



To be submitted to the Council at its meeting on 28th July 2022

PLANNING COMMITTEE

2nd February 2022 at 9.30 a.m.

Present:

Councillor Harness (in the Chair)
Councillors Batson, Beasant, Croft, Green (substitute for Goodwin), Hasthorpe, Hudson, Mickleburgh, Parkinson, Pettigrew and Silvester.

Officers in attendance:

- Lara Hattle (Highways and Transport Planner)
- Martin Dixon (Planning Manager)
- Keith Thompson (Specialist Property Lawyer)
- Bev O'Brien (Scrutiny and Committee Advisor)
- Sophie Pickerden (Committee Support Officer)

Others in attendance:

- Councillor Cairns (Yarborough Ward Councillor)

There were 8 members of the public.

P.62 APOLOGIES FOR ABSENCE

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

P.63 DECLARATIONS OF INTEREST

Councillor Pettigrew declared a disclosable pecuniary interest in P.64 – Item 2 as he has a business relationship with the applicant.

Councillor Croft declared a disclosable pecuniary interest in P.64 – Items 3 and 4 as she was an employee of the applicant.

P.64 DEPOSITED PLANS AND APPLICATIONS

The committee considered a report from the for Executive Director of

Environment, Economy and Resources 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.

Item One - DM/1032/20/FUL – Grimsby Golf Club, Little Coates Road, Grimsby

Mr Dixon introduced the application and explained it sought consent to erect five detached dwellings with garages to include new access point, landscaping and boundary treatments. Mr Dixon explained to the committee that the application had generated lots of interest. Mr Dixon stated that the purpose behind this development was to help the Grimsby Golf Club with their financial difficulties and the applicant had said that any money made from the development would be invested back into the club. Mr Dixon said that there had been concerns about the location and proximity of the fifth tee box and eighth green to the potential development and the risk of potential ball strikes. Mr Dixon stated that in response to this issue being raised, the applicant had supplied ball strike assessments to Planning Officers and following these assessments, the applicant was asked to move the fifth tee box again. Mr Dixon also stated that the proposed development would not result in the loss of provision of golf as the development would not take up the whole course and would only affect a section of the fifth and eighth holes. Mr Dixon stated that the course would remain an 18-hole course. Mr Dixon also informed committee of the concerns regarding the archaeology on the site and, due to this, stated that if the Committee was minded to approve the application, that they then defer this decision back to Planning Officers until all necessary investigations had taken place. Mr Dixon stated that if there were any significant finds, then this application would be brought back to the Committee. Mr Dixon stated that the proposed development would not cause undue harm to neighbouring properties amenities, the overall character of the area, heritage, ecology and biodiversity or highway safety and amenity. Mr Dixon further stated that the proposed development was in accordance with Policies 5, 22, 33, 39, 41 and 42 of the North East Lincolnshire Local Plan (NELLP) and the National Planning Policy Framework (NPPF) and was therefore recommended for approval subject to further archaeological investigation work and the applicant signing a section 106 agreement which would enforce that the sale of the land was invested back into the golf club. Mr Dixon informed the Committee that it was recommended that the decision therefore be delegated back to the Assistant Director of Housing, Highways and Planning.

Mr Henderson spoke in objection to this application. He stated that the club was not having financial difficulties. He stated that the credit score for the club was good and the membership had increased in recent times. Mr Henderson asked the Committee to await to make their decision until after the members meeting as members had not agreed to

the proposed plans. Mr Henderson stated that if properties were built on the proposed site, they would have a view of most of his living space and putting up fencing would block lighting. Mr Henderson expressed concerns about the Ball Strike Assessments which had been undertaken stating that the new proposed layout reduced but did not eliminate the risk. Mr Henderson informed the Committee that he gets lots of golf balls in his garden and in the past the club had had to pay for the damage to windows and windscreens. Mr Henderson argued that the Ball Strike Assessments would need to be redone as they did not consider the 70m movement of the fifth tee. Mr Henderson showed an image of a Great Crested Newt that was found on a property neighbouring the site, he stated that the development could impact local wildlife. Mr Henderson explained the importance of the Golf Club to the local area and argued that below the course surface, there was history. Mr Henderson asked the Committee to refuse the application or defer, to allow for proper consultation.

Mr Lightford spoke in support of the application in his role as Chair of the Grimsby Golf Club. Mr Lightford stated that he wanted all surplus funds to be reinvested into the club. Mr Lightford stated that the Golf Club was a community Golf Club and allowed lots of people to take part in the sport of golf. Mr Lightford explained that one of their goals for the future was to attract young people to the sport. Mr Lightford explained to the Committee that while he was somewhat reluctant to go ahead with this development, he believed that the development would help the club financially as the club had outstanding loans, and this scheme would help reduce those loans, making him optimistic about the future of the club.

Mr Snowden spoke in support of the application, he argued that there would only be a small decrease in the size of the area that would be available for playing golf. Mr Snowden stated that the applicant had already reduced the number of dwellings that would be going on the site. Mr Snowden stated that there had been no objections from Sport England and Golf England had approved the plans. Mr Snowden said that an ecology report had been submitted and the plans were supported and any issues regarding drainage had been dealt with. Mr Snowden stated that the local developer was considerate to the residents and wanted to help the golf club with their financial difficulties as well as not cause a problem for the residents. Mr Snowden asked the committee to support this application.

Councillor Cairns spoke in objection to the application in his role as Ward Councillor for Yarborough Ward. Councillor Cairns addressed the committee and explained that residents were fearful that if this development went ahead, it could lead to a precedent being set allowing further developments to potentially go ahead in the area. He argued that this would cause more traffic problems and pollution, flooding, and damage to the wildlife. Councillor Cairns stated that he was not against developers as we need to attract new businesses to the area, but he said

he found this application unacceptable and asked the committee to refuse.

Councillor Mickleburgh questioned as to why, when there is space for developments in other areas, there was a need to build on a golf club and infringe on leisure activities. He stated that there would be a loss of facility. Councillor Mickleburgh stated he was confused as the committee had heard two different accounts of how the club was coping financially. He stated that he was also concerned that members of the golf club had not accepted the proposed plans. He moved for the application to be refused.

Councillor Pettigrew stated that he wanted to thank all involved in this application as a lot of work had been undertaken from officers, neighbours and the applicant. He stated that he viewed the reduction from six to five dwellings as positive, as well as the archaeology assessment. Councillor Pettigrew stated that while he thought the disruption caused by containers to neighbours could be addressed in the plans, he found the loss of green space concerning, as this would not be able to be brought back after development. Councillor Pettigrew stated that he was conflicted and would listen to other members of the committee.

Councillor Hudson stated that he thought all arguments were presented well and he understood where the resident of number 9 was coming from, but he stated that no one had a right to a view. Councillor Hudson commented that while planning officers said the development was acceptable, he understood the point Councillor Mickleburgh raised as to whether it was right to build on this green space. Councillor Hudson stated that he was conflicted by this and saw the loss of green space to be concerning, but also understood the point of view from the golf club, that they needed this development to help with their debts.

Councillor Green queried whether the Great Crested Newt was a protected species and how close to the golf club was it found, as this was a concern. Councillor Green queried whether if significant findings occur during the archaeology investigation of the site, would the project be stopped? Councillor Green said that she found the loss of trees to be concerning and queried whether they would be planted elsewhere. Councillor Green also raised whether the golf club planned to engage with younger people, even if the development was not approved.

Mr Dixon stated that he could not answer the question regarding the Golf Club's decision to work to engage with young people as that was a decision for the Golf Club. Mr Dixon reiterated that if after an archaeology investigation had taken place, the heritage officer had concerns or anything of importance was found then this application would be brought back before committee. However, he stated that if nothing was found, then it would be a delegated decision taken by planning officers. Mr Dixon referred the committee to the report from the

Ecology Officer which addressed concerns of loss of trees and protected species.

Councillor Hasthorpe stated that there were many conflicts with this application. He stated that one person said the club was profitable and one said that was not the case. Councillor Hasthorpe seconded the application to be refused.

Councillor Silvester stated that, if what the club was saying was accurate in terms of the financial situation and if they are relying on this investment, then we might not have club at all soon if the application was refused. He stated that if club members decide against this application, then the application would not go ahead anyway. He thought it was important that committee members kept that in mind.

Councillor Parkinson stated that he didn't think the reason they wanted to build on the site and what they would spend the money on were planning considerations. He reiterated the need to separate this. Councillor Parkinson stated that he was concerned that this could set a precedent but didn't believe it would. Councillor Parkinson complimented officers on this presentation but stated he would have liked more detail on flood mitigation. Councillor Parkinson stated that he was undecided on how to vote on this application. He proposed a site visit.

Councillor Pettigrew stated that after hearing the comments from Councillor Silvester, he thought he was now supportive of the application. He stated that if you looked at the planning application on its own merit, it was a good application and there had been mitigation put in place.

Councillor Batson stated that he thought the application should be refused. He argued that if the club was having financial problems, that was due to bad management. He stated that if the committee accepted the application, there was no guarantee that the club was going to survive, and then we would be left with houses on the site.

The Chair stated that in terms of planning, he found it difficult to refuse the application. He stated that while the loss of green space was not ideal, it did indeed happen. He stated that he was surprised that Sports England had no objections to the development. The Chair stated that there were no issues regarding drainage and that highways also supported the application. The Chair said that on planning terms he found it difficult to resist this application. He also stated that he was proud of the planning team for their approach to this application.

RESOLVED – That the application be refused because the proposed residential development would result in the loss of open space which was part of the golf course and which was important to the character and visual amenity of the area. The physical development would constitute an unjustified visual intrusion to the detriment of that character and amenity. Moreover it would result in the irreversible loss of land allocated

for Sport and Recreation and this loss would be detrimental to community health and well being. As a result, the development was contrary to Policies 5, 22 and 43 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018).

The development site had not been appropriately assessed in terms of archaeology. Due to the sensitivity of the site there was a need for predetermination site evaluation. This had not been undertaken and as a result there was insufficient evidence to allow for a full consideration of the potential impacts on archaeology contrary to Policy 39 of the North East Lincolnshire Local Plan 2013-2032 and advice contained in the National Planning Policy Framework.

(Note - the committee voted 7 to 4 in favour of the application being refused.)

Councillor Pettigrew left the meeting at this point.

Item Two - DM/1167/21/FUL – Plot 3, Land Off Main Road, Barnoldby Le Beck

Mr Dixon introduced the application and explained that it sought a variation of Condition 2 (Approved Plans) as granted on application DM/1020/20/FUL to regulate the site levels and amend boundary treatments, amended plans and drainage information. Mr Dixon stated that the applicant has spoken to neighbours and no objections were expressed in regard to the changes. Mr Dixon informed the committee of comments received from the parish council. Mr Dixon informed committee members that the finished floor levels would be increased by 500mm as well as the ridge level, but everything else would stay the same. Mr Dixon stated that the proposed development would not unduly harm the residential amenities of the neighbouring properties, the visual character and appearance of the wider area and would also not increase risk of flooding. Mr Dixon stated that the application was in accordance with Policies 5, 22 and 33 of the NELLP and was therefore recommended for approval.

Councillor Hasthorpe stated that he agreed with the comments submitted by the parish council. He had no issue with the variation. Councillor Hasthorpe moved for the application to be approved.

Councillor Mickleburgh agreed with Councillor Hasthorpe that he didn't like when variations were made to previously approved planning applications but had no issue with this application. He seconded the application to be approved.

The Chair stated that this application had been brought back to the committee with this variation to deal with a mistake that had been made.

RESOLVED – That the application and the attached conditions within the report be approved.

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

Councillor Pettigrew returned to the meeting and Councillor Croft left the meeting at this point.

Item Three - DM/1125/21/FUL – Waterside Cottage, 28 Phillips Lane, Laceby

Mr Dixon introduced the application and explained that it sought erection of conservatory to rear, erection of a detached car port, conversion and alterations of barn to living space and installation of four roof lights. Mr Dixon informed the Committee that the design was a simple construction and no objections had been raised. Mr Dixon explained to the Committee that concerns had been raised by the Heritage Officer with regard to the proposed carport and how it would affect the historic character of the listed cottage. Mr Dixon stated that the proposed development would not unduly harm the residential amenities of the neighbouring properties. Mr Dixon stated that the comments made by the Heritage Officer had been considered by Planning Officers but on balance it was considered that the proposed development was acceptable in terms of the setting of the listed building. Mr Dixon stated that the proposed development was therefore in accordance with Policies 5, 22 and 39 of the NELLP and was recommended for approval.

Mr Townend spoke as the applicant for the application and thanked Mr Dixon for his presentation and Mr Limmer for his report. Mr Townend stated that it was an old listed property that had had modern additions in the last 25 years. He stated that the idea of a courtyard had always puzzled him and to him, it was just his driveway. He stated that he found the comments about the impact on the land to be unfair, as the impact would be minimal. He also stated that there will be practically no impact on his neighbours. Mr Townend asked the Committee to support his application. Mr Townend thanked Planning Officers for all their hard work.

Councillor Hasthorpe stated that he knew the property very well and had no objections to this application. He stated that he thought it was a good development and moved for the application to be approved.

Councillor Mickleburgh seconded that the application be approved.

RESOLVED – That the application and the attached conditions within the report be approved.

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

Item Four - DM/1127/21/LBC – Waterside Cottage, 28 Phillips Lane, Laceby

Mr Dixon introduced the application and explained that it sought listed building consent to convert a barn from storage/utility to living space, installation of four roof lights, insulation, battening and plastering on the walls. He explained there would be internal work to block the interior entrance of the doorway on the west elevation of the barn, keeping the door on the external wall for visual purposes. He also outlined that the application included the erection of a concrete and brick two layer base, timber framed and timber car port with pan tile roof and the erection of a concrete base, half brick walls with timber frame and glazed conservatory to rear. Mr Dixon reiterated the concern raised by the Heritage Officer regarding this application but stated that on balance the proposed development was considered acceptable. Mr Dixon stated that the proposed development was therefore in accordance with Policies 5, 22 and 39 of the NELLP and was recommended for approval.

Councillor Hasthorpe moved for the application to be approved.

Councillor Mickleburgh seconded that the application be approved.

RESOLVED – That the application and the attached conditions within the report be approved.

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

Councillor Croft returned to the meeting at this point.

P.65 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS

The committee received plans and applications determined by the Executive Director of Environment, Economy and Resources under delegated powers during the period 17th December 2021 to 19th January 2022.

RESOLVED – That the report be noted.

P.66 PLANNING APPEALS

The committee received a report from the Executive Director of Environment, Economy and Resources regarding outstanding planning appeals.

RESOLVED – That the report be noted.

P.67 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.68 ENFORCEMENT ISSUES

The committee discussed issues relating to enforcement and raised several matters for further investigation.

RESOLVED – That the information be noted.

There being no further business, the Chair closed the meeting at 11.10 a.m.