmed this application was recommended for approval.

Mr Close read out a statement submitted by Ms Portus, a neighbour in objection to this proposal. Ms Portus was extremely concerned about traffic congestion because of the narrow road widths, both of the access drive to the three rear properties, and Wheatfield Drive itself. Traffic in the area had increased recently, this made it difficult for her to park even at the best of times. She felt the frontage of 8 Wheatfield Drive was, in all practicality, merely a roadside as the property lacked a front garden. In addition, 8 Wheatfield Drive was directly opposite the entrance which all vehicles would be accessing and egressing. She noted that recently, a removal van struggled to manoeuvre on the narrow road, resulting in indentations left on Ms Portus' grass verge. This, she felt, illustrated that the drive wasn't big enough for vehicles similar to what would be required for this development. She requested that further measurements were carried out to address these concerns. Referring to Waltham Parish Council's support of this application, Ms Portus suggested that they hadn't had the opportunity to take into account objections from residents because of the timing of their consideration. Due to the loss of privacy, she feared her house would be devalued. Although detailed in her representation, Ms Portus stressed again that the site would represent

an over-intensification of the plot, a loss of amenities, and would fail to be in keeping with the area. She and her partner had resided at the property since 1988, and appreciated greatly the privacy of their garden offered. Finally, she stressed that the works proposed mirrored the intensity of a new build home, the noise and disturbance would be a heavy load to her and her partner.

Ms Broadhurst addressed the committee in her capacity as the applicant of this proposal. She and her husband were lifetime residents of Waltham. Although it needed modernisation, they were very taken with this property when they first became aware of it. She felt the property sat on a large enough plot to accommodate an extension. The plans submitted, Ms Broadhurst felt, were actually in keeping with neighbouring properties. Both neighbours at 7 and 9 Wheatfield Drive, who share the private access with number 5 Wheatfield Drive, were happy with the design submitted. Because the property was set back from the main road, she didn't feel, the plans wouldn't unduly affect 3 and 11 Wheatfield Drive. She noted her property was approximately 30 metres from 11, and approximately 25 metres from 3, Wheatfield Drive. Wanting to reassure those in objection, Ms Broadhurst stressed that, the new master bedroom to the front wasn't going to be an annex for a family member and no extra vehicles would be residing at the property. The space would be inhabited by Ms Broadhurst's current family. The building work would be completed by Ms Broadhurst's husband therefore the use of the shared access for construction vehicles would be limited. The building materials needed would be delivered in a standard sized road van. Ms Broadhurst hoped to work with neighbours to mitigate the impact of noise. Finally, she stressed that all building work would be carried out in accordance with the recommended conditions set out by officers.

Mr Dixon noted that the site was an existing dwelling, so suggestions of increased road activity may want to be questioned by the committee. The scale of the extension, he didn't feel, was unusual. Officers had been present at neighbouring properties and didn't feel the impact to overlooking to be a significant issue. What was proposed was fairly common in residential areas.

The Chair acknowledged that Waltham Parish Council met prior to further comments being made but, as with the Planning Committee, stated their meeting sat regularly and limited opportunities for all comments to be received was always an issue.

Councillor Hasthorpe could sympathise to an extent with the objectors, however, didn't feel that this development would be excessively impactful. He moved that this application be approved as per officers' recommendation.

Councillor Hudson echoed Councillor Hasthorpe's comments, he was persuaded further, as the applicant would be able to provide their own materials, thus lessening the impact to neighbours.

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

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

Councillor Pettigrew re-joined the meeting at this point.

## **Item Two - DM/0892/20/FUL - The Acorns 29 - 31 Welholme Road Grimsby,**

Mr Dixon introduced the application and explained it sought to vary conditions two and four of application reference DM/0153/20/FUL. Primarily, the changes included the omission of raising the ground floor by 0.25 metre. Instead, flood risk mitigation was incorporated into the scheme in a new Flood Risk Assessment Addendum. This current variation would retain the nine flats, however seven flats would now be one bedroom whilst two would be two bedrooms. Previously all flats were two bedrooms. An ancillary storage area was also included in this variation at ground floor and at the second floor there would be an addition of a toilet to the ancillary office area. He showed the committee plans and pictures of the site and explained that it came before them following a request from a North East Lincolnshire Ward Councillor.

He explained the flood risk had been addressed through consultation resulting in a new flood risk assessment. The Environment Agency therefore raised no objections. No external changes were proposed, thus there was no impact to the design and character of the area. The works proposed to reduce to total occupancy of the accommodation as the majority would be single bedrooms. Concerns were acknowledged that the flats would be let to a housing support provider, but from a planning perspective, the flats would still be self-contained and consideration should not be given to whom the owner of the site chooses to ultimately let the flats to. Noting representations had been received from neighbours and a petition, containing 110 signatories, had been tabled objecting to this proposal, Mr Dixon stated the fundamental issues raised, did not, from a planning perspective, result in a case for refusal. Mr Dixon confirmed this application was recommended for approval.

Mr Holland was invited to address the committee in objection to this proposal. He explained that he had been in dialogue with other neighbours, who felt strongly against this proposal. The previous application was acceptable in his consideration, however, he worried that these changes proposed would result in short term tenants who could cause problems for current residents of the wider area. Noting that the onsite office would be a hub for Humberside Police, other professional services, and 'My Space' who were the potential lessor of the flats, Mr Holland considered this indicative that the lessors were aware of the potential problems that could be a result from the tenants residency. He didn't feel that he had been appropriately consulted throughout the

process by officers. Referring to the petition submitted against this application, he noted it was not only signed by local residents but also users of the adjacent Peoples Park. Another property in Grimsby operated by the same charity had apparently been closed down by Humberside Police because of violence. In addition, the regulator of social housing, in its published report of December 2020, found that 'My Space' was non-compliant in both governance and viability. He was concerned that, due to relatively low property prices and geographical isolation, this area in particular could see an escalation of this type of conversion, with more and more people being brought in from out of the Borough, adding to, what he felt were, Grimsby's severe social problems and further straining local social services which, he stated, already struggle to help the many local people in our deprived area who needed support. He stated that the site sat within the Wellow Conservation area formed the boundary to People's Park, and was enjoyed by many current residents. However, the park was host to issues including drugs, violence, and anti-social behaviour (ASB). He suggested that the impact of this application was already being felt by residents, resulting in anxiety and failed housing sales. This directly impacted residents, he suggested not just financially, but would have a long-term effect on the Wellow Conservation Area. He was concerned that the Edwardian properties would not be appropriately maintained if housing prices fell following this application's approval. He suggested, in the endeavour of regeneration the borough, young and skilled professionals needed to be attracted.

Councillor Barfield was invited to address the committee in his capacity as a Park Ward Councillor. He suggested that the large number of objections to this proposal, illustrated how extraordinary it was considering it initially appeared to be a mere variation. Noting that, if this application were to have been originally proposed as laid out today, Park Ward Councillors and local residents would have been aware what the intended use for the building was. He suggested that the applicant behaved either speculatively, incompetently, or dishonestly for this application to take shape so through multiple planning application. Councillor Barfield considered final submission to be completely inappropriate. He raised concerns about the cliental of the potential lessors of the flats, stating that 'My Space', who he noted offered housing to ex-offenders or people in recovery, hadn't offered any assurances that the cliental housed in this property wouldn't cause a significant impact to the area's crime and disorder. 'My Space', he noted, hadn't been forthcoming to the North East Lincolnshire Council with their plans for the area. Acknowledging that the issues he raised weren't substantive planning issues, he suggested if an initial application came before the committee, for what he felt was effectively a hostel, then they may take a strong view in objection to it. He took a generally negative view against 'My Space' and its history, hoping the committee would offer the opportunity for the applicant to evaluate their proposal.

The Chair expressed his displeasure that the applicant failed to explain their proposal before committee.

Councillor Hasthorpe considered the proposed use inappropriate for the area, however noted that another property that housed vulnerable adults site close to this site without any issues. If the committee were to take an unfavourable view on this application, he questioned if they would actually have planning grounds to refuse.

Mr Dixon stated that flats of this nature were common, and the committee should bear in mind that the eventual occupancy of the residence was not a material planning consideration.

Councillor Hudson initially didn't feel there was an issue with this application, however after taking into account the objectors' concerns, he wasn't comfortable in supporting this application. He suggested the current permission, for two bedrooms rather than one, would attract a more desirable set of residents to the area. He moved that this application be refused on the ground that the concentration of one-bedroom units didn't provide an appropriate housing mix. Councillor Mickleburgh seconded his motion of refusal.

Councillor Parkinson suggested that the inclusion of an onsite office, previously approved, clearly demonstrated the applicant's ultimate intention as more than mere block of flats for typical residents.

Mr Dixon stressed that the application for an onsite office had already been approved and was not part of this consideration. The proposed flats were of typical size and design, thus weren't uncommon. He refuted to the suggestion that the proposal was, in effect, a hostel, stating the application proposed self-contained flats, the target market for whom happened to be vulnerable people.

Councillor Silvester asked what the reasoning given by the applicant was for the reduction of bedrooms. Mr Dixon explained a particular reason wasn't suggested.

Councillor Goodwin feared that the committee's specific concern surrounding this application may have been influenced by the ward which it sat in. The Chair commented that all wards face difficult applications.

**RESOLVED** – That the application be refused as the proposed variation to create predominately one-bedroom flats would result in an inappropriate and unsustainable form of accommodation mix in this location which would be detrimental to the local amenity of the area and residents and be detrimental to the sustainability of the community contrary to Policies 5 and 15 of the North East Lincolnshire Local Plan 2013 to 2032 (Adopted 2018).

(Note - the committee voted eight to three in favour of this application being refused.)

### **Item Three - DM/0577/20/OUT - The Cottage Post Office Lane Ashby Cum Fenby**

Mr Dixon introduced the application and explained it sought to renew an outline application granted permission in September 2017, September 2014 and an earlier outline permission, allowed on appeal, in January 2012. An indicative plan with the application showed a two-storey dwelling and attached garage an office space. He showed the committee plans and pictures of the site and explained that it came before them following an objection raised by Ashby Cum-Fenby Parish Council. He explained that the site sat within the Ashby Cum-Fenby village boundary as defined with the North East Lincolnshire Local Plan 2018 (NELLP 2018). He reiterated the history of outline permission approval. The principle of the application was therefore established. While within a residential area, the site sat on a reasonably sized plot. Officers therefore felt that this application wouldn't have an undue impact to the character of the area. Although all matters were reserved, the indicative plans demonstrated that a plot could be added without any undue harm. The site already contained a drive and access point, highways officers were therefore content with the scheme. The Ecology Officer was satisfied with a report confirming the absence of Japanese knot weed. This report was also circulated to Ashby Cum-Fenby Parish Council. A previous application for two plots was refused recently under delegated powers. Mr Dixon confirmed this application was recommended for approval.

Councillor Pettigrew understood a lot of residents' concern surrounded the previous application recently refused by officers.

Councillor Hasthorpe moved that this application be approved as per officers' recommendations. Councillor Hudson seconded his motion of approval.

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

(Note - the committee voted unanimously in favour of this application being approved)

Councillor Pettigrew left the meeting at this point.

### **Item Four - DM/1020/20/FUL - Plot 3 Land North of Main Road Barnoldby Le Beck**

Mr Limmer introduced the application and explained it sought to vary the approved plans for plot 3, approved under DM/0311/20/FUL. The amendments included a change to the design of plot 3 to have a single storey rear wing, rooms within the roof space and the overall scale of the dwelling increased. 1.8-metre-high entrance gates were also proposed at the front of the plot. He showed the committee plans and pictures of the

site and explained that it came before them as the applicant was a relative of a senior Council Officer.

He explained Barnoldby Le Beck Parish Council didn't object to the application but raised some comments surrounding construction management. Condition five of the recommendations addressed this. The site was set well back from the properties on Beck Farm Mews and issues of overlooking from plots one and two weren't significant, the impact to neighbours was therefore considered acceptable. Although this property was bigger than previously approved, this application was considered to fit within the wide range of properties in the area. The impact to the character of the application was therefore considered acceptable. The Tree Officer raised some concerns because of the impact of the rear wing, however the applicant had supplied information to illustrate that the application wouldn't detrimentally affect the subject tree. Mr Limmer confirmed this application was recommended for approval.

Councillor Hasthorpe moved that this application be approved as per officers' recommendations. Councillor Mickleburgh seconded his motion.

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

(Note - the committee voted unanimously favour of this application being refused)

Councillor Pettigrew re-joined the meeting at this point.

## **P.67 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 18<sup>th</sup> December 2020 to 20<sup>th</sup> January 2021.

RESOLVED – That the report be noted.

## **P.68 PLANNING APPEALS**

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

Mr Dixon confirmed that, since the last meeting of Planning Committee, both applications reference DM/0130/20/FUL and DM/0260/20/FUL had submitted appeals. In addition, applications reference DM/0662/19/FUL and DM/0759/19/FUL had been dismissed at appeal, while application reference DM/1166/19/OUT was allowed at appeal as the Planning Inspectorate didn't feel the application wouldn't have an adverse impact on the character of the area or to neighbour.



RESOLVED – That the report be noted.

**P.69 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.70 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 11:00 a.m.