



To be submitted to the Council at its meeting on 16<sup>th</sup> March 2023

## **PLANNING COMMITTEE**

**4<sup>th</sup> January 2023 at 9.30 a.m.**

### **Present:**

Councillor Pettigrew (in the Chair)  
Councillors Batson, Beasant, Croft, Dawkins, Goodwin, Hasthorpe, Lindley, Mickleburgh and Parkinson.

### **Officers in attendance:**

- Matthew Chaplin (Public Rights of Way Mapping Officer)
- Martin Dixon (Planning Manager)
- Lara Hattle (Senior Highway Development Control Officer)
- Richard Limmer (Senior Town Planner)
- Sophie Pickerden (Committee Support Officer)
- Keith Thompson (Specialist Property Lawyer)

### **Others in attendance:**

There were 14 members of the public present and no members of the press.

## **P.56 APOLOGIES FOR ABSENCE**

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

## **P.57 DECLARATIONS OF INTEREST**

Councillor Mickleburgh declared a prejudicial interest in Item 1 of p.59 DM/0205/22/FUL as he had publicly made his views known on the application.

Councillor Pettigrew declared a personal interest in Item 9 of p.59 DM/0835/22/FUL as he is a member of Ashby Cum Fenby Parish Council.

Councillor Hasthorpe declared a personal interest in Item 9 of p.59 DM/0835/22/FUL as he knew the objector.

**P.58**

## **APPLICATION OF DIVERSION FOR PART OF PUBLIC FOOTPATH 72, WALTHAM**

The panel received a report from the Executive Director for Environment, Economy and Resources seeking to divert part of Public Footpath 72 in Waltham and create two extra public footpaths as part of a residential development. Mr Chaplin said that by diverting the footpath on to the woodland, it would make the path safer. Mr Chaplin stated that the diversion of Public Footpath 72 and the creation of two extra public footpaths was recommended for approval.

The Chair stated that the diversion and the creation of two footpaths would be better for the area.

Councillor Hasthorpe said that he agreed with the Chair.

Councillor Mickleburgh said that there had been an issue for a long time, and he said he believed that the change proposed would solve the problem.

RESOLVED - That an Order be made for the diversion of part of Public Footpath 72, which is to be diverted under the Town and Country Planning Act 1990 section 257, and the creation of two public footpaths under Highways Act Section 25.

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

Councillor Mickleburgh left the meeting at this point.

**P.59**

## **DEPOSITED PLANS AND APPLICATIONS**

### **Item 1 - DM/0205/22/FUL - (A4E Action For Employment), 260 Macaulay Street, Grimsby**

Mr Dixon introduced the application and explained that it sought permission to demolish existing buildings and the erection of 23 dwellings with parking, alteration to existing access and associated works. Mr Dixon stated that the proposed access to the site would be from the east at Lister Street. Mr Dixon said that a reasonable layout had been achieved on the site and that there would be a mix of terraced townhouse properties and semi-detached properties. Mr Dixon stated that the site was currently vacant and was showing signs of disrepair. He said that the site was located within the main urban area of Grimsby and was close to the town centre and was therefore in a sustainable location. Mr Dixon stated that the site was acceptable in principle but that it had to pass the Flood Risk Sequential and Exceptions Tests due to it being located within flood zone three. Mr Dixon stated that the applicant had supplied a detailed Flood Risk Assessment which included both tests. He said that regarding the Sequential Test, a development could pass the test if the development was a regeneration of a site. Mr

Dixon stated that the development passed the test as it would bring into use a vacant site and offer benefits to the local area. Mr Dixon stated that the development also passed the Exceptions Test as floor levels would be raised to mitigate the flood risk along with their being no sleeping accommodation on the ground floor. Mr Dixon stated that a lot of work had been undertaken with the highways officer to address concerns neighbours raised regarding increased traffic. He said that the highways officer had determined that whilst there might be an increase in traffic, it would not cause an adverse impact on the highway network. Mr Dixon stated that there had been conditions added to the application following discussions with the drainage officer. Mr Dixon said that it had been determined by the education officer that no contributions had to be made by the applicant towards education. Mr Dixon said that the ecology officer had recommended survey work be undertaken and informed committee members that this had been included as a condition on the application. Mr Dixon stated that conditions had also been included within the application regarding contamination. Mr Dixon stated that the proposal was in accordance with policies 3, 4, 5, 6, 15, 17, 22, 33, 34, 36, 38, 41 and 42 of the North East Lincolnshire Local Plan and the National Planning Policy Framework and was therefore recommended for approval with conditions.

The Chair referred members to the supplementary planning agenda which included some information regarding the possibility of asbestos in the buildings.

Mr Nelson spoke as the agent for the application. He said that he commended planning officers for the detailed report they had compiled. Mr Nelson stated that whilst objections had been received from neighbours there had been no technical objections from officers. Mr Nelson said that they had worked with the Environment Agency. He stated that the proposed site was a derelict brownfield site and that he believed the proposed plans would be a betterment to the site. Mr Nelson stated that a detailed construction management plan had been submitted and that the number of dwellings had been reduced to allow for parking. He further stated that the flood risk would be mitigated by raising the floor levels and that a proposed introduction of soft landscaping would improve the drainage system. Mr Nelson said that the site would have a good mix of property types and that this would add to the local housing stock. Mr Nelson stated that the proposed application would offer community benefits including offering more housing in the area.

Councillor Hasthorpe queried whether the access to Macauley Street would be blocked off. He further commented that the traffic along Lister Street, mainly during the construction phase, could be a problem. He said that it was a notoriously bad junction. Councillor Hasthorpe suggested that a no right turn for vehicles be implemented particularly during the construction phase.

Ms Hattle stated that she had spoken to the applicant and agreed that a no right turn be enforced during the construction phase.

Mr Dixon stated that measures could be included in the application to prevent unauthorised access.

Councillor Hasthorpe stated that as long as his concerns were addressed, then he was happy with the application. He moved for the application to be approved.

Councillor Lindley stated that he was not quite as keen as Councillor Hasthorpe to approve the application. He said that whilst the area of the West Marsh needed redevelopment, he was concerned over the proximity of the site to the school. Councillor Lindley stated that there had been issues around parking in that area and that whilst he welcomed the development, he believed that it would open a huge can of worms regarding traffic congestion. He stated that he was concerned that parents would see it as an extension to drop their kids off and he was concerned about safety. Councillor Lindley said that he would have endorsed the approval of the application if the school had not been there. He said that there were parking issues outside schools across the borough but particularly at this school. He commented that Macauley Street was busy anyway. Councillor Lindley stated that he had huge concerns but would listen to the debate.

Councillor Dawkins said that there was a problem outside of the school and suggested that an only residents parking policy might work. He said that he also had concerns about vehicles driving onto the site as a drop off.

Ms Hattle stated that Macauley Street was part of a trial regarding residents only parking. She informed committee members that they could condition a Traffic Regulation Order but that it would have to be approved on its own merit.

Mr Dixon said that the issue had been thought about and said that there was mitigation included in the scheme, but that it was thought that the benefits outweighed the negatives.

Councillor Dawkins said that people want to drop their children off as close to the school as possible and he could see vehicles driving onto the site. He said that there would be lots of traffic and would prefer the council to put something in place initially and not retrospectively.

Councillor Parkinson stated that he didn't think people would do that and seconded the motion to approve the application.

Councillor Hasthorpe said that he shared the concerns raised by members but that the positives the application would provide outweighed the negatives. He stated that the Council did have enforcement officers.

Councillor Beasant welcomed the proposal and hoped the developer would look at other sites in the borough as well. He commented that he

would have liked to see more trees and said that he hoped the developer would take that on board. Councillor Beasant stated that he was concerned regarding the narrowness of Lister Street and said that vehicles were parked on both sides of the street. He said that he believed Lister Street would take the traffic from Macauley Street.

The Chair stated that with the Traffic Regulation Order option in place, his concerns would be alleviated.

Councillor Lindley said that he took on board what committee members had said and did not oppose the development, but he said he had not heard anything proposed that would alleviate the problem. He said a Traffic Regulation Order would not stop people and that access to the school in the area was difficult. Councillor Lindley stated that there were access issues and that parking on both sides did occur in that area. He said that whether a Traffic Regulation Order was put in place or not, it would not address the issue. Councillor Lindley stated that he was leaning toward rejecting the application. He commented that the safety of children came first and that unless he saw a solution, he did not think he could support the application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 7 for and 2 against for the application to be approved.)

Councillor Mickleburgh returned to the meeting at this point.

## **ITEM 2 – DM/1027/22/FULA – 18 Stallingborough Road, Healing**

Mr Dixon introduced the application and explained it sought to demolish an existing detached garage, erect a detached garage with storage at first floor with roof lights and associated works. Mr Dixon said that the application was a resubmission of a previous application which was refused. He said that there had been changes made to the orientation of the roof and a slight reduction had been made to the overall height from the previous proposals. Mr Dixon stated that the application was acceptable in principle. Mr Dixon said that the proposed garage would not harm the wider character of the area. Mr Dixon stated that there had been objections raised regarding concerns over overshadowing and massing. He said that it was not considered that there would be any adverse massing or overshadowing as both the applicant's rear garden and neighbours rear gardens were substantial in size and there was screening. Mr Dixon stated that the application was not unusual. Mr Dixon stated that the proposal was in accordance with policies 5, 22 and 34 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Wood spoke in objection to the application. He said that the application had been refused previously by the committee due to

massing and overshadowing. Mr Wood stated that he did not believe those concerns had been addressed and that the main issues of massing and overshadowing still existed, as well as now a loss of privacy due to the layout change. Mr Wood stated that the proposed garage would be two and a half times higher than the existing garage and that access to natural light, which was important for wellbeing, was going to be limited if the application was approved. Mr Wood said that the proposed garage would cause extensive overshadowing and that one of the windows would look directly into his family room which he stated was not acceptable. He said that there were alternative solutions which would alleviate the problems. Mr Wood asked the committee to refuse the application as the issues which the committee has raised with the previous application, which they had refused, had not been addressed. Mr Wood said that the overshadowing the proposed garage would cause would take away the enjoyment of his garden.

Mr Smith spoke as the agent for the application, he stated that the application was a resubmission following a refusal vote at a previous committee meeting. Mr Smith stated that mitigation had been put in place to address the neighbours' objections and that the roof had been rotated by 90 degrees. Mr Smith said that a sustainable drainage plan had been proposed and approved by officers. Mr Smith informed committee members that the parish council had also voted in favour of the application. Mr Smith commented that whilst there had been several objections raised from neighbours, he said they were not all relevant as they would not be affected by the application. Mr Smith said that there could be a condition added to blur the gable windows. Mr Smith concluded that the revised application did address the issues which were the reasoning behind the previous refusal of the application.

Councillor Hasthorpe stated that he thought the applicant had worked well with officers to come to a compromise and said that he believed that whilst the proposed garage would be slightly bigger, he didn't think it would be oppressive. He moved for the application to be approved.

Councillor Mickleburgh seconded the approval.

The Chair said that an obscure glazing condition could be considered.

Councillor Lindley said that he welcomed the 60cm reduction but that the changed orientation of the roof had probably wiped out any effect that would have and more overshadowing could occur as a result. Councillor Lindley stated that had the application been brought back with a 60cm reduction and the roof in the same alignment, he probably would have supported the approval of the application. He said that he was leaning towards opposing the application but would listen to the rest of the debate.

Councillor Hasthorpe said that he thought an obscure glazing condition would make a difference and stated that at the previous committee he had asked for there to be a no occupation condition added. He

commented that there were some supporters of the application close by and that some of the objectors lived further away.

Councillor Dawkins stated that the main objection was the person that would be affected and said that he understood there being only one local objection. Councillor Dawkins said that he was struggling to support the application as the loss of garden was massive. He commented that he would be supporting refusal of the application.

Councillor Parkinson said that he agreed with Councillor Lindley regarding the orientation of the roof. He said that he thought the proposed garage should be situated further down the garden so it would not be so intrusive. Councillor Parkinson stated that he would be voting to refuse the application.

Councillor Lindley said that person objecting was the one who it would affect if approved. He said he believed the applicant could have done more work to resolve the issues. Councillor Lindley stated that he understood the concerns of the neighbour and that he would therefore not be supporting the application. He commented that he thought the issues could be resolved with more work undertaken on the application.

The Chair said that he understood the points raised on both sides of the debate. He said that the applicant had worked with planning officers and that he believed that the lowering of the building and change in orientation of the roof would make a difference.

Mr Dixon clarified whether Councillor Hasthorpe and Councillor Mickleburgh were moving for approval of the application with the condition of obscure glazing added.

Councillor Hasthorpe and Councillor Mickleburgh confirmed this.

Councillor Goodwin queried whether the occupation condition would be added to the application.

Mr Dixon stated that the condition was included in the application.

RESOLVED – That the application be approved with conditions.

(Note - the committee voted 6 for and 4 against for the application to be approved.)

### **ITEM 3 - DM/1002/22/FUL – 1, 3, 4, 5, 6 and 7 Anita Grove (Former Tynedale, Cheapside), Waltham**

Mr Limmer introduced the application and explained it sought a Variation of Condition 1 (Approved Plans) as granted on DM/0857/21/FUL for revision to the approved boundary treatments to plots 1,3, 4, 5, 6 and 7. (re-submission of DM/0208/22/FUL). Mr Limmer stated that the application was a resubmission of DM/0208/22/FUL which was

previously refused by the committee. He said that the application had been resubmitted following further discussions with the drainage team. Mr Limmer stated that there had been an objection from The Old Nurseries citing security and privacy concerns. Mr Limmer stated that the application was recommended for approval with conditions.

Mr Nelson spoke in support of the application. He said that following discussions with the drainage team, it was determined that the dyke be kept open. He said that the trees on the other side of the dyke were not on land owned by the applicant. Mr Nelson said that the scheme to allow fencing and maintain the dyke was supported by officers and that the scheme would help deter crime. Mr Nelson requested that committee members approved the application.

Mr Lennie spoke in support of the application. He said that he had missed the opportunity to attend the parish council meeting where the application was discussed. Mr Lennie referred committee members to the photos he provided in the supplementary agenda. He said that the main objection to the application was about security. Mr Lennie said that street lighting and activity at properties which were now occupied provided increased security with direct visibility along the drive from the houses. Mr Lennie stated that a fence would create a false boundary isolating the ditch and embankment, creating a blind spot which would pose a security risk. Mr Lennie stated that there had never been a fence along the Anita Grove side of the ditch. Mr Lennie said that the Old Nurseries had advised planning officers that the ditch was owned by and should be maintained by Anita Grove. Mr Lennie said that substantial leaf fall can fill the ditch within days. He said that a fence would prevent access which was needed for maintenance. He said that access through a bolted gate would not be practical. Mr Lennie stated that heavy equipment was needed to extract and remove detritus and silting from the site. Mr Lennie stated that windage on a solid fence would likely cause damage and the collapse of the narrow ditch embankment. Mr Lennie said that there were no problematic sight lines to properties on Cheapside. Mr Lennie stated that properties close by had benefitted from the improved ditch maintenance. He said that he thought it was essential that the ditch remained open for the benefit of all neighbours.

Mr Rands spoke in objection to the application. He said that the boundary was defined by a Hawthorne hedge which had been there for many years. He said that when the applicant bought the land, he removed all the hedging. Mr Rands stated that it was the developer that had to build the fence and that, that had been agreed. Mr Rands said that the drain did not run constantly and was drained manually. He said that a small lockable gate would allow for maintenance work. Mr Rands said that he would allow access to his land for this purpose. Mr Rands stated that his security had not improved contrary to the applicants claims. Mr Rands stated that the drain could be fast flowing and could be a danger.



The Chair said that he thought the main issue regarding the application was the external boundary fence. He said that looking at the ditch and the depth of the ditch, it clearly needed manual maintenance. The Chair stated that he didn't think that mechanical machinery would be required but that a fence would make maintenance difficult as access would be needed. The Chair said that he understood the concerns regarding privacy.

Councillor Hasthorpe said that he didn't think the application was complete and was unsure how members could vote on it.

Councillor Parkinson proposed that the application be deferred to allow members to undertake a site visit.

Councillor Lindley stated that he agreed with Councillor Hasthorpe and found it difficult to reach a conclusion. He said he was reluctant to make a decision based on the information provided. Councillor Lindley said he was unsure about visiting the site.

Councillor Hasthorpe seconded the proposal of deferring the application to allow for a site visit to take place.

RESOLVED – That the application be deferred for a site visit.

(Note - the committee voted 9 for with 1 abstention for the application to be deferred.)

#### **ITEM 4 – DM/0777/22/FUL - Waltham Windmill Golf Club, Cheapside, Waltham**

Mr Limmer introduced the application and explained it sought to erect a temporary 6.5 metre tall by 10-metre-wide golf ball impact net adjacent to the first tee box on Waltham Windmill Golf Club. Mr Limmer stated that the application also included the planting of trees behind the net. Mr Limmer said that there had been comments received from neighbours in support and comments objecting to the application. Mr Limmer informed committee members that the application had been submitted following complaints made to Environmental Health. Mr Limmer stated that the netting would be temporary. Mr Limmer said that the ecology officer had reviewed the proposal following concerns raised that the netting could impact ecology by birds getting caught in the netting. Mr Limmer stated that the ecology officer had raised no objections and informed committee members that the netting would be positioned in an open area away from flight paths of birds. Mr Limmer stated that there had been objections raised regarding the visual impact the netting would have. He said that the netting would be away from the boundary by seven metres and would not be overbearing. Mr Limmer stated that the proposal was in accordance with policies 5, 22, 41 and 43 of the North East Lincolnshire Local Plan and was therefore recommended for approval for a time period of five years and subject to conditions.

Mr Francis spoke in support of the application and stated that he was speaking as a neighbour and on behalf of another neighbour. He stated that the issue was one of health and safety. Mr Francis stated that a golf ball can be very dangerous and could cause serious injury. He stated that he lived with that danger and that there had been damage caused to his property. Mr Francis said that property was just material and that human beings were much more important. He said he that golf balls had nearly hit him in the head, and that his wife's tea mug had been smashed by a golf ball when she was outside. Mr Francis stated that other solutions had been tried and that the application that was before committee was the final solution. Mr Francis said that some of the objectors to the application didn't live on Golf Course Lane and that most of the objections that had been raised were about visual issues and threats to the wildlife. Mr Francis stated that he had spoken to people who had used the netting before, and that they had no experience of it affecting wildlife.

Councillor Mickleburgh stated that golf balls were heavy and that the argument of the netting being a threat to wildlife was not strong as golf balls also had the potential to cause injury to animals. He said that the proposed application was a sensible solution to the problem and moved for the approval of the application.

Councillor Dawkins said that he agreed with Councillor Mickleburgh and seconded approval of the application.

Councillor Croft stated that she would be supporting the application.

Councillor Lindley stated that he used to be a member of the golf course and said that he didn't know why it had taken so long for the issue to be at committee. He said that it was an important issue to address. Councillor Lindley said that he took on board the objections to the application, but that more trees were in development so there would end up being a more natural screen. He commented that netting at golf clubs was not unusual. Councillor Lindley stated that he would be supporting the application.

Councillor Hasthorpe said that he thought the netting would not look good but would serve a purpose. He queried whether the limit of a five-year period could be reviewed.

Mr Limmer stated that it could not be reviewed and that if the application was to be approved, then permission would be granted for five years. Mr Limmer commented that if the applicant wanted to remove the netting before the five-year time period had ended, then they could.

Councillor Goodwin said that she supported the application and commented that health and safety was important.

RESOLVED – That the application be approved with conditions.

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

### **ITEM 5 - DM/0797/22/FUL - 10 Forest Way, Humberston**

Mr Limmer introduced the application and explained that it sought the erection of a boundary wall and partial change of use of land to domestic curtilage, as per amended plans received November 2022. Mr Limmer explained that it was a retrospective application. Mr Limmer explained that several objections had been received citing concerns over highway safety. He said that the proposal had been amended to reduce the extent of the two-metre-high wall by removing the front two fence panels and pillars. Mr Limmer stated that the highways officer had raised no objections on the grounds of safety based on the amended plans. Mr Limmer stated that the proposal did not unduly harm the amenity of the neighbouring properties or the character of the area. Mr Limmer stated that the proposal was in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Councillor Dawkins said that it could be a bit of a blind corner and that he welcomed the proposal. He moved for the application to be approved.

Councillor Parkinson seconded the motion of approval.

Councillor Lindley stated that he was happy to support the application.

RESOLVED – That the application be approved with conditions.

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

### **ITEM 6 – DM/0720/22/FUL – Land Grimsby Road (Phase 3), Waltham**

Mr Limmer introduced the application and explained it was a retrospective application to retain raised ground levels with site reclaimed soil from the adjacent development site. Mr Limmer stated that the application included the removal of the remaining soil heap which had caused problems for neighbours due to anti-social behaviour. Mr Limmer stated that a condition had been included to require that the soil was removed, and the site was made good within 3 months of permission being granted. Mr Limmer stated that the proposal would not cause an undue impact on flood risk of the site, drainage, and general amenities. Mr Limmer stated that the proposal was in accordance with policies 5 and 33 of the North East Lincolnshire Local Plan and was recommended for approval with conditions.

Mr Strawson spoke as the applicant to the application. He said he had, had to incur the expense of getting Humberside Laboratories to test the soil to ensure it was suitable even though he knew it was. Mr Strawson

stated that he thought this was unnecessary. He said farmers moved topsoil all the time. Mr Strawson asked committee members to approve the application.

Councillor Dawkins moved for the application to be approved.

Councillor Mickleburgh seconded the motion to approve the application.

Councillor Lindley stated that he would be guided by the experts and said that the soil was a bit of an eye sore.

Councillor Parkinson said he was happy to support the application.

RESOLVED – That the application be approved with conditions.

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

### **ITEM 7 - DM/0812/22/FUL – Grimsby Lawn Tennis Club, College Street, Grimsby**

Mr Limmer introduced the application and explained that it sought a variation of condition 2 (Approved Plans) pursuant to DM/0251/20/FUL. Mr Limmer explained that plots 9 to 14 would have integral garages omitted and changes to living space, rear French doors and roof lights omitted, and a rear ground floor window added. Mr Limmer stated that the private road alignment had been adjusted. Mr Limmer said that the development was acceptable in principle and that the proposed amendments to the development did not affect that. Mr Limmer said that the proposed amendments did not increase the impact on the neighbouring properties residential amenities. He said that the highway officer had reviewed the amendments to the internal access road and had made no objections to the changes. Mr Limmer stated that the proposal was in accordance with policies 5, 22, 33, 34, 36, 38 and 39 of the North East Lincolnshire Local Plan and was recommended for approval with conditions.

Miss Pickerden read a statement which had been provided by Mr Thorns, the agent for the application.

Mr Thorns wrote in the statement that the proposed amendments included rear plots 9-14 all being the same house type with the 3 garages omitted. The statement read that plots 7 and 8 would now have garages and therefore there would only be one garage lost from the amendments. The statement read that plots 9-14 would have roof lights, French doors omitted and a larger window at the rear of the ground floor added whilst retaining bifolds. The statement read that due to the loss of garages for the rear plots, the private road alignment had been adjusted to ensure adequate parking for two vehicles. The statement read that all dwellings would remain in the same location and the road through the site would remain private and not adopted. The statement read that

amendments sought were minor and would have no impact on neighbouring properties and the immediate context along College Street.

Councillor Hasthorpe stated that the changes were minor and moved for the application to be approved.

Councillor Mickleburgh said that he agreed with Councillor Hasthorpe and seconded the motion to approve the application.

RESOLVED – That the application be approved with conditions.

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

### **ITEM 8 - DM/0942/22/FUL – 166 North Sea Lane, Humberston**

Mr Dixon introduced the application and explained that it sought alterations to boundary treatments and to erect a brick wall to the side and front. He said that the proposed wall was of a reasonable size, scale, and appearance. Mr Dixon stated that an objection had been received citing concerns that there would be a potential increase in vehicular movements. He said that the objection had been noted but that it had been determined that the proposal would not lead to an increase in movements of vehicles. Mr Dixon said that the proposal would mean the loss of hedges which was regrettable but not something that could be controlled. Mr Dixon said that the proposal would not unduly harm the amenity of the neighbouring properties or the character of the area. Mr Dixon stated that the proposal was in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan was therefore recommended for approval with conditions.

Councillor Hasthorpe stated that he thought it was a shame to lose a hedge and that it would have been nice for the wall to have the same brick as the house but said that that he understood it was for security. He moved for the application to be approved.

Councillor Lindley seconded the approval of the application. He commented that the hedge did not look in good condition.

Councillor Croft stated that she agreed with Councillor Lindley that the hedge did not look in great condition.

RESOLVED – That the application be approved with conditions.

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

## **ITEM 9 - DM/0835/22/FUL – Land Adjacent to Fenby House, Post Office Lane, Ashby Cum Fenby**

Mr Dixon introduced the application and explained it sought to erect one dwelling with a detached outbuilding and basement. Mr Dixon said that the key issue was the extensive planning history the site had. Mr Dixon explained that the site was outside of the development boundary of Ashby Cum Fenby but that the principle of the site's residential development had been established through permission DM/0499/20/REM which had been established as an extant permission under the certificate of lawfulness approval DM/1053/21/CEA. Mr Dixon stated that with regard to the extant permission, it was not considered that the development would conflict with the Local Plan. Mr Dixon stated that it was an extensive build and would have a large basement and innovative garage. He said it was of a good design and that there was sufficient separation from neighbouring properties. Mr Dixon stated that there had been issues raised regarding access and construction management. He said a condition had been recommended to deal with any concerns should the application be approved. Mr Dixon stated that conditions regarding tree protection and the landscaping scheme had been included in the application. Mr Dixon stated that the proposal would not cause any detrimental impacts to neighbouring amenity. Mr Dixon stated that the proposal was in accordance with policies 3, 5, 22, 33, 34, 39, 41 and 42 of the North East Lincolnshire Local Plan and was therefore recommended for approval with conditions.

Mr Hart spoke in objection to the application. He said that in 2016 a previous application had been refused due to the location and the adverse impacts the proposed plans would have on the local character. He said that the subsequent appeal was granted. Mr Hart said that his concern was that the current proposals were significantly different than the original plan. Mr Hart said that he disagreed with the planning officer's description that the property was a little bit bigger, he commented that it was a substantially bigger house. Mr Hart stated that there were large houses in Ashby that sat well within their plot, but that this dwelling felt tight to the plot size. Mr Hart said that the use of glass was not in keeping with houses in Ashby Cum Fenby and was out of character for the area. Mr Hart stated that he had concerns about the use of office space and that the fact that it had a door onto the drive strongly indicated it would be used as a way of the applicant running his business from home, not just in a working from home context. Mr Hart stated that he was concerned that there would be people coming and going if the office space was to be used in a business context. Mr Hart stated that he also had concerns regarding the construction. He asked the committee to consider rejecting the application.

Mr Sharpe spoke as the agent for the application. He said that a certificate of lawfulness had been given and that previous permission had also been granted. Mr Sharpe said that the car garage was single storey and that the proposed materials that would be used would be similar to those outlined in the existing approved proposal. He said that

whilst he accepted the objections regarding scale and traffic, he did not feel these were founded. Mr Sharpe stated all statutory consultees were in support of the application. Mr Sharpe said that the home office at the property would be used as a home office and not as a business at home.

Councillor Mickleburgh said that he was pleased to hear that the office was not going to be used in a business context. He queried whether a condition could be added.

Mr Dixon said that a no occupation condition could be added.

Councillor Mickleburgh said with the no occupation condition included, he was happy to move for the approval of the application.

Councillor Lindley said he was leaning towards approving the application. He commented that he thought the dwelling was suitable for the plot and that lots of people were working from home, so he thought that should not be an issue. Councillor Lindley said that if committee members were to refuse the application, it could go through the appeal process and likely be approved. He said that he saw no issue regarding over intensification. Councillor Lindley said he would be happy to approve the application.

The Chair said that he sat on the Ashby Cum Fenby Parish Council and that whilst the dwelling had been reduced, it was still larger than the original size. He said that residents were concerned about the construction management plan and how materials would be moved in and out of the site as it was a narrow lane. The Chair said that those concerns need to be considered.

Councillor Lindley said that he agreed with the Chair but concerns over a construction management plan were not a reason not to support an application.

Councillor Goodwin seconded the motion to approve the application.

RESOLVED – That the application be approved with conditions.

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

## **ITEM 10 - DM/0937/22/FULA – 36 Cumberland Avenue Grimsby**

Mr Dixon introduced the application and explained it sought to erect a single storey rear extension with associated alterations as per amended plans and description December 2022. Mr Dixon said that the design of the extension was in keeping with the main dwelling and that the plot was able to accommodate an extension of the proposed scale without becoming overdeveloped. Mr Dixon said that there had been several objections received regarding concerns over massing, loss of light and

overshadowing. He said that the objections had been received prior to the changes made to the proposed plans which saw the original proposed plans to have a two-storey rear extension changed to a single storey rear extension. Mr Dixon said that since the changes had been made following the objections that were received, no further objections had been raised. Mr Dixon said that it was considered that the proposed single storey rear extension would not unduly harm the amenity of the neighbouring properties or the character of the area. Mr Dixon stated that the proposal was in accordance with policies 5 and 22 of the North East Lincolnshire Local Plan and was recommended for approval with conditions.

Councillor Hasthorpe said that the applications can be difficult but that he saw no issue. He moved for the approval of the application.

Councillor Dawkins queried whether the neighbour had raised any objections.

Mr Dixon stated that no objections had been raised following the amendment.

Councillor Dawkins seconded the motion of approving the application.

RESOLVED – That the application be approved with conditions.

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

## **P.60 PLANS AND APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

The committee received plans and applications determined by the Executive Director of Environment, Economy and Resources under delegated powers during the period 17<sup>th</sup> November – 15<sup>th</sup> December 2022

RESOLVED – That the report be noted.

## **P.61 PLANNING APPEALS**

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

RESOLVED – That the report be noted.

## **P.62 EXCLUSION OF PRESS AND PUBLIC**

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



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

**P.63            ENFORCEMENT ISSUES**

The committee considered any requests from any member of the committee to discuss any enforcement issues.

RESOLVED – That the report be noted.

There being no further business, the Chair closed the meeting at 12.16 p.m.