

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mr Frederick Bratton Address: 37 Belgrave Road Scartho Top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer made comments neither objecting to or supporting the Planning Application Comment Reasons: Comment:I still do not see any link road being looked at to Bradley currently there is only one way on and off Scartho top and whenever that road is blocked we are stuck until it becomes unblocked there used to be access through the hospital but that is now blocked by further development we need our developers and council to think of the future and put more than one way onto and off Scartho top

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### **Customer Details**

Name: Mr Richard Wellham Address: 5 Marylebone Walk Scartho Top Grimsby

### **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: Until the local council and Brocklesby Estate can agree on a new exit road from Scartho Top towards Bradley there should be no more housing development with many households having 2 cars this development could easily see approaching 500 extra cars on the estate. Having lived here since 1998 we've seen the traffic grow but no improvement to entry/exit off the estate. On occasions when accidents occur I've even seen traffic diverted towards Pelham Avenue via Faucenberg Avenue in order to exit to Scartho Road, which is not suitable for emergencies or the traffic Scartho Top creates. With the new Nursing Home and the new Aldi and daily HGV deliveries this will only get worse. Opening up Matthew Telford Way and joining it to Springfield only increases the traffic as drivers will use Scartho Top as a short cut to avoid the build up each day around Springfield Road and Scartho Fork. To say there has been a traffic study and that the current traffic management is adequate seems unreliable and over the next two years the traffic problems will continue to increase, even before any new proposed housing is started or recent building work of the nursing home and Aldi complete.

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**Customer Details**

Name: Miss sharon codd Address: 6 Marylebone Walk Scartho Top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I object this application for additional 225 dwellings bringing the total to approx 2000 for Scartho Top with one exit off. Each property has approx 2 cars per household with one exit off the estate. Yes a road has part built leading towards Springfield surely this would lead to more congestion leading onto Scartho Road. Scartho Road has been documented as being the most congested road in this town. With the recent accidents on Scartho Road this additional traffic from the new dwellings will be a fatality waiting to happen.

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## **Customer Details**

Name: Mr Stephen Holland Address: Eagle House 23, Welholme Road Grimsby

## **Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I wish to object to the proposal on several grounds:

1. Additional congestion will be created on Scartho Road and at Nuns Corner. Traffic and congestion along this road has significantly increased since outline planning permission was granted many years ago. With respect to this application, The Highway Authority has requested that a Transport Assessment is submitted as part of this new application. "The data used for the extant permission is now out-dated (past the 3-year threshold) and there have been further committed developments to consider." A full transport assessment has not been submitted and this should be done before planning permission is granted.
2. The number of houses planned has now increased from 205 to 225.
3. The original concept promised for Scartho Top was that it would have a separate identity to the village of Scartho; with shopping and other facilities, bus links and schooling. None of these facilities have yet materialised, with the result that Scartho Top has merely become a series of housing estates extending Grimsby Town. All further planning applications should be placed on hold until the promised facilities and better transport links are in place.
4. There are 25 units planned as 'affordable housing', which presumably means sold at 80% of current market pricing. Given recent market price increases, this would still put them out of range of many young families on low incomes. These units should be re-categorised as social housing which would make them genuinely affordable.
5. This development does not add any protection to green space, nor will it improve local biodiversity.

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### **Customer Details**

Name: Mrs LYNDSEY DOWNES

Address: 6 Hobby Close Grimsby

### **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:1. There is no updated traffic assessment for this scheme which is required as the old one has expired and the traffic issues in this area are significant.

1. There is no mention of what will be done to off set the loss of green space and bio diversity as a result of this scheme. What reassurances do we have that the reccomendations made in the reports will be upheld? Such as hedgehog friendly fencing? The loss of hedgerows are not compensated by the retention of a few of the boundary hedges.
2. The number of dwellings is too high for this space.

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**Customer Details**

Name: Mr Matthew Downes Address:  
6 Hobby Close grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment: In the developers application form date 10//11/2021, in section 11 it is indicated that surface water will be disposed of via a sustainable drainage system. This is as recommended by Anglian Water.

Other supporting documents, however, indicate that all surface water will be disposed of my means of a combined i.e. main sewer. Planning consent should be withheld until detailed plans for surface water are submitted and are fully approved by Anglian Water.

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**Customer Details**

Name: Mrs Carrie-Anne Boylen smith Address: 9  
pasture lane Scartho top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:Scartho road is already heavily congested and with only 1 route on and out of the estate this cannot happen

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**Customer Details**

Name: Jamie Smith Address: 9 Pasture Lane, Scarth Top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:More housing on Scartho Top is pure madness unless there are more out/in roads.

The traffic on Matthew Telford Way is congested enough in the morning with people going to work and doing the school run, before we even come to the major problem. Scartho Road in the morning is bad enough, but on an early evening 4-6.30 the congestion of traffic is nothing short of ludicrous, sometimes taking 15-20 minutes to do a 1 mile journey. I have no objection to extra housing on the estate, but more through roads are needed to ease the traffic.

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**Customer Details**

Name: Miss Hana Standing Address: 30a  
pasture lane Grimabyy

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:  
Comment: The problem yet again that the council fail to address is with only one route in and out of scartho top leading from one of the main roads in the town the surrounding area can not facility the increase in traffic. Another exit route via Bradley road needs to be installed as per the request of residents for years. Scartho road is the main route in and out to the hospital and some nights when I leave my work emergency vehicles can barely get through with the current rate of traffic that we already have. It can take 20 minutes on an evening to move from nunns corner to scartho top traffic lights which is abhorrent. I would very much support the development if the exit road was first made the priority and it wasn't just another money making scheme without any thought for the current residents.

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## **Customer Details**

Name: Mr Jamie Burnett Address: Ford Close Scartho Top Grimsby

## **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:I wish to make clear my objection for the proposed plans on the basis of anticipated traffic congestion and increased risk to pedestrians caused by this development. I support the numerous calls from other residents who have highlighted the same concerns regarding the increased traffic use of Matthew Telford Way and, more importantly, Scartho Road to Nunns Corner, with a proposed solution to build a relief road connecting the Scartho Top developments to Bradley Road.

This development in excess of 200 properties, all of which will on average have at least 2 cars per household, presents roughly a 400 vehicle increase. Of which, a majority percentage would use Matthew Telford Way and the junction with Scartho Top, whilst most will also subsequently use the Nunns Corner roundabout. This stretch of road is already heavily congested at peak times of the day, experienced as a commuter myself. A large percentage of the 400 vehicles would exacerbate this clear issue and have a negative environmental impact caused by stationary-to-slow-moving vehicles in resulting traffic. This environmental impact would not be quantified within the proposed development, however it requires serious consideration as part of the application.

This development is also in addition to the on-going construction of the new Aldi supermarket on Matthew Telford Way. This development itself will attract new vehicles to use Matthew Telford Way. Combined with the aforementioned est. 400 additional vehicles from the development, this poses an increased risk to pedestrians using this route should an alternative entry/exit route to the Scartho Top developments be provided.

Whilst I appreciate the plans for Scartho Top include a link road connecting Matthew Telford Way to Springfield Road, I do not feel this is a fitting solution to the problems highlighted by myself and other residents. The first of two key junctions - that connecting the link road to Springfield Road currently does not have right of way on Springfield road, causing traffic congestion in the residential area developed by Cyden Homes in recent years.

Furthermore, should this be amended to allow free flow from Matthew Telford Way to Springfield Road, the second of two key junctions - the 'Give Way' section from Springfield Road onto Scartho Road - would still present a clear traffic congestion hotspot with no viable way to improve the flow of traffic at this junction. In addition, the majority of increased traffic from these developments using this route would only add to the stationary-to-slow-moving traffic present on Scartho Top, referring back to my initial environmental concerns along Scartho Road to Nunns Corner.

This is all before the remaining plots on Scartho Top - also earmarked for housing developments are developed in future years.

As a result, it is absolutely necessary that an alternative entry/exit route is explored to Bradley Road and put forward for public consideration.

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**Customer Details**

Name: Mr Wayne Byrne Address: 146 Edge Avenue Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer made comments neither objecting to or supporting the Planning Application Comment Reasons: Comment:Planning Supported, however have concerns over the lack of new facilities in the Scartho area, such as Schools, Medical Facilities etc.

An increase in people in the area, but a lack of uptake in supporting facilities.

225 homes, 3-4 people per home, therefore an extra 1000 people; 450 adults, 550 children.

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**Customer Details**

Name: Mr Kevin Newton Address: 61A Springfield Road Scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:Scartho has not got the infrastructure to manage, the roads, doctors or schools, I have lived in Scartho since 1967, and have seen Scartho getting too built up and roads not fit for purpose. So I strongly object.

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**Customer Details**

Name: Mr Richard North Address: 83 Springfield Rd Scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment: The subject of opening the road from Scartho Top to Bradley rd must be looked at , the road need opening up to take pressure off The area from Louth rd Waltham rd Springfield rd and Scartho Rd.

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### **Customer Details**

Name: Mrs Emily Glancy Address: 7 Caspian Crescent Scartho Too Grimsby

### **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: Clearly Persimmons only think of money. They couldn't give a damn about the people who live and work here, as long as they are lining their pockets. However we HAVE to live here. Getting in and off Scartho Top is already horrific at times. For Persimmons to insult us further by saying we should "car share or hop on a bus or use rail" first there is no rail in Scartho. Second, I have no desire or wish to take on board people I do not know for my own safety, and third the buses are so dirty I have no wish to venture on them either. I would ask the boss of Persimmon does he/she car share or hop on a bus from their home? I very much doubt it. A road out to Bradley is required. The land never should have been sold without enforcing the land owner (we all know who it is) being forced to comply. Maybe a compulsory purchase order is now needed. I feel a little less selfish attitude is required and a bit more sensible planning needed. We already have the nightmare of Aldi looming. Yet what Scartho needs it doesn't get. There are enough shops. Yet we need another doctors surgery and pharmacy because getting an appointment or picking up medicines is a nightmare. It seems to me that profit is being put before sense. Never have I known such horrific planning decisions ... and yet I used to have connections with planning in East Lindsey. It seems that this council planning is just happy to receive the funds for planning apps and all the building control fees etc. I therefore oppose the development until proper infrastructure and thought is considered in greater depth.

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**Customer Details**

Name: Mrs shanie Brown Address: 8 Caspian Crescent Scartho Top North East Lincolnshire

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:If this is going to happen we need another road off Scartho Top Can you imagine all of the customers going to Aldi, the cars from families who live here now and then add another 2 or 3 hundred cars to the equation. Has anyone from the council actually taken the time to join the traffic as we are all leaving for work and coming home, they need to try it. We had a bad accident on the entrance a few months ago. We were all stuck until it was cleared away. Yes you can go down Pelham, again try it, you don't get far and this is not a safe route for anyone.

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### **Customer Details**

Name: Paul Gilbert Address: 32 Caspian Crescent, Scartho Top Scartho Top GRIMSBY

### **Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I have no problem with the development itself, there are a few other issues that urgently need addressing. Firstly, traffic access in and out of Scartho Top is wholly inadequate. Long queues in the morning leaving and the same turning right into Scartho Top in the evening. Because the right turn lane only has space for 6 cars, traffic is often halted completely along Scartho Road until the right turn filter activates. The road through to Springfield Road will not help at all as traffic along there is gridlocked in the mornings also, in fact, i envisage traffic from Springfield Road using Scartho Top as a shortcut creating even more problems. Secondly, double yellows need applying to the length of Matthew Telford Way. There are still cars that park here all day for hospital use. This road is the only main road out of the estate and these cars are causing serious issues with cars meeting in opposite directions attempting to squeeze past the parked cars, this is another accident waiting to happen. Thirdly, the council need to adopt the greenfield land instead of housebuilders passing the land onto Greenbelt once the development stages complete. 398 dwellings on Kirks Paddock pay a combined total of more than £50k per annum to Greenbelt to have the green area maintained, an utter disgrace considering the amount of council tax that is charged on top. This needs to be looked at immediately. As i said, the houses i have no problem with as long as the other issues are addressed

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**Customer Details**

Name: Mr Stefan Sprawka Address: 98 Brookfield Road Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:If this development goes ahead without a Bradley Rd. Relief Road , the traffic situation on Louth Rd. And Scartho Rd will be permanent gridlock. The new road extending from Scartho top to Springfield Rd. Will simply result in more congestion as more and more vehicles try to join Waltham Rd. Which is blocked at peak times by traffic held up at Scartho Roundabout. What about a compulsory purchase order on land leading to Bradley Rd ? Local schools are already overloaded , there are no shops or leisure facilities on Scartho top either.

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**Customer Details**

Name: Mr Gavin Sartain Address: 4

Harrow lane Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:  
Comment: The amount of traffic and congestion this will bring will be contributing to more misery as drivers are subject to even more delays trying to leave the development via Matthew Telford way on to Scartho road. A caveat for the development MUST include the undertaking of the required work of an addition road to be constructed linking Bradley Rd to Scartho top to help elevate the traffic issue for its current and future residents. The housing development hasn't been managed great over the years, but this is an opportunity to do the right thing and consider others before allowing additional house holds to be created on the new development of Scartho top. Also, isn't it time a shop, a pub, retail units serviced the many residents rather than having to drive /walk 30 mins to the nearest store and village amenities???

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Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Miss Zoe Hicks Address: 6 Harrow Lane Scartho Top Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer made comments neither objecting to or supporting the Planning Application Comment Reasons: Comment:Please can we gain the through road to Bradley. The residents on Scartho Top know more houses are going to be built and many more in the future however with one way in & one way out isn't good enough. It's already far too busy and then when Aldi opens it will increase traffic more so, a road to Springfield isn't going to help matters either as traffic there is already a nightmare.

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**Customer Details**

Name: Ms Annette Jensem Address: 11 Harrow Lane SCARTHO TOP Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:I am concerned about the increase in traffic when we only have one exit on the Estate. It will already be increasing with the imminent opening of the Aldi store.

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**Customer Details**

Name: Ms Annette Jensen Address: 11 Harrow Lane SCARTHO Top Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:I am worried about the extra traffic this will cause with just one exit from the Estate. Traffic will already be increasing with the imminent opening of the Aldi store

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**Customer Details**

Name: Mrs Skye Carillo Address: 49 Sheldon road Scartho top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I've already raised numerous cases with the council over the traffic flow to Scartho top. Some nights taking 40 minutes to get down Scartho road to Scartho top and then to add another 225 dwellings with only one way in and out aswell as Aldi. Unless someone is being paid handsomely I can't understand this going through, in my opinion and many others who live on Scartho top it is going by to be far to busy with one road yes I know your linking the new road to main Scartho but again to one of the busiest roads in Scartho. This is a major risk to emergency services I just feel as though you can track the traffic but always in the wrong places and make as many comments in the paper about Scartho top but unless you live here you haven't got a clue.

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**Customer Details**

Name: Mr Eddie Woollock Address: 96 Sheldon Road Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer made comments neither objecting to or supporting the Planning Application Comment Reasons: Comment:No issues with the new homes, but the one road access out of scatho top is nolonger adequate. Additional access access out onto Bradley Road is needed

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## **Customer Details**

Name: Mr Wayne Lofts Address: 114 Sheldon Road Grimsby

## **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons: Comment:I 100% object to these new houses. Time and time again the council have lied and lied about what is coming next to the area. We were told no more houses until a School and Shops. Not a Supermarket and Care home! I would like to see posted the persons comment who did the traffic flow survey and what time of day this was done as the obviously have never seen it at 8am or 5pm. We have had several crashes at the old hospital entrance and had to be guided on the path to Pelham Road. The roads between houses are not wide enough, people have work vans parked on paths or on their drives ( a rule Redrow says you can't do. It's in the Red binder for those who have it still) The roads are starting to break up with potholes which don't get gritted and with the ongoing works makes it a death trap potentially hitting the fences around the Aldi works and that's with the 2k+ cars that use Matthew Telford Road now! What's an extra 500 going to do? Why not force the road through to Bradley. I can only suggest it's you don't want to piss Yarborough off for future planning on more green belt land. It certainly isn't the Bradley villagers objecting as houses are going up even when they objected.

It all seems to be hush hush brown envelopes and start building before you tell the local residents -you know the typical standard of this councils ways of running the town. What was once a lovely quiet estate is going to turn into people living in sardine tins with all the green belts slowly diminishing. Why not use all the brown sites? Are they not that profitable? As this also seems to be the reason Redrow left the area. From the comments of the "building firm" applying for the work then I can only see Scartho Top going from a once "want to live on there" to "wouldn't want to live there and the substandard houses".

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**Customer Details**

Name: Miss Jane Allen Address: 125 Mendip Avenue Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment: The lack of consideration to existing residents is deplorable. The current congestion causes enough problems, adding more traffic would be an accident waiting to happen.

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**Customer Details**

Name: Mr Peter Taylor Address: 8 Pelham Avenue Scartho Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: This development should be put on hold/stopped until the road infrastructure can support the additional traffic this will generate. Scartho Road is overloaded and heavily congested especially at peak times and there is currently only one road to access Scartho Top via Scartho Road. There needs to be a separate entrance, another road to access Scartho Top either from Bradley Road or potentially Laceby Road/ Nunsthorpe. This is necessary in the construction phase and also to support the additional traffic and vehicles coming from the development. In addition, from a safety viewpoint should there be a major incident or an accident on Mathew Telford Way there is no alternative exit or entrance for emergency services or for evacuation of residents should this ever be required. A full risk assessment should be performed in this respect. Please do not allow this development to go ahead unless the traffic situation is properly addressed, my strong objection here registered.

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**Customer Details**

Name: Mr Royston Allan Address: 13 Pelham Avenue Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:Before any further house are built surely the link road to Bradley needs agreeing and building, the traffic on Scartho Road is already up to its capacity. Pollution and safety must be a priority.

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### **Customer Details**

Name: Catriona Smith Address: 15 Wren Crescent Scartho Top Grimsby

### **Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I absolutely object to further development on the estate until another exit road is agreed.and confirmed. When moving onto Scartho Top 20 years ago we looked forward to seeing the promised amenities coming to fruition over the years; shops, school, pub and a through road. Apologies if I have misunderstood but I believe one reason the road to Bradley hasn't happened is due to the Brocklesby Estate blocking it? The very same Estate that gained permission for the plans in 2018, who will gain financially from the sale of the land but are unwilling to grant access to their neck of the woods? Yes the council need to make provision for a safe and adequate road infrastructure but I also believe developers and landowners should share responsibility and accountability and implementation. Just this morning (11 Jan 2022), the arrival of several tarmac trucks on Matthew Telford Way whilst working on the hospital development caused traffic tailbacks. Whilst not a long term solution, the hospital entrance off Matthew Telford Way had quite an impact in removing some of the pressure from Scartho Road - the busiest road in Grimsby. There have been accidents on both Scartho Road and Matthew Telford way itself and whilst injuries are the priority of course, as a result they have prevented access from/to Scartho Top and caused real traffic problems. In addition traffic will only get worse when the long awaited Aldi opens. I am all for progress and development but with extra houses comes extra vehicles and in turn extra responsibilities by authorities and other agencies to ensure the road infrastructure is not only fit for purpose but safe for both residents and visitors.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs J Styles Address: 16 Horseshoe Close Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I don't object to more houses being built as I live in a new build. I object to the lack of road structure. Scartho Road is already congested in rush hour. There will be 2000 houses in total with at least 2 cars per household but only 2 roads in and out. Both will cause traffic nightmares.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Linda Payne Address: 21 Buckingham Grove Scartho Top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment Reasons: Comment:Having lived on Scartho Top for the past twenty years, was pleased to see on plans for the site new school, convenience store, good transport, non of which have been honoured, apart from now having a large supermarket which will attract large numbers of shoppers in cars from around the area, causing even more problems in getting off and into the estate, more speeding cars, a common occurrence here, a partial road to Springfield, leading to nowhere, but which will attract more people to use the estate as a cut through, causing more even more congestion again on Scartho road. As well as the new homes located near the old hospital entrance, more cars, Nursing /residential home having residents, staff working there all needing transport, of which there is one bus twice daily, not a good service. Until traffic problems sorted, and a research, believe the last report is over three years old, to see what the impact will be on residents already living here, I think there should be no further buildings erected.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scarho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and  
landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Helen Helstern Address: 20  
Runway Lane Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment  
Reasons: Comment:Object

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mr Louis Theodosi Address: 26 Grantham Avenue Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: The congestion on services within the area will be compromised if these builds were to take place, road traffic alone under the current infrastructure cannot accommodate this planning application

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Helen Riley Address: 3 Lancer Court Scartho Top Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:With one Road only to get in and out of the estate it's already very heavy with traffic especially at peak times and will already get worse when the Aldi opens

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Ms Carla Linford Address: 3 Timothy Close Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment Reasons: Comment:I live on one of the newer estates in Scartho, the infrastructure is not designed to cope with this volume of housing. It can take up to half an hour just to get from Springfield Road to Scartho Top lights some mornings. Getting back into Scartho on an evening is horrendous too. Complete gridlock at peak times, to keep adding houses to an already struggling community is ridiculous. We need better infrastructure, more schools, green spaces - and what of the promised supermarket?

People move out the more rural areas for a more peaceful life, not to spend anything up to two hours a day sat in traffic jams. That's without considering the impact on the character of Scartho itself. It's no longer a village, very sad.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Lima Islam Address: 4 Wallis Court Scartho Grimsby

**Comment Details**

Commenter Type: Statutory Consultee Stance: Customer objects to the Planning Application Comment Reasons: Comment:I strongly object to these houses being built unless there is another road to enter and exit. It is distressing for all the residents of scartho top on a busy time in the morning some days having to wait such a long time to exit and same coming into scartho top at 5.30. So as you can imagine without another road it's going to be a nightmare along with the new Aldi that's going to be attracting alot more traffic from surrounding area that's without the cars from the new houses.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mr John Crew Address: 5 Hyde park close Scartho top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:Before anymore houses are build there needs to be another entrance and exit onto the estate (Bradley road) The traffic is bad now when Aldi opens it's going to get worse without this new one.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Paul Cunningham Address: 5 Newmarch Court Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: Traffic already unacceptable and dangerous. Infrastructure cannot cope now so no chance with 600 new residents. Supermarket will add to this. Viable with access via Bradley Riad and if amenities such as play parks provided.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Deana Thompson Address: 66 Waltham road scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:As much as I like to see development scartho road cannot accommodate more traffic

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Mr Craig Wilson Address: 81 Waltham Road Scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I object to this planning application to build further housing on Scartho top. The congestion that is already along Scartho road, Waltham Road and Louth Road is dangerous and will only get worse. The traffic lights at the entrance of Scartho top are not fit for purpose. Scartho fork roundabout cannot currently cope with the volume of traffic so this backs up along Louth/ Waltham Road turning Southfield Road into an ever more dangerous rat run. Personally on many occasions it has taken 15-20 minutes to get out of our driveway with the traffic not clearing until 10am. Unless adequate alternative entrance/ exit routes are built then any further plans will overload the already heavily stretched infrastructure, a suggestion would be to build out towards Bradley.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mr Dave Pearce Address: 8 Chester Grange Scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:Scartho road traffic is already heavily congested, the addition of more houses will only make it worse.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mrs J Colbrook Address: Amberley close Scartho top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment: The congestion leading in and out of Scartho Top is already beyond extreme, these houses will lead to more congestion on Scartho Road which is already too much. Another exit needs to be made at Bradley to relieve it.

-The Aldi and the Carehome is already going to increase the traffic flow daily again leads to the traffic situation.

-We was told there would be a school, doctors, shops etc as a part of Scartho Tops growth, being "separate" from Scartho but this has not yet happened

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Miss Leanne Watson Address:

1 tillering lane Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:I would be concerned about the impact on the traffic and that there would be increased congestion given there is only presently one exit route off scartho top. This I feel is also a safety issue as was highlighted when there was a crash on Mathew Telford as the residents had no means of leaving scartho top until the crash was cleared which is worrying should someone need to seek emergency medical attention. If there is to be further housing growth there needs to be appropriate planning of an alternate traffic routes off scartho top

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Miss Louise Coffey Address: 11, Edinburgh Way Scartho top Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: There is already way too much traffic on scartho top and Scartho road. We have already had a few instances when the one and only road, in and out, has been blocked. Then no one can get in or out. It's ridiculous. I live near the road being built to join Springfield to Scartho. That will only add to congestion not take any away, I can't imagine many people finding a reason to cut through to Springfield Rd but plenty will want to cut from Springfield to Scartho. There MUST be another main road to help ease the traffic and also for safety reasons if the road becomes blocked again. We are also going to have added traffic with the opening of Aldi. That will bring many cars from the surrounding area onto Scartho top.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Miss Marie Coley Address: 42 fenwick road Scartho top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I object due to the amount of traffic already on scartho top. The slip road coming into Matthew Telford is not substantial for all the cars that use it, at school times there is to many cars that use it to what it can hold , cars blocking roads and stopping traffic, this will increase even more once Aldi is open never mind more housing. I also object to Springfield been linked to scartho top , this is right where I live and there already has been a big increase in traffic due to new Lindom homes been built. The road is not made for heavy traffic, it's has a narrow street that has blocked paving in areas that is not suitable for lots of traffic. A lot of the road has already been damaged by large lorries going to building sites. This will bring more traffic from other areas into scartho top, cutting through to Aldi . It will not ease traffic it will increase . More homes will makes issues with traffic even worse.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Mr Andrew Neve Address: 42 fenwick road Scartho top Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: My objection is based on road infrastructure. Scartho road is already heavily congested and at times gridlocked . Our daughter goes to scartho juniors and the journey home from there down conyers ave to scartho road and onto scartho top is very difficult and at times dangerous due to volumes of traffic . Nobody is against new housing but the road out to Bradley needs developing to contain this problem.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Miss Ann-Marie Wilson Address: 74 Southwold Crescent Scartho

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:There currently isn't adequate infrastructure in place to withstand the building of this number of homes. Scartho Road is currently gridlocked every day at peak times, and it is almost impossible to get out of Springfield road. There needs to be further access from the other side of Scartho Top onto Bradley Road to ease congestion.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

**Customer Details**

Name: Donna Humberston Address:

Shaw Drive Scartho

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment: The traffic in Scartho is absolutely mental and is just getting worse. More houses with no solution to the existing congestion issue will cause even more delays and chaos. Strongly oppose more houses until there is a solution in place to ease all the traffic

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Mr Roger Young Address: 1 Pennistone Place Scartho Top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I don't mind the development but something must be done about the road entrance and exit, it needs the road taking through to Bradley this would allow traffic going west to go this way and reduce the traffic on Scartho Road. With these houses plus Aldi and a Care Home it needs a new road

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Helen Bromley Address: 10 St Giles Avenue Scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I am totally against more houses being built on Scartho top without a relief road being built. After walking up to the new Aldi being built, the supermarket will attract not just local village residents but out of the area customers. This will ultimately bring more traffic onto Scartho road. The road is not fit for purpose. At peak times it takes us nearly 30 minutes to get from our house to the estate roads for work due to the sheer amount of traffic. Please consider the residents before granting permission. There is one road in and one road out of Scartho top with a lot of families with small children. Obviously with the new supermarket there will be hgv lorries using the roads to make deliveries. On several occasions there have been car accidents on Matthew Telford way leading to the road being shut for hours with no means of the residents getting off Scartho Top. It is a totally ridiculous set up. YOU NEED ANOTHER RELIEF ROAD PUTTING IN before any more houses being built for people's safety.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Mr Lee Curtis Address: 13 Westkirke Avenue Scartho Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment: The traffic and congestion on Scartho Road and surrounding areas including Matthew Telford Park at peak times is already the most congested in N.E Lincs.

With an extra 225 dwellings will naturally increase the number of vehicles using the road and add to the congestion. My objection is further infrastructure should be provided to alleviate the current congestion and subsequent air quality and Road Safety Issues before further dwellings being permitted.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Mr Martyn Chilvers Address: 27

Getting Lane Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:Substantially increasing the traffic flows on Matthew Telford Way and Scartho Road is unacceptable - these routes are already overburdened at peak times . Any further housing development should await a link road to Bradley Road which would relieve the traffic headed for Laceby Road.

### **Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

### **Customer Details**

Name: Mr Paul Richardson Address: 9

Rinovia Drive grimsby

### **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment: The reason for my objection is not the building of more homes but regarding the local road infrastructure mainly Scartho Road. I'm a life long Scartho resident and Scartho Road has become a big traffic problem been grid locked on a daily basis. This will only worsen as more houses are built. I believe as traffic volume keeps increasing the likelihood of more accidents and pedestrian incidents will only increase with it. Access to Matthew Telford Park, Meadow Drive and Springfield Road areas from Bradley Road would alleviate the problem greatly but I believe this idea keeps getting rejected or blocked for various reasons.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Mrs Samantha Hodder Address: 7 Stockham Court Scartho Top Grimsby

**Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:I am extremely concerned with the pressure this will put on the roads. There is only really one way in and out of Scartho Top and this is already a nightmare at peak times and hazardous. Scartho Road/Louth Road and Waltham Road are horrendously congested and the constant queues of traffic are not good for air pollution. In order to mitigate part of the problem you need to sort out the syncing of the traffic lights at Matthew Telford and the hospital junction along with widening the road to two lanes on Matthew Telford for traffic leaving Scartho top as in the mornings this queues back to Wren Crescent.

**Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

**Customer Details**

Name: Miss Zoe Adams Address: 32A Asgard Way Scartho Top Grimsby

**Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:Cause further congestion to area

## **Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping (updated drainage information Jan 2022) Case Officer: Richard Limmer

## **Customer Details**

Name: Mr phil Jervis Address: 16 Rosemallow Close Scartho Grimsby

## **Comment Details**

Commenter Type: Member of the Public Stance: Customer objects to the Planning Application Comment

Reasons: Comment:I understand this latest development wont be stopped as Outline permission is in place but i do have some very real concerns regarding safety and traffic in this area which looking at the application and Transport statement submitted on behalf on behalf of the developer it does nothing to address or even highlight the real issues that exist. 1) Biggest safety concern- Only a few hundred meters from a very busy school is the Junction with Lavenham road/Springfield rd and Meadow Drive, the Transport report states improvements have been made prior to work commencing on a previous phase which is technically correct but this junction is still completely unsafe and an accident waiting to happen, The overall layout of the junction is wrong meaning vehicles leaving Meadow drive onto Springfield rd have to look over there right shoulder behind them to see traffic (or cyclists) coming from there right. Relatively minor improvements such as stopping residents cars being parked on the junction, implementing a traffic island stopping vehicles 'sling shooting' off Springfield road onto Meadow drive would help but the whole junction requires a re think before any further homes are granted permission. 2) Parked cars on Meadow drive, Cars are always parked on the bend as you enter meadow drive and are parked on both sides of the road as you head towards the new development meaning many near misses happen daily. 3)Bus Route, the transport report mentions a bus route to connect through to Springfield road, this cannot happen until the main trunk road is completed, a further 8-10 years perhaps? in the mean time people will just use there cars adding to the traffic flows. 4) Springfield Road, Waltham road Junction, again requires real consideration, the report suggests that 'Any increase in traffic will likely turn out of Springfield left'. Utter Rubbish, why anyone would think to drive down off Scartho top onto Springfield road and then turn left to head back towards Scartho Top makes no sense, more vehicles will look to Right out of Springfield road adding to the chaos that already exists at peak times.

5) Scartho road, Matthew Telford way. I understand a filter lane is to be introduced very soon as part of the conditions effecting the development happening at Kings park this is heading North from Scartho towards the Hospital. In my opinion this will help ease very little of the traffic congestion we currently face and consideration needs to be made to the traffic accessing Scartho top in the opposite direction (towards Scartho village). I would have thought the obvious thing to do is elongate the filter lane and sacrifice a stretch of the 2 lanes heading North. 6) additional exit onto Bradley, whilst i cannot see any logical reason against this the reality is this isn't going to happen anytime soon as the land owner to the West of Scartho Top development is not Brockelsby estates, the fact is this was an oversite in the very outset and a development of this scale should never have been granted permission without adequate entry/exit points. I would suggest that whilst accomodating the developers many phasing alteration requests, provision is made for a potential road link at a later date. 7) Springfield Road, issues with speeding motorists have existed for many years and have simply been overlooked, an increase in traffic will likely increase the number of incidents. 8) Facilities- i cannot think of any development on this scale where a council has failed to ensure the developer provides adequate facilities and provisions for the residents who are living there. Part of the planning process is to ensure that developments are sustainable, Over 20 years on from the commencement of this development and 100's of homes built and occupied, there is still No shop, No Play park, No cafe/pub or restaurant, No school in fact No community facilities at all. The result is you end up with a development with no sense of community, nothing for the children to do, increased levels of pollution and anti social behaviour. On the subject of schools, perhaps the obvious choice Infants/Primary would be Springfield, already one of the most over subscribed in the whole of North East Lincs.

Overall summary, i think the council need to firm up and i don't disagree there is a need for these houses but the developers and in particular land owners need to be made to address the issues and make tangible contributions and changes to the local area that make overall improvements before permissions are granted.

### **Application Summary**

Application Number: DM/1149/21/FUL Address: Land Off Matthew Telford Way (Phase 2C1 And 2D)

Scartho Top Grimsby DN33 3SW Proposal: Erect 225 dwellings with associated infrastructure and landscaping Case Officer: Richard Limmer

### **Customer Details**

Name: Kennedy Fitzgerald Address:

Lancer Court Grimsby

### **Comment Details**

Commenter Type: Neighbour Stance: Customer objects to the Planning Application Comment Reasons:

Comment:- The congestion leading in and out of Scartho Top is already beyond extreme, these houses will lead to more congestion on Scartho Road which is already too much. Another exit needs to be made at Bradley to relieve it.

-The Aldi and the Carehome is already going to increase the traffic flow daily again leads to the traffic situation.

-We was told there would be a school, doctors, shops etc as a part of Scartho Tops growth, being "separate" from Scartho but it appears developers and the council have not considered that and do not see it as a grand money maker.

I imagine all of these will be ignored, the same as every single other objection regarding this building work as the decision will have already been decided and this is just ticking boxes.

**From:** Sent: 30 December 2021 20:34 **To:** Planning -IGE (ENGIE) <[planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)> **Subject:** 31/12 -requested address -DM/1149/21/FUL

Good evening.

Please note my views re this planning application. Firstly I live on the Springfield Park development. I have no objection re the long term development plans which would include this application. However I feel no further development should be agreed until real and meaningful assessment re a link road is made and agreed.

I believe Scartho Road has recently been deemed one of if not the most congested Roads in N e Lincs. Recent improvements have been made by removing bus lanes etc but there is little scope to improve this further. This road without doubt is operating at capacity. This traffic backs up A.M and results in a 20-30minute tail back on Springfield Road again suggesting it is at capacity.

It is quite obvious that a road between Bradley and Scartho Top would reduce many of these issues and offer real improvements for years to come. The council appear to lose sight or ignore this quite obvious resolution which makes no sense at all.

Planning Application Reference: DM/0536/20/FUL Proposal: Erect dwelling with integral garage and install vehicular access (Ecology Report - January 2022) Location: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire

**Waltham Parish Council supports approval of this application, on condition that the protection of bats and other wildlife is taken into consideration during the construction process, as per the recommendations contained within the ecology report.**

## **Angela Tynan (Engie)**

---

**From:** Waltham Parish Council <walthampc@btconnect.com>  
**Sent:** 29 July 2020 14:25  
**To:** Planning - IGE (ENGIE)  
**Subject:** Waltham Parish Council Comments - 28th July 2020  
**Attachments:** Planning Comments 28 July 2200.docx

Good afternoon,

Please find attached comments on applications from Waltham Parish Council.

Kind Regards

Tanya

Tanya Kuzemczak  
Clerk to the Parish Council

Waltham Parish Council  
Parish Office  
Kirkgate Car Park  
Kirkgate, Waltham  
Grimsby  
North East Lincolnshire,  
DN37 0LS

[www.walthamparishcouncil.org.uk](http://www.walthamparishcouncil.org.uk)

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Scanned by Anti Virus Software.

Planning Application Reference: DM/0536/20/FUL Proposal: Erect dwelling with integral garage and install vehicular access Location: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire Case Officer:

<http://planninganddevelopment.nelincs.gov.uk/onlineapplications/PLAN/DM/0536/20/FUL>

**Waltham Parish Council recommends approval of this application.**

## **Angela Tynan (Engie)**

---

**From:** Waltham Parish Council <walthampc@btconnect.com>  
**Sent:** 24 February 2021 13:44  
**To:** Planning - IGE (ENGIE)  
**Subject:** Waltham Parish Council Comments  
**Attachments:** Waltham Parish Council Planning Comments.docx

Good afternoon,

Please may I submit the attached comments for Waltham Parish Council.

Kind Regards

Tanya

Tanya Kuzemczak  
Clerk to the Parish Council

Waltham Parish Council  
Parish Office  
Kirkgate Car Park  
Kirkgate, Waltham  
Grimsby  
North East Lincolnshire,  
DN37 0LS

[www.walthamparishcouncil.org.uk](http://www.walthamparishcouncil.org.uk)

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**Waltham Parish Council Planning Comments – 23<sup>rd</sup> February 2021**

Planning Application Reference: DM/0536/20/FUL Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design) Location: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire

**RESOLVED:** **Waltham Parish Council recommends refusal of this application on grounds that development of the site and removal of existing trees could have a detrimental impact on wildlife, and in particular bats. The Parish Council consider that an ecology survey should be undertaken with the resulting ecology report to be made available.**



Mark Carlton  
85 Brigsley Road  
Waltham  
DN37 0LB

Your ref: DM/0536/20/FUL  
Planning Application ref: DM/0536/20/FUL

Land adjacent to 83 Brigsley Road, Waltham

Dear Sirs

Thank you for your letter of 10 February 2021 received on 15 February 2021.

Preliminary Point

I note that comments in response are to be received by 24 February 2021. My understanding is that 21 days should have been made available for comments in response. As you are aware, I have very serious concerns as regard to conflicts of interest that exist in respect of this case and whilst I thank you for your previous response, I need to make you aware of the fact that that response is not accepted as being correct and that it is entirely clear to me that a conflict of interest does exist in this case due to the involvement of Engie who your letterhead confirms are "working in partnership" with the Local Authority who decide the planning issues in this case.

Comments

I have had the opportunity of seeing the amended documents filed in respect of the application. They are difficult to understand and it is difficult online to understand as to the alterations that have been made. I note that some discussions have taken place with Tree Officer in this case. The amended plans do not however give any kind of indication as to: -

1. What has changed in respect of the previous plans submitted.
2. What has changed in respect of the applicant's proposals in respect of the present trees planted both in the area under consideration, and in respect of my own garden. This is to the prejudice of myself and my neighbour of the opposite side. The plans are not clear and do not give any indication at all as to what alterations are proposed.
3. All of the previous objections raised by me remain. In short, an application for planning permission on this plot has been refused on I believe 11 previous occasions by the Local Authority. More significantly, they have been turned down on 3 occasions by the Planning Inspector on appeal. There is nothing in either the original application or in this amended application (such as it is) that can take the Local Authority away from the fact that to now grant planning permission will be to do so directly in the fact of those previous appeal decisions by Planning Inspectors.
4. Furthermore, if planning permission were to be granted it would be in direct contravention to all of the previous decisions made by the Local Authority when previously declining planning permission on this plot. The reality is that nothing has changed that could lead to the Local Authority now being in the position to grant

permission in direct contravention to their previous decisions and those of the Planning Inspectors on 3 occasions.

5. Despite the fact that all of the trees on the site in question are covered by the TPO the owner of that plot has already taken down trees in the plot itself. If anyone were to inspect that site they will find that branches have been sworn off and trees deliberately uprooted towards the entrance of the plot. I have photographic evidence which can be supplied.
6. Furthermore, permission was given to the removal of one tree at the end of the plot. My understanding is that a term of that permission was that the felled tree would then be replaced by a mature tree. Despite that tree having been felled at least 6 months ago, that tree has not been replaced. That is perhaps a reflection of how the applicant treats this matter.

Inspection

Could I urge that no permission is granted in respect of this property and that an actual inspection should take place by Planning Officers. Any inspection of the site would surely lead to the conclusion that all reasons given previously by the Local Authority, and most importantly by the Planning Inspectors on their 3 previous appeals, still hold today. A building of anything on this particular site would lead to total irreparable detriment to the properties at both 83 and 85 Brigsley Road, untold detriment to the street scene and significant and unacceptable disturbance to both properties at 83 and 85.

Yours faithfully

Mark Carlton

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (amended plans - dwelling design and site layout December 2021)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mr Mark Carlton

Address: 85 Brigsley Road Waltham Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Any proposal to develop remains unacceptable - all previous comments/objections still apply - SPECIFICALLY :-

1 The L/A have refused permission 11 times previously - the Planning Inspectors 3 times on Appeal - that history speaks for itself

2 The Planning Inspectors have pinpointed that any development will cause :-

(A) irreparable detriment to 83/85 - creating an uncomfortable appearance alongside neighbours  
(B) untold detriment to the street scene - look at the Site Location/Landscaping plans - they show a long sideways building representing back garden development totally out of character with ALL other building in this area

(C) significant and unacceptable disturbance to both neighbouring properties - beautiful mature trees over 90 yrs old will die due to the foundations of any new building - and the Landscaping Plan shows cars passing and parked within a few feet of living accommodation

(D) considerable detriment to trees in the area ALL OF WHICH are covered by TPO's - it is proposed that 12+ trees covered by TPO's be felled and replaced by 3 trees - in addition the trees in my property will be killed - look at the comments of your own Tree Officer and all previous planning decisions - they speak for themselves

3 BATS - there are bats living and feeding in the trees - these have been witnessed by your own Chief Planning Officer - there has been no effort to undertake the required Bat survey - the Bats are a protected species

4 ATTITUDE/BEHAVIOUR - the L/A can have no confidence that this Proposer will comply with any terms imposed - he was granted permission to fell a tree - it was a term of his permission to do so that he was to replace it with a similar mature tree - 21 months later he has failed to do so - and his amended plans do not allow for it to be replaced

5 CONFLICT OF INTEREST - despite 2 complaints to the L/A pinpointing the obvious conflict of interest created by Engie preparing a tree report contradicting their previous 11 refusals and their Tree Officer - this Application cannot proceed fairly or in an unbiased manner if any reliance is placed upon the Engie Report - without the Engie report- and even with it - the Application must fail due to the reasons set out in those previous 11 refusals and 3 by the Planning Inspectors - to grant permission in contradiction to those decisions would indicate or suggest reliance or note had been taken of the Engie report - leaving the L/A exposed to complaint/criticism

6 FUTURE DEVELOPMENT -to grant permission will open the floodgates to future development to the rear of these properties - my adjoining paddock is 2 acres - the neighbouring paddock a similar size - there is open green space waiting to be developed and if this application is granted it is difficult to see how the L/A will in future be able to oppose development similar to the CYDEN site of 199 houses off Brigsley Road - my garden itself is 1.2 acres and the L/A could certainly not refuse permission to develop a number of buildings therein ( which is not my wish or intention ) this area is rural and should remain so - and the L/A should be anxious to protect it and the village from further damage

OVERALL - in a previous correspondence with the Applicants late father a Planning Officer stated it was doubtful that any proposal on this land could ever be approved - nothing has changed in respect of this proposal - the proposed development is totally out of keeping with its surroundings - the significant street scene of Brigsley Road will be irreparably impaired and a jewel in Waltham's crown lost

The damage to the trees will be significant - this is a proposal to kill trees that have stood for 90 years both on the strip of land and in my property - these are trees the L/A have previously protected  
by the TPO's and its own planning decisions ( supported by the subsequent Planning Inspectors decisions )

The amended plans show a long narrow featureless property sideways on to the road and sited well behind an established and historic building line which is over 90 years old - the walls are tight to the boundaries of the neighbouring properties - literally placing them in touching distance

The proposal will cause a significant and unacceptable disturbance to the neighbouring properties - trees will be felled - others will die - Bats will be lost ( disturbed )

The L/A must be seen to be consistent in their approach - faced with their previous 11 refusals

they cannot allow this to proceed

**INSPECTION** - the Planning Committee are urged to carry out an actual inspection to include a visit to both 83 and 85 Brigsley Road - and to take in this area of Brigsley Road itself - only then can it truly appreciate the reasoning for the previous refusals and the severe detriment to the neighbouring properties - the trees - and the street scene itself

**REPRESENTATION** - I would wish to be able to make oral submissions to the Planning Committee

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (amended plans - dwelling design and site layout December 2021)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mrs Beverley Carlton

Address: 85 Brigsley Road Waltham Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:OBJECTION TO REVISED PLANNING APPLICATION ADJACENT TO 83 BRIGSLEY ROAD,WALTHAM,GRIMSBY.

REF. DM/0536/20/FUL

ALTERNATIVE REF. PP-08860126

I write to object to the revised planning application ,my main concern which comes from the heart is the proposed chopping down of 12 plus mature trees which are 80 years old. The trees at the back of this plot have been a tree line feature of Waltham for approximately 50 years, they can be seen from all directions when coming into the village of Waltham.

The felling of these trees would cause adverse impact on the ecological and biodiversity of this long vacant piece of land. It has been owned by vacant possession by all its living creatures that inhabit it.

The trees provide the perfect habitat for feeding bats (2 species types have been recorded and verified by a bat expert)and observed by the local planning officer and Chairman of the Waltham Parish council. These trees also provide shelter and cover for owls and flocks of roosting birds every night .Every year we have returning house martins and swifts. Squirrels, field mice, moles and frogs to name a few along with all the insects and beetles which habitat in the warmer weather using the shade and cover of the trees, making this a unique wildlife oasis with its own biodiversity.

The area as a whole has recently seen a lot of major development along Brigsley Road of 200

new houses being built by Cyden causing the loss of trees, fauna and wildlife habitat already.

It appears the owner/developer of this piece of land is once again clutching at straws to fit something in this very narrow piece of land ,having submitted and resubmitted ,and had it refused 11 times over the last 30 years. This piece of land was originally a side, garden to no 83, but split when the house was sold over 30 years ago. It was never set out to be a building plot. These comments are the reasons it has been refused so many times even by outside Planning Inspectors. The latest plan is a long narrow sideways on building only possible with the destruction and chopping down of 12 mature trees, to accommodate the very deep complex foundations which will be required and to bring light to the plot. My extreme worry is this will damage the special biodiversity system which has developed over the many years. The damage to my trees right on the boundary would be affected and we may well lose them.

My other concern is how can 2 families either side of this piece of land have their rights of privacy and disruption to their back garden out look of trees and wildlife just taken away when they have lived there respectfully for 30 years and objected throughout . Instead they will be faced with the front of some tight fitting cobbled revised plan of a house to the complete detriment to their houses either side.

In the present day climate change of global warming we need all the trees we can keep to save our planet and wildlife, every little bit helps. Trees as we all know eat up carbon dioxide and chopping them down releases more CO2. There is going to be so much more traffic on Brigsley Road due to the 200 houses being built on the Cyden site. This piece of land is really not suitable for any building for all the reasons I have stated. In my opinion it is just another developers greed trying squeeze yet another tight fitting house into a very small plot, totally out of character with all the large mature surrounding properties.

The Queens message this year for her Platinum Jubilee to the nation is plant a tree not destroy the already established ones.

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (amended plans - dwelling design and site layout December 2021)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mr Mark Carlton

Address: 85 BRIGSLEY ROAD, WALTHAM Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to the Ecology study the following applies

1 overall the Report does not support the proposed development - it recognises the site of one that supports newts badgers bats and other birds

2 the report follows an inspection in January - which is Winter - hardly surprising therefore that the wildlife was quiet - the rework should be in the summer when the area is teeming with birds and bats !

3 the inspection was during the day - the bats feed at night ! Again hardly surprising they weren't seen during the day - the bats feed have been witnessed by the chief Planning Officer who is surely duty bound to report and comment upon that fact - he has seen them himself and should be directly asked by the Committee as to confirmation of fact

4 the author clearly did not see the two bat boxes in my trees adjoining the plot

5 Most farcical is the suggestion that the impact on bats/birds can in some way be mitigated by subdued lighting - the point missed is that if 12+ trees on site are felled/removed to make space for the building the birds would have nowhere to go and therefore subdued lighting is irrelevant

6 the proposed developer and his agents are clearly trying to mislead the Committee - see point 5 above - the author was clearly not made aware of the intention to fell the trees - had she been informed I suggest the :-

A - she would have written the report completely differently : and

B - would never have exposed herself to criticism for suggesting subdued lighting !

Overall - the report should be commissioned by the Local Authority - it should take place over the summer months and not be limited to a dull day in January which could never realistically amount to a proper survey - and certainly not one that could do justice to the site in question

Mark Carlton  
85 Brigsley Road  
Waltham  
Grimsby  
DN37 0LB

Tel:  
Email:

04 August 2020

**HAND DELIVERED**

Richard Limmer  
North East Lincolnshire Planning  
New Oxford House  
2 George Street  
Grimsby  
DN31 1HB

Dear Mr Limmer,

**PLANNING APPLICATION REFERENCE – DM/0536/20/FUL**

Please find enclosed, delivered by hand on 4 August 2020 my objection in respect of the above planning application. I would be grateful if you could kindly acknowledge safe receipt.

I am concerned that there is a very serious conflict of interest that has been allowed to occur. The conflict of interest is that an Arboricultural Report has been prepared by Engie Arboricultural Consultancy dated 28 April 2020, commissioned by the Applicant and submitted in support of the present application.

That causes a direct conflict of interest due to the following reasons:-

As can be seen from the planning history of this matter:-

- a. The Local Authority have consistently refused planning permission on this plot, for amongst other reasons those of detriment to the street scene and residential amenity.
- b. The three previous decisions by the Planning Inspectors, all of which obviously refused permission, all dealt with the issue of the considerable detriment to the trees in the area.
- c. Furthermore, the Report is directly contradicted by your own Council Officer, Paul Chaplin in his response to the present application. As Mr Chaplin clearly and accurately

*“... the proposal will impact on those trees (in 85 Brigsley Road) and the trees impact on the foundation design. A traditional strip foundation is very unlikely to be suitable for the footprint as proposed...”*

*“...with regard to the impact on the neighbouring property and management of its tree stock the proposed footprint places the emphasis on 3<sup>rd</sup> party regarding screening the proposal...”*

and most importantly “*...I do not believe there is any fundamental change from the previous proposals regarding the impact on existing trees both on site and adjacent to the site and therefore previous comments are still valid in principle*”.

I obviously have no need to repeat all that I have stated in my submission of 3 August 2020. The previous history of the site from the Local Authority point of view, and most importantly the decisions of the Planning Inspectors make it so obvious that there is a conflict of interest.

The conflict of interest is that it is now impossible for the Local Authority to make a decision, other than refusal, due to the existence of the Report prepared by Engie. It is not possible for the Local Authority to make an impartial decision due to the existence of the Report prepared by their Partner, with whom the Local Authority state are “Working in Partnership”.

To my mind the only way in which this obvious conflict of interest can be remedied is:-

1. Refusal of the application under delegated powers; or
2. For the present application to end and for the Applicant to resubmit an application in the absence of the Report prepared by Engie.

Should that not occur I would regard that as being maladministration causing injustice on the part of the Local Authority, and obviously that is a matter that would have to be referred to the Local Government Ombudsman.

I am surprised that this obvious conflict of interest had not been identified earlier. It is an obvious effort by the Applicant to conflict the Local Authority and to duly influence. It is impossible to see how the Local Authority can make a decision in conflict with the Report prepared by their Partner, Engie, but where that Report is in direct conflict with the previous planning refusals by the Local Authority and the 3 previous appeal decisions of the Planning Inspectors.

I would invite your comments within 7 days as regards to the issue of the conflict of interest.

I look forward to hearing from you.

Yours sincerely,

Mark Carlton

Mark Carlton  
85 Brigsley Road  
Waltham  
Grimsby  
DN37 0LB

Tel:

03 August 2020

### PLANNING APPLICATION

Reference – DM/05/36/20/FUL

Land adjacent to 83 Brigsley Road, Waltham

Please accept this letter as my continued objections to any form of development in relation to the site in question. The site remains as unsuitable for development as it has ever been in the past. There have been no material changes to the site, or to the form of application, that can give any justification to the Local Authority in now granting permission.

### **ENCLOSURES**

1. Planning Inspector's decision, Mr Peter J Golder dated 30 January 1998;
2. Planning Inspector's decision, Anthony J Wilson dated 9 August 2006;
3. Planning Inspector's decision, Mr Keith Hill dated 12 March 2009;
4. Previous Local Authority decisions consisting of:-
  - i. Refusal - 10 April 1996;
  - ii. Refusal - 14 May 1997;
  - iii. Refusal - 15 January 2004;
  - iv. Refusal - 18 November 2005;
  - v. Planning Committee Report 18 November 2005;
  - vi. Refusal - 24 November 2005;
  - vii. Refusal - 19 February 2008;
  - viii. Refusal - 28 July 2008.

### **BACKGROUND**

It is therefore the case that there have been 7 previous refusals by the Local Authority in respect of this site together with 3 refusals by different Planning Inspectors.

There has been no material change in any form in relation to this site and as above, it remains as unsuitable for development now as it has ever been.

It should however be noted that the present application actually seeks to increase the size of the proposed development from a one story two-bedroom bungalow to a detached four-bedroom house.

### **INITIAL SUMMARY**

1. There has been no material alteration to the site since any of the 3 Planning Inspectors decisions. Nothing has changed.

2. The site in question is a very thin strip of land, upon which it would be impossible for the Applicant to construct a dwelling of any description that does not immediately impact or impair the character of the street scene, and most importantly, will not cause a substantial detriment to the properties at 83 and 85 Brigsley Road.
3. A construction of any dwelling would cause a detriment to both properties and will cause overlooking and a complete lack of privacy.
4. Each of the Planning Inspectors has considered that any construction would have:-
  - a. A substantial detriment that would be caused to the character and the appearance of Brigsley Road.
  - b. Any development would result in serious detriment to the living conditions enjoyed at properties 83 and 85 Brigsley Road and would result in "an uncomfortable appearance alongside its neighbours".
  - c. That there would be considerable detriment to the trees in the area.

The decision of the previous Inspectors is examined below.

#### **APPEAL DECISION, PLANNING INSPECTOR MR KEITH HILL 12 MARCH 2009**

This is enclosure 3 and is the third of the appeal decisions by the Planning Inspectors.

Mr Hill concluded that:-

##### **1. Main Issue**

On dismissing the appeal, the Inspector stated that the main issues were the effect of the proposed bungalow on the character and appearance of the area, on the living conditions of the Occupiers of 85 and 83 Brigsley Road, with particular regard to noise and disturbance, and on the trees within and adjacent to the appeal site.

##### **2. Character & Appearance**

As with the previous Inspectors this Inspector noted the subtle but discernible difference in character of the development to the East of the road compared to that at the West. He noted that the proposed bungalow, which was to be located in exactly the same place as previously proposed, would occupy a substantial portion of what he regarded as being a "comparatively narrow plot". He concluded the narrow width of the plot together with the restricted dimensions of any dwelling and its position to the back of the site would result in an uncomfortable appearance alongside its neighbours.

He concurred with the previous Inspectors that the proposed dwelling would present the impression of a building "squeezed into the space as an afterthought" and that would have a detrimental impact upon the spacious character of the locality.

He concluded therefore that the proposal would "unacceptably harm the character and appearance of the area contrary to Local Authority Policies".

### **3. Living Conditions**

The Inspector made two observations namely:-

- a. The proposed parking and turning areas located to the front, as with this present proposal would cause significant impact upon 83.
- b. The Inspector did not consider that either the timber fence or the hedge implanting, or any other form of screening that might reasonably be required would be sufficient to prevent the Occupiers of both 83 and 85 from being aware of the noise and other disturbance arising from parking and manoeuvring of vehicles in such close proximity to their properties.
- c. He was therefore of the opinion that the proposed development would have an “unacceptably harmful impact upon the living conditions of the adjacent properties and conflict with Local Authority Policies which seek to prevent an unacceptable level of disturbance to existing dwellings from the movement of vehicles and visitors”.

### **4. Trees**

The Inspector recognised that the trees in the locality have a “group amenity value”. He notes the mature trees in the grounds of the adjoining properties, in particular my property at 85 which is very close to the boundaries of the appeal site. He recognises that those trees contribute to the “verdant appearance and character of the area”.

He is of the view that the future health of the trees, which he notes are of “particular amenity value” would be compromised by the proposed siting of the development because of the potential disturbance to root protection areas. The arboriculture report that has been submitted in support is dealt with in detail below. It does not address that issue in any way and is consistent in its rather bland attitude throughout that such trees are “*... located off site and outside the responsibility of the developer*”. Clearly that was not the view of the Mr Hill. He concluded that “*...any effect on these trees would further add to his concern that this proposal would harm the character and appearance of the area*”.

He concluded that the harm that the proposal would have on the trees “within and adjacent to the appeal site” would conflict with Local Authority Policies which seeks to retain trees that contribute to the character of an area in association with development proposals.

The proposed siting of this development is right up to the boundaries of both 83 and 85.

## **THE PREVIOUS DECISION OF PLANNING INSPECTORS**

This refers to enclosures 1 and 2 namely:-

1. Peter J Golder, 30 January 1998;
2. Anthony J Wilson, 9 August 2006.

Hopefully there is no need to repeat all of the contents of those decisions as they are very clear in their wording and refusal. It is notable from the decision of Anthony J Wilson of 9 August 2006, however that he very much followed the original decision of Mr Peter J Golder of 30 January 1998 as follows:-

## **1. Character & Appearance**

(A) The Inspector noted that for the area in question there was a building line with similar sized plots arranged in relatively spacious surroundings with gardens with well planted shrubs.

(B) At Paragraph 2 Mr Wilson states...

*“...I share the view, expressed by the Inspector of the previous Appeal... that there is a subtle but discernible difference in the character of the development to the East of the road compared to that with the West”.*

(C) At Paragraph 3 in relation to the area the Inspector acknowledges...

*“...the material contribution the site makes to the spaciousness of the development along this part of Brigsley Road as documented by the previous Inspector in 1998”*

(D) At Paragraph 4 the Inspector notes that the development would still occupy a substantial proportion of the available width of this...

*“...comparatively narrow plot sandwiched in between two existing dwellings which are located relatively close to the site boundaries”.*

Furthermore, the Inspector specifically stated that the siting of the development further back on the site would not lessen the impression of a dwelling squeezed in as an afterthought and the detrimental impact that this would have on the spacious character of the locality. He goes on to state that the proposed access and driveway would have a similar intrusive and suburbanising effect on the site frontage. This is a factor recognised in all of the appeal decisions.

Significantly he notes that any change of position would have little material affect upon reducing the harmful impact of the proposed development.

(E) At Paragraph 5 the Inspector specifically states that any development would unacceptably harm *“...the appearance and character of the locality, in conflict with Policies GEN1, H6 and H10 to the North East Lincolnshire Local Plan”*.

## **2. Living Conditions**

(A) The Inspector concluded that any development would cause overlooking and a lack of privacy so as to be significantly harmful to the amenities, and so as to infringe development policies.

(B) He, as with Mr Hill in his decision of 12 March 2009, notes the effect that the vehicle movement would have on the two neighbouring properties. He notes that there would be additional noise and disturbance "so close to their homes and gardens" so as to be significantly detrimental to the amenities of the neighbouring residence so as to be in conflict with the Development Plan Policies.

(C) In Paragraph 8 he concludes any development would have an unacceptable harmful impact on living conditions of the Occupiers of the adjoining dwellings and would infringe Local Authority Policies.

### **3. Trees**

(A) The Inspector made reference to the Tree Preservation Orders that exist on the site and noted that as with the present development the driveway would be in between large mature trees and that any proposed work would affect the rooting and feeding areas for the trees.

(B) He further noted there would be a risk to trees on the adjoining sites and that those concerns only "... adds to my concern that the development would harm the character and appearance of the area".

### **4. Precedents**

(A) The Planning Inspector noted that the development would cause unacceptable harm to the relevant plan considerations some being particular to this site.

## **THE ORIGINAL PLANNING INSPECTORS DECISION, 30 JANUARY 1998**

There is no need to repeat all that Mr Golder found in his decision as those matters are covered by the two most recent decisions of Mr Wilson and Mr Hill.

## **THE PRESENT APPLICATION**

It is notable that the previous applications were in relation to a proposed two-bedroom bungalow. The present application relates to a four-bedroom detached house, squeezed right up to the boundaries of both 83 and 85. The concerns of the previous three Planning Inspectors must therefore be magnified beyond measure. The Applicant seems either ignorant of those previous applications or has no regard at all for the previous views of the Local Authority or the Planning Inspectors. There is nothing in the present development that actually satisfies any of those concerns. The very fact that a house is proposed, stretched to the width of the plot, only magnifies the decisions of the previous Inspectors. Back garden development noted to be on a narrow plot directly looking back at the properties at 83 and 85 Brigsley Road is not what any of the Planning Inspectors would have considered to be acceptable. Likewise, it could not be acceptable to the Local Authority given the previous history in relation to this plot.

## **ENCLOSURE 4 – PREVIOUS LOCAL AUTHORITY DECISIONS**

There are no less than seven recorded refusals in respect of this site. It is difficult to see that the Local Authority can possibly change their position given that:-

1. There have been no material changes to this site.
2. There have been no material changes to Planning Policies by the Local Authority that effect this site.
3. The present proposed development is substantially larger (from a two-bedroom bungalow to a four-bedroom detached house), squeezed to the whole width of the plot, and right to the edge of the two neighbouring properties.
4. The intention of the Local Authority is bought to enclosure 4(v) which is a report of the Planning Committee of 18 November 2005. On Page 155 the conclusion of the Committee was:-

#### **"CONCLUSION"**

*The Applicant was informally advised in writing that achieving an acceptable design would be difficult and it is not considered that the latest one overcomes concerns about residential amenity and the street scene".*

Furthermore, the report of the Committee then went on to say as follows:-

1. *The proposal would create a precedent for other development of a similar nature which the Council would find difficult to refuse and which cumulatively would prejudice the residential amenities and character of the area. This is contrary to adopting North East Lincolnshire Local Plan Policies GEN1, H6 and H10.*
2. *The proposal would adversely affect the amenities which occupants of nearby dwellings might reasonably expect to enjoy by reason of general disturbance, noise and the increased vehicular and pedestrian traffic which such a development would be likely to generate. This is contrary to adopting North East Lincolnshire Local Plan Policies GEN1, H6 and H10.*
3. *The proposal would detrimentally effect the overall spaciousness and mature pattern of residential development of which the site forms part, contrary to adopting North East Lincolnshire Local Plan Policies GEN1, H6 and H10."*

Whilst the local plan may have changed the adoptive Policies have not and all of those reasonings given then, continue to apply to this day.

#### **ARBORICULTURAL REPORT DATED 28 APRIL 2020**

##### **Preliminary Point – Conflict of Interest**

There is a clear and obvious conflict of interest in the submission of this Report. The conflict of interest is:-

1. The Report is prepared by Engie Arboricultural Consultancy. Engie are of course Partners of the Local Authority. The slogan is "Working in Partnership".
2. The Report is indirect contradiction to the three previous decisions by the Planning Inspectors and the previous refusals of permission by the Local Authority.

It is now impossible for the Local Authority, on the basis of that Report by Engie, to make an impartial decision. The only way in which that conflict of interest can now be remedied is:-

1. For the present application to be refused under delegated powers; or
2. The present application to end and to be resubmitted in the absence of any Report from Engie.

It is otherwise impossible for the Local Authority to make an impartial decision where reliance will potentially be placed upon a Report prepared by their Partner. The conflict of interest is so obvious that if the matter proceeds it will be a matter of maladministration causing injustice on the part of the Local Authority.

In respect of the report itself, there are several points to make:-

1. The report is obviously prepared for the benefit of the Applicant and is not a report that the Local Authority can safely rely upon. It is biased in its contents and in its nature. In particular it is noted that:-

- a. Throughout the report the Author consistently dismisses the effect upon the neighbouring property. By way of example only, referring to Paragraphs 6.3, 6.4 and 6.5 the Author consistently states that individual trees “... are located offsite, outside the responsibility of the developer and management options will be strictly limited”.

The Local Authority should be alarmed but perhaps not surprised by such an attitude which is reflected of the Applicant’s attitude to the matter throughout and now in the report of the Consultant.

2. Paul Chaplin in his comments makes the following vital points:-

- a. “.... *The issue is not so much the trees on the site but those in the adjacent garden. Given the very close proximity to the boundary of two third party conifer trees that would screen the proposal the impact on those trees needs to be considered. Although the two third party conifer trees in question are not Category A or B, the proposal will impact on those trees and the trees impact on the foundation design. A traditional strip foundation is very unlikely to be suitable of the footprint as proposed...*”
- b. “... *with regard to the impact on the neighbouring property and management of its tree stock the proposed footprint places the emphasis on the third party regarding screening the proposal...*”
- c. “... *I do not believe there is any fundamental change from the previous proposals regarding the impact on existing trees both on site and adjacent to the site and therefore previous comments are still valid in principle...*”

3. The comments of Mr Chaplin are vital. I have in my garden numerous mature trees. Whether the consultant wants to dismiss them as irrelevant or not, the fact is that they have been there since at least 1930 and are substantial. The width of this plot is so small that it is impossible for any dwelling to be built on there which will not immediately and adversely affect my trees. They will all die as a result. Of course, the Author of the report simply dismisses that as being irrelevant to this development being...

*“...outside the responsibility of the developer and management options will be strictly limited”*

The fact is they will die. Those trees are in good health and have always been properly maintained by me. They are beautiful trees. As the Planning Inspectors have all previously noted they...

*“...contribute to the character of the area in association with development proposals”*

Furthermore...

*“... any affect on these trees would further add to concerns that the proposal would harm the character and appearance of the area”.*

4. There are bats in the trees both on the development site and in the trees in my garden. These have been there for many years. It is a delight to see them. The loss of the trees will mean a loss of habitat for those bats which I understand to be protected species. It is a shame that the Author of the Report never bothered to report on those, or indeed was incapable of seeing them (but to be fair she would have inspected during the day and not at night). She should however have been able to spot that this was an area in which bats were likely to be living, and indeed do live.
5. It is notable in respect in the Report, in Section 7 the Author conveniently fails to take any photographs either from within the boundary of the proposed development, or outside of it, of the relevant Category A and B trees. They are easily photographed from inside of that site. It is a deliberate omission by the Author of the Report to exclude those photographs. It is all well and good taking photographs of those trees that she can easily dismiss, but she fails to actually take photographs of the beautiful trees in the plot itself and in my garden.

## **THE DEVELOPMENT ITSELF**

The proposed development is truly frightening. It cannot seriously be considered that the erection of a four-bedroom dwelling looking back immediately upon the properties at 83 and 85 could in any way be acceptable. Enclosure 5 is the artists impression of how that house will sit. That artist impression is clearly not to scale as that plot is much thinner than the two neighbouring plots. However, what can be noted is:-

1. That the development is right up to the boundary of each of the properties at 83 and 85.
2. That it looks back directly at each property. It is an utter intrusion.

It is outside of the building line which is old and established. In the “design and access statement” submitted in support the Applicant makes some extremely surprising comments when considering that plan namely:-

1. That the development will ensure *“that the trees with high amenity value are fully retained within the scheme. This also provides an adequate soft landscape buffer from the neighbouring property to the South and to the North to fully protect their residential amenity”*.

As can be clearly seen from the Ariel view of the proposed dwelling house, it does not such thing.

2. The plot sizes and building lines vary within the established street scene – please refer to the previous Planning Inspectors Report. Either the Author of this submission has not read those Reports or simply thinks that the Local Authority should now ignore them.
3. Perhaps most surprising of all the Report states that the proposed development “*is in harmony with the neighbouring land uses and does not create any adverse impacts upon the character and appearance of the area. The plot size is commensurate to others within the street scene which is clearly evident on the submitted survey plan*”.

It most certainly is not. It is a narrow strip of land that is former garden land and is not suitable for development. It is much thinner than every other plot and that Ariel view submitted is a misrepresentation.

Clearly the Author of that submission cannot have read the three previous refusals by the Planning Inspectors, or otherwise would not have made such blatantly misleading statements.

## **PLANNING APPLICATION ITSELF**

There are some incorrect statements within the application namely:-

### Section 11 – Assessment of Flood Risk

It states that there is no flood risk and in particular that the proposal is not within 20 metres of a water course. It most certainly is. There is a storm drain to the rear and to the side of that plot that takes water from the two fields at the rear. It floods quite often. It flooded this last Winter and it flooded in 2005.

### Section 12 – Biodiversity & Geological Conservation

There are two incorrect statements in that it says that there are no protected or priority species or important habitats. It is a shame that the Author of the Tree Report did not do her Report properly. There are bats in those trees. There are bats both on the development site and in my garden and those trees provide a safe haven for them.

If a proposed two-bedroom bungalow has on three previous occasion been turned down by the Planning Inspectors, as well as being refused seven times by the Local Authority, then it is difficult to see how:-

- i. A four bedroom house could possibly be considered suitable; and
- ii. That any form of development could be suitable.

## **CONCLUSION**

The history of this site shows at least seven previous refusals by the Local Authority and three failed appeals to the Planning Inspectors. Nothing has changed on this site. Any development on this site will have a significant detrimental effect to this area forever. The adjoining properties, including my own all have substantial garden areas and paddocks to the rear. Once

a precedent is set to allow rear garden development in this area, there would be an unanswerable case to then allow the adjoining neighbours, including myself to develop back gardens and paddock areas. The effects of such a development upon my property would lead me to the conclusion that I would have no choice other than to leave my home. Before I did so, I would however ensure that I maximise the value of my property by wholesale back garden development including the paddock area. This would then be in tandem with the owner of the adjoining paddock.

I have no wish for that to occur. I value amenity and the street scene offered by this area of Brigsley Road. This development if allowed will destroy that forever.

Yours faithfully,  
Mark Carlton

**PLANNING APPLICATION REFERENCE:**  
**DM/0536/20/FUL**

**1. PLANNING INSPECTORS DECISION:**

**30 JANUARY 1998**

**MR PETER J GOLDER**



# The Planning Inspectorate

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John Board DipTP MRTPI  
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Your Ref:

Our Ref:  
T/APP/B2002/A/97/287221/P7

30 JAN 1998

Date:

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR D SHORT  
APPLICATION NO: DC/147/97/WOL

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the North East Lincolnshire Council to refuse planning permission in respect of an application for the erection of a single storey dwelling and construction of a new access to the highway on land adjacent to 83 Brigsley Road, Waltham. I have considered the written representations made by you and by the Council and also those made by interested persons. I have also considered those representations made directly to the Council which have been forwarded to me. I inspected the site on 19 January 1998.

2. In accordance with Section 54A of the 1990 Act, I am required to determine this appeal in accordance with the provisions of the development plan unless other material considerations dictate otherwise. In this instance the development plan comprises the Humberside Structure Plan 1987 (1st Alteration 1993) and the Waltham, Humberstone and New Waltham District Plan 1984. Both plans indicate that the appeal site falls within a built up area where there may be opportunities for limited housing development consistent with the character of the area. The Draft Cleethorpes Borough Local Plan 1993 also shows the site as falling with the village envelope for Waltham. It seems to me having regard to planning policy and to the history of outline planning permissions for single storey dwellings on the site, that, in principle, the erection of a dwelling on the appeal site is acceptable.

3. Policy H4 of the Draft Local Plan sets out criteria for judging planning proposals for dwellings in gardens and on infill plots. In short it deals with such matters as the loss of residential amenity and detriment to the character and appearance of the locality. The Council rely upon the relevant criteria of policy H4 in defending the reasons for refusal in this case. I note what you say about the weight which can be attached to the Draft Local Plan because it is not being progressed towards adoption following the creation of the

100%



Unitary Authority for North East Lincolnshire. However, it has been the subject of public consultation, and the provisions of policy H4 closely reflect the guidance in PPG3 - *Housing* about development in existing residential areas. To my mind these matters go to the nub of this case and must be regarded as significant material considerations to which the appropriate degree of weight must be attached.

4. Therefore, from my inspection of the appeal site and its surroundings and the representations made, I consider that your client's appeal raises two main issues. Firstly, whether the proposal would have a detrimental effect upon the character and appearance of the locality and secondly, whether the living conditions enjoyed at Nos.83 and 85 Brigsley Road would be seriously harmed by the scheme. I deal with these main issues in turn.

5. The appeal site is situated on the B1023 towards the southern edge of Waltham, a sizeable village which appears to have seen a significant amount of recent growth. Development along the B1023, Brigsley Road, in the vicinity of the appeal site comprises mainly detached dwellings in generous plots. Most properties are set reasonably well back from the road on a generally regular building line within well landscaped and established gardens. However, notwithstanding the largely regular building line and the mainly detached properties, I note that there is no particular uniformity of character to the buildings. There is a mix of bungalows and houses, a variety of designs and a range of sizes from the substantial to the modest.

6. To my mind the overall feel of the road is suburban but it seems to me that there is a subtle, but nonetheless discernible, difference in the character of development to the east of the road from that to the west. To the west there is a more regular arrangement of plots stretching from the junction with Barnoldby Road to the newer houses south of No.92. Properties along this stretch generally appear to be closer to the side boundaries of the plots which they occupy. To the east there is greater variation in the size of the plots and a more spacious appearance derived from both a looser arrangement of dwellings with plot boundaries and the less dense form of development along the frontage between No. 87 and Waltham Villa. The open land fronting the road north of Waltham Villa and at the Windmill complex significantly reinforces this impression of spaciousness, as does the odd glimpse of the open land to the rear of the dwellings.

7. The appeal site was once part of the garden of No.83. This is readily apparent on site. The house was clearly designed to be orientated with views across the grassed and landscaped area to the front of the 2 m. high wall which bisects the site some 30 m. from the frontage. This area, which I understand is looked after by the occupier of No.83 appears very much as part of the curtilage of that dwelling. Beyond the wall, the former orchard is partially overgrown and it seems that several trees have been felled. The conifer hedge, which is about 2 metres or so high and which separates the former orchard from the rear garden of No.83, is young and developing. In both character and appearance I consider that the appeal site has many of the attributes of a well established garden area.

8. While not an important open space in the sense that it neither afford views of, nor comprises part of the countryside, it does, in my view, make a material contribution to

the spaciousness of the development along this part of Brigsley Road. Furthermore, some of the boundary planting, in particular the pines along the rear fence, the copper beech and silver birch to the front and various evergreens along the southern boundary, contribute to the street scene.

9. That your client is proposing a bungalow is not to my mind material in terms of the character or appearance of the area. I have already described the variety in the types of dwellings along this stretch of Brigsley Road and I do not regard the proposal at odds with this. I also note that the Council raises no objections to the design of the proposed dwelling. The fact that Nos.83 and 85 are more substantial two-storey properties does not alter my view on that point. Nevertheless the bungalow would be very tight to its boundaries, a factor emphasised by the building's greater depth than width. It seems to me, having regard to the overall dimensions of the plot, that it would appear cramped in this respect and somewhat out of character with the more loose pattern of development around. Furthermore, I consider this to be a feature of the proposal which would, notwithstanding the garden area to the front which would be retained, add to the overall sense of loss of spaciousness as a result of the proposal. In this respect the effect of a bungalow, with a ridge height in excess of 6 metres and filling almost the full width of the site, upon the spacious appearance of the locality would be substantially different from that of the existing wall.

10. The Council express concern about the loss of trees. I am told that a tree preservation order (TPO) has been made in respect of trees on the site, but am given no details as to which are covered. It seems to me that with the very close proximity of the bungalow to the site boundaries little if any of the existing vegetation within the site close to the footprint of the building could survive, although I consider there very little here of any great merit. More significant in terms of the appearance of the area, in my view, would be the possible effect of construction upon trees and shrubs in the neighbouring gardens which are in some instances very close to the boundaries, or in the case of No.83, form the boundary. As to the tall pines on the rear boundary, these would seem sufficiently distant from the proposed dwelling as to cause little difficulty for prospective occupiers. I see no particular threat to these trees, which in any event I would anticipate are covered by the TPO because of their contribution to the amenity of the area. However, the loss of the Silver Birch at the proposed point of access to the site would be unfortunate in terms of the effect upon the street scene. Although a relatively fast growing species it would be some time before the contribution which it makes could be replicated by a replacement.

11. Taken overall, my conclusion on the possible loss of trees and shrubs is that the effects of this could be substantially mitigated by additional planting, and I am not satisfied that it need have a such a significant effect upon the character of the area as to amount to sufficient cause to reject the proposal for this reason alone. Nevertheless, I believe it to be a factor when coupled with the general suburbanisation of the front garden area through the creation of a driveway and access, which reinforces my view that, when taken in the round, the proposal would have a detrimental effect upon the overall spacious and mature pattern of residential development of which the appeal site forms part. In this respect I regard the appeal proposal as generally being at odds with the thrust of the concerns implicit in policy H4 of the Draft Local Plan and para 2.4.5 of the adopted local

plan. I appreciate that such matters must have been a consideration of the Council in judging previous outline planning proposals on this land and concluding that they were acceptable. Nevertheless, in this case there is a detailed scheme for a three bed-roomed bungalow, and it is this upon which I base my conclusions.

12. I turn now to consider the effects of the proposal upon the living conditions at Nos.83 and 85. Although not explicit in your representations, I assume that the proposed bungalow is so located on the site as to give effect to the provisions of the covenant, referred to by others, which restricts any development forward of the existing wall across the site. It is suggested by a third party that the Council were unaware of the covenant when they previously granted outline planning permission on the site. I have nothing before me to support that view and do not regard it as material in this case where I am considering the merits of a detailed proposal for the site.

13. The bungalow would be sited slightly behind the rear elevation of No.83 and further to the rear of No.85. In itself I do not see that as a particular cause for concern as regards overlooking. To my mind the close boarded fence to the south and the leylandi hedge to the north would prevent any direct overlooking of the gardens and rear ground floor windows of the neighbouring properties from within the bungalow or its rear garden. Glimpses of the upper windows of No.85 would most likely be possible from some windows of the bungalow, particularly if some of the intervening vegetation is lost, but I do not regard such views, or any which might be obtained from the rear garden, to be any more than is relatively common in residential areas. I am not persuaded that there would be any material degree of overlooking as a result. In my view similar considerations apply, with perhaps more force when regard is had to the obscure glazing and secondary door in the proposed north elevation, to the two upper windows on the rear of No.83.

14. However I am concerned that the juxtaposition of the buildings could give rise to loss of privacy and to disturbance for neighbours. I am also concerned about possible overlooking of the windows on the southern elevation of No.83. To my mind general activity in and around the bungalow would be brought to bear upon the rear garden areas of both adjacent dwellings. In my view this could result in a material loss of the privacy and quiet seclusion which these rear gardens presently enjoy away from the more public areas to the front of the dwellings. This, I believe would be most pronounced as a result of the garage and its parking and turning areas being in very close proximity to the garden area to the immediate rear of the both properties. To my mind the effects of the use of this area for the parking and manoeuvring of cars, and the general coming and going of both residents and visitors could be particularly disturbing and significantly reduce the degree of privacy in both rear gardens.

15. Furthermore I believe such activities would also be felt in the rooms on the southern side of No.83 where there are large windows and a pair of glazed doors. I do not accept that the reinforcement of the existing planting shown on the application plans would satisfactorily overcome this difficulty. In this respect I note what you say about your client being able to erect a fence along this boundary. Not only does this seem a somewhat unneighbourly suggestion given the orientation of the windows at No.83, I do not believe it would make any material difference to the degree of disturbance and loss of

privacy which could result from the juxtaposition of the building and the garage, driveway and parking area shown for the proposed bungalow. In conclusion therefore I consider that the proposal would have a materially detrimental impact upon the living conditions of those at 83 and 85 Brigsley Road.

16. Taken together I find that my conclusions on both main issues amount to a compelling case against your client's proposal. I have also had regard to all of the other matters raised in the representations including what you say about the new bungalow between 66 and 68 Brigsley Road. In my view that scheme is not on all fours with that the subject of this appeal. The spacing, orientation, juxtaposition and general relationship of the buildings are materially different from the case before me and I do not consider that what has been permitted and built in that location adds any great weight to your client's case. I find neither this nor any of the other matters raised sufficient to persuade me that this appeal should be allowed.

17. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully



Peter J Golder DipTP MRTPI  
Inspector

**PLANNING APPLICATION REFERENCE:**  
**DM/0536/20/FUL**

**2. PLANNING INSPECTORS DECISION:**

**9 AUGUST 2006**

**ANTHONY J WILSON**



# Appeal Decision

Site visit made on 27 July 2006

by Anthony J Wilson BA(Hons) MA DipLA MRTPI

an Inspector appointed by the Secretary of State for  
Communities and Local Government

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Date: 9 August 2006

**Appeal Ref: APP/B2002/A/06/2015082**

**Land adjacent to 83 Brigsley Road, Waltham, Grimsby**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr D Short against the decision of North East Lincolnshire Council.
- The application Ref: DC/937/05/WAB, dated 16 July 2005, was refused by notice dated 18 November 2005.
- The development proposed is a bungalow and new access.

## Decision

1. I dismiss the appeal.

## Reasons

### *Character and appearance*

2. The appeal site forms part of a ribbon of mainly residential development, built along both sides of Brigsley Road, at the southern edge of Waltham. The properties along the western side of the road display a regular pattern of development and, although there is a considerable variety in the age, size and style of the various individual properties, the dwellings are set on a consistent building line, within similar sized plots,. On the eastern side, this pattern of development is repeated for a short distance to the south of the appeal site. However, to the north of the site, there are fewer buildings and a number of the dwellings are arranged in relatively spacious surroundings, with their gardens well planted with trees and shrubs. I share the view, expressed by the Inspector on a previous appeal decision for the site (T/APP/B2002/A/97/287221/P7), that there is a subtle but discernable difference in the character of the development to the east of the road compared with that to the west.
3. Since the previous appeal, the site is no longer maintained as a garden, having become significantly overgrown, and the wall which formerly divided the site has been demolished. Nevertheless, in my opinion, neither of these changes has diminished the material contribution that the site makes to the spaciousness of the development along this part of Brigsley Road, as documented by the previous Inspector in 1998.
4. Although the width of the proposed bungalow has been reduced from that found to be unacceptable in the previous appeal, the current proposal shows a 1½-storey dwelling of similar overall height, which would present a substantial gable wall to the street. Moreover, it would still occupy a substantial proportion of the available site width of this comparatively narrow plot, sandwiched in between two existing dwellings which are

located relatively close to the site boundaries. I acknowledge that the new building would be set well back into the site but I do not consider that this would lessen the impression of a building that has been squeezed into the space as an afterthought and the detrimental impact that this would have on the spacious character of the locality. The proposed access and driveway would also have a similar intrusive and suburbanising effect on the site frontage that formed part of the reasoning for the Inspector's decision to dismiss the previous appeal. I consider, therefore, that the change of dwelling design would have little material effect in reducing the harmful impact of the proposed development.

5. I conclude, therefore, that the proposal would unacceptably harm the character and appearance of the locality, in conflict with Policies GEN1, H6 and H10 of the North East Lincolnshire Local Plan.

*Living conditions*

6. I understand that the site once formed part of the former garden of No 83 Brigsley Road and this two-storey house still has windows to its main rooms with outlooks towards the site, albeit that these are interrupted by a tall, timber, boundary fence built very close to its side wall. The proposed dwelling would be sited level with the rear wall of No 83 and would have an upper floor bedroom window in the gable, facing towards the road. Due to the position of the proposed dwelling in relation to No 83, I consider that it would be possible to look down from this window, over the boundary fence, into the rooms of this adjacent house. Moreover, the narrowness of the respective gardens, together with the closeness of the dwellings to their site boundaries, would leave little space available for effective screening that would not have the unneighbourly effect of seriously overshadowing these windows. I consider that such overlooking, and the loss of privacy that would stem from it, would be sufficiently harmful to the amenities of the residents of No 83 to infringe development plan policies.
7. Although the proposed parking and turning areas would be set further forward in the site than was the case on the previous proposal, I do not consider that this alteration would overcome my colleague's concern about the effects of the vehicle movements on the neighbouring residential properties. I acknowledge that it is common to see driveways and vehicle parking areas at the front of dwellings in a wide variety of residential environments. However, the proposed vehicle parking and turning areas would extend across almost the full width of the site, in between the flank walls of the adjacent dwellings. In the case of No 83, the turning area would be only a short distance from the ground floor windows to some of its main habitable rooms. On the other side, the parking area would be end-on to the common boundary with No 85, close to its flank wall and rear conservatory. Notwithstanding the substantial timber fence (to No 83) and the proposed screen hedge and existing garden planting (to No 85), I consider that the occupiers of these neighbouring dwellings could not fail to be aware of the additional noise and other disturbance that would inevitably arise from vehicles parking and manoeuvring in these spaces, so close to their homes and gardens. In my opinion, this would be sufficiently detrimental to the amenities of the neighbouring residents to be in conflict with development plan policy.
8. I conclude, therefore, that the proposed development would have an unacceptably harmful impact on the living conditions of the occupiers of the adjacent dwellings and that it would also infringe Local Plan Policies GEN1, H6 and H10 on this issue.

### Other Matters

#### *Trees*

9. Although the effect of the proposal on the trees on site forms no part of the Council's reasons for refusal, the local residents have expressed concern that trees, which are protected by a Tree Preservation Order, would be put at risk by the development. The proposed driveway is shown to be installed in between the large mature trees, towards the front of the site, and I note that their canopies cover a substantial part of the site width at this point. I am concerned that the works to put the driveway in place would affect the rooting and feeding areas of these trees and that there would inevitably be pressure to reduce their crowns to gain access for construction machinery and for the delivery of materials. The potential risk to the protected trees merely adds to my concern that the development of the site would harm the character and appearance of the area.

#### *Precedent*

10. The Council argues that any approval of the proposal would set a precedent for other development of a similar nature. However, it is a well established principle of the planning decision making process that each application should be considered on its individual merits in relation to the policies of the development plan and any other material considerations. On this occasion, the proposed development would cause unacceptable harm to the relevant planning considerations that I have identified, some of which are very particular to this site. This may or may not be the case in other locations, either along Brigsley Road or elsewhere.
11. I have also had regard to national housing policy and the need to provide housing land through the intensification of residential uses and the development of previously-developed land in sustainable locations within existing development limits. However, none of these considerations outweigh the harm that would arise from the proposed development and its conflict with development plan policy.

#### *Conclusion*

12. For the reasons given above, therefore, and having regard to all other matters raised, I conclude that the appeal should not succeed.



INSPECTOR

**PLANNING APPLICATION REFERENCE:**  
**DM/0536/20/FUL**

**3. PLANNING INSPECTORS DECISION:**

**12 MARCH 2009**

**MR KEITH HILL**



# Appeal Decision

Site visit made on 10 February 2009

by Keith Hill BSc MA MRTPI

an Inspector appointed by the Secretary of State  
for Communities and Local Government

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Decision date:  
12 March 2009

**Appeal Ref: APP/B2002/A/08/2090954**

**Land adjacent to 83 Brigsley Road, Waltham, Grimsby DN37 0LB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr David Short against the decision of North East Lincolnshire Council.
- The application Ref DC/164/08/WAB, dated 19 February 2008, was refused by notice dated 28 July 2008.
- The development proposed is the erection of a single storey two bedroom bungalow and formation of new access.

## Decision

1. I dismiss the appeal.

## Main issues

2. The main issues are the effect of the proposed bungalow on the character and appearance of the area, on the living conditions of the occupiers of 83 and 85 Brigsley Road, with particular regard to noise and disturbance, and on the trees within and adjacent the appeal site.

## Reasons

### *Character and appearance*

3. The appeal site, formerly part of the garden of No.83, lies to the east of Brigsley Road within a ribbon of mainly residential development. Although there is considerable variety in the size and style of the properties along this part of Brigsley Road, the dwellings to the west of the road are set on a consistent building line, within similar-sized plots. A similar pattern of development is repeated on the eastern side of the road, within the vicinity of the appeal site, although development to the north is more sparsely arranged. Previous Inspectors have commented on the subtle but discernible difference in character of the development to the east of the road compared to that to the west. I share that view.
4. The proposed bungalow would be located to the rear of both adjacent properties and would occupy a substantial proportion of what I consider to be a comparatively narrow plot. I have considered the evidence presented to demonstrate that the distance between the proposed bungalow and the boundaries of the appeal site compares favourably with similar relationships of dwellings to the south of the appeal site. However, despite the distance that would be maintained to the boundaries on each side of the dwelling, the narrow

width of the plot together with the restricted dimensions of the dwelling and its position far back on the site would result in an uncomfortable appearance alongside its neighbours.

5. I concur with the view, expressed by the Inspector on a previous appeal decision for this site for a similar building on the same siting (APP/B2002/A/06/2015082), that the proposed bungalow would present the impression of a building squeezed into the space as an afterthought and have a detrimental impact on the spacious character of the locality.
6. I conclude, therefore, that the proposal would unacceptably harm the character and appearance of the area contrary to Policies GEN1 and H10 of the North East Lincolnshire Local Plan (NELLP), adopted November 2003.

#### *Living conditions*

7. The proposed parking and turning area would be located to the front of the new bungalow. It would extend across the full width of the site, in between the flank walls of the adjacent dwellings. The turning area would only be a short distance from the ground floor windows of No.83. I observed, on my visit, that these windows serve some of the main habitable rooms of the property. It was also apparent that the floor level of the house is higher than the ground level as the french windows, that serve one of these rooms, are accessed by 2 steps. The timber boundary fence would be insufficient to preclude views, from these rooms, of vehicular and visitor movements to the proposed bungalow.
8. The 2 parking areas would be adjacent the flank wall and rear conservatory of No.85. A screen hedge is proposed to augment the existing garden planting within the grounds of No.85. I do not consider that either the timber fence or the hedge and planting, nor any other form of screening which might reasonably be required, would be sufficient to prevent the occupiers of No.83 and No.85 from being aware of the noise and other disturbance arising from the parking and manoeuvring of vehicles in such close proximity to their properties. I am of the opinion, therefore, that the proposed development would have an unacceptably harmful impact on the living conditions of the adjacent properties and conflict with Policies GEN1 and H10 of the NELLP, which seek to prevent an unacceptable level of disturbance to existing dwellings from the movement of vehicles and visitors.

#### *Trees*

9. An area Tree Preservation Order covers the whole of the appeal site. Although many of the trees are recognised by the Council as substandard they do have a group amenity value. There are other mature trees in the grounds of the adjacent properties, close to the boundaries of the appeal site, which contribute to the verdant appearance and character of the area. Although I was not provided with details of the arboricultural survey and report dated May 2008, I ascertained, at my visit, that the trees identified as of greatest concern from the effects of the proposed development, T11 and G2, were in the garden of No.85.
10. I am of the view that the future health of these trees, which are of particular amenity value, would be compromised by the proposed siting of the bungalow because of the potential disturbance to their root protection areas. The

recommendation by the arboricultural report that the proposed bungalow should be re-sited 5 metres forward is consistent with my assessment. I am also of the opinion that the proposed works to the site access would affect the root protection areas of a number of trees towards the front of the site and would be likely to necessitate work to reduce the canopies of these trees. Any effect on these trees would further add to my concern that this proposal would harm the character and appearance of the area.

11. I conclude that the harm that the proposal would have on the trees, within and adjacent the appeal site, would conflict with Policy GEN3 of the NELLP which seeks to retain trees that contribute to the character of an area in association with development proposals.
12. For the reasons given above and having regard to the relevant advice in national planning policy statements and guidance and all other matters raised, I conclude that the appeal should be dismissed.

*Keith Hill*  
INSPECTOR

PLANNING APPLICATION REFERENCE:  
DM/0536/20/FUL

4. PREVIOUS LOCAL AUTHORITY DECISIONS

- (i) Refusal 10/04/1996
- (ii) Refusal 14/05/1997
- (iii) Refusal 15/01/2004
- (iv) Refusal 18/11/2005
- (v) Planning Committee Report 18/11/2005
  - (vi) Refusal 24/11/2005
  - (vii) Refusal 19/02/2008
  - (viii) Refusal 28/07/2008

## TOWN AND COUNTRY PLANNING ACTS

APPLICATION NO.

08/96/0057

## NOTICE OF DECISION

Issuing Authority	North-East Lincolnshire Council
Applicant's Name and Address	Mr D Short 421 Grimsby Road Cleethorpes South Humberside
Agent's Name and Address	Dickinson Davy & Markham 23 Osborne Street Grimsby South Humberside
Application Site	The following decision has been made upon your application received on 1st December 1995 relating to:-  83 Brigsley Road (land adj) Waltham
Proposed Development	Renewal of 08/92/0001 to erect dwelling with removal of condition 6

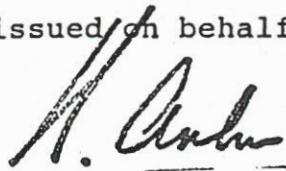
## PERMISSION IS HEREBY:-

## Refused on the grounds that:-

- 1 In the opinion of the Local Planning Authority the proposed development would result in the loss of an important area of open space in the street scene thereby adversely affecting the character of the area.
- 2 In the opinion of the Local Planning Authority the proposed development would represent an over-intensive form of development resulting in an infill development which would result in a loss of amenity to neighbouring residents by virtue of loss of privacy, overshadowing and overlooking and would adversely affect the character of the street scene.
- 3 In the opinion of the Local Planning Authority the failure to implement the previous planning permissions for the site over a 20 year period indicates the unsuitability of the site for a form of satisfactory infill development.

This Notice is issued on behalf of the Local Planning Authority.

Signed:

A handwritten signature in black ink, appearing to read "N. Aduw".

Date: 10th April 1996

Official Capacity: Head of Planning and Transportation

## TOWN AND COUNTRY PLANNING ACTS

APPLICATION NO.  
DC/147/97/WOL

## NOTICE OF DECISION

Issuing Authority	North-East Lincolnshire Borough Council
Applicant's Name and Address	Mr D Short 421 Grimsby Road Cleethorpes
Agent's Name and Address	John Board The Old Rectory Bargate Grimsby
Application Site	The following decision has been made upon your application received on 14th February 1997 relating to:-  83 Brigsley Road (adjacent) Waltham
Proposed Development	Erection of single storey dwelling and construction of new access to the highway

## PERMISSION IS HEREBY:-

## Refused on the grounds that:-

- 1 In the opinion of the Local Planning Authority the proposed development would result in an over-intensive development resulting in an infill development which would result in a loss of amenity to neighbouring properties by virtue of loss of privacy and overlooking and would adversely affect the character of the street scene.
- 2 In the opinion of the Local Planning Authority, the proposed development would result in the loss of a number of trees and cause loss of amenity to the two adjoining properties 83 and 85 Brigsley Road.

This Notice is issued on behalf of the Local Planning Authority.

Signed:

Date: 14th May 1997

Official Capacity: Head of Planning and Transportation



**Environmental Services Department**  
Development and Environmental Protection

**Director of Environmental Services**  
Ray Oxby, BSc(Hons), MCIEH, DMS, MIMgmt

Civic Offices, Knoll Street,  
Cleethorpes, North East Lincolnshire, DN35 8LN  
Telephone (01472) 313131 Fax (01472) 324216  
E-mail Planning@nelincs.gov.uk

**Our Ref:** DC/1463/03/WAB

**Dated:** 15th January 2004

**If telephoning or calling please ask for:** Anne Shorland, 324260

Dear Sir/Madam

**Proposed:** Erect bungalow & garage with new access.

**At:** Adj 83 Brigsley Road Waltham  
N E Lincolnshire

The above application has been determined under Delegated Powers and, after having taken all matters into consideration, it has been decided to **refuse** the application.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Ray Oxby". It is written in a cursive style with a long, sweeping flourish on the left side.

**Ray Oxby**  
Director of Environmental Services

The Owner and/or the Occupier  
85 Brigsley Road  
Waltham, Grimsby  
N E Lincolnshire

(prefcons delegated refusal)



## TOWN AND COUNTRY PLANNING ACTS

APPLICATION NO.

DC/937/05/WAB

## NOTICE OF DECISION

Issuing Authority

North-East Lincolnshire Borough Council

Applicant's Name and Address

Mr D Short  
5 The Copse  
(Off Waltham Road)  
Grimsby  
N E Lincolnshire DN33 2LW

Agent's Name and Address

Tony Leak  
170 Chelmsford Avenue  
Grimsby  
N E Lincolnshire DN34 5DB

Application Site

The following decision has been made upon your application received on 20th July 2005 relating to:-

Adjacent 83 Brigsley Road Waltham

Proposed Development

Erect bungalow &amp; alter existing access.

## PERMISSION IS HEREBY:-

Refused on the grounds that:-

- 1 The proposal would create a precedent for other development of a similar nature which the Council would find difficult to refuse and which cumulatively would prejudice the residential amenities and character of the area. This is contrary to adopted North East Lincolnshire Local Plan Policies GEN1, H6 and H10.
- 2 The proposal would adversely affect the amenities which occupants of nearby dwellings might reasonably expect to enjoy by reason of general disturbance, noise and the increased vehicular and pedestrian traffic which such a development would be likely to generate. This is contrary to adopted North East Lincolnshire Local Plan Policies GEN1, H6 and H10.
- 3 The proposal would detrimentally affect the overall spaciousness and mature pattern of residential development of which the site forms part, contrary to adopted North East Lincolnshire Local Plan Policies GEN1, H6 and H10.

This Notice is issued on behalf of the Local Planning Authority.

Signed:

A handwritten signature of Ray Oxby.

Ray Oxby

18th November 2005

Official Capacity: Executive Director of Environmental Services



**Environmental Services Department**  
Planning and Transportation Division

**Executive Director of Environmental Services**  
Ray Oxby, BSc(Hons), MCIEH, DMS, MIMgmt

Civic Offices, Knoll Street,  
Cleethorpes, North East Lincolnshire, DN35 8LN  
Telephone (01472) 313131 Fax (01472) 324216  
E-mail Planning@nelincs.gov.uk

**Our Ref:** DC/937/05/WAB

**Dated:** 24th November 2005

If telephoning or calling please ask for: Bill Turner 324298

Dear Sir/Madam

**Proposed:** Erect bungalow & alter existing access.

**At:** Adjacent 83 Brigsley Road Waltham

I am writing to inform you that the above application was considered by the Planning Committee at their last meeting and, after having taken all matters into consideration, the Committee decided to refuse the application.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Ray Oxby". Below the signature is a short horizontal line.

**Ray Oxby**  
Executive Director of Environmental Services

The Owner and/or the Occupier  
85 Brigsley Road  
Waltham  
N E Lincolnshire

(prefcons)



## TOWN AND COUNTRY PLANNING ACTS

### NOTICE OF DECISION

Application Number: DC/164/08/WAB

Issuing Authority: North East Lincolnshire Council

**Applicant's Name and Address:**

Mr D Short  
5 The Copse  
Off Waltham Road  
Grimsby  
N E Lincolnshire  
DN33 2LW

**Agent's Name and Address:**

Mr Tony Leak  
170 Chelmsford Avenue  
Grimsby  
N E Lincolnshire  
DN34 5DB

The following decision has been made upon your application received on **19th February 2008** relating to:-

**Application Site:** Adj 83 Brigsley Road Waltham Grimsby N E Lincolnshire

**Proposal:** Erect single storey two bedroom bungalow and formation of new access

**Refused on the grounds that:-**

- 1 The proposal would adversely affect the amenities which occupants of nearby dwellings might reasonably expect to enjoy by reason of general disturbance, noise and the increased vehicular and pedestrian traffic which such a development would be likely to generate. This is contrary to Saved Policies GEN1 and H10 of the North East Lincolnshire Local Plan 2003.
- 2 The proposal would detrimentally affect the overall spaciousness and mature pattern of residential development of which the site forms part, contrary to Saved Policies GEN1 and H10 of the North East Lincolnshire Local Plan 2003.
- 3 The proposed siting of the dwelling would detrimentally affect a number of trees within and adjoining the site as identified within the Arboricultural Survey and Report dated May 2008 undertaken by Lindsey Tree Surveys Ltd. The proposal is therefore in conflict with Saved Policy GEN3 of the North East Lincolnshire Local Plan 2003.
- 4 Informative  
This decision relates to plans and details received by the Local Planning Authority on the 19th February 2008 and 9th June 2008.

## H. GROUNDS OF APPEAL

If you have requested the written procedure, please provide your **FULL** grounds of appeal.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

- 1). The Appeal site is located well within the Residential Development Boundary of Waltham, which has immediate access to all services and amenities. Government Policy encourages the efficient development of such land in order to reduce the demand for development in the open countryside. This policy of concentrated development is a core Government policy backed up by the advice contained in Planning Policy Statement 1 and 3, and Manual of Streets.
- 2). The appeal site lies within the curtilage of an existing building and is therefore located on previously-developed land suitable for Residential Development, as advised in Planning Policy Statement 3 annex B.
- 3). The advice contained in Planning Policy Statements 1 and 3 and Manual of Streets. is a material consideration in this appeal.
- 4). The appeal site is surplus, redundant garden land which cannot be added to an agricultural holding for the keeping of animals or for food production or developed in any other manner which would serve to improve the visual amenity of the site and the area around it.
- 5). The appeal site is not located in a Green Belt, a Conservation Area, an Area of Outstanding Natural Beauty or any area designated locally which would restrict or prevent efficient development.
- 6). Waltham is a sustainable area which has all educational, medical and religious services available to it, along with Public Houses, shops and a social centre. Supermarkets in surrounding towns take orders on the Web and by telephone and deliver to the area on a daily basis. Public transport runs along the main road.
- 7).The previous use of the site was a commercial coal yard with HGVs in and out the site al the time. The proposal has its own road frontage and has good separation distances not only fro boundary lines but from other buildings in the area. The details of the Arbicultural survey will be dealt with in our 6 week statement.



ENVIRONMENTAL SERVICES	DEPARTMENT
DATE RECEIVED	
24 NOV 2003	
PRO. NO.	
REPLY DATE	
ACTION BY	



NORTH  
EAST  
LINCOLNSHIRE  
COUNCIL

[www.nelincs.gov.uk](http://www.nelincs.gov.uk)

**Environment Service Department**  
Development Management Services

Origin 2, 2 Origin Way, Europarc  
Grimsby, North East Lincolnshire, DN37 9TZ  
Telephone (01472) 313131 Fax (01472) 324216  
Email : [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)

The Owner and/or the Occupier  
85 Brigsley Road  
Waltham  
Grimsby  
N E Lincolnshire

**Our Ref:** DC/164/08/WAB  
**Date:** 28th July 2008  
**Officer:** Dieter Nelson  
**Tel:** 01472 324255  
**E-mail:** [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)

Dear Sir or Madam

**PLANNING APPLICATION**

**Reference:** DC/164/08/WAB

**Proposal:** Erect single storey two bedroom bungalow and formation of new access

**Location:** Adj 83 Brigsley Road Waltham Grimsby N E Lincolnshire

I am writing to inform you that the above application has been determined under Delegated Powers and after having taken all matters into consideration, it has been decided to **refuse** the application.

Yours faithfully,

**Phil Wallis**  
Development Services Manager

PLANNING COMMITTEE 18TH NOVEMBER 2005

APPLICATION NO: DC/937/05/WAB ITEM NO 31.

APPLICATION TYPE: Detailed WARD: Wal, Ashby, Brigsey

APPLICATION SITE:

Adjacent 83 Brigsley Road  
Waltham

PROPOSAL:

Erect bungalow & alter  
existing access.

APPLICANT:

Mr D Short  
5 The Copse  
(Off Waltham Road)  
Grimsby  
N E Lincolnshire DN33 2LW

AGENT:

Tony Leak  
170 Chelmsford Avenue  
Grimsby  
N E Lincolnshire DN34 5DB

DEPOSITED: 20th July 2005

VALID: 26th September 2005

8 WEEK DATE: 20th November 2005

REASON FOR DELAY: Committee cycle

OFFICER: Bill Turner

TEL. NO: 324298

REPORT:

PROPOSAL

Whilst the application form describes the proposal as a bungalow and new access, the submitted plans show its two bedrooms (and bathroom) as being in the roof space. Beneath this two storey footprint is a lounge, dining room, computer room and a kitchen with a single storey utility room to the rear. A porch is shown on the front of the building. The two storey footprint measures some 11.578m long and 7.76m wide, the utility room being 2.7m deep and 3.6m wide. The distance to side boundaries is about 3m and the roof ridge height is about 6.8m. Whilst there is no garage as such but a turning area and two parking bays are shown in front of the dwelling. A new driveway, some 40m long, would lead from the carriageway to the front of the dwelling.

A particular feature of the dwelling is its position within the plot. Measured from the front boundary, the main front elevation would be set back some 32m within the plot. This compares with the 18m set back of 83 Brigsley Road and the 17m of 85 Brigsley Road. The effect is to position the front elevation of the proposed dwelling more or less in line with the rear elevation of the detached house 83 Brigsley Road.

SITE

The site is both within the development limit of the large commuter village of Waltham and in an established residential area. The site is rectangular in shape, measuring some 78m long and 14m wide at the front. It is on the east side of Brigsley Road and there is a wide grass verge between the B1203 carriageway and the hedgerow of the site, in which there is a 5-barred gate. There are some mature trees and hedgerows in the front part of the plot and along parts of the side boundaries. The initial 30m of the boundary with 83 Brigsley Road is a close boarded fence, some 2m in height.

RELEVANT PLANNING HISTORY

335/72 - erect bungalow - approved 30.5.72  
8/7/86 - erect detached dwelling - approved 17.2.86  
8/89/33 - renewal of 8/7/86 - approved 23.2.89  
8/92/1 - renewal of 8/89/33 - approved  
8/96/57 - renewal of 8/92/1 - refused 10.4.96

DC/147/97/WOL - erect single storey dwelling and construct new access to highway - refused 14.5.97 and appeal dismissed 30.1.98  
DC/1463/03/WAB - erect bungalow and garage with new access - refused 9/1/04

#### RELEVANT PLANNING POLICY AND BACKGROUND PAPERS

North East Lincolnshire Local Plan Policies:

GEN1 - Development Areas

GEN3 - Development and landscaping

T6 - Development proposals and the provision of parking

H6 - New build housing development standards

H10 - Development of dwellings in gardens, etc

Humberside Structure Plan:

Regional Spatial Strategy:

Planning Policy Guidance Notes:

PPS1 - Delivering Sustainable Development

PPG3 - Housing

#### REPRESENTATIONS

Organisations:

Head of Engineering Services (Highways) - Condition and Informative advised.

Head of Engineering Services (Land Drainage) - Advises Informatives. Comments that existing ground levels should not be raised or surface water problems may result. As soakaways are to be used, permeability tests should be undertaken.

Trees and Woodlands Officer - A large Monterey cypress in the neighbouring garden would be very close to the proposed footprint. The frontage is dominated by two birch trees which are unlikely to survive the stress of construction traffic.

Environmental Health - Hours of construction condition advised.

Parish Council - Recommend refusal. It is suggested that this development be brought forward into the building line of existing properties. This would afford neighbours more privacy as parking areas encroach on 85 Brigsley Road and windows on the rear of 83 Brigsley Road.

Neighbours:

85 Brigsley Road - wish to register the strongest of objections to any form of development. Nothing has changed since the appeal decision in 1998. It is impossible for the applicant to construct a dwelling of any description that does not harm the street scene or cause substantial detriment to both existing neighbouring properties. The front gate does not have planning permission and involved the removal of part of a hedgerow. Building nearer the road is prevented by a restrictive covenant.

83 Brigsley Road - Yet again I most strongly object to the planning application because of loss of privacy and the creation of back development. Some trees are protected and in any case tree roots would be damaged by the installation of a drive and services. The proposed development does look pleasant but would be out of character with the surrounding larger properties.

Councillor Colquhoun asked for a Committee referral to establish the principle of whether a building in this location (and position on the site) should be permitted.

#### COMMENT

In an appeal decision dated 30th January 1998 about the merits of building a bungalow in much the same position as the present application, the Planning Inspectorate thought that as the possible loss of trees and shrubs could be

substantially mitigated by additional planting that was not a sufficient reason on its own to reject the proposal. However, that factor when coupled with the general suburbanisation of the front garden through the creation of a driveway and access, would have a detrimental effect on the overall spacious and mature pattern of residential development of which the appeal site is part.

Whilst the Inspectorate did not regard a bungalow in that position as likely to cause undue problems of overlooking concern was expressed that the juxtaposition of buildings could give rise to both loss of privacy and disturbance to neighbours, especially given the proposed garage in the rear garden. Possible adverse effects on the rooms on the south side of 83 Brigsley Road were particularly noted and the appellant's suggestion that a fence be constructed in front of what are large windows was seen as unneighbourly, let alone not overcoming the problem.

It was concluded that the proposal would have a materially detrimental impact upon the living conditions of the two neighbouring dwellings.

After that appeal dismissal in 1998, the applicant was informally advised that it would be very difficult to design an acceptable dwelling for the site. The effect of the restrictive covenant (the terms of which officers have not seen) was thought to force a dwelling into a position which would look at odds with its neighbours and force activity into areas that may adversely affect neighbours. Whatever the terms of the covenant, however, it should not be accepted as dictating the outcome of a planning application or of overriding normal planning considerations.

A design statement has been submitted on behalf of the applicant. It says that the plot is of larger than average width, has a more compact footprint and rooms provided in the roofspace does not overlook neighbouring properties. Apart from providing a vehicle access, the front area of the site will remain unchanged and extra planting will be undertaken.

Against this background, the latest proposal incorporates a new access as before but this time with a parking and turning area in front of the proposed dwelling. The latest scheme now has a dwelling with upstairs bedroom windows in the front and rear elevations and a bathroom rooflight in the north elevation, that is, facing towards 83 Brigsley Road.

It remains the case that a new access onto the highway would have an adverse impact on the street scene. Also, the fresh position of the parking and turning area would have an unduly adverse impact on adjoining residents. That area would be located between the neighbouring dwellings, one of which seems to have been originally designed to overlook that part of the development plot when it was presumably part of its garden. Not only would vehicles be parking and turning there, there would be the general disturbance associated with the coming and going of vehicles. Furthermore, first floor bedroom windows would come to overlook windows and garden areas of the houses either side which at present enjoy comparative privacy.

#### CONCLUSION

The applicant was informally advised in writing that achieving an acceptable design would be difficult and it is not considered that the latest one overcomes concerns about residential amenity and the street scene.

#### RECOMMENDATION:

Refused on the grounds that:-

- 1 The proposal would create a precedent for other development of a similar nature which the Council would find difficult to refuse and which cumulatively would prejudice the residential amenities and character of the area. This is contrary to adopted North East Lincolnshire Local Plan Policies GEN1, H6 and H10.

- 2 The proposal would adversely affect the amenities which occupants of nearby dwellings might reasonably expect to enjoy by reason of general disturbance, noise and the increased vehicular and pedestrian traffic which such a development would be likely to generate. This is contrary to adopted North East Lincolnshire Local Plan Policies GEN1, H6 and H10.
- 3 The proposal would detrimentally affect the overall spaciousness and mature pattern of residential development of which the site forms part, contrary to adopted North East Lincolnshire Local Plan Policies GEN1, H6 and H10.

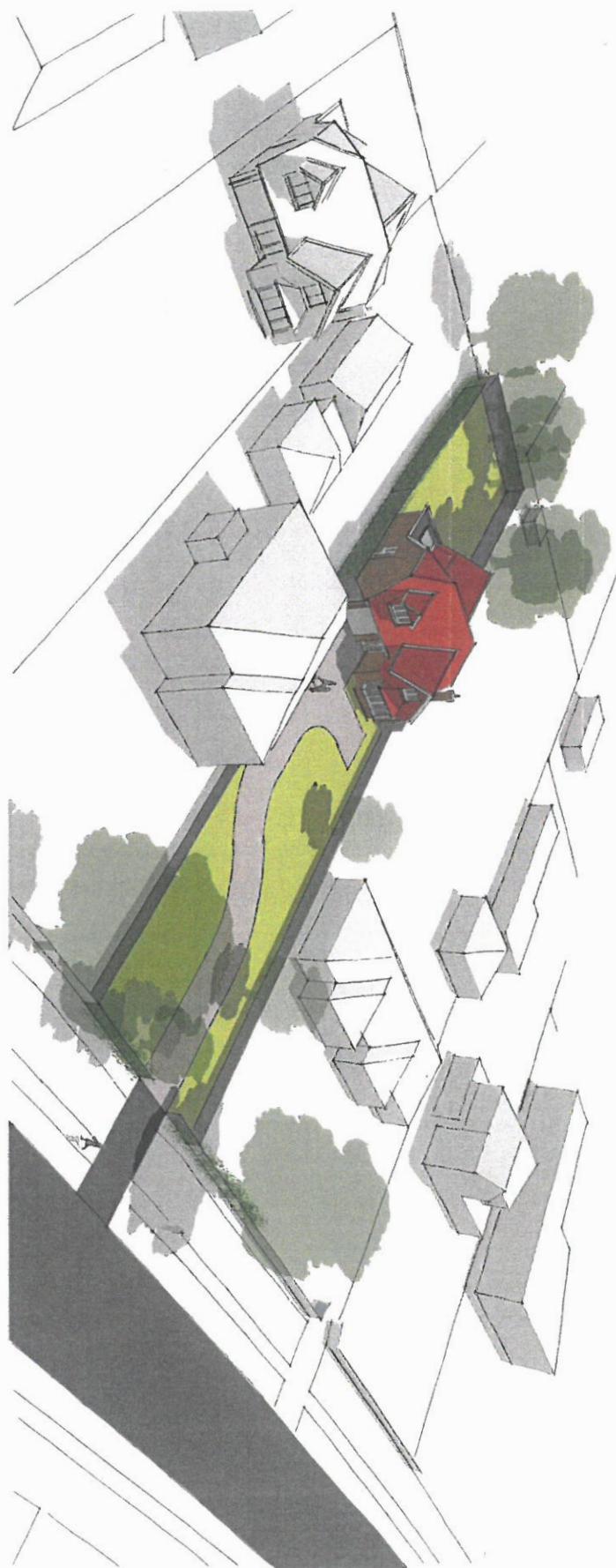
**PLANNING APPLICATION REFERENCE:**  
**DM/0536/20/FUL**

**1. ARIEL VIEW**

RD4568

DESIGN & ACCESS STATEMENT

- Ariel view of proposed dwelling



# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (amended plans - dwelling design and site layout December 2021)

Case Officer: Richard Limmer

## **Customer Details**

Name: Laura Siddle

Address: 83 Brigsley Road Waltham Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I continue to object to this development. I will re-iterate that previous applications have been dismissed on many occasions and twice dismissed on appeal. This is on the grounds that such a development would harm both the character and appearance of the area and most importantly, the living conditions of my dwelling, adjacent to the site, 83 Brigsley Road.

I note in the most recent appeal of 2006, the inspector found that the harm to character and appearance of the area arose from the narrow proportions of the site, which would be sandwiched in, close to site boundaries. This has not changed and concerns remain the same.

On the amended plans I note that it makes reference to 81 Brigsley Road (DM/1013/19/REM). This property is also within touching distance to my boundary, with their top front window looking directly into my kitchen, an invasion of my privacy. It is only too easy to make an assumption that, 'there will be no adverse overlooking' and no impact however in reality this is not the case and there is an impact to neighbouring properties, with loss of privacy. For this reason i request a site visit to my property to be able to truly appreciate the impact of this development.

Should this development be granted, I will then have another property within touching distance to my boundary. My habitable windows face directly out across the site. I believe that nothing has changed since the last appeal in 2006, in that no acceptable standard of amenity for me and my family (the occupiers of 83) can be achieved.

Despite amended plans of which the proposed size of the property has reduced, it does not change the fact that the plot is too narrow and restricted to afford adequate physical separation to the common boundary.

I continue to be worried about the severe overshadowing to my garden and rear facing windows, reducing sunlight and daylight to my house and garden.

Furthermore given the property would be built to the rear of the site, this would be overbearing and oppressive, on the outlook from my rear garden and my habitable windows. There would be severe loss of privacy due to the positioning of the property at the common boundary and rear of the plot, at the front elevation and side and rear elevations of my property. I have important habitable rooms and windows to these elevations.

I remain worried about the layout of the driveway, again there would be parking and turning areas to the area immediately to the side of my property which are habitable rooms.

I re-iterate that this development would cause severe developmental harm to my living conditions at number 83 Brigsley Road, contrary to the requirements of Local plan policy 22 and the National Planning Policy Framework.

Whilst the ecology report makes recommendation to the lighting requirements of the development due to bats, we know that the bats use the land to live and feed. These have been seen by the chief planning officer. This development will destroy their habitat.

In respect of the trees, firstly the trees are protected by TPOs and should not be destroyed.

I again re-iterate that it is highly unlikely that this dwelling can be constructed without soil compaction and root damage to the retained trees. The pressure would inevitably arise to lop or fell the trees to the rear boundary to increase the light on to the limited rear garden area, to the detriment of the spacious, soft landscaped character of the area. The trees to the rear of this development are in line to the boundary of my own property and the development site.

I urge the planning committee to inspect the site in respect as to how 'sandwiched in', this development would be and the significant impact this would have on my dwelling.

This is further impacted due to number 81 Brigsley Road now being in situ (DM/1013/19/REM). The impact can only be appreciated by a site inspection of both 83 and 85 Brigsley Road.

I would request to make verbal representations to the Planning Committee.

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access

Case Officer: Richard Limmer

## **Customer Details**

Name: Mr Gary Siddle

Address: 83 Brigsley Road Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My property is next door to this land.

I strongly object to this application and ask what has changed since previous applications have been refused. There has been a long history of planning applications for this site going back to 1972. The site has failed to be developed because it has always been unsuitable.

A covenant had been agreed with Mr Short that no building alongside No 83 would be allowed. He has subsequently sought permission to develop the rear of the plot which is not protected by this covenant, and has been refused several times by the council and twice at appeal by the Department of Environment.

This application has no more merit than previous ones and I strongly object for the following reasons;

The proposed size of the property would still fill the majority of the width of the site, being very close (6 feet) to the boundary fence of this narrow plot. The trees at the back of the plot of land would mean little to no sunlight onto the land and it is a concern that plans in the future would be to remove these trees. The trees are in line with others which are on my land, and to remove them would heighten the risk of swelling within the ground which could ultimately impact on the ground and cause subsidence damaging my property and property of No. 85. If this happens I would have no option but to seek legal advice.

The plan which is currently submitted in relation to the shadow of the house is incorrect. The current fence and hedge which is in place on the boundary is roughly around 2metres high, and

casts a larger shadow than that of the report shown. For a 1 and a half storey building to be erected so close to the boundary would cause my garden and property to be significantly overshadowed.

I consider this application to have not been designed to minimise the overshadowing of neighbouring properties and the greater part of any overshadowing is not confined to the applicants own land. The factors that should have been taken into account are height, distance to boundaries, size of plot, orientation and topography.

My property and land will lose a significant amount of sunlight due to overshadowing. From the plans the distance from the property to the boundary line is 1850 mm, meaning this is 6 feet away from the fence. This is not in line with other properties in this area.

No 83 has been designed sideways to allow views over the plot from all of its main principal rooms. I can see most of the side plot despite there being an unsightly fence erected. The proposed driveway is directly past our two main living room and kitchen windows as well as the three bedrooms which are above these rooms on the same side, overlooking the plot. To have a gravel drive would create unnecessary noise and due to shift work, this would be disruptive to my life. The driveway and turning points cross the entirety of my property, in close proximity to my front windows and kitchen windows which are the main habitable rooms. It is inevitable additional noise and disturbance would arise from this with cars moving. People coming and going will see into my living space. This conflicts with development plan policy.

When comparing this plot to the plot which has had planning permission granted the other side of the property, this property does not overlook No 83. The main areas of the home of No 83 are not positioned on this side, and do not look over onto the property or out onto their driveway. No 83 was originally built with the land in question being part of this property, namely an orchard. This site was designed originally as a garden to be overlooked by No 83 and is still unsuitable for development in by view.

I feel that there would be a substantial loss of privacy due to how close the boundary lines are, with a screening being ineffective. The windows look out onto this land, making it possible to look out onto the property and into the property from the upstairs windows. Furthermore the proposals for this property would mean from their upstairs windows (bedrooms 2 and 4), would be a clear view into my property; into the upstairs windows and directly down into the kitchen through the bi-fold doors which is an invasion of privacy. Again, this conflicts with development plan policy.

Given the number of trees subject to tree preservation orders, it is a concern that they may be damaged for materials to be delivered and for machinery to gain access. I am concerned that the pressure of a driveway would affect the rooting and feeding areas of the trees. Furthermore the recent comment made on 28th July 2020 by the tree and woodlands officer, has raised that 'there has been no fundamental change from previous proposals regarding the impact on existing trees

both on site and adjacent to the site and therefore previous comments are still valid in principle'.

**Our Ref:**

**Your Ref:**

**Date:** 24 February 2021



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Planning  
New Oxford House  
2 George Street  
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North East Lincolnshire  
DN31 1HB

Dear Sir/Madam

**Planning Application DM/0536/20/FUL**  
**Land adjacent to 83 Brigsley Road, Waltham, Grimsby, North East**  
**Lincolnshire DN37 0LB**

1. We write on behalf of Ms Laura Siddle, the occupier of the neighbouring property at 83 Brigsley Road, to raise objection to the above planning application for the erection of a dwelling with integral garage and installation of vehicular access (amended dwelling design).
2. As you will be aware, previous applications for residential development on this site have been refused and twice dismissed on appeal, most recently in 2006, on the grounds that such a form of development would harm both the character and appearance of the area and the living conditions of the adjacent dwelling, 83 Brigsley Road.
3. In the most recent appeal, the harm to the character and appearance of the area was found to arise from the comparatively narrow proportions of the site sandwiched between two existing dwellings located relatively close to the site boundaries. The Inspector found that the construction of a new dwelling in such circumstances would give the impression of a building that has been squeezed into the space as an afterthought.
4. So far as the physical characteristics of the site are concerned and its relationship to the adjacent buildings in Brigsley Road, nothing has changed. The site remains uncharacteristically narrow by the general standards of the area and is hemmed in on either side by the adjacent buildings. It remains the case that the proposed dwelling would appear cramped and contrived, giving a most undesirable impression of town cramming that would harm the pleasantly spacious character and setting of existing surrounding development.

**Partners:**  
R.A. Humphreys  
S.M. Burbidge  
T.M. Morse  
P.C.Y. Wong

**Associates:**  
P.A. Lipman  
Prof. R.E. Annand CBE

**Consultants:**  
P.L.I.B. Siddons  
P.L.G. Montgomery

5. The applicant, in support of the proposal, has referred to the Council's decision to grant planning permission Ref DM/1013/19/REM for the erection of a dwelling on land between Nos 79 and 83. However, the circumstances here are not comparable, because both the adjacent dwellings are set much further away from the common boundary. This is particularly so with regard to No 79.
6. Not only is this site tightly bounded by the adjacent buildings, but the orientation of No 83 is such that its principal elevation looks out across the site, which formerly served as part of its garden area. This only reinforces the impression of a new dwelling being shoe-horned onto a narrow and confined site in an extremely awkward and contrived manner. This adverse impact would be further exacerbated by the need to provide all parking and turning areas to the front of the proposed dwelling, giving rise to a layout dominated by hard surfaces and car parking. This would cause further harm to the suburban character of the locality.
7. In all these respects, we consider that substantial material harm would be caused to the character and appearance of the local area. It follows that the proposal is contrary to Policy 22 of the adopted North East Lincolnshire Local Plan 2018 insofar as these seek to ensure that development responds positively to the physical characteristics of the site and its context so as to protect and enhance local character and distinctiveness. The proposal further conflicts with national planning policy, as set out in the National Planning Policy Framework, whereby development should add to the overall quality of the area, be sympathetic to local character and reinforce a sense of place.
8. Turning to the effect on the living conditions at our client's property, we have already noted that the site comprises the former garden of No 83. As a consequence of this, the dwelling at No 83 has main habitable room windows facing directly out across the site. The form and layout of No 83 and the closeness of the existing and proposed dwellings to the common boundary were key considerations that led the Inspector who dealt with the 2006 appeal to conclude that a satisfactory layout that maintained an acceptable standard of amenity for the occupiers of No 83 could not be achieved.
9. We submit that nothing has materially changed since this time. The form and layout of No 83 remains the same and it is still the case that the site is too narrow and restricted to afford adequate physical separation to the common boundary. The consequences of this are all too clear. Firstly, the proposed dwelling, which would be positioned immediately south of the dwelling at No 83, would cause severe overshadowing of the rear garden area remaining to No 83 and its rear facing windows, greatly reducing sunlight and daylight to the existing house and garden.
10. Secondly, because of its proximity to the common boundary and incongruous position towards the rear of the site, the proposed new dwelling would have an extremely oppressive and overbearing impact on the outlook from the private rear garden and habitable room windows to No 83.
11. Thirdly, as a further consequence of the proximity of the proposed dwelling to the common boundary and its contrived position towards the rear of the site, significant overlooking would occur between the front elevation of the proposed dwelling and the side and rear elevations of No 83. You will see that there are important habitable room windows to these elevations. The resulting impact would therefore cause a severe loss of privacy to the existing and future occupants of both dwellings. The existing/proposed boundary treatments are insufficient to ameliorate this impact, particularly considering the extremely narrow plot width and closeness of the existing and proposed dwellings to the boundary.

12. Finally, the layout of the proposed driveway, parking and turning areas would introduce significant new vehicle movements onto the area immediately to the side of No 83, across which its principal habitable room windows (serving the main living room, kitchen and three bedrooms) look out. Because the proposed dwelling would be sited so far back into the plot, this area is not in any conventional sense part of the street frontage but essentially an area of quiet rear garden land. The impact would therefore be similar to that of a backland development, which would never be permitted on such a narrow and confined site due to the introduction of noise and disturbance associated with vehicular access into an area of private rear gardens with insufficient space for adequate physical separation and screening. The impact here would be equally unacceptable and highly damaging.
13. We therefore consider that the proposal would cause severe demonstrable harm to the living conditions at 83 Brigsley Road, contrary to the requirements of Local Plan Policy 22 and the National Planning Policy Framework.
14. Furthermore, we have concerns about the effect on trees. Whilst noting that it would be physically possible to retain the important trees on the site, we question whether there is sufficient space to construct the proposed dwelling without soil compaction and root damage to the retained trees. We also consider that pressure would inevitably arise to lop or fell the trees to the rear boundary to increase light onto the limited rear garden area serving future occupants of the proposed dwelling, to the detriment of the spacious, soft landscaped character of the area.
15. Taken as a whole, we are firmly of the opinion that the proposed development would cause severe and substantial harm to the character and appearance of the local area and the living conditions at 83 Brigsley Road, in clear contravention of adopted development plan and national planning policies. We urge you to uphold those policies and refuse the application accordingly.

Yours faithfully

Humphreys & Co.

cc. by email: [planning@nelincs.gov.uk](mailto:planning@nelincs.gov.uk)

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mrs Lisa Brooks

Address: 97 Brigsley Road Waltham Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

### Comment Reasons:

Comment: The site is heavily populated with trees many of which have been cited in previous refusals, we are unable to see what has changed regards this application from previous ones. The site is home to extensive wildlife having always been a vacant strip of land and is home to a significant Bat population. The Drainage down Brigsley road is already poor, during heavy rains the system struggles to cope (pumping station in Brigsley is frequently overcome).

The site is so narrow and the trees so close to the neighbouring property the risk of structural damage must be significant.

We strongly object to this and further development down Brigsley Road.

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mrs Carol Ellwood-Clarke

Address: The Old Police House 6 Brigsley Road, Waltham Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

### Comment Reasons:

Comment:I object to the application for planning on this area for several reasons. The land in question is populated with healthy and mature, well structured trees. On reviewing the planning details these are to be destroyed to facilitate the development. The area, over time has become a source for wildlife. The trees are a natural habitat for the wildlife. I note that this area has had repeated refusals for planning and whilst some may say that this land constitutes space that is available for landfill this is outweighed by preserving natural habitation. The structure will clearly overshadow neighbouring properties and prevent natural light and growth for vegetation in the area.

## **Planning - IGE (ENGIE)**

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**From:** Sally Nunn  
**Sent:** 22 February 2021 21:35  
**To:** Planning - IGE (ENGIE)  
**Subject:** planning application number DM0536/20/FUL

I would like to comment on the above planning proposal.

I understand this development will involve the removal of a number of mature trees. If these have a preservation order against them, why are these not taking effect and if those have been removed, why is that?

Mature trees have been shown to be far more effective at removing airborne particulates harmful to humans, over and above newly planted saplings. From a public health perspective, and particularly in light of the impact of Covid19 on individuals, surely local government should be seen to taking steps to preserve these natural air purifiers wherever possible.

I understand the area is also home to a range of different wildlife including bats, and I would be interested to know if this has been considered or assessed, particularly as bats have certain legal protections. This development is yet another example of how urban sprawl is an ever increasing threat to an already diminishing U.K. wildlife.

Thank you

Sally Nunn  
16 Fairfield Avenue  
Grimsby  
DN33 3DS

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mrs Diane Greenfield

Address: 24 Muirfield Waltham Grimsby

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

### Comment Reasons:

Comment: This narrow strip of land is a wildlife haven. My husband and I have witnessed bats on this land near the trees proposed to be felled, as recently as 21/02/2021. The felling of these trees should not be allowed.

The environment is desperately in need of keeping mature trees, climate change cannot wait for new trees to be planted and grow!!!

Bats, I understand are protected so they should be left to live their lives in these trees in peace.

I strongly disagree with this planning application!!!

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mrs Helena Wright

Address: 24 Kirkgate Waltham Grimsby

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objection to the proposed dwelling is mainly due to the need to take down trees that are home to bats and other wildlife.

Also, the cutting down of trees in general is detrimental to the environment.

Therefore I strongly object to the construction of this new property.

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mr Isaac Meggitt

Address: 24 Kirkgate Waltham Grimsby

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

### Comment Reasons:

Comment:I am against the proposed construction of this dwelling. One of the reasons that I am against the construction is in relation to my general opposition to construction in this area as I believe that too many constructions will lead to a lack of natural beauty, a situation which I and many others fear.

Another reason why I am against the proposed construction of this dwelling is specific to the area itself. I have been informed that this land provides space for wildlife which is relatively unique and that the proposed construction would pose a threat to this wildlife.

# **Comments for Planning Application DM/0536/20/FUL**

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Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Miss Lucy Carlton

Address: 53 Westfield Road Waltham Grimsby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Lucy Carlton

53 Westfield Road

Waltham

Grimsby

DN37 0DZ

Dear Mr Limmer

I have serious concerns over the planning permission being sought on the land between 83 and 85 Brigsley Road, Waltham.

There are several factors that need to be taken into consideration on this land:

- Wildlife - including regular bat sightings, owls, and squirrels.
- Detriment to the trees on 85 Brigsley Road
- Drainage
- Privacy to my parent's land (85 Brigsley Road)
- Planning taking into consideration the depth of footings.
- Not enough time was given to the surrounding neighbours to object.

On Thursday 17th November we have a photograph taken of a bat sighted above the land in question. After speaking with The Bat Society, they have informed me that whilst bats are hibernating currently, due to the quick change in temperature it would not be unheard of for bats to be seen at this time of the year. I can send this photograph upon request. There are also owls and

other wildlife within the trees and, as you will be aware, bats are a protected species, and it is illegal to unsettle them - roosting or not. Gov.uk website clearly states this. Has a bat report been completed? We have cameras set up to try find their roosting place.

The removal of trees will have an impact on the mature trees (90 years old) on 85 Brigsley Road's land. The roots will be wide spreading and your own tree officer has stated numerous times in the past that this would be of detriment to them. Can I ask how this has suddenly changed?

Drainage report states there are no issues with drainage. Simply visiting the gardens of both neighbouring properties following rain would clearly contradict this. Are you aware of the drain away at 85 Brigsley Road further towards the trees set to be felled? It already struggles, so the removal of trees would only make this worse.

The privacy of 85 Brigsley Road will be affected too. My 3-year-old daughter is looked after at the property two days a week. Currently the garden is extremely private. Plans for the property and the removal of vital trees would mean multiple, large windows looking directly into the garden and the house itself. This would be an invasion of privacy to my parents and daughter when playing in the garden. I also question if this would have an impact on security.

As you will be aware, there was an extension built at 85 Brigsley Road recently. The depth of the footings had to be 5 meters deep due to the roots from one tree close to the house. With the plans for a new property being so close to the boundary, has the depth of footings been considered on the plans? I cannot see this information anywhere.

Finally, after I posted on social media about my concerns over the trees, wildlife, and environmental impact, it became apparent that a number of residents on Brigsley Road were unaware any building plans had been submitted. We, obviously, are in a national lockdown. This means residents may be shielding or not wanting to leave the house. Not only was 21 days (which I believe is the notice that should be given) not adhered to - see letter dates on James Mark Carlton's letters, but the usual protocol of putting a notice on a lamppost (opposite the site) does not, in my opinion suffice in the current climate. Many residents of the street were unhappy they had not been made aware of planning submitted and want more time to object.

I would also like to know if an ecological report has ever been made on this site. If not, then I would like to know why not and if one will be done before a decision is made.

We all have a duty of care to protect our area and help slow climate change. Building upon wild areas and felling trees, which will then directly impact on other neighbouring trees goes against this.

I trust you will follow up on my points raised.

Yours sincerely

Lucy Carlton

# **Comments for Planning Application DM/0536/20/FUL**

## **Application Summary**

Application Number: DM/0536/20/FUL

Address: Land Adjacent To 83 Brigsley Road Waltham Grimsby North East Lincolnshire DN37 0LB

Proposal: Erect dwelling with integral garage and install vehicular access (Amended dwelling design)

Case Officer: Richard Limmer

## **Customer Details**

Name: Mrs Jackie Burton

Address: Langdale Main Road Brigsley

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: If there are bats and owls roosting in the trees on the property then the development should not go ahead. We need to protect what wildlife we still have.

# **Comments for Planning Application DM/0090/22/FUL**

## **Application Summary**

Application Number: DM/0090/22/FUL

Address: Anne Askew House South Marsh Road Stallingborough North East Lincolnshire DN41 8BE

Proposal: Erect one detached dwelling and garage with associated boundary treatments and landscaping

Case Officer: Bethany Loring

## **Customer Details**

Name: Mr Stephen Fawcett

Address: 138 Station Road Stallingborough Grimsby

## **Comment Details**

Commenter Type: Neighbour

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

Comment Reasons:

Comment: Observations . The original planning application for this area was to build 4 Bungalows on the site , 3 on the (field) and 1 by the entrance to Anne Askew, this was refused .

The next application to appear was revised to build 2 Dwellings on the (field) ,now referred to in the new application as Dormer Bungalows . These are now under construction but seem to have a ground floor and a first floor (ie Houses), we now have another planning application for a Third Dwelling called a (house) ie having a ground floor and a first floor , what is the difference between a dormer bungalow and a house ???.

I guess my next question will be as to when the next application will be made to build yet another Dwelling on the site which will bring us back to the four properties that were originally planned that were refused.

I would also like to point out how much the Dwellings on plot 1 and 2 overshadow the nearby properties and are totally out of proportion with neighbouring properties . I see the current application as yet another play on words by someone , i only hope that at the end of the development someone checks that the profit from selling these properties does indeed get spent on the Anne Askew building as promised and does not end up in some shareholders pocket .

# **Comments for Planning Application DM/0028/22/FUL**

## **Application Summary**

Application Number: DM/0028/22/FUL

Address: Land Adjacent To The Barns Walk Lane Irby Upon Humber North East Lincolnshire DN37 7LA

Proposal: Change of use and conversion of old apple and potato store to short term holiday let to include various internal and external alterations and installation of metal flue for wood burning stove

Case Officer: Jonathan Cadd

## **Customer Details**

Name: Mrs Emma Moody

Address: Hilltop House Walk Lane Irby

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a carbon copy of previous applications in 2003/13/14 but has now been rebranded as a 'holiday let'. Who would police who actually uses the property and how long they are there for? It would be extremely detrimental to the spacious nature of both the barns and my home in what is an isolated development outside the boundary of Irby itself. This is open countryside and an AONB. The proposal would be over intensive on land where no new developments are supposed to happen. Due to the layout of both the barns and my property, the new development would be closer to me than the applicants. The entrance is proposed to be metres away from my patio and would be an invasion of privacy and have a negative impact on the enjoyment of my outside space. We choose to live here because of the open space around us. Holiday makers are noisy by nature. Irby already has 3 holiday lets situated directly off the A46 on a self contained farm which does not affect the village or its residents and owners of these have confirmed my concerns around noise pollution. As there are other outbuildings behind the proposal, how long before these are converted too..this could set a worrying precedent. I feel this proposed development could have a negative impact on the value of my property.

Walk Lane is a single track Lane and bridleway with high hedging and blind bends. It is heavily used by the large number of horse riders located within the village, along with walkers and cyclists. The revolving door of new traffic created by a holiday home would hugely increase the potential for accidents along the Lane.

The countryside should be protected from this type of over intensive and cramped development.

# **Comments for Planning Application DM/0028/22/FUL**

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Proposal: Change of use and conversion of old apple and potato store to short term holiday let to include various internal and external alterations and installation of metal flue for wood burning stove

Case Officer: Jonathan Cadd

## **Customer Details**

Name: Mr Brian Adam

Address: Blacksmiths cottage Walk lane Irby upon Humber

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Is this infill? The area is one of outstanding natural beauty, There are 40-50 horses in the village all of which use this single track road, extra traffic will increase the chance of accidents. Is there a demand for a holiday let or will the proposed building end up being lived in by the family there is a caravan on site is this lived in? I believe it will invade the privacy of the neighbours,

# **Comments for Planning Application DM/0028/22/FUL**

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Proposal: Change of use and conversion of old apple and potato store to short term holiday let to include various internal and external alterations and installation of metal flue for wood burning stove

Case Officer: Jonathan Cadd

## **Customer Details**

Name: Mr DAVID BRYANT

Address: SACKVILLE COTTAGE WALK LANE, IRBY-ON-HUMBER, GRIMSBY

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:MY CONCERN IS FOR THE INCREASE OF TRAFFIC ON THE SINGLE ROAD UP TO THE PROPOSED HOLIDAY LET. THERE ARE MANY BLIND CORNERS DUE TO THE HEIGHT OF THE HEDGES EITHER SIDE OF THE ROAD WHICH IS USED REGULARLY BY HORSE RIDERS, WALKERS AND CYCLISTS.

# **Comments for Planning Application DM/0028/22/FUL**

## **Application Summary**

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Proposal: Change of use and conversion of old apple and potato store to short term holiday let to include various internal and external alterations and installation of metal flue for wood burning stove

Case Officer: Jonathan Cadd

## **Customer Details**

Name: Mrs Eileen Rooke

Address: Welbeck cottage Walk Lane Irby Upon Humber

## **Comment Details**

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having considered the history of previous unsuccessful applications and subsequent unsuccessful appeals, the fundamental reasons for refusal of further development has not changed.

This latest application is being portrayed as a 'conversion' , I acknowledge that strictly speaking this is the case.

However , if allowed , the store will be converted into a DWELLING, the separate driveway and application of black cladding will give the appearance of a new build, and as such would harm the rural open character surrounding the Barns and Hilltop House and fail to conserve the AONB's natural beauty.